

# RECEPTION SEPTEMBER 2023 START GUIDANCE NOTES AND APPEAL FORM (INFANT CLASS SIZE APPEAL)

If your child has not been offered a place at your preferred school, you can appeal to an Independent Appeal Panel. You should read these guidance notes if you are appealing for a Reception place to start in September 2023.

School places in Ealing are very limited and places are allocated according to the admissions criteria. We strongly recommend if you have been offered a place at an alternative school, that you accept the place that you have been offered whilst you await the outcome of your appeal.

If you are the parent of a child with a statement of Special Educational Needs and wish to appeal against the school named in the statement, or the fact that no school has been named, such appeals are considered by a Special Educational Needs and Disability Tribunal. Please call the SEN Helpline on 01325 289 350 or Email: [sendistqueries@hmcts.gsi.gov.uk](mailto:sendistqueries@hmcts.gsi.gov.uk) for further information.

In Ealing and across London it is **not** exceptional for siblings to attend different schools

Appeal statistics for 2021/22 In Year Community Schools and those VA / Foundation / Academy / Free schools for whom we administer appeals.

	Appeals lodged	Appeals upheld
2021-22	40	0

Last year **30** appeals for Reception September 2022 start were lodged and 0 of these were upheld.

If you would like to appeal you should complete the attached Appeal Form and return it to the Committee Section by **Monday 15<sup>th</sup> May 2023**. It is important that you return the form to the Committee Section as soon as possible so that your appeal will not be delayed. Please note all appeals received on time will be heard by **Monday 17<sup>th</sup> July 2023**.

## PLEASE NOTE

- The child's parent or guardian must complete and sign the form.
- You **must** complete a separate form for each school you are appealing for.
- If you wish to appeal for any school in Ealing not listed in Appendix 1, you **must** appeal directly to that school.

## HOW TO FILL IN THE APPEAL FORM

### Sections 1 and 2

1. Fill in the box with the name of the school you want to appeal for. Please note that you must have applied to this school, and that you can only appeal for the schools listed on page 5, Appendix 1. If you wish to appeal for a school not listed on page 5, Appendix 1, you will need to contact the school directly.
2. Enter the name of the school you have been offered. Please state 'None' if you have not been offered a place.

**Section 3** - Fill in your child's name, address, date of birth and gender. It is important that we have all this information.

**Section 4** - Fill in your name, address (if different from your child's) and your daytime and evening telephone contact number, and your email address

### **Section 5 - At the appeal**

1. If you wish to attend the appeal, please tick the 'Personal Appeal' box and give details of any dates and times when you will **not** be able to come. We will try to avoid any dates you give, but if you are one of a number of people appealing for the same school it may not be possible. You do not have to attend the appeal but **it is better if you can** as the Appeal Panel may have questions that only you can answer and you will be able to explain your case personally, and answer any questions from the Appeal Panel. Please note that if you ask for "Personal Appeal" but are late or fail to attend the meeting, your appeal will be considered on the basis of the written information you have submitted.
2. If you do **not** want to come to the appeal, you can send a representative to present your case for you. If a representative is attending to present your case or accompany you, please tick the relevant box and fill in their name and address so we can send them a copy of the appeal papers. Your representative can be a friend, a locally elected politician or an employee of the local education authority such as an educational social worker, SEN Adviser or learning mentor, provided it does not lead to a conflict of interest.
3. If you decide not to attend, nor to send a representative, please tick the 'Written Appeal' box. This means that the Appeal Panel will use the written information you have provided, along with information from the Admission Authority, to decide your case. However, you should note that the Admission Authority may still send someone to present its case even though you will not be there.

### **Section 6 - Written Statement**

- Please complete this section giving reasons why you want your child to go to your preferred school and not to the school offered. You **must** complete this section even if you are coming to the appeal.

6a - You should complete this box if you feel that the infant class size has not been breached.

6b – You should complete this box if you feel that the admission arrangements did not comply with admissions law or had not been properly implemented and your child would have been offered a place if the arrangements had complied or had been correctly and impartially applied.

6c – You should complete this box if you feel the decision to refuse admission was unreasonable – (see 4.4 of the School Admissions Appeals Code below). Also include any other grounds for your appeal.

- You should give all the reasons why you want your child to go to your preferred school and not to the school they have been offered.
- If you have any supporting evidence, you should send a copy to us with the form. If you need more space, you can attach additional pages to the form. Medical information relating to your child should be from a consultant or specialist, not a GP, and must detail the medical reasons why the child should attend the preferred school rather than the allocated school.

## More information about Section 6

The Appeal Panel will consider the Admission Authority's reasons for refusing your child a place and your reasons for appeal against their decision. There are limited grounds on which an infant class size appeal may succeed for classes of more than 30. The Panel will consider, as specified in 4.4 of the School Admissions Appeals Code.

- a. Whether the admission of an additional child / additional children would breach the infant class size limit.

