Wishing a particular school

In your own words, your arguments for

Hearing in person, and tell the appeal panel decide whether you want to attend the appeal and Pupil Placement Service. You now have to

completed form to the L.A.'s School Admissions

your appeal form. If not, you should send your

included information supporting your appeal on

and your right of appeal. You may have already

for refusing a place at your preferred school

You have already been advised of the reasons

the appeal

What happens before

Your child a place at your preferred school

to appeal against the L.A.'s decision not to offer

This guide explains what happens if you decide

the L.A. the school and on you,

and the decisions they make are binding on

The Appeal Panel is completely independent


Independent Appeal Panel set up under the

school you have the right to appeal to an

Where you have been refused a place at a

Birmingham area.

For primary and secondary pupils in the

Education Authority (L.A.) provides schools

Birmingham City Council in its role as Local

Background Information
This information, along with any information you have provided, will also be sent to members of the Appeal Panel.

Once appeal dates have been arranged, you will be given at least 10 school days notice of the time and date of the Appeal Hearing. You will be sent the appeal papers 7 days before the Appeal Hearing, including the LA’s written statement setting out its case for refusing your request for a particular school.

The Admissions Panel meet throughout the school year to consider appeals but the Summer Term is particularly busy hearing appeals for the Primary Reception Year and secondary transfers for Year 7.

Alternatively you may decide you do not want to appear in person but have your appeal dealt with on the basis of a written statement. In this case the Appeal Panel will ensure that the Appeal Panel is given all the correspondence you have submitted before making a decision.
Waiting Lists

Children who are starting primary school in reception year or transferring to secondary school for Year 7 and who have not gained a place at their preferred school may be placed on a waiting list. The LA's School Admissions and Pupil Placement Service will draw up the waiting lists and you should understand that the waiting lists and the appeals process are two completely separate things. If you decide to appeal, this will not affect your waiting list position.

If, however, you are not at the Appeal Hearing and the Appeal Clerk has not received an explanation for your absence, the Appeal Panel may consider your appeal on any statements or other written material you have previously submitted.

It is therefore important that any additional information you want passed on to the Appeal Panel needs to be with the Appeal Clerk as soon as possible (at least 7 days before your Appeal Hearing). All the information provided by you will also be sent to the LA, so ensuring a complete exchange of information between all parties.
The Appeal Clerk will also be present.

An LA Officer will be present to put the case.

A lay member will be a person without governing or any other voluntary involvement in any school (other than as a pupil or a parent or a registered educational establishment's employee). Educational conditions in the area of the area of the appeal will be familiar with the person.

A non-lay member will consist of three people, and lay members, defined as follows:

- The Appeal Panel will consist of three people.

Who will be at the Appeal.

This letter is:

- Service on the number given at the end of School Admissions and Pupil Placement. Waiting lists are available at the LA's website. If you want more information on parents up or down the waiting list and is not allowed to make an account of your waiting list. The Appeal Panel has no power to move.
to the Appeal?
May I bring my Child?

May I wish to seek its own legal advice.

Before the Appeal Hearing as the Appeal Panel represented, you need to tell the Appeal Clerk.

However, if you do decide to be legally

be an informal but structured format.
be necessary and the Appeal Hearing should
you support legal representation another
you want or to speak for you, or simply give
along with you, other to help you say what
bring a friend or a member of your family

NO. The appeal is conducted as informally as

strictly confidential.
is held in private and everything that is said is
Other than those persons the Appeal Hearing

and the appeal is fair.
are established, the appeal process is followed
responsibility to ensure that the relevant facts
decision-making process but has the
be free to leave the room.

Hearing is over, you and the LA Officer will
forget to say earlier on. Once the Appeal
case and tell them anything new that you
remind the Panel of the main points of your
to repeat your case again. You only need
but summarising up is optional and not a chance
You will always have the final say at the appeal

- Summarising up of the case by the Parents.
- Officer
- Summarising up of the case by the LA
- Officer and the Panel
- Questions to the Parents from the
- Panel
- Questions to the LA Officer from the
- Panel
- Case presented by the LA Officer

The Appeal will normally go ahead as follows:

- Fully address the Appeal Panel;
- The LA Officer will have the opportunity to
- approximately 15 minutes and both you and
- based on previous experience, appeals take

explain the proceedings to you.

Chairperson will introduce all the parties and
starts at the Appeal Hearing the Appeal Panel
- the LA Officer before the Appeal Hearing

You may have an opportunity to speak with

Appeal Hearing?

