

APPENDIX II

Model of the Admissions Appeals Panel Process

Dates relevant for National Offer day but information appropriate for in year appeals also.

Offers will be made on National Offer day of 1 March 2018.

An applicant refused a place at a maintained school or an academy has a right of appeal. An independent admissions appeals panel, set up by the board of governors in accordance with the relevant Code of Practice for such appeals will hear all cases submitted in writing by parents to the academy. Parents will have the right of appeal if they are dissatisfied with the admissions decision of the academy or subsequent decisions by the local authority.

The appeals panel members are independent of the academy and will number at least three. One member has the role of Chair, one has some experience of education and at least one has no personal experience in the management or provision of education in another school. An academy is its own admission authority and so you should contact the academy in order to lodge your admission appeal. The academy admissions officer will give you the information you need.

The academy ensures that the independent appeal panel is trained to act in accordance with all relevant provision of the School Admissions Appeals Code ('the Code') published by the Department for Education.

The arrangements for appeals are in line with the Code of Practice on School Admission Appeals published by the Department for Education as it applies to foundation, voluntary aided schools and academies.

Parents wishing to appeal against an admission decision should send a completed appeal form to the Clerk to the appeal panel at the address given on the appeal form. Other documents may be submitted in support of an appeal and should be lodged with the Clerk to the appeal panel not less than 7 days before the appeal hearing. Requests for appeal should be made by 30 March 2018 and appeals will begin on 16 April 2018.

Parents will be given 14 days notice of the appeal hearing, unless they agree to a shorter period of notice. At least 7 days before the hearing the Clerk to the appeal panel will provide the parent with a written statement detailing the reasons why it has not been possible to allow the child to attend Macmillan Academy. The appeals panel will have the discretion to refuse to admit late evidence.

The Clerk to the appeals panel will, if possible, inform parents of the appeal panel's decision on the day of the hearing. In the case of the appeal hearings taking in excess of one day the Clerk to the appeal panel will contact parents with the decision in writing within 3 working days of the final day of the hearings. In the case of unsuccessful appeals the appeals panel will give the parents their reasons for not upholding the appeal.

If, after the appeal, you are concerned the appeal did not comply with the Code or was set up incorrectly, and this affected the outcome of the appeal, you can complain to the Education Funding Agency (EFA) within 6 months of the date of the appeal hearing. The EFA will investigate the complaint on behalf of the Secretary of State if it considers there are sufficient grounds to do so.

If the EFA finds the appeal arrangements have breached the Code and the breach may have affected the outcome of the appeal, the academy may be required to establish a fresh appeal panel to hear the case. However, the Secretary of state, and the EFA who acts on his behalf, cannot overturn the decision of an independent appeals panel. This may only be challenged through the Courts through a Judicial Review. Complainants should take their own legal advice in relation to this.

The EFA's Procedure for dealing with complaints about maladministration of independent appeals panels for admission to academies is available to download from their website via the link below. Included in the procedure is a complaint form, which asks for some key information to help the EFA handle your complaint accurately.

<https://www.gov.uk/government/publications/academy-independent-admission-appeal-panel-complaints>

Contact details

Academy Admission Appeals Complaints
Academies Central Unit, Education Funding Agency
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