Making your way through the maze of School Admission Appeals

Advice for parents

Important information about appeals

Since 2020 ALL appeals have been heard online using Zoom. Full details about getting online will be sent with your letter of invitation by email.

Access to hearings can be by desktop computer, laptop or a smartphone. If there is a problem getting online on the day of the hearing, the panel can opt to hear an appeal by a telephone conference call.

Make sure that you follow the instructions. It is parental responsibility to get online for the video conference. Telephone call appeals are NOT an option unless there are technical issues.

If you cannot connect or are waiting more than 10 minutes you need to call off admin team 020 3151 0400.

Photographs, Videos, School Work and Recording.

Please do not attach photographs, videos or schoolwork to your appeal form. Panels are NOT allowed to **assess** a child's talents or academic performance even for Grammar Schools or other schools that offer partial selection. For example, music or dance. Panel members receive their appeal papers through the post. For safeguarding issues photographs and links to videos cannot be sent through the post. This is not censorship, but a policy to protect your child. We also do not allow parents to use PowerPoint presentations during hearings or record the hearing itself.

Updated October 2026 v20

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WELCOME to the world of school admission appeals.

While at first the process may seem daunting, this booklet is designed to help you through the process and to dispel some of the myths.

The reason you are appealing is because the school is full after offering places to applicants solely on its published admission criteria up to its published admission number.

In a very small number of cases, it could be because the school believes that even though they are below their published admission number, due to the behaviour in the appealing year group, they would still be prejudiced if they admitted even one more student.

Every state funded school has a published admission criteria which is reviewed annually by the school's governing body. This is usually published on the school's website under admissions, if not, look under policies. Additionally, every local authority must produce a primary and secondary school admission's handbook. You will find a copy on your local authority's website under school admissions.

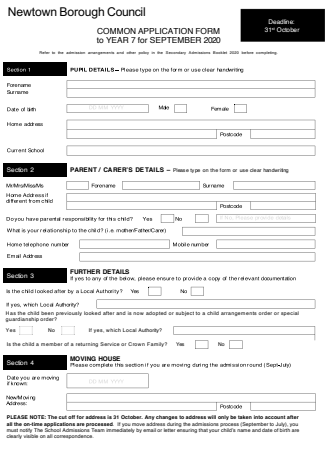
When applying to join a school at reception or year 7, all applications must be made through your local authority who co-ordinate applications.

Two types of State Funded schools.

Maintained schools. These schools are run by the local authorities who are the admission authority and receive their funding from their local authority derived from the annual grant for education the council receives from the government. This means that the local authority makes all the decisions based on the published admission criteria unless the school is a Voluntary Aided Faith School or a Foundation School. In the case of Voluntary Aided or Foundation Schools, the governors make the decisions on admissions, but still using their published admission criteria.

Independent State Funded Schools. Known as Academies or Free Schools, these schools are run by the school's governing body who get their funding direct from the government. These schools are also known as "own admission authority" schools as it is the Governors and not the local authority who make the decisions based on the published admission criteria. In a few cases, the Governing Body agreed to delegate this role to the local authority.

Depending on the policy of your local authority, you can apply for up to 6 schools which are equal preferences. The local authority will check each of the 6 preferences against each school's published admission criteria. If you qualify for a place at any of these schools, the local authority will offer you a place at the highest preference you made.



Newtown Borough Council

COMMON APPLICATION FORM
to YEAR 7 for SEPTEMBER 2020

Deadline
31st October

Refer to the admission arrangements and other policy in the Secondary Admissions Booklet 2020 before completing.

Section 1 **PUPIL DETAILS –** Please type on the form or use clear handwriting

Forename
Surname

Date of birth (DD/MM/YYYY) Male Female

Home address

Postcode

Current School

Section 2 **PARENT / CARER'S DETAILS –** Please type on the form or use clear handwriting

Mr/Mrs/Miss/Ms Forename Surname

Home Address if different from child

Postcode

Do you have parental responsibility for this child? Yes No (If No, please provide details)

What is your relationship to the child? (i.e. mother/Father/Carer)

Home telephone number Mobile number

Email Address

Section 3 **FURTHER DETAILS**
If yes to any of the below, please ensure to provide a copy of the relevant documentation

Is the child looked after by a Local Authority? Yes No

If yes, which Local Authority?

Has the child been previously looked after and is now adopted or subject to a child arrangements order or special guardianship order?

