

## **WADDES DON CHURCH OF ENGLAND SCHOOL GUIDANCE FOR PARENTS REGARDING THE APPEAL PROCESS**

### **1. RETURNING THE APPEAL FORM**

If your application is refused you have the right to make an appeal. Appeals are heard by an independent panel appointed by the Oxford Diocese. **You should notify the school in writing** as quickly as possible once you have received the letter of refusal so you can be sent the relevant appeal form to return. Appeal forms should be returned to Waddesdon School and NOT to the Local Authority. **YOU HAVE A TOTAL OF 20 SCHOOL DAYS FROM THE DATE OF THE LETTER OF REFUSAL IN WHICH TO SUBMIT YOUR APPEAL.**

Once your appeal form and documentation have been received Waddesdon School will arrange for appeal forms to be sent to the Clerk to the Appeals Panel, together with relevant documentation. See Section 6.

### **2. CHILDREN WITH AN EDUCATION HEALTH AND CARE PLAN**

The appeal procedures for a child with an Education Health and Care Plan differ. This is because the appeal is to a Special Educational Needs Tribunal. Further advice about this is available from the Local Authority.

### **3. WHEN WILL THE APPEAL BE HEARD?**

The appeal will be heard within 40 days of the deadline for making an appeal. You will normally be given 10 school days' notice of the time, date and place for the actual appeal hearing.

If the case is urgent, for example if the school term is about to start, it may be possible to offer you a hearing at shorter notice. In this case please make a note on the appeal form if you do not need 10 school days' notice of the appeal date.

### **4. THE APPEAL PANEL**

The appeal will be heard by a three-member panel. The panel will be convened by Oxford Diocese who is responsible for administering the appeal process. Members of the panel have no association with Waddesdon School and are therefore totally independent. The panel will include at least one education member and one lay member.

### **5. THE VENUE**

Appeal hearings will either be held at the school or at Church House Oxford, Langford Locks, Kidlington. The majority of appeals for admission to Year 7 will be held during May and at Waddesdon School.

### **6. THE CLERK**

The panel will have an independent clerk whose job it is to make sure that all the relevant facts are established and that the appeal hearing is fair. The clerk is employed by Oxford Diocese and provides independent advice to the panel on the procedure and evidence and takes brief notes of the hearing. These notes belong to the panel and remain confidential. Neither parents nor governors are allowed to see or have a copy of them.

After the hearing, the clerk will write to tell you about the panel's decision. S/he is not part of the panel and does not take any part in discussion of the case with members of the panel who are responsible for the decision.

### **7. INFORMATION WHICH WILL BE SENT TO THE CLERK FOR THE PANEL**

Copies of the appeal form you have submitted, together with any supporting evidence, will be sent to the panel members prior to the hearing, with a copy of your original application form and any documentation or correspondence between you and the school. A set of these documents will also be copied to you.

At least 7 days in advance of the hearing you will also be sent details of the Governors' case for refusing admission to the school. If you wish to submit any additional evidence you will be asked to liaise directly with the clerk to the panel.

If parents are unable to attend the hearing on the given date they should advise the clerk and it may be possible to fix a further date. If parents do not attend, the case can be heard in their absence and will be determined on the basis of the written information that has been provided.

## **8. THE DECISION**

The panel will consider each case on its merits. It is not bound by the admission criteria and can take other factors into account.

The clerk will usually write to parents within 7 days of the hearing to advise them of the panel's decision and the reasons for it. This may be delayed if there are a number of appeals for the same year group which are being held over several days.

The decision of the panel is binding on the Governors.

## **9. WHAT NEXT?**

There is no appeal against the decision of the panel. The decision is final and there is no provision for a re-hearing.

The only circumstances under which a second appeal could be heard would be if there was a material change of circumstances which could not have been foreseen at the time of the initial appeal. An example of this might be where the family unexpectedly found themselves in the position of moving into the catchment area of the school.

However, if a parent whose appeal has been heard believes that the Panel has acted improperly or unreasonably in handling a case, the parent may make a complaint to the Education and Skills Funding Agency. [Fill in the online complaint form](#). If you need a paper form instead, contact: **Department for Education helpline** Telephone: 0370 000 2288 Monday to Friday, 9am to 5pm

If ESFA decides something went wrong with the appeals panel, it may:

- ask the school to hold a new appeal hearing with a different panel
- recommend the school reviews its appeals process

## **10. THE WAITING LIST AFTER APPEAL**

The waiting list is not affected by whether or not parents have submitted an appeal. Governors will continue to offer any place which becomes available to the pupil considered to have first right to the next available place on the waiting list in accordance with their published admission criteria.