

SCHOOL ADMISSION APPEALS CODE – CONSULTATION DOCUMENT

This Code is primarily for those responsible for making appeal arrangements and for panel members and the clerk to the panel. Admission authorities, who are responsible for establishing appeal hearing, are best placed to offer parents advice about local appeal arrangements.

The following bodies have a statutory duty to act in accordance with both this Code and the School Admissions Code:

- a) Admission authorities – local authorities are the admission authorities for community and voluntary controlled schools, unless the function has been delegated to the governing body¹. Governing bodies are the admission authority for foundation schools (including Trust schools), voluntary-aided schools and Academies².
- b) Governing Bodies (including those that are not admission authorities)
- c) Admission Forums
- d) Schools Adjudicators
- e) Admission Appeal Panels

The Code deals with two separate categories of admission appeals:

- a) appeals by parents³ against a decision to refuse their child admission to a school, or against a decision to the school at which education is to be provided for their child; and
- b) appeals by governing bodies of community or voluntary controlled schools against a decision by the local authority, as their admission authority, to admit a child to their school who has previously been permanently excluded from two or more schools.

The fundamental objectives of all admission appeals are to:

- a) provide an independent, impartial and informal forum for parents and the admission authority concerned to present their respective cases and to be confident that they will be given a fair hearing;
- b) ensure that appeal panels weigh up all the evidence presented to them carefully and objectively before reaching a final decision on the appeal;
- c) operate within education and other relevant legislation (see paragraph A12 in Appendix A). Appeal panels are carrying out a judicial function and **must** apply the principles of natural justice.

Venue for the appeal

To ensure independence in the appeals process, a neutral venue **must** be used for the appeal hearing. Funding delegated to admission authorities for appeals **must** cover any expenses incurred in hiring a venue, although local authorities may be able to provide a suitable venue.

Venues for hearings **must**:

- a) be reasonably accessible to parents and well sign-posted;

- b) be accessible by public transport;
- c) be accessible for people with disabilities, with consideration given to the provision of spaces for car parking¹³;
- d) have a suitable waiting room for parents to wait separately from the panel and presenting officer;
- e) have a suitable room for the presenting officer to wait separately from the panel and parents before and between appeals.