Yes No If yes, which Local Authority?

Is the child a member of a returning Service or Crown Family? Yes No

Section 4 **MOVING HOUSE**
Please complete this section if you are moving during the admission round (Sept-July)

Date you are moving if known (DD/MM/YYYY)

New/Moving Address

Postcode

PLEASE NOTE: The cut off for address is 31 October. Any changes to address will only be taken into account after all the on-time applications are processed. If you move address during the admissions process (September to July), you must notify The School Admissions Team immediately by email or letter ensuring that your child's name and date of birth are clearly visible on all correspondence.

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All local authorities and schools ask for proof of address. Any successful application which is later found to be fraudulent will be removed. Specific details about checks and policies can be found in the local authority primary and secondary school admission handbooks.

In some cases, some parents do not get any of their preferences. Parents make preferences not choices. The word choice does not appear in any Education Act. The word choice implies you will be offered something; preference does not.

Under the 1996 Education Act, your local authority has to offer you a place at a school, albeit not one of your preferences. This is not part of the application process where your preferences were considered. The local authority will try to offer a place at the nearest school with a vacancy. In rural areas this may be some distance from your home!

There are many myths about school admissions. Here are some of those myths that panels have heard.

- Make one preference and it will be offered.
- Make multiple preferences for the one school and it will be offered.
- Put your preferred school last, as that is the one which will be offered.

All local authorities advise to make the maximum number of preferences for schools that interest you and to make realistic preferences including requesting your nearest school. Local authorities and schools will often use this argument at appeal

hearings when parents complain that they did not get their preferred schools.

Launching an appeal.

Since the early 1980s, if a child has been refused a place at a school of your preference, or you would like a higher preferred school, or you are unhappy with the offered school, there has been the right to appeal against the decision.

What is often unknown is that the right to an appeal only occurs in the United Kingdom, Ireland and Sweden.

The right to appeal is currently given under section 94 of the School Standards & Framework Act 1998.

The first step. Parents need to complete an online appeal form. To do this you will need to set up an account for each child. You can use the same account for a single child appealing for more than one school. You need a different account for each child; that means a different email address.

www.educationappeals.com/appeal-form

Details about how to appeal and a timetable will be published on the local authority website for maintained schools and the school's website for Academies or Free Schools. Make sure you complete the correct form.

Parents often ask, what makes a good case? There is no magic formula to winning an appeal. You need to offer a stronger case than that presented by the school, explaining why the appealing school is the best fit for your child.

Here are some issues that other parents have used:

- What can your appealing school offer that the allocated school cannot?
- Is it nearer your home?
- Does it offer a curriculum not offered at the allocated school? e.g. a language or triple science.
- Friends attend or are going to the school.
- Easier journey.
- Smaller setting.
- Family connections.
- Support network.
- Better facilities in subject areas. e.g. music or sport.

- Why this school would be the best fit?
- Medical issues relating to the appellant.
- The social issues of the appellant arising from medical issues within the family.
- Bullying issues. Bullying occurs in all schools and there is no guarantee that moving to another school the bullying will stop. These days much of school bullying is by social media, and that can and does follow the child. The panel will want to see strong evidence. For instance, letters or email to and from the school demonstrating how you have worked with the school to alleviate such issues.

Here are some issues that a panel have previously given lower weighting to:

  - Academic performance unless a selective school.
  - OFSTED rating, related to either the allocated or appealing school.
  - Your child likes the school.
  - Your child's friends attend or are going to the school.
  - Your child likes the school uniform.
  - The school gets good results.
  - Your child will be an asset to the school's sport teams.

Think about what documentary evidence you will need to support your case. Examples are letters from teachers, social workers, a consultant, your GP, childminders and employers.

Top tip	A letter which specifically refers to school admission will get much higher weighting than a pile of NHS appointment letters.

The School Admission Appeals' Code does not allow letters of support from a teacher or other members of staff who are employed at the appealing school to be taken into account. They cannot attend hearings either.

If you complete an appeal form within 20 working days of the allocation decision letter your appeal will be heard as follows:

Secondary Transfer by mid June or later if the closing date is later.

Reception appeals by the end of the summer term.

In year appeals are within 30 school days of the receipt of the appeal form.

Late appeals may be heard later than the above timetable.

The three-member Appeal Panel is independent of the school and the local authority. They are familiar with education in the area and have no present or past connection with the school, except they may have heard previous appeals for the school.

