

FREQUENTLY ASKED QUESTIONS AND DEFINITIONS

1. FREQUENTLY ASKED QUESTIONS

Why hasn't my child been offered our preferred school?

Unfortunately, your preferred school was over-subscribed, and all the children offered a place had higher priority under the school's admission criteria. Your child's name will automatically be placed on an interest list. If any of your preferred schools are located in another borough, you should contact the admission authority for the school.

Although a place at your preferred school cannot be made available at the present time, the position may change over the coming weeks and months as some parents decide not to accept the offers they have received. However, please note any places that become available will be offered from the interest list strictly in accordance with the school's published admission criteria and there is no guarantee that you will be offered a place. For this reason, the place at the school you have been offered should be accepted. You also have a legal right of appeal against the decision not to offer your child a place at your preferred school. If you feel that you have grounds for appeal, further information about appeals can be located on the Local Authority's website.

Why have I been offered a school I didn't list as one of my preferences?

All Local Authorities have a legal duty to offer a school place to resident applicants if there are places available within a reasonable distance. It may therefore be the case that if it has not been possible to offer your child a school of preference, an offer will be made for the nearest alternative school with a vacancy. Accepting an offer for an alternative school will not affect your chances of being offered a place at one of your preferred schools from the interest list. If this is possible at any point, the initial offer made will be withdrawn.

I do not agree with the decision not to offer my child a place at my preferred school. What can I do?

If your application has been unsuccessful, you will be added to the school's interest list. You also have the right to appeal to an independent appeal panel against the decision made to not offer your child a place at your preferred school. When considering whether to appeal, it is important you are aware that, although the law allows you to have the opportunity to appeal against admission decisions, it does not give your child the automatic right to a place at a particular school. There is no guarantee that your appeal will be successful, and the decision of the appeal panel is legally binding on schools, Local Authorities and parents/carers. If you are appealing for a place at a particular school, you should make arrangements for a place at an alternative school in case your appeal is unsuccessful. Accepting a place at another school does not affect your right to appeal for a place at the school you would prefer.

If I accept the school my child has been offered, can I still appeal the refusal of my first preference school?

You can appeal against the refusal to admit your child to a school even if you have already accepted another school. If you wish, you can appeal for any school listed as higher preference than you have been offered.

We advise parents to accept the place they have been offered or locate another school that has a place for your child, even if this is not a preferred option, to ensure your child has a school place.

The school my child has been offered does not have a good Ofsted rating. Can I refuse the school place?

Generally speaking, appeal panels will not accept a school's Ofsted rating as a reason a child should or should not attend a particular school. You will need to demonstrate why your child's needs outweigh the prejudice caused to the school that you prefer by accepting another pupil.

We advise parents to accept the place they have been offered and/or locate another school even if they do not get their preferred option to ensure your child has a school place.

Why has a child who lives near me been offered a place at my preferred school, but my child hasn't?

Distance in a straight line from the school is used as part of the criteria in allocating places, or in the case of two children competing for the last place available, using the straight-line calculation.

The majority of schools in the Borough are over-subscribed (that is they receive more applications than places available) and therefore places are allocated in accordance with schools' published admission criteria. Some schools give priority to children with siblings already attending the school, and/or living the closest to the school. Some schools have different criteria, such as Church schools, which usually give priority to children of a particular faith. Therefore, there will be different reasons why a child who lives near you may have been offered a place at the same school you applied for. The Admission Team will be able to explain why this may be the case but will not be able to discuss the details of other applicants with you.

Last year children living in my area got a place at my preferred school, so why hasn't my child been offered a place this year?

The pattern of applications can vary from year to year. For example, there may be more pupils living closer to the school or, (if part of the criteria), who have a sibling already attending the school than in the previous year. This in turn will lead to a change in the allocation of places at a school from year to year. Please note that the vast majority of secondary schools in the Borough do not have a sibling criterion.

My child does not have a school place for September

All applicants will receive an offer of a school place. If you have not already applied for a school place, you should do so immediately. Application Forms can be found on the Local Authority's website.

What happens if I don't accept the school offered to me?

You can choose how to educate your child. If you have accepted a place at another school, such as an independent school, you should inform the Local Authority that you do not want to accept the school you have been offered. This will enable another child to be offered the place your child vacates. If the Local Authority is unable to ascertain whether you want the school place within a reasonable time, it will be assumed that you do not want the place and it will be withdrawn. If your child is of statutory school age and the Local Authority has not been notified of your intention to provide your child with education, you will be contacted and legal action may be taken.