Whether the admission arrangements (including the area's co-ordinated admission arrangements) complied with the mandatory requirements of the School Admissions Code and Part 3 of the School Standards and Framework Act 1998

- b. Whether the admission arrangements were correctly and impartially applied in the case in question; and
- c. Whether the decision to refuse admission was one which a reasonable authority would have made in the circumstances of the case.

For the decision to be 'unreasonable' the Panel will need to be satisfied that the decision to refuse to admit your child was "perverse in the light of the admission arrangements", i.e:

- It was "beyond the range of responses open to a reasonable decision maker" or
- "a decision which is so outrageous in its defiance of logic or accepted moral standards that no sensible person who had applied his mind to the question would have arrived at it".

The Panel will be reviewing the admission authority's decision in the light of the material available at the time when it made its decision.

## Question 7 - Sign and date the form

The child's parent or guardian must sign the form.

**You must email the completed Appeal Form to:**

[Schooladmissionappeals@ealing.gov.uk](mailto:Schooladmissionappeals@ealing.gov.uk)

If you have any difficulty returning the form by email you can contact School appeals on:- 0208 825 6253

It is important that you return the form to the Committee Section as soon as possible so that your appeal will not be delayed. Please note that all on time appeals received will be heard by **Monday 17 July 2023**.

## WHAT WILL HAPPEN NEXT?

- A letter will be sent to you confirming that we have received your Appeal Form.
- We will set a date for your appeal to be heard by an Appeal Panel within 40 school days from the deadline for lodging appeals or within 30 school days of the appeal being lodged.
- 10 school days before your appeal you will be sent:
  - (i) details of when and where your appeal will be heard.
  - (ii) the names of the panel members and clerk.
- 5 clear working days before your appeal you will be sent:
  - (i) information about what will happen at the appeal.
  - (ii) a statement from the Local Authority giving the reasons why they did not offer your child a place at the school you preferred.
  - (iii) your appeal form and any other information you have provided.
  - (iv) any information provided by the school.

## ANY QUESTIONS?

For further information about admission appeals see the Admission Appeals Code at [www.education.gov.uk/school admission appeals code 2012](http://www.education.gov.uk/school_admission_appeals_code_2012)

For further information on School Admissions and the admission criteria for schools in Ealing see: [www.ealing.gov.uk/admissions](http://www.ealing.gov.uk/admissions)

Helpful organisations that provide information on the appeals procedure:

- ACE, Advisory Centre for Education. [www.ace-ed.org.uk](http://www.ace-ed.org.uk) ACE offer free advice on the admissions and appeals process.
- Coram, Children's Legal Centre provide free advice on the appeals process:  
<http://www.childrenslegalcentre.com> telephone 0300 330 5485 Mon-Fri 9am to 8pm and Sat 9:00am to 12:30pm

If you have any questions about the appeal form or the appeal procedure, please contact the Committee Section, details below:

Telephone: 020 8825 6253

E-mail: [schooladmissionappeals@ealing.gov.uk](mailto:schooladmissionappeals@ealing.gov.uk)

### **More information about Appeal Panels**

*The Appeal Panel will be made up of 3 people who are independent of the Admission Authority. The Appeal Panel will be as informal as possible and should take about 20 to 30 minutes, complex appeals may take longer. The Appeal Panel will be supported by an independent clerk.*

## **Appendix 1 – Community Schools in the London Borough of Ealing**

*The Committee Section organises admission appeals for these community schools:*

### **Primary Schools**

Allenby Primary School	Little Ealing Primary School
Beaconsfield Primary School	Mayfield Primary School
Berrymede Infant School	Montpelier Primary School
Berrymede Junior School	North Primary School
Blair Peach Primary School	North Ealing Primary School
Clifton Primary School	Oaklands Primary School
Coston Primary School	Oldfield Primary School
Dairy Meadow Primary School	Perivale Primary School
Derwentwater Primary School	Petts Hill Primary School
Downe Manor Primary School	Ravenor Primary School
Drayton Green Primary School	St Johns Primary School
Durdans Park Primary School	St Marks Primary School
East Acton Primary School	Selborne Primary School
Featherstone Primary School	Southfield Primary School
Fielding Primary School	Stanhope Primary School
Gifford Primary School	Three Bridges Primary School
Grange Primary School	Tudor Primary School
Greenwood Primary School	Vicars Green Primary School
Hambrough Primary School	Vikings Primary School
Havelock Primary School	West Acton Primary School
Hobbayne Primary School	West Twyford Primary School
Horsenden Primary School	Willow Tree Primary School
John Perryn Primary School	Wolf Fields Primary School
Lady Margaret Primary School	

### **The Committee Section also organises admission appeals for these voluntary aided, foundation academy and free schools:**

Alec Reed Academy (Primary)	Khalsa Primary School
Brentside Primary Academy	St Marys CofE Primary School
Christ the Saviour CE Primary School	Wood End Infant School
Dormers Wells Infant School	Woodlands Academy
Edward Betham CE Primary School	

**NB:** To appeal for any school **not** listed above, you will need to contact the school directly.