The hearing must be conducted in accordance with the law, following a procedure set out in the School Admissions Appeals

Code. This is used by every admission authority and appeal panel in the country.

You can view a copy of the School Admission Appeals Code at:

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

Every effort is made to ensure that the proceedings are as informal as possible and that you have the opportunity to explain the reasons for your appeal in your own way and to ask questions.

About ten working days before the appeal hearing, you will receive an invitation by email with details of the date and time when your appeal will be heard.

You can submit additional information to your appeal portal at any time up to 12 noon on the 5th working day before your stage 1 hearing. After the deadline your portal will be locked. The panel will not accept any paperwork after this deadline and we do not accept any documents by email.

Many parents appealing for an in-year place are happy to receive shorter notice to allow their appeal to be heard more quickly.

About a week before the hearing, the schools prejudice to education statement setting out the reasons why the school could not offer your child a place will be added to your personal portal. Any time a document is added to your portal, you will get an email.

You may find it useful to have the school's statement with you at the hearing as it will help you to understand what the Presenting Officer is saying. The Presenting Officer, who presents the school's case will be from the local authority for maintained schools and usually the school for all Academies and Free Schools.

We suggest that you read the statement from the school and also think about your own case.

All parents are encouraged to attend the online hearing, but some parents will prefer to have their appeal heard 'on paper'. If you do not attend the appeal, the hearing will proceed in your absence. The hearing will be treated no differently than if you were in attendance. You may attend the hearing accompanied by a friend or a representative. If you are late, the appeal will also be heard in your absence. If you are waiting more than 15 minutes past your appointed time, you should ring the appeal's office – 020 2151 0400 quoting your reference number.

The panel will have read the paperwork you have submitted for the hearing. You would be wise not to read your written case to the panel. You don't want to bore them to death!

Top tip	Never read your written submission to the panel. Pick out 5 or 6 salient points, write these onto a card and emphasize these. Try to present your case in not more than 7 minutes; try not to bore the panel!

When you log onto your computer or phone, you will be directed to the virtual waiting area. When the panel is ready, the Clerk will bring you into the online meeting room. Make sure you arrive about 10 minutes before your hearing.

You will enter the hearing room at the same time as the local authority or school Presenting Officer. The panel must never be alone with the school or local authority, except when hearing a 'paper' appeal and the Clerk is present.

The Chair will invite everyone present to introduce themselves. The panel will be three people who are volunteers and have been trained in the specific law of school admissions and appeals. They are totally independent of the school and the local authority and sit without pay. At least one of the three will have direct experience in education; at least one member must be a lay member.

The Clerk is more than just a notetaker, he or she can offer the panel legal or procedural advice at any time during the hearing or deliberation. Sometimes the Principal Clerk also attends the stage 1 hearing to assist or offer legal advice.

It is not the Clerk's role to make recommendations but he/she will remain with the panel during the deliberation to record their decision. The Clerk writes the decision letter based on the notes taken during the hearing and deliberation.

All appeal hearings are heard in two stages:

At the beginning of the first stage, you will hear the general reasons why an extra child could not be offered a place at your preferred school. For summer transfer and reception appeals the stage 1 hearing will be heard with other parents present. For 'In year' appeals, this is less likely.

The panel will probe the school on its case and then parents will be asked to question the school. At this stage keep the questions generic about the school's case. Do not mention anything about your own family circumstances.

Depending on the number of parents present, stage 1 can take anything from 10 minutes to an hour.

At stage 2, which could be later the same day or another day, parents will be able to tell the panel why they want a place at the school. This part of the hearing usually lasts between 12 to 15 minutes.

Before you are invited to speak, the Presenting Officer will explain exactly why your child was not offered a place.

For 'In year' appeals the Presenting Officer will explain that the school was full at the time of application with children previously offered places under the published admission criteria. They will say that to admit an additional child would prejudice the education offered and resources at the school. In some cases, a place might not have been offered due to the large number of children on roll who have challenging behaviour.

The school will refer to the published admission number (PAN) for years Reception, 7 and 12. For all other years, although the general parlance by schools and parents is PAN, in legal terms it is an *indicative number* for the year group. Usually, a school will offer places up to the indicative number. However, the school may decide not to offer a place due to prejudice to education and resources. This usually applies when the applicant might display challenging behaviour or for a place in year 11 or 13 where the GCSE/A level courses have almost finished.

