

## APPEALS

Parents whose applications for places are unsuccessful may appeal to an Independent Appeal Panel set up in accordance with the School Standards and Framework Act 1998. As the school's admissions authority, governors will comply with reasonable requests from parents/carers for information which they need to help them prepare their case for appeal.

Appeals must be made in writing preferably using the online appeal form and must set out the reasons on which the appeal is made. You will find the online appeal form via this link: <https://www.westsussex.gov.uk/education-children-and-families/schools-and-colleges/school-places/school-appeals-and-waiting-lists/#how-to-appeal>

If you would prefer a printed copy of the appeal form please contact:

### **The Appeals Administrator**

Legal Services (School Admission Appeals) County Hall, Chichester, PO19 1RQ

Tel: 033022 22732

Email: [appealsadministrator@westsussex.gov.uk](mailto:appealsadministrator@westsussex.gov.uk)

Parents/carers have the right to make oral representations to the Appeal Panel.

Appeals should be lodged no later than 20 school days after the National Offer Day for secondary schools (1 March) i.e. by 29 March 2019. Appeals lodged during this period will be heard within 40 school days. The appeal dates for 2019 are to be confirmed.

For applications for in-year admissions, appeals will be heard within 30 school days of the appeal being lodged.

If it is not possible for late application appeals to be heard with the 'on-time' appeals, where possible they will be heard within 30 school days of the appeal being lodged.

No later than 10 school days before the appeal hearing, the Local Authority will provide appellants with written notification of the date and arrangements for the appeal hearing. The notification will include a deadline for the submission of any further evidence that was not sent in the initial appeal. Appellants will be informed that any information or evidence not submitted by the deadline might not be considered at the appeal hearing. The Local Authority will ask appellants whether they intend to call witnesses or be represented at the hearing. Parents/carers may waive their right to 10 school days' notice of the hearing.

Where applications to sixth forms are concerned, the following apply:

1. Where the offer of a place would have been conditional upon examination results, appeals will be heard within 30 school days of the appeal being lodged.

2. Where the offer of a place would not have been conditional upon examination results, appeals will be heard within 40 school days of the deadline for lodging appeals.

Appellants do not have the right to a second appeal in respect of this school for the same academic year unless, in exceptional circumstances, the Local Authority has accepted a second application from the appellant because of a significant and material change in the circumstances of the parent, child or school but still refused admission.

Appellants may apply for a place in this school in respect of a later academic year and have a further right of appeal if that application is unsuccessful.

Appellants may complain about maladministration on the part of the appeal panel to the Education Skills Funding Agency (ESFA). A complaint to the ESFA is not a further appeal and must relate to the administration of the appeal rather than the appeal decision. Maladministration covers matters such as failure to follow correct procedure or failure to act independently and fairly. It does not cover the merits of decision that only the panel has the authority to make. Therefore, generally, the ESFA cannot consider whether the appeal panel was correct to uphold or dismiss the appeal.

The ESFA is not able to overturn the appeal panel's decision but, where they find that there has been maladministration, they may make recommendations for a suitable remedy. For example, they may recommend that an appeal is reheard by a different panel and with a different clerk.

Appellants considering making a complaint can contact the Education Skills Funding Agency via this link: <https://www.gov.uk/government/organisations/education-and-skills-funding-agency/about/complaints-procedure>