

## Admission Appeals at St Oswald's School – Procedure and Timetable

### Coronavirus Updated Version. This applies to appeals lodged between 1<sup>st</sup> February 2021 and 30<sup>th</sup> September 2021.

As a Voluntary Aided school, the Governing Body is responsible for admissions and appeals. This is different to Voluntary Controlled or Community Schools. Places in our reception class are allocated according to our Admissions Policy, which is available on our website or by contacting the school office at [stoswalds.ce@durhamlearning.net](mailto:stoswalds.ce@durhamlearning.net)

Durham County Council (the Local Authority) co-ordinate the admissions process and all applications should have been sent to them by 15<sup>th</sup> January 2021. The LA have notified parents of allocated places on 16th April 2021. If you have not been successful in obtaining a place at St Oswald's School you have a statutory right of appeal. You can also join our school's waiting list and should contact the school office **by email** to be added to this.

#### Information from Durham County Council's website regarding appeals:

Before deciding whether to appeal, you will probably want to think about the admission policy for admitting pupils, your reasons for wanting your child to attend the school and how strong a case you have. You may also want to consider visiting the school/academy where you have been offered a place or alternative schools/academies that still have places available. We will also be able to advise further on the availability of places at other schools/academies.

If you decide to appeal, your appeal will be heard by a panel which is independent of the school/academy and us, and the decision made will be binding on all parties.

You can appeal for more than one school/academy in order of priority. You may want to attend an appeal for more than one school/academy. The outcome of one does not affect the other.

You can appeal once for admission of your child to a particular school/academy for any given academic year. An admission authority will only determine a second appeal for any given academic year where it accepts there has been a significant and material change in the circumstances of the parent, child or school/academy relevant to the question of admission.

#### How to appeal

You must contact the school office **by email** to obtain an appeals form (or download from our website). The completed form must be returned to the school office **by email**. We will then send your completed form to the LA who will arrange a panel hearing on our behalf. If you cannot return the form by email, please email us with your telephone number and we will contact you about this.

#### Appeals Timetable

You have 20 school days from the date of refusal of a place to prepare and lodge your written appeal. Your appeal will be heard within the following timescales:

- For applications made in the normal admissions round, appeals will be heard within 40 school days of the deadline for lodging appeals.
- For late applications, appeals should be heard within 40 school days from the deadline for lodging appeals where possible, or within 30 school days of the appeal being lodged if it is later.
- For applications for in-year admissions, appeals will be heard within 30 school days of the appeal being lodged.
- Any appeals submitted after the appropriate deadline will still be heard within 40 school days.

You will be informed of the date and arrangements for the hearing in writing at least 10 school days in advance of the hearing, unless you have waived this right in order for an appeal to take place more quickly. At least 5 school days before the hearing you will be sent copies of the Statement of Case that will be put before the appeal panel in support of our decision not to offer your child a place.

### Appeal hearing

You are recommended to take part in the appeal hearing, where you will be given the opportunity to put your case forward and to ask questions. You can involve a friend or an advisor if you wish. This person can be a locally elected politician\* or an employee of the local authority such as an educational social worker, Special Educational Needs (SEN) advisor or learning mentor, provided that this will not lead to a conflict of interest.

*\* In the case of a locally elected politician, this must not be an elected member of Durham County Council who has a direct role in relation to school admissions in Durham Local Authority area.*

Hearings are usually heard in person and you are invited to attend but the situation with the coronavirus pandemic means that it may not be safe to do so due to social distancing measures. The clerk will contact all parties and explain the temporary arrangements for appeals. The clerk will establish whether everyone has access to the necessary equipment and that the appellant is able to participate in a hearing by telephone or video conference.

However, in line with the [School Admissions Appeals Code](#), where an appellant fails, or is unable, to take part in the hearing, and it is impractical to offer an alternative date, the appeal may go ahead and be decided on the written information submitted.

If you want the panel to take any information not on your appeal form into account you should, if possible, submit any supporting documents with your appeal form or email them to [stoswalds.ce@durhamlearning.net](mailto:stoswalds.ce@durhamlearning.net). Make sure you send them as early as possible so that we, and the members of the panel, have time to consider them properly. This should be at least 5 school days before the hearing.

The school's representative take part in the hearing to explain to the panel why it is not possible to offer your child a place.

At the end of the hearing, the clerk should be able to give you an idea of how soon you can expect to receive the panel's written decision, but in any event, this will be within 5 school days of the hearing. This decision is binding on all parties.

Please note that if your appeal is successful you must take up the place within a reasonable time period of two weeks (or start of Autumn term 2021 if your appeal is heard in July 2021) and if it is not your nearest suitable school/academy, you will be responsible for transporting

your child to school in line with the LA's Home to School Transport Policy (see the LA's [School Transport](#) page for more information).

### **Waiting List**

If the appeal is not upheld and your child is not offered a place at St Oswald's then their name can be added to, or remain on, our waiting list. The waiting list is maintained until 31<sup>st</sup> August each year and you must request for your child to be added again from 1<sup>st</sup> September.

### **Further appeals**

Appellants do not have the right to a second appeal in respect of the St Oswald's for the same academic year unless, in exceptional circumstances, the Governing Body has accepted a second application from the appellant because of a significant and material change in the circumstances of the parent, child or school but still refused admission. A second appeal panel must be made up of different members from the first. Appellants may apply for a place at St Oswald's in a later academic year and have a further right of appeal if that application is unsuccessful.

You have the right to complain to the Local Authority Ombudsman if you think the Governing Body or the appeal panel have behaved incorrectly. Details can be found here:

<https://www.lgo.org.uk/make-a-complaint/fact-sheets/education/school-admissions>

For further information please see: <https://www.gov.uk/government/publications/admission-appeals-for-school-places/coronavirus-covid-19-school-admission-appeals> and

<https://www.gov.uk/government/publications/school-admissions-appeals-code>

<https://www.gov.uk/government/publications/school-admissions-appeals-code/changes-to-the-school-admission-appeals-code-regulations-during-the-coronavirus-outbreak>