For secondary transfer and reception appeals the reason will be because other applicants were deemed to have a higher priority under the published admission criteria. In most cases this will be distance, as you live further away than the last child to be offered a place under the distance criterion. This could be different for faith schools and certainly will be for grammar schools. The panel may question the presenting officer and so may you.

Now it's your turn to present your case!

The panel will ask you why you think that your child should be offered a place; they will certainly be eager to listen to your reasons for wanting a place. This is where your prepared 5 or 6 point presentation will be invaluable.

Top tip	The panel are looking for quality of argument as to why this school is the best fit; not quantity!

After your contribution, the panel will ask you some questions. Finally, both sides will be asked if they wish to sum up.

If you decide not to attend the hearing or are late, the panel will consider the appeal on the basis of the written information available. However, we strongly urge you to attend to ensure that the panel has all the information you wish them to consider. It also gives you the opportunity to answer any questions which may arise.

Once the panel has heard the appeal (including in absence) and made a decision, the appeal is closed and cannot be re-opened even if you are late.

Both the Presenting Officer and the parents leave the hearing at the same time.

When all the appeals for your chosen school have been heard, the panel will consider your appeal in two stages.

At stage 1 the panel will consider 3 areas:

- The panel will check that the school meets the mandatory provisions of the School Admission Code. In other words, the panel checks that the published admission criteria are not illegal.
- It will then search for any maladministration. For instance, was the sibling criterion not taken into account. Or was the distance measured correctly?

- Finally, the panel will consider whether it is satisfied that the admission of an additional child would prejudice efficient education and resources at the school.

If the panel accepts your application was not subject to any illegality or maladministration, the panel then considers the prejudice to education case presented by the school.

If they accept the prejudice to education case from the school, the panel moves on to stage 2.

Despite some myths, there are occasions when an appeal is won at stage 1; but it would be fair to say those occasions are rare.

At stage 2, the panel moves onto the balancing stage; weighing up the school's case, against your own case. This is an onerous task and not easy for the panel. The panel uses its discretion to weigh up the advantages which would be achieved by complying with your preference against the disadvantages it would cause the school by admitting an additional pupil.

All decisions are made on a majority vote basis.

Measuring distance

How local authorities and schools measure the distance from your home to the school can create much debate at a hearing when a place has been lost by a few feet or metres.

The method used should be contained in the published admission criteria for the school. It will also appear in the

primary and secondary school handbooks published by each local authority.

Most schools use the local authority's Geographical Information System (GIS) which is part of the admissions department's computer software. The most common distance measurement is a straight line or 'as the crow flies', while others will use the shortest and safest walking distance. Check the wording in the published admission criteria.

A few schools use other systems. Whatever system is used, the same method is employed for all applicants and is therefore designed to be fair and consistent.

Local authorities who measure for schools use easting and northing geographical references from the National Land and Property Gazetteer Database to determine the start point for your home address.

Local authorities do not use 'Google Maps' or any other internet based measuring tools. These measure from postcode to postcode and do not use eastings and northings. They will always produce a different distance as a postcode could be the middle of a street of 50 houses.

For most homes, the eastings and northings point is not located at your front door but will fall within the footprint of your house and garden. If you live in a block of flats, the easting and northing point for the block will be used. If there are two or more applicants in a block, the published admission criteria will include a tiebreaker. The measuring point used to determine the school main entrance may not be the gate or entrance currently used by children and staff entering the school.

To help you work out the distance between your address and a school, you can use the government's schools finder online, but the distance on this website will be passcode to postcode.

https://www.gov.uk/school-performance-tables

This will not give you an exact measurement but it will give you an idea of how close you are to a school's cut-off distance in the previous year as listed in the local authority primary and secondary school handbook. Do bear in mind that the cut-off distance varies from year to year.

Applying for a place outside the normal year group.

Parents have the right under the School Admission Code to **apply** for a place out of the chronological year group for their child. This is usually for summer born children (April – August).

All such applications must be considered by the admission authority after consulting the Headteacher of the school. If the admission authority refuses a place for the non-chronological year group, you cannot appeal against that decision. You can only appeal against the decision to refuse a place in the chronological year group.

If you win your appeal, it will be for a place at the school in the chronological year group and not the different year group you requested.

