

Milton Keynes Secondary School Admission Appeals – Parent Guide 2022/2023

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1. Your right to appeal

Parents can express a preference for a school for their child, but they do not have the right to a place at a particular school.

A school's admission authority is responsible for allocating its school places. The admission authority can be the local authority (Milton Keynes Council) or school governors, depending on the type of school.

If there are more applicants than places available, the admission authority allocates the places according to its oversubscription criteria (rules) which are published on the school's website.

If you applied for a place at a school and were refused, this is because the admission authority has allocated all its places according to the school's published admission arrangements (or rules) and the school says it is full and to admit another child will harm the education of other pupils.

If you are a parent and you have applied for a school place for your child and the admission authority has refused your application, you have the right to make an admission appeal to an Independent Appeal Panel.

The Appeal Panel is made up of unpaid, trained volunteers who have no connection with the school, its admission authority or the local authority.

During the appeal, you can explain why you want the school place and the admission authority will explain why it refused your application. The Appeal Panel will consider all the information provided by you and the admission authority (by relevant deadline dates) before it makes its decision. If you are successful you will be offered the school place.

The appeals are administered by Clerks Associates UK.

You are responsible for making your appeal, explaining why you want the school place to the Appeal Panel and for providing written information in support of your appeal.

2. Appeal Success Rate

Most (about 80%) appeals fail because the school is already full and do not have the resources to admit additional children without harming the education of the existing pupils.

So please think carefully before making your appeal. They are time-consuming and stressful for parents and expensive for schools

You are unlikely to be successful where you:

- Have been allocated a place at another school (even if it is not one of your preferred schools) at a reasonable distance from your home
- Do not have strong medical, social or educational reasons for your appeal supported by evidence
- Want the school place as it would be more convenient for you (e.g. to make it easier for you to get to work or transport children to school)

3. How to make an appeal

It is very important you read this guidance before you make your appeal.

If you need help with your appeal contact the Appeals Team - Tanya@clerksassociates.co.uk

You should contact the school directly (the Admission Officer) to ask for an appeal form.

You should complete the appeal form and then return it to the school by the relevant deadline. It will be forwarded onto the Appeals Team.

Please remember:

- You can appeal for any school which you have applied for and been refused
- You can make an appeal as soon as your application for a school place is refused
- For each school you appeal for, you must complete a separate appeal form and there will be a separate appeal
- You cannot make two appeals for the same school in the same academic year

THERE ARE IMPORTANT TIME LIMITS FOR MAKING YOUR APPEAL

For Secondary appeals for Year 7 September 2023 entry, if you are refused a school place on 1 March 2023 your appeal form must be received by the Appeals Team by **12 noon on 7th April 2023**. Appeals submitted on this date will be heard within 40 days.

For all other In Year appeals, your appeal form should be returned to the school **within 10 school days** of the date you were refused the school place. The appeal will be heard as soon as possible but within 30 days.

See 2023 Appeals Timetable at section 13.

After you have submitted your appeal form, the Appeals Team will send you an Acknowledgement Letter and date for the Appeal Hearing. If you do not receive this letter within 10 working days, please contact the School.

Remember to:

- Keep copies of your appeal form and any other documents you send.

- Tell the Appeals team about any changes to your contact details.

4. How to submit your appeal evidence

You must explain in writing on the appeal form why you want the school place.

You should also send the Appeals Team documents and written evidence in support of your appeal. We advise you to start collecting together the documents you want the Appeal Panel to see as soon as possible (as school holidays may cause delays).

For secondary appeals submitted by 28th March – your evidence must be received by the Appeals Team by 12 noon on 7th April 2023.

For other appeals – evidence must be received by the Appeals Team by the evidence deadline date notified to parents by letter.

If evidence or information is received late, the Appeal Panel may not be able to take it into account or your appeal may be delayed.

Please remember:

- It is your responsibility to provide evidence in support of your appeal and on time
- The Appeals Team and the Appeal Panel cannot obtain evidence on your behalf
- You should try to send your evidence with your appeal form
- Or, send it as soon as possible afterwards and no later than the evidence deadline date (see Appeals timetable)
- The Appeals Team will write to you with the deadline date for sending your evidence

When you send your evidence, please:

- Number the pages and write your child's name on them
- Write your reference number on documents sent separately from your appeal form
- Use correct postage (if you are sending documents by post)
- Provide documents in A4 size
- Do not send evidence after your appeal – the Appeal Panel will not see it
- Do not use staples or treasury tags, document wallets, files or dividers
- **Do not send: original documents; photographs of documents (they cannot be copied); highlighted documents (copies will be illegible); PowerPoint, video or other audio/visual presentations; letters of support from the school you are appealing for*; schoolwork or certificates** (they will not be sent to the Appeal Panel)**

*You may send letters of support from your child's current or previous school

**You can submit a written summary of relevant certificates/achievements

5. What evidence should you submit?

You will need to say in your appeal form why you want the school place and provide documents in support, if possible.

For example:

- You need to focus on what you feel this particular school you are appealing for can offer your child that the allocated or other schools cannot.

- If you have medical, social or educational reasons for wanting the school place, provide written evidence from a doctor, medical practitioner, education or other professional.
- If you want a place at the school due to the subjects offered there or the school's ethos explain why you particularly want these subjects or ethos.
- If you are unhappy with the current school explain what has happened and what you and the school have done to deal with the problems and provide supporting letters, emails and reports.
- If your reasons relate to transport, provide information and maps.
- If your reasons relate to family circumstances, provide details and supporting evidence.

These are examples only and it is your responsibility to provide your evidence and documents in support of your appeal and send it to the Appeals Team on time.