You may request to be added to your preferred school's interest list; however, there is no guarantee that you will be offered a place in the school, or that you will be offered a place in it on appeal. If you have been offered a place at another school, you should therefore accept this in the meantime to ensure your child receives an education

What happens if I do not respond to the Local Authority by the deadline to accept an offered school place?

The Admissions Team will try to make reasonable attempts to try and contact you to ascertain whether you want to accept the place at the school you have been offered. We hope you will respond quickly so that if you do not want that school, another child can be offered the place. Please contact the School Admissions team as soon as possible to let us know if your child will be attending the school or not. If we have not been able to contact you, we will assume you do not want the school and withdraw the place. If you respond to the school, please do not assume that they will pass on this information to the Admissions Team.

The offer of a school place has been withdrawn because I did not respond to the Local Authority by the cut-off date. Will I lose the school place?

Please contact the School Admissions team immediately. If you still need a school place, the team will assist you in finding another school.

I have moved since I filled in the application form. What should I do?

Please contact the School Admissions Team to inform them of your new address and contact details. We will pass your details on to the school where you have been offered a place. Without up-to-date contact details you may not receive important information about your school place, which could result in it being withdrawn.

How does an interest list work?

If your unsuccessful preferences are for a school located in the Borough, your child's name will be placed on the interest list. Although a place cannot be made available at the present time, the position may change over the coming weeks and months as some parents decide not to accept the offers they have received or, if their circumstances change, give up the place at a school. Any places that become available will be offered from the school's interest list. Interest lists are ordered strictly in accordance with the school's admission criteria. Your position on an interest list can move up or down on the list, as other children join the list or come off it. The time spent on the interest list does not affect the position held. Please note there is no guarantee that you will be offered a place from your preferred school's interest list. If you have been offered a place at another school, you should therefore, accept this in the meantime.

When will my appeal take place?

Appeals for Reception and Year 7 (known as new cohort) will be heard according to the timetable on the Appeals webpage.

If you submit an appeal during the school year for an existing year group, your appeal must be considered by an independent appeal panel within 30 school days of the date it was received.

Who are the appeals panel?

Appeal panels comprise a minimum of three members. They are not connected with the Local Authority or the schools involved in your appeal. They are volunteers and give their time freely in order to assist with the appeals process. All panel members are fully trained before they sit on panels.

Who is the clerk to the Appeal Panel?

This is the person appointed by the admission authority to ensure that the admission appeal is conducted properly and in accordance with the School Admission Appeals Code. This person is also able to give independent advice to panel members and/or parents/carers.

Who deals with the appeals processes?

Your appeal, once lodged, will be passed to the School Appeals Officer, who arranges the appeals including the appointment of an independent clerk. You will be given at least 10 school days' notice of the date and time of your appointment. You will also be advised of the names of the Panel Members who will consider your appeal, and you will be sent a case statement which explains why your child was not given a place at the preferred school. You will also be given a deadline by which you must submit any extra information you would like to put before the Panel.

What happens at the appeal hearing?

Unless you require an interpreter, appeals will be heard by an independent Appeal Panel in two stages. You should attend both stages.

The **first stage** will be a group session, with the admissions authority's representative(s) presenting their case to all the appellants and the Appeal Panel for the school. The admissions authority representative should explain their admission arrangements for the school, how the places were allocated and why they are unable to admit any additional pupils to the school. Both you and the Panel will have the chance to ask questions; however, you will not be able to go into your individual appeal at this stage. Please note that all the parents and carers who have appealed for a place at the school will be invited to the first stage (except those who require interpreters).

At the **second stage**, you will be seen individually, without any other parents/carers present to present your appeal to the Appeal Panel. You have the right to be represented or to be accompanied by a friend.

At this stage the admission authority will begin by explaining specifically how the admissions arrangements applied to your child before the panel hear your individual case and your personal reasons for wanting your child to go to the school. You, the admissions authority and the appeal panel will have an opportunity to ask questions.

The same Panel will, if possible, hear all the appeals for a particular school. They will not make their decision until they have heard the last appeal. You will be notified in writing of the Panel's decision.

If you require an Interpreter:

Should you require an interpreter to assist you, the process will be slightly different. The admissions authority's representative will present the reasons as to why they were unable to offer your child a place at the school on the same date and time as your appeal hearing, which means that you will not be required to attend the group session referred to above under the first stage. This is to enable the interpreter ample time to translate the admissions authority's reasons to you. The order in which your appeal hearing will take place, will be as follows:

- The Chair of the Panel will greet you, introduce everyone present and outline the procedure to be followed:
- The Presenting Officer (who is the admissions authority representative) will explain why a place at the school could not be given to your child, and will deal with questions.
- You will present your appeal, giving reasons why you think an exceptional place should be given for your child at the school, and will answer any questions.
- The Presenting Officer will sum up.
- You will sum up.