The law on how applications and appeals for non-chronological year group children are administered is very clear. The panel cannot act ultra-varies (outside their power).

The decision letter

The decision, together with the reasons for the decision, will be sent to you and the school by letter from the Clerk **usually** within 10 school days after all the appeals for your appealing school have been heard. **During the busy summer transfer period, due to sheer volume of appeals, this can be up to 20 school days.**

Many years ago, school admission appeals decision letters were just a few sentences. Today, the decision letter will be 4 or more pages long; they take time to write.

The panel's decision is binding on you and the school.

Appeals for Reception, years 1 and 2.

Appeals for a place in reception, year1 and year 2 are slightly different.

In the governors' statement and at the hearing, the school will say that they are unable to offer your child a place at your preferred school on the grounds of 'class size prejudice'.

Since 2001, Governments have decided that children age 7 and under should not be educated in classes of more than 30, unless qualifying measures are put in place. This means another qualified teacher and classroom. It does not mean a teaching assistant.

Some parents say that these appeals are a waste of time. Although there are successful appeals for this age group, it would be fair to say that infant class size appeals are more difficult to win than those for year groups 3 and above.

The panel can only consider the following:

a) whether an additional child/children would breach the infant class size limit;
b) whether the child would have been offered a place if the admission arrangements complied with the mandatory requirements of the School Admissions Code and the School Standards and Framework Act 1998;
c) whether the admission arrangements were correctly and impartially applied; and
d) whether the decision to refuse admission was one which a reasonable admission authority would have made in the circumstances of the case. (section 4.10 of the appeals code states that the threshold for this is high).

The word 'reasonable' refers to the legal sense of the word and not the dictionary definition. Since the original 'reasonable' court case back in 1948, thousands of legal judgements have been based on the 1948 case which set a very high threshold for the decision to be unreasonable.

Consequently, in making your case to the panel you will need to demonstrate:

- that the decision was perverse or irrational or was unlawful and/or
- that the admission arrangements have in your child's case been incorrectly applied and that your child would have been admitted if these errors had not occurred.

For example, you may know of a child who was offered a place at the school under the same admission criteria, but they lived further away from the school than your child. Perhaps your child has siblings at the school, which is a higher criterion and this was not taken into account?

The panel will be happy for you to tell them everything you wish them to know about your circumstances and why the appealing school is the best fit for your child.

However, they have three other legal constraints that need to be taken into account.

The Lambeth Judgement. This court judgement states that appeal panels can only consider the information that was available to the admission authority at the time it made its decision.

Consequently, if a parent did not request for medical or social issues to be taken into account on the application form, and in the space provided for such requests, then the panel is unable to consider such issues. Consequently, even if the social or medical issues had changed since the application, the panel's hands are tied.

For all class size legislation appeals, the panel does not have the power to balance the parent's case against the school's case.

The Islington Judgement. Some Schools have a published admission number of 45; hence the two reception classes are likely to have 22 and 23 pupils. At first sight, it would appear that class size legislation does not apply.

However, the Islington judgement requires the appeal panel to take into account future prejudice: Will there be prejudice in year 1? Nevertheless, they must also in these instances balance the parent's case with the school's case.

For the school with the published admission number of 45, there are likely to be 3 classes of 30 pupils spread across years one and two. If a child was admitted to a reception class with less than 30 children, in the short term this would not affect class size legislation. However, if none of the pupils left by the time the appellant reached year 1, there would be 31 pupils in one of the year 1 classes. This would be a breach of class size legislation.

Accordingly, appeal panels are very reluctant to uphold an appeal in these circumstances due to lack of guarantee that a pupil would leave by the time the appellant reached year 1.

The Cardiff Case. Many argue that having two children at different schools makes it impossible to get children to school on time as a parent could not be in two places at the same time.

The courts have previously considered this. Judge Richards said that a Cardiff family having to take 4 children to 3 different schools at the same time and being under the fear of prosecution due to late attendance, was not a reason for overriding class size legislation.

In a nutshell winning an appeal for reception, year 1 and year 2 which is subject to class size legislation is not impossible, but the hurdle is very high as stated in section 4.10 of the School Admissions Appeal Code. A minority of schools have a published admission number of less than 30, i.e. 20, 24, 25 or 28 (known examples). The two stage balancing prejudice cases must be applied, as none of the classes have 30 pupils on roll.

