



LPLT ADMISSION APPEALS: GUIDANCE NOTES

Hearing appeals during Covid-19 disruption

Normal face-to-face appeal hearings are not possible under the current Covid-19 restrictions. In order to ensure that parents/carers can still have their appeals heard by a panel, they will be offered one of three options:

1. Video conference (Zoom) or telephone conference. For those who do not have access to the required technology, LPLT can set this up to be used in isolation at the Trust's office on Hawksbrook Lane, Beckenham.
2. Paper appeal. This is where all parties submit their statements to our independent appeals clerk, who will then arrange for the independent panel to assess the papers and make a decision. This requires the consent of the parent/carer.

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Before completing your Appeal Application Form please take some time to read these guidance notes.

We would encourage you, in the first instance, to discuss your case informally with a member of the Admissions Team at the Bromley Local Authority on 020 8313 4044 who will give you advice and explain the process. Alternatively you can contact the school office directly for advice.

Langley Park Learning Trust complies with the School Admissions Appeal Code 2012:

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

You are appealing against the decision not to offer your child a place at one of the Langley Park Learning Trust schools. If your child has not been offered a place, it will be because there were other children who had greater priority as set out in the oversubscription criteria. You will need to consider this when preparing your case. The school will need to satisfy the panel that the admission criteria were applied correctly. The school will address this in their statement, which will be sent to you before your appeal hearing. If the panel do uphold your appeal then the decision is binding on the school which means that the school will have to offer your child a place, which will be over and above the published admissions number.

Therefore, as part of their case, the school will seek to demonstrate that the admission of an additional child would breach the class size limits and there are no measures it could take to avoid this without prejudicing the provision of efficient education or efficient use of resources (4.2 School Admission Appeals Code, 2012).

Types of Appeals

1. Infant Class Size Appeals

Infant Class Sizes (Reception, Year 1 and Year 2) are restricted by law: Class Size Legislation places a duty on local authorities to ensure that no child in an infant class is taught in a class of more than 30 children with a single teacher. This has an impact on how an appeal is considered.

Grounds for Appeal: There are only certain circumstances under which an appeal panel can uphold an appeal for a primary school and if an appeal does not satisfy any of these conditions then it cannot be upheld in favour of the parent / carer. The panel may only uphold the appeal at the first stage where:

- o it finds that the admission of additional children would not breach the infant class size limit; or



- it finds that the admission arrangements did not comply with admissions law or were not correctly and impartially applied, and the child would have been offered a place if the arrangements were compliant or had been correctly and impartially applied; or
- it decides that the decision to refuse admission was not one which a reasonable admission authority would have made in the circumstances of the case.

The School Appeals Code states that: “The threshold for finding that an admission authority’s decision to refuse admission was not one that a reasonable admission authority would make is high. The panel will need to be satisfied that the decision not to admit the child was ‘perverse in the light of the admission arrangements’, i.e. it was ‘beyond the range of responses open to a reasonable decision maker’ or ‘a decision which is so outrageous in its defiance of logic or of accepted moral standards that no sensible person who had applied his mind to the question could have arrived at it’.

2. Prejudice Appeals (Year 3 – 12)

Whilst the panel must take into account the school’s published admission number, the admission authority must be able to demonstrate prejudice over and above the fact that the published admission number has already been reached. The panel must not reassess the capacity of the school but must consider the impact on the school of admitting additional children. In reaching a decision as to whether or not there would-be prejudice, the panel may consider the following factors:

- a) what effect an additional admission would have on the school in the current and following academic years as the year group moves through the school
- b) whether any changes have been made to the school’s physical accommodation or organisation since an admission number was originally set for the relevant year group
- c) the impact of the locally agreed Fair Access Protocol
- d) the impact on the organisation and size of classes, the availability of teaching staff, and the effect on children already at the school

The Appeals Process:

1. Appeal forms must be returned to the school via email before the deadline, as per the LPLT Admission Appeals Timetable.
2. Receipt of your appeal form will be acknowledged via email.
3. You will be given 10 school days’ notice of the date and time of your appeal unless you have waived your right to the 10 school days’ notice.

The Appeal Hearing:

All appeals must be conducted strictly in line with the School Admissions Appeals Code 2012. This is detailed below:

1. Appeal hearings will be heard in private and will take place virtually depending on the DfE guidance in place at the time.
2. The Panel will consist of three independent members who do not work for the Trust or Bromley LA.
3. The Clerk will be independent of the Trust. It is their responsibility to ensure that the panel is correctly constituted and follows the published guidance in line with the code of practice for admission appeals.



4. The Trust will provide a Presenting Officer to present the decision not to admit the child and to ask / answer questions.
5. The Hearing will be conducted in the following order:
 - a) case for the school as to why they cannot admit an additional pupil
 - b) questioning by the panel and appellant(s)
 - c) case for the appellant(s) as to why you feel your child needs to attend the school
 - d) questioning by the panel and school
 - e) summing up by school
 - f) summing up by the appellant(s)

Where possible, you will be informed of the outcome within five school days from the date after your appeal hearing. If you have any further questions, please contact Langley Park Learning Trust us at the following email address: info@lplt.prg.uk

Notes

Langley Park Learning Trust Proximity Distances and Appeals (Reception and Secondary Transfer)

LPLT School	Appeals Heard 2020	Appeals Upheld 2020	Proximity distances (miles) reached on national offer day (straight line)		
			2020	2019	2018
Clare House Primary School	4	0	0.37	0.5	0.6
Hawes Down Primary School	0	0	0.63	0.62	All offered
Langley Park Primary School	0	0	1.51	All offered	2.0
Langley Park School for Boys	8	0	1.14	1.02	1.03
Langley Park School for Girls	3	0	1.41	1.48	1.4

Further reading:

- Government Advice for parents and guardians on school admission appeals:
<https://www.gov.uk/government/publications/admission-appeals-for-school-places/advice-for-parents-and-guardians-on-school-admission-appeals>
- Bromley Local Authority School Admissions Appeals Information:
https://www.bromley.gov.uk/info/14/secondary_school_admissions/26/school_admission_appeals