

The Rural Enterprise Academy



**Notes of Guidance in Relation to
the Independent Admission
Appeal Process**

Parents have the right to express a preference for the school of their choice and admission authorities must comply with that preference unless it believes that to do so would prejudice the provision of efficient education or the efficient use of resources e.g. would be detrimental to the effective teaching and learning of others.

Where parents are refused admission to their preferred school they must be given the right to appeal against the admission authority's decision to an Independent Appeal Panel ("Appeal Panel").

Appeal panels cannot hear complaints or objections on wider aspects of local admission policies, but they will consider whether those policies have been properly applied as well as the lawfulness of the admission arrangements.

If you wish to appeal against the decision to refuse to admit your child to The Rural Enterprise Academy, you must notify the Academy within 21 days of notification that your child has not been successful in securing a place at the Academy. This is to give you time to prepare and lodge an appeal. However please inform the Academy as soon as possible that that you are submitting an appeal form. Please submit your appeal to:

Chair of Governors
The Rural Enterprise Academy
Rodbaston Campus
Penkridge
Staffs
ST19 5PH

Failure to meet this deadline may result in your appeal not being heard within the timescales given below.

Appeals for entry to The Rural Enterprise Academy in September 2015 will be held between April and May 2015 during term time only. For applications made in the normal admissions round appeals will be heard within 40 school days from the deadline for lodging appeals. For late applications appeals will be heard within 40 school days from the deadline for lodging appeals or within 30 days of the appeal being lodged. You will be given at least 10 school days' notice of the appeal hearing.

Parents who wish to appeal should take note of this when making holiday arrangements as it is not possible to change the date of a schools admission appeal hearing to suit individual parents.

For application to the sixth form:

- i) where the offer of a place is conditional upon exam results, appeals will be heard within 30 school days of confirmation of those results;
- ii) where the offer of a place is not conditional upon exam results, appeals will be heard within 40 school days of the deadline for lodging appeals;

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

Any appeals submitted after the appropriate deadline will still be heard, in accordance with the above timescales.

All appeals will be considered by an Appeal Panel constituted in accordance with the provisions of the School Standards and Framework Act 1998. The Appeal Panel is independent of the Admission Authority and their decision will be binding on both you and the Admission Authority.

The Appeal Hearing

There are 2 stages to an Admission Appeal Hearing

Stage 1 – The Factual Stage

Parents appealing will be notified by the appeals panel administrative support team to attend for either a morning or afternoon appeal hearing.

At this stage the parents are present to hear the case presented by the Admission Authority representative. The representative must satisfy the Appeal Panel that their legal duty to offer your child a place at The Rural Enterprise Academy does not apply because the admission of more children to the school would be detrimental to the provision of efficient education or the efficient use of resources.

This might be shown where the Academy is so overcrowded that the admission of one or more pupils would have a negative effect on the general state of education at the school, or on the education of other children, or that it could lead to financial complications for the Academy or result in an uneconomic use of resources at the Academy.

The Panel will then make a decision about whether or not it would be detrimental to admit more children to the Academy and where appropriate will then go on to the next stage.

Stage 2 – The Balancing Stage

This is where the Appeal Panel considers whether there is anything in the personal circumstances of your child that would outweigh any detriment so that they should be admitted to the Academy.

This is your individual appeal hearing. The Admission Authority representative will be present to hear what you have to say. It is at this point that you will have an opportunity to explain the reasons for wanting The Rural Enterprise Academy. You will be able to tell the Appeal Panel about your personal circumstances.

Once you have finished making your case you will be asked to leave. The Appeal Panel will then make a decision.

If at any stage of the appeal, the Appeal Panel decides that the Admission Authority's admission criteria have not been correctly applied, and that if they had been correctly applied your child will have been offered a place, then your appeal may be allowed. The Appeal Panel will also consider whether the co-ordinated admission arrangements were correctly applied.

Decision

You will be notified of the Appeal Panel's decision in writing only, within 5 working days of all the appeals for the Academy having been heard.