Sixth Form Appeals

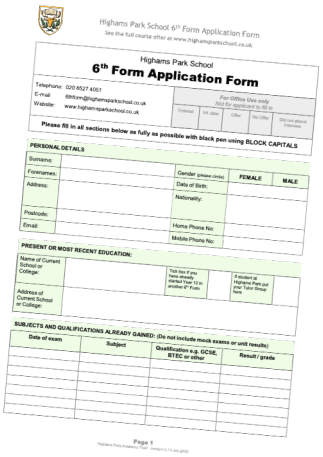
Education at a school or academy remains compulsory until the age of 16. However, since September 2013, the law requires all young people to participate in education, employment or training until the age of 18.

There are three primary ways for a young person to participate:

- full-time study in a school, college or with a training provider;
- full-time work or volunteering (20 hours or more) combined with part-time education;
- or training leading to relevant regulated qualifications; or an apprenticeship; traineeship or supported internship.

Progression to a school or academy's 6th form is not automatic; much the same as from nursery to primary school.

All schools with sixth forms must have a separate sixth form published admission criteria. The School Admission's Code requires that the entry qualification must be the same for both internal and external candidates and all applicants must make an application. The school is allowed to interview candidates to discuss options available, but it must not use the meeting as a means of selecting a student.


Highams Park School 6th Form Application Form

Highams Park School

6th Form Application Form

Please fill in all sections below as fully as possible with black pen using BLOCK CAPITALS

PERSONAL DETAILS

PRESENT OR MOST RECENT EDUCATION:

SUBJECTS AND QUALIFICATIONS ALREADY GAINED: (Do not include mock exams or unit results)

Date of exam | Subject | Qualification e.g. GCSE, BTEC or other | Result / grade

Page 1

Every school sixth form published admission criteria is different; these can be viewed on the school's website.

Entry to the 6th form will usually be by academic grades at GCSE or other qualifications. For example: entry could be 6 GCSEs at grade 5 or above; sometimes this might include English and Maths.

If a child is not offered a place, due to GCSE grades, parents and their son or daughter have the right of appeal.

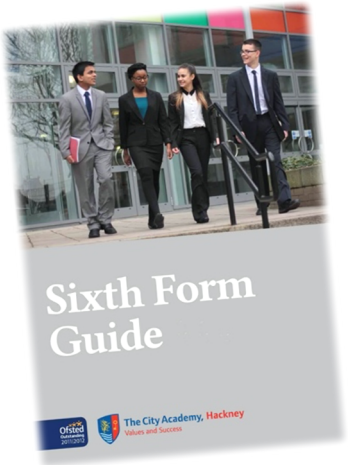
6th form appeals can only take place after the GCSE results are known. You should be aware that the timetable is very tight to ensure that those who win appeals are admitted to the 6th form as soon as possible.

If your child has not been offered a place at a 6th form college or another local college, there are different rules for these establishments.

Both parents and students have the right of appeal, but the School Admission Appeal's Code prefers that only one appeal hearing takes place. As applicants will be older than 16, they also have the right to attend the appeal hearing.

Sixth form appeals are *somewhat* similar to Grammar School Appeals (see page 28).

The panel's role is to decide whether the admission authority's decision that the applicant was not of the required standard was reasonable in light of the information available to it.



Example: A sixth form published admission criteria states that an applicant needs six GCSEs at grade 5 or above to take A levels. On result day, the applicant gets only four GCSEs at grade 5 and another three at grade 4. Consequently, the student does not meet the minimum entry level for the 6th form.

While parents may think this is unfair, as their son or daughter has been attending the school since year 7, legally the school would be breaking its own publish admission criteria if it offered a place. All admission decisions must be fair, clear, transparent and objective. A decision cannot be subjective. Hence, a school cannot consider any extenuating circumstances as to why the

child did not perform well enough in the public examinations. If the school offered a place it would be a subjective decision and therefore contrary to the mandatory requirements of the School Admission's Code.

However, an appeal panel can consider such circumstances and review any academic evidence which would persuade the panel that the appellant is of the standard required. It can also consider mitigation.

If the panel were to agree that the appellant was of the standard required, it would still need to weigh up the appellant's arguments against the school's prejudice to education case.

If the school does not have a minimum academic entry requirement and there are more applicants than places available, it must apply the oversubscription criteria. In these circumstances, the panel would need to consider the appeal using the two-stage process as it would for any other year group.