What happens at the
transport, work commitments and child

Parents often raise issues relating to
preferred school

Your child has siblings at your
means they should attend the school
Your child has a medical condition that
Another:

One school is closer/better than

do not have the legal right to a choice of
preference for a school, but you do
(No – the law says you can express a
you can choose the school you wish
to the particular school)

All of your child's friends will be going

same arguments such as
your's. Other parents have often used the
do this. However, at previous appeals to
in the process, the clerk is not allowed to
Hearing as the independent expert
person to advise them what to say at the appeal
Appeal Clerks are often asked by parents

let unsaid.

Appeal Hearing thinking things have been
want to make sure that you do not leave the
Both the Clerk and the Appeal Panel will

please see below)

Inform class size appeals which may affect this.
are some limits on the grounds for upholding
think is relevant to your argument or (there

You should feel free to say whatever you

What can I say?
removed so that
where the limit of 30 has already been
Appeal Panel can uphold appeals for classes
resticted the circinnstances in which an
for Years 1 & 2. The Government has also
with a single teacher for Reception Year and
Generaly there can be no more than 30 pupils
the size of infant classes which means that
The Government has placed legal limits on

Infant Class Size Appeals

CP or a hospital.
ol he condition, such as a letter from your
will expect to see some supporting evidence
child has a medical condition the Appeal Panel
appeal. For example, if your case is that your
 Evidence to support your case before the
Consider also whether you need to produce
 case that you want to present.
However, you must carefully consider the
This is advice based on past experience and
dismissed.
the L.A.'s case and the appeals have been
some cases not strong enough to outweigh
decided that the above arguments were in
not admitted. Appeal Panels have previously
admitted, argues the level of prejudice that
in the school if another child was to be
appeal Panel has
points and any others relevant to your
You are free to raise any of the above
First Stage - The panel considers whether

appeals (the appeal panel in making their decision
days. For appeals (other than Infant class size
to be made available until all the appeals for that
for one school can be spread over a number of
school have been heard. In some cases appeals
not be made available until all the appeals for that
decisions for one particular school’s decisions will
of appeals for one particular school’s decision will
decision. If the appeal panel is hearing a number
available very carefully before making their final
for both cases will consider all the information
The Appeal Panel having heard and read the case

How does the Appeal Panel

make a Decision?

Proceeding with your appeal:
must carefully consider your case before
These are very limited grounds and again you
the circumstances of the case:
Admissions authority would have made in
child was not one which a reasonable
The decision to refuse to admit your
Admissions code and the legislation:
been contrary to the school
place if the arrangements had not
Your child would have been offered

case.

(d) the Appeal Panel finds that the admission
of additional children would not breach
the infant class size limit

(e) an appeal for these Year Groups can only be

(f) arrangements had been applied

(g) Your child would have been offered

(h) a place if the published admissions

(i) the Infant class size limit

(j) an appeal for these Year Groups can only be
always possible to change this appointment.
Given a date and time for your appeal and it is not
of appeals within the appeal panel's time you will be
sent a map on back page. Due to the large number
(Council House Extension) Birmingham
Appeal Hearings are held at Council House Passage.

Where does the Appeal
take place?

If you do, you may find there are a limited number
of places left. Before you contact your own education authority
until your appeal has been heard in Birmingham
Authority about your school places. Please do not wait
Birmingham should contact their own education
apply. However, any parent who does not live in
in Birmingham?

Can I appeal if I don't live
into the school
which would be caused by leaving another child
they are strong enough to outweigh the prejudice
given by you for wanting the school and whether
resides.

(II) Second stage - the panel will consider the reasons
children, they go on to consider (ii) below.
prejudiced by admitting another child / additional
the panel decides that the school would be
school your appeal will be allowed. If, however
not be prejudiced by admitting another child and
children, if the panel decides that the school would
another child in multiple appeals, additional
prejudice caused to the school by admitting
child's case and decides whether there should be
1998 and were correctly applied to your
arrangements comply with the school admissions

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child's case and decides whether there should be
1998 and were correctly applied to your
arrangements comply with the school admissions
Birmingham City Council and the Appeal Panel work
in partnership with the Department for Education.
The admissions process is regulated by:

Email: admissions@birmingham.gov.uk
Telephone: 0121 675 0555

B2 2PF
Birmingham
PO Box 16513
School Admissions and Pupil Placements Service

For information on appeals, please call 0121 303 3668

I hope you have found this guide helpful.

Further information