You will need to show that there are very strong reasons for wanting a place at this particular school as the school is already full and considers it cannot admit another child without harming the education of others.

You should send your evidence when you submit your appeal form or as soon as possible afterwards by email or post and no later than the evidence deadline date or it may not be seen by the Appeal Panel.

6. Appeal Decisions process

There are usually two stages to the appeal process.

At Stage One, the admission authority will explain why the school place was refused and what effect an extra child would have on the school.

You will receive the school's written case about a week before the appeal begins. The admission authority may explain, for example, that the school has no places and cannot admit another child due to a lack of classroom space or teaching staff, health and safety concerns, numbers of pupils needing additional support, or the effect on behaviour or results.

The Appeal Panel and parents can ask questions about points raised in the school case. If there are multiple parents appealing for a school, all of them will be invited to ask questions about the admission authority's case.

The Appeal Panel will decide:

- **Will the admission of an extra child harm the efficient education or use of resources at the school?**

If the answer is NO, your appeal will be successful and you will be offered a school place

But, if there are multiple appeals for the school and to admit all the children would seriously harm the education of the existing pupils, the Appeal Panel must go to Stage Two.

If the answer is YES, the Appeal Panel will go to Stage Two. (Usually, the appeal process will move to Stage Two).

At Stage Two, the Appeal Panel will consider your reasons for wanting the school place. You will be asked questions by the Appeal Panel and admission authority.

The Appeal Panel must then “balance the arguments” it has heard from you and the admission authority. It must decide if your reasons for wanting the school place outweigh the harm caused to the school if an extra child were admitted. It must decide if you or the school has the stronger case

Whether or not you are successful will depend on the individual facts of the case.

For example, if the admission authority presents a weak case and the Appeal Panel thinks there will be little difficulty for the school if it admitted another child into the class, and you made a stronger case showing your child has a convincing medical, social or educational reason for this particular school (which is backed up by written evidence), you are more likely to be successful.

But, you are less likely to be successful if the school’s case is strong, (because the class is already large with some children with special needs affecting resources and there are staff shortages and health and safety concerns, for example), and your case is relatively weak because you want the school place because it would be more convenient for your work/getting children to school and there is another school place available within a reasonable distance from your home.

In multiple appeals, (where more than one parent is appealing for a place at the school), if the Appeals Panel finds that there are a number of children with strong cases but the school cannot admit all of them, it will compare the cases. The Panel will uphold the strongest appeal/s.

7. In year/immediate entry appeals

You can apply for your child to start a school during the academic year, if you move into the area or you want to move your child from one school to another.

If the admission authority refuses your application for the school place, you can make an appeal. This is called an “In Year” or “immediate Entry” appeal.

You should make your appeal within 28 days of the refusal and the appeal will take place as soon as possible.

8. Disability

If your child has a disability, you may want to discuss your appeal with their Headteacher and the Special Educational Needs Co-ordinator at the current school.

The Appeal Panel may be required to consider whether your child is disabled and whether there has been any discrimination within the meaning of the Equality Act 2010.

If you are a disabled person who requires reasonable adjustments so that you can participate in the appeal, please contact the Appeals Team as soon as possible.

9. Translator/interpreter

If you require a translator/interpreter to help you make your appeal, please email the Appeals Team as soon as possible and say which language you need. Alternatively, you can arrange your own translator or ask a friend to support you.

10. Waiting lists

Appeal Panels must not take into account where the admission authority has placed a child on the waiting list, or that appeals have not been made for other children on the waiting list. Appeal Panels must not make any decision relating to a waiting list. If you have any queries about waiting lists, please contact the school (not the Appeals Team).

11. Decisions

The Appeal Panel's decision is legally binding and final. It can only uphold or dismiss your appeal.

The Appeal Panel cannot:

- Enter into discussions with you or the admission authority
- Attach any conditions to the decision
- Hear complaints or objections about school's admission policies or practices
- Reassess the capacity of the school
- Tell the admission authority to change your position on a waiting list
- Allocate a place at a school other than the school appealed for

A decision letter will be sent to you by first class post no later than 7 calendar days after the appeal decision is made, unless there is good reason.

Where there are multiple appeals for a school, which are likely to take place over some weeks, decisions will be sent no later than 7 calendar days after all the decisions have been made for the school.

We cannot give decisions over the telephone or by email.

If the Appeal Panel upholds your appeal and you are successful, you will be offered the school place. Make sure you contact the school to agree the date your child should start.

If the Appeal Panel dismisses your appeal and you are unsuccessful, your child will not be allocated a place at the school appealed for. You can contact the local authority to ask about spaces in other schools.

You cannot make a second appeal for the same school for the same academic year.

13. Admission Appeals Timetable 2022/23

DATE	EVENT
1 March 2023	Secondary Transfer Allocation Day
12 noon on 7 April 2023	Secondary Appeals Deadline – completed appeal forms must be returned by noon on 7 April 2023. Any appeal forms sent after deadline will be classed as late appeals.
5 Days prior to appeal hearing	Secondary Appeals extra evidence deadline – parents must ensure that any additional documents/information in support of their appeal is received by the Appeals Team by this date or it may not be considered by the IAP
18 April 2023	Notice of appeal letters sent to parents
May 2023	Secondary Admissions Appeals heard
At least 10 school days prior to start of appeal	Case papers are sent by Appeals Team to parents, admission authority and panel members
No later than 7-10 school days after the appeal decision or in the case of multiple appeals within 7 calendar days of all appeal decisions for that school	Decision letter is sent to parents and admission authority