The panel has no power to instruct a school to enrol an appellant for a particular subject and examination. The internal structure and organisation of the school is a matter for the Headteacher.

Grammar School Appeals

There are 163 grammar schools in England, most are in Buckinghamshire, Essex or Kent. There are 19 Grammar Schools in London, all located in outer London.

Grammar schools are the only secondary schools who can offer places based solely on academic performance demonstrated by an examination commonly known as the 11 plus. Most grammar schools are either academies or voluntary aided.

There are two types of grammar schools.

The super selective grammar school which offers places purely on score within the published admission criteria. Distance is a secondary factor within the published admission criteria.

A candidate takes a test which might be for a single school or group of schools. Places are offered purely on score. Sometimes there are catchment areas and it is more likely than not that one catchment will have a much higher 'cut off' score than the other. Some schools offer a small number of places for children with a pupil premium. The panel will have to agree what they consider is the standard for the cohort at the school. In most cases the panel will opt for the lowest score for one of the catchments.

The pass mark selective grammar school offers places to those who pass the test and then places are offered based on the published admission criteria.

For these schools it is simpler to gauge the standard for the cohort; it will be the pass mark required to be offered a place. Sometimes there are two catchment areas. The inner catchment will probably have a pass mark and then places are offered on distance. The outer catchment area might be on score alone. All grammar school published admission criteria differ enormously.

Appeals for a grammar school fall into two categories: Qualified and unqualified.

Qualified: An appellant who gained the requisite score but was not offered a place due to the published admission criteria would not have to prove academic attainment. These appellants only need to persuade the panel that their child is at greater prejudice than the school by not being offered a place.

Appellants will be expected to demonstrate factors other than ability which prove that this school is the best fit. The appeal is no different to the usual two stage process as outlined on page 10. Parents are advised to look for unique selling points. For instance, many parents will tell the panel that the school has a combined cadet force, will be among his/her academic peers and will be stretched. But what is unique for your child?

Unqualified: Parents of an applicant who did not score high enough or was not grammar assessed (met the pass mark but failed one of the individual tests) will need to provide academic performance.

Parents need to present a strong and overwhelming factual case that demonstrates that their son or daughter has the ability to benefit from that particular grammar school. This is particularly important if the school is a super selective grammar school.

The School Admission Appeal Code forbids the panel from devising its own methods for assessing an appellant. Consequently, any student work or past examination papers submitted will not be taken into account.

However, they are aware that super selective grammar schools work at a much faster pace than other schools, including some grammar schools. Students will be expected to engage in independent learning. If they struggle, the school are likely to argue that they can offer far less support when compared to a non-selective school.

The evidence must prove high academic ability to the standard of the school. You may also include proof of mitigation to explain why your child did not perform to the best of their ability in the school tests. (11 plus).

Top tip	A panel will review each of the scores of the selection test and see if they corroborate with the levels the appellant is working to. If a child's English score in the selection test is lower than the other batteries and the SAT level for English is lower than Maths, then the panel will note trend. The same applies for CAT or NFER tests. If they are the opposite, that is a plus point for proving that your child should have performed better on the day of the test.

The readiest source of information about your child's ability is likely to be their current school. Parents will need to ask whether the school will feel able to support your appeal and what evidence they will be able to produce to substantiate this. There is no time like the present. Letters can take time; act now!

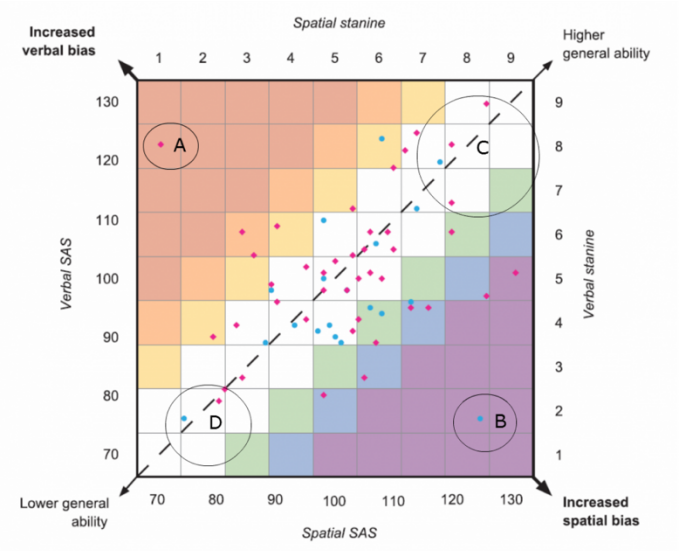
You may wish to ask the Headteacher, class teacher or other professionals to comment on:

