



APPEAL GUIDANCE FOR ADMISSION TO RECEPTION 2020 INFANT CLASS SIZE APPEAL

BEFORE COMPLETING AN APPEAL FORM PLEASE READ ALL PAGES IN THIS DOCUMENT

Impact of Coronavirus on Appeals

We are monitoring government guidance and currently considering the possible impact of the coronavirus on admission appeals. Under the current restrictions, we are advised to postpone admission appeals panels and are awaiting government guidance how to proceed.

As a parent/carer you are able to express a preference to your home local authority regarding the school you would like your child to attend. If, however, the year group applied for is oversubscribed and has reached its published admission number (PAN) the admission authority may not be able to meet your preference.

Cathedral Primary School (CPS), is part of Cathedral Schools Trust who is the admission authority. CPS received **274** on time applications for the reception class in September 2020 which has a published admission number of **60** children.

All 60 places available have been offered in line with the oversubscription criteria, in order of priority, as set out in the CPS admission arrangements 2020/21. A copy of these arrangements are available on the CPS website <http://www.cathedralprimaryschool.org/> to remind you of the procedure that has been followed.

Infant Class Size

Please be reminded that by law, all classes in which the majority of children will reach the age of 5, 6 or 7 during the school year (infant class size legislation) must not contain more than 30 pupils with a single teacher. Given the limited nature of the possible grounds on which an appeal may be upheld, Infant Class Size Appeals are rarely successful. Where a child has been refused admission on this basis, an appeal panel can only offer a place to a child if it is satisfied that either:

- the admission of additional children would not breach the infant class size limit; or
- that the decision to refuse admission on the ground of the infant class size limit was not one which a reasonable admission authority would have made in the circumstances of the case; or
- that the child would have been offered a place if the admission arrangements had been properly implemented or the arrangements had not been contrary to the mandatory provisions in the School Admission Code and the School Standards and Framework Act 1998

We understand that parents/carers often find it frustrating when they realise how very limited the

powers of the appeal panel are. This is being drawn to your attention now, so that you can make a more informed decision about going ahead with an appeal. It is not meant in any way to discourage you from appealing or attending the hearing which is your legal right.

Whether you choose to appeal or not your child will remain on the waiting list for the whole 2020/21 academic year and will be considered for any place that may become available. However, in line with the School Admissions Code we are unable to give you any indication as to the likelihood of being able to offer a place.

How do I appeal for a place at CPS?

If you decide to appeal you will need to complete the CPS appeal proforma with **your reasons, in writing, why you wish to appeal for your child**. An appeal cannot be set up without any written reasons. This proforma is available from the school website or by requesting one from Admissions at the school. You will need to submit the appeal proforma to the school by **Monday 13th May 2019**. You may include any additional information which you feel is relevant to your appeal and return it to: **The Admissions Officer, Cathedral Schools Trust, College Square, Bristol, BS1 5TS.**

How does the appeal process work?

Democratic Services at Bristol City Council is employed by CPS to administer and conduct school appeals on our behalf. They will organise an independent appeal panel which consists of 3 people with no prior connection with CPS, a Lay person, a Chair and a member acquainted with education. There will also be a clerk in attendance to minute the appeal. The independent appeal panel must follow a two stage decision making process for all appeals.

Stage 1 - You will be invited to attend, which will be in the presence of all those appealing for a place for Reception. A presenting officer from the school will present the school's case and its decision not to admit the child. The panel will examine the decision by the school to refuse admission, whether the admission arrangements were correctly and impartially applied and whether the admission of an additional child would prejudice the provision of efficient education or the efficient use of resources.

Stage 2 - This is your individual appeal which will be held in private. The appeal panel must balance the prejudice to the school against your case for your child to be admitted. They will need to take into account your reasons for expressing a preference including what this school can offer your child that the allocated school or other schools cannot.

What happens once the appeal has been lodged with the school?

CPS will acknowledge receipt of your appeal paperwork by letter or email and will forward all your appeal documents to Democratic Services.

When will the appeal be heard?

The reception appeals for CPS are scheduled for early July 2019. You will receive notification in writing from Democratic Services 10 days prior to the appeal hearing with a date and time for you to attend.

Where will the appeal be held?

Appeals for CPS will be heard in Bristol City Council's City Hall, College Green, Bristol BS1 5UY.

Who decides the outcome of the appeal?

The independent appeal panel must either uphold or dismiss an appeal. **A panel's decision that a child shall be admitted is binding on the school and the parents.** If your appeal is successful then a place will be offered at the school immediately. As a result successful appeals will take the school over its PAN. If your appeal is unsuccessful then your child will remain on the waiting list.

When do we know the result of the appeal?

Parent/carers will be notified of a decision by Democratic Services once all the reception appeals have been heard.

What happens about the school place I've already been offered?

If you appeal, the place you have been offered at another school will be reserved by your home local authority pending the outcome of the appeal for CPS.

What if I change my mind about appealing?

If, at any time, you want to withdraw your appeal or remove your child's name from the waiting list, please inform Admissions at CPS and Democratic Services immediately.

What if I do not attend my appeal hearing?

Where an appellant fails, or is unable, to attend and it is impractical to offer an alternative date the appeal may go ahead in your absence and a decision reached based on the written information submitted.

What if a place becomes available from the waiting list?

If your child qualifies for a place that has subsequently become available at CPS whilst you are waiting for your appeal to be heard then in this event your appeal will be cancelled. N.B using your right to appeal will not affect your child being on the waiting list.

How are places allocated during the 2nd round allocation from the waiting list?

CPS is its own admission authority and maintains its own waiting list. The waiting list will consist of applicants who have requested to be put on the waiting list, those who lodge an appeal, or late applications received after the national closing date for primary applications on 15th January 2020.

The waiting list will be ranked in line with the oversubscription criteria, in order of priority. Any late applicants who are 'looked after' or 'previously looked after' will be considered higher priority than any on time applications. A second round sibling applicant will get next priority at this stage. Where a place becomes available and there is no higher priority applicant to allocate as above, we will reoffer a place by carrying out a fresh round of random allocation of all remaining applicants on the waiting list.

If you require any further information please contact the Admissions Office via email admissions@cathedralschoolstrust.org or telephone 0117 353 5016.

This guidance is based on the published admission arrangements for CPS and the DfE Code of practice on School Admission and School Admission Appeals. For copies of the DfE Codes of Practice please visit www.education.gov.uk