The Panel Members can ask questions of any party at any time, and can ask the Clerk to the Panel for advice or guidance at any time

How will I know the decision of the appeal?

A panel can only allow or refuse an appeal. They have no influence on your child's position on the interest list for a school.

The appeal panel's decision is binding and can only be challenged via a judicial review. You will be informed in writing usually by email, within a week of your appeal hearing. If there are other appeals for the same school and it is over more than one day, the decisions will not be made until the last appeal is heard.

The Local Government Ombudsman may consider a complaint of maladministration (that is the way your appeal was dealt with).

Why are the appeals for Reception, Year 1 and Year 2 (infant class) treated differently?

If you are appealing for a place for your child in reception, year one or year two, please note that the law limits the number of pupils in an infant class with one qualified teacher to a maximum of 30 and restricts the grounds on which an appeal panel can allow an appeal.

In this type of appeal, the panel can only offer a place to your child where it is satisfied that either:

1. The admission of an additional child would not breach the infant class size limit of 30 children; or
2. The admission arrangements did not comply with admissions law or were not correctly and impartially applied, and your child would have been offered a place if the arrangements had complied or had been correctly and impartially applied; or
3. The decision to refuse admission was not one which a reasonable admission authority would have made in the circumstances of the case. (i.e., the decision was perverse in the light of the admission arrangements, beyond the range of responses open to a reasonable decision maker, or so outrageous in its defiance of logic or accepted moral standards that no sensible person applying his mind to the question could have arrived at it).

2. DEFINITIONS

What is an Admission Authority?

The admission authority is the organisation responsible for setting the admission criteria and deciding which children should be offered places at a particular school. This will vary according to the type of school. You will find more details on the status of each school in the 'Starting School' and Moving to Secondary School' booklets that can be viewed/downloaded from the website.

What is the normal admission round?

The normal admission round begins in September and ends on the published offer date. This is used for Reception and Year 7. All other applications are In-Year applications.

What are the admission criteria?

If a school is oversubscribed and receives more applications than there are places available, the admitting authority will apply their published admission criteria to decide which children will be offered a place. This is sometimes referred to as an admissions policy or oversubscription criterion.

What is Straight Line Distance?

The straight line distance is the shortest distance between two points. The two points when allocating school places is (a) the home address and (b) the school.

What is Compulsory School Age (also referred to as Statutory School Age)?

Your child must start full-time education once they reach compulsory school age). This is on 31 December, 31 March or 31 August following their fifth birthday. If your child's fifth birthday is on one of those dates then they reach compulsory school age on that date.

Your child remains compulsory school age until the last Friday in June if they are 16 years old by the end of the school summer holidays.

What is New Cohort?

For the purpose of school admissions, these are pupils and students who apply for a place in Reception and Year 7 from the beginning of the new academic year in September and form a new year group to the school.

What is the published admission number?

The published admission number (PAN) is the number of pupils in each year group that the admission authority has agreed will be admitted without causing problems for the school.

What is a community or maintained school?

A community school is a school that is maintained by the Local Authority which is also, the admissions authority.

What is an Academy?

Academies receive funding directly from the Government and are run by an academy trust. They have more control over how they do things than community schools. Academies do not charge fees.

Academies are inspected by Ofsted. They have to follow the same rules on admissions, special educational needs, and exclusions as other state schools and students sit the same exams.

Academies have more control over how they do things, for example they do not have to follow the national curriculum and can set their own term times.

Some schools choose to become academies. If a school funded by the local authority is judged as 'inadequate' by Ofsted then it must become an academy.

Academy trusts are not-for-profit companies. They employ the staff and have trustees who are responsible for the performance of the academies in the trust. Trusts might run a single academy or a group of academies are supported by sponsors such as businesses, universities, other schools, faith groups or voluntary groups. Sponsors work with the academy trust to improve the performance of their schools.

What is the home authority?

The home authority is the Local Authority within which your home is located. They have an obligation to find a school for your child. This school may not be one of your preferred schools.

What is the School Admissions Code?

This is statutory guidance issued by the DfE for admission authorities.
What is the School Admission Appeals Code?

This is statutory guidance issued by the DfE to follow when arranging school admission appeals

What is maladministration?

This is where the approved and published procedures for admissions of pupils and the appeals process has not been followed and have caused injustice as a result.

What is oversubscription?

This occurs when there are more applications than there are places available.
What is the preferred school?

This is the school that you would like your child to attend and listed on your school admission application form.