- Ability in the core subjects, English, Mathematics and Science including the predicted KS2 SATS level and current Teacher Assessment Levels. Unfortunately, the new levels of greater depth etc are not as good as the old 5a, 5b, 5c and 6 levels at demonstrating progress and ability.
- Qualities of perseverance, application and ability to work independently.
- Whether a teacher believes that the child's score in the test accurately reflects their ability and if not, what score they would have expected the child to achieve and why.

- Attendance, health, etc, which may have adversely affected the child's overall performance in the tests.
- Whether they are aware of anything on the day of the test which would have adversely affected your child's performance in the test.
- Was your child seen by a doctor, if so, a detailed letter from a GP will help the panel to understand the situation.

Academic evidence could include:

- Good scores in curriculum tests, high teacher assessments in core subjects and good predicted scores for KS2 SATS tests. The more specific the teacher can be, the better.
- Good previous school reports especially if they detail National Curriculum attainment levels or talk of high ability.
- A high reading age, if the school conducts reading age testing.
- CATS (or NFER) test scores, if the school conducts any of these tests.



- Strongly expressed opinion from the Headteacher that your child has the ability to cope and succeed with the fast track environment at a particular grammar school.

Academic evidence would not include and are likely to attract lower weighting:

- Letters about how good your child is at extra-curricular activities or hobbies unless they have a clear academic focus.
- Letters about community spirit, fund raising activities, leadership qualities or excellent behaviour.
- The fact that your child was not tutored for the tests.

- Social or medical reasons, unless they had an impact on recent Academic performance.
- While sporting achievements might show character, the panel are not looking to choose a sports team!

Lower than expected mark - mitigating circumstances:

- The panel will be looking for strong and overwhelming extenuating circumstances which are sufficient to explain the shortfall in marks.
- Documentary evidence from an appropriate independent person outside the family who can substantiate how your child was affected will gain more "weight" than a statement on your appeal form from a family member.
- The death of a family member the night before the test, who lived in the same household, will gain more 'weight' than a distant relative who lived in Scotland and died 3 months ago.
- The fact that your child's pet hamster died the morning of the test is unlikely to attract much weight.
- Evidence should be submitted at the time of your appeal being lodged. Remember that the panel will have to read the evidence.
- Do not overwhelm and consider an executive summary.
- Above all evidence must be corroborated.

For an appeal for a place at a grammar school to be successful you must:

- present a strong case, backed by overwhelming and corroborative evidence which clearly demonstrates that your child has the same academic ability of those who have already been offered a place
- and in the panel's view, the addition of your child will not prejudice efficient education and use of resources.

You are advised that under section 3.13 of the School Admission Appeals Code that if the panel are not persuaded that your child is of the standard for the school, they do not need to consider your prejudice case.

Advice

The School Admission Appeals Code allows for the Clerk to give independent advice regarding the appeal process. However, the Clerk cannot give parents specific advice, only generic about the process. For instance, he/she cannot say, "If you mention x and y, you should win your appeal". The best way to get advice is to email clerk@educationappeals.com

If you have a question about the statement from the school for a maintained school, you will need to contact the local authority admissions' office.

If the question is about a governors' statement for a Voluntary Aided, Foundation, Academy or Free School, you will need to contact the school's own admission office.

COROM the Children's Free Legal Advice Service offers information about appeals
https://childlawadvice.org.uk/information-pages/school-admissions-faqs/

Further appeal?

There is no right to a second appeal. You may only appeal for a place at each school once in every academic year unless the Admission Authority's agrees your circumstances have changed significantly.

If you think that your appeal has not been conducted according to the School Admission Appeals Code you can you lodge a complaint.

For maintained schools complaints are handled by the Local Government and Social Care Ombudsman.

For Academies and Free Schools parents would need to contact the Department for Education to lodge a complaint.

Both can be reached from this link:

https://www.gov.uk/schools-admissions/complain-about-the-appeals-process

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Published by Educationappeals, Sopers House, Sopers Road, Cuffley, EN6 4XZ.
Email: admin@educationappeals.com
Tel: 020 3151 0400