

# Secondary Transfer Appeal Factsheet

For children starting Year 7 next September

## Your Right of Appeal

You have the right to appeal against the refusal of a place at any of the schools which you listed on your application form. You can only appeal for schools which you have already applied for.

Your appeal will be considered by a panel of three volunteers who are independent of the school, and their decision is binding on the admission authority and the school.

**Very few appeals are successful each year, and those that do succeed are normally where there are exceptional circumstances. Arguments such as distance to the school or childcare arrangements do not usually outweigh the admission authority's case.**

We strongly recommend that you accept the place you have been offered, as this will ensure that your child has a school place in September. Accepting a school place will not influence the outcome of your appeal or your child's position on a waiting list.

## Before the Appeal

When you submit your appeal you must also send in any evidence you want to include as part of your appeal. The Appeals Administrator will contact you after the deadline to let you know when and where your appeal will take place.

If you want the panel to consider any additional information, you must submit all the relevant papers at least 7 days before the hearing so that the panel has the opportunity to consider them. If you bring new evidence with you on the day of the appeal hearing then it's unlikely that the panel will agree to consider it. If you have any questions or concerns you should contact the Appeals Administrator.

Approximately a week before the hearing, you will be sent copies of all the paperwork which will be presented to the appeal panel, including your documentation together with a statement from the school or admission authority explaining why it was not possible to offer your child a place.

## The Appeal Process

The appeal takes place in two halves. In **Stage 1** the school explains to the panel and parents why your child could not be admitted to the school. You and the panel can also ask the school questions. In **Stage 2** you explain the reasons for your appeal, and the panel and school can ask you questions. You can bring a friend or relative with you if you wish.

These two stages may be heard together in one meeting, which lasts approximately 30 minutes. During the Summer term however they are usually held in two separate meetings. All families appealing attend the Stage 1 meeting together. This may last 1 to 2 hours. Each family then have their own individual Stage 2 hearing, which lasts 20-30 minutes. You should attend both Stage 1 and Stage 2 of your appeal.

If you are unable to attend your appeal hearing the panel may decide to consider your case on the written evidence alone.

## The Appeal Decision

At the end of the hearing, the clerk will tell you when you can expect to receive the panel's written decision. They will not decide your case until they have heard all the appeals for that school, so it may be several days before a decision is made and letters are sent by the clerk to inform families. The panel considers whether:

- a) The school's published admission arrangements have been correctly applied, and
- b) The admission of another child would prejudice the provision of efficient education or use of resources at the school.

If they decide that these reasons outweigh the case put by the admission authority your child will be offered a place.

## After the Appeal

After the appeal if you feel that the procedures have not been followed properly or there have been irregularities in the way your appeal was handled or arranged (maladministration), you may complain in writing to:

- the Local Government and Social Care Ombudsmen ([www.lgo.org.uk](http://www.lgo.org.uk)) regarding maintained schools, or,
- the Education and Skills Funding Agency (ESFA) regarding academies.

Further details of the complaints process can be found online here: [www.gov.uk/schools-admissions/appealing-a-schools-decision](http://www.gov.uk/schools-admissions/appealing-a-schools-decision)

You can complain within 12 months of your appeal to the Ombudsman, or within 6 months to the ESFA unless there is a good reason for the complaint being delayed. They can only investigate complaints based on maladministration of the panel, and they can't overturn the panel's decision, but where they find that something went wrong which could have affected the panel's decision, they can ask that we hold a fresh appeal.

### Independent Appeals Service

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