You can choose to attend the appeal hearing (oral procedure) or allow the Appeal Panel to make a decision without you being present (written procedure). Please note that equal consideration is given to both types of appeal and the procedure for each are as follows:

Oral Procedure

The oral procedure will normally be as follows although the Appeal Panel may vary it if circumstances make this desirable.

1. Your appeal form will be acknowledged on receipt.
2. In due course you will be notified of the time, date and place at which the Appeal Panel will consider the appeal. At that time you will be asked to supply copies of any additional documents that you wish to have considered by the Appeal Panel.
3. As soon as practicable after receipt of the appeal form, you will be sent a written statement from the Admission Authority giving reasons for the decision against which your appeal has been lodged.
4. At the appeal hearing you will normally be expected to put forward your own case but may be helped by a friend or representative.
5. Both parents of the child concerned will be entitled, upon request, to attend the meeting and speak, even when the appeal is lodged by only one parent.
6. The decision making process is described earlier.
7. At the appeal the Appeal Panel will consider all statements, written and verbal, and make a decision on your appeal which will be notified to you in writing.

Written Procedure

The written procedure will normally be as follows, although the Appeal Panel may vary it if circumstances make this desirable.

1. Your appeal form will be acknowledged on receipt.
2. In due course you will be notified of the date on which the Appeal Panel will consider the appeal.
3. As soon as practicable after receipt of the appeal form, you will be sent a written statement from the Admission Authority giving reasons for the decision against which your appeal has been lodged.
4. You may wish to submit a written reply. This reply should include any further information that you wish to be considered in support of the appeal.
5. If a reply is made, the Admission Authority may make a further statement, which would be limited to comments on the matters raised in your reply.
6. The decision making process is described earlier. The Admission Authority is entitled to attend the appeal, even though you will not be there, but generally chooses not to.
7. At the appeal the Appeal Panel will consider all statements, written and verbal, and make a decision on your appeal which will be notified to you in writing.

If you think that you might have grounds for appeal, you should send your completed form to the address below:

Chair of Governors/Clerk to the Admission Panel
c/o The Rural Enterprise Academy
Rodbaston Campus
Penkridge
Staffs
ST19 5PH



Independent Admission Appeal Form

Please read the attached guidance notes before completing this form, including the additional information on infant class size legislation if applicable. This form should only be used to appeal for admission to a school within Staffordshire. You **must** complete both sides of this form which must be signed and returned to the address provided overleaf, as soon as possible. **For appeals for places in September, if you do not return the form by the required deadline your appeal may not be heard during the Summer Term.**

Part 1 Pupil's Personal Details (Please complete in **block capitals**)

Child's Legal Surname:	<input style="width: 95%;" type="text"/>	Sex:	<input style="width: 95%;" type="text" value="M"/>	<input style="width: 95%;" type="text" value="F"/>
Child's Legal First Name:	<input style="width: 95%;" type="text"/>	Date of Birth:	<input style="width: 95%;" type="text"/>	
Present School:	<input style="width: 95%;" type="text"/>	Current Year:	<input style="width: 95%;" type="text"/>	
Full Home Address:	<input style="width: 95%;" type="text"/>			
	<input style="width: 95%;" type="text"/>			
	<input style="width: 95%;" type="text"/>			Postcode:
Name of person lodging appeal:	<input style="width: 95%;" type="text"/>			
Relationship to child:	<input style="width: 95%;" type="text"/>			
Contact Details:	Home:	<input style="width: 95%;" type="text"/>		
	Mobile:	<input style="width: 95%;" type="text"/>		
	Email:	<input style="width: 95%;" type="text"/>		

Part 2 School Preference

Name of school where place has been offered:

School(s) for which you are appealing:

Note: You can only appeal for a particular school if you made an application for that school which has subsequently been refused. If you are appealing for more than one school, please ensure that you submit supporting information in respect of each school.

1.	<input style="width: 95%;" type="text"/>
2.	<input style="width: 95%;" type="text"/>
3.	<input style="width: 95%;" type="text"/>

