

Admissions Appeals Procedure

Policy Owner:	Mrs. E Price Vice Principal
Local Governing Body receipt:	April 2021
Date to be reviewed:	April 2024

APPEALING AN ADMISSIONS DECISION AT ORMISTON SUDBURY ACADEMY:

We understand that going through the appeal process can be a worrying and anxious time for you and we hope that the information contained here will simplify the process for you. It will take you through the process and explain what happens at each point and what you need to do. Please also refer to the timetable at the end of the document

Your Rights:

You have the right to appeal for a place at Ormiston Sudbury Academy if you have been refused a place; your refusal letter from the Academy will tell you why your application has been turned down.

This right of appeal does not apply if your child has been permanently excluded from two schools. You can only appeal once in every academic year unless there has been a significant change in your circumstances. If this is the case you need to reapply for a place at Ormiston Sudbury Academy and be refused before you can appeal.

You can only appeal for a place at the Academy, not the year group proposed.

Where to send your appeal form:

We cannot be held responsible for forms that do not arrive on time; that are lost in the post; that are sent or delivered to other locations.

Your completed form should be emailed to contact@ormistonsudbury.co.uk or posted to:

Private and Confidential
The Principal
Ormiston Sudbury Academy
Tudor Road
Sudbury
Suffolk
CO10 1NW

Please do not assume that a first class stamp will ensure delivery the following day. If you are close to a published closing date consider using a suitable guaranteed means of delivery – ask at your Post Office.

Types of Appeal:

In Year (mid-year) appeals. These are where you wish your child to move schools during other times in the academic year, e.g. because the family has moved house. These appeals have no published closing date and are heard throughout the year.

All mid - year appeal applications will be heard within 30 academy days of the appeal form being received by us.

Completing the appeal form:

Please take the following information into account when you complete the form:

- Complete the form clearly and ensure that you provide the information requested. If you fail to do so, it may result in a delay in processing your application.
- Your “reasons for appeal” are very important as this tells the Panel about your child’s case. This section must be completed. If it is not, the form will be returned to you. Explain, as fully as you can, the reasons why you want your child to attend Ormiston Sudbury Academy. If you think your application for a place at the Academy has not been treated correctly or in accordance with the admissions criteria, then you should explain why you think this is the case.
- If there are medical issues involved, it is important that these are supported by written evidence, e.g. doctor’s letter.
- If your case is based on a house move, you should provide written evidence to confirm this. For example, a letter from your solicitor or a copy of your tenancy agreement.
- You may also include other relevant letters, correspondence, reports or documents to support your case.
- Please do not wait until you have all your supporting evidence before you send your form to us as this may delay the processing of your appeal. Supporting evidence can be sent in later.
- If, for any reason, you do not attend the appeal hearing the Panel will make a decision based upon your written submission.
- Please make sure you sign and date your form.
- Please send the completed form to the address stated on page 2.

What happens next?

- When your completed form is received by the Principal, it is date stamped and given a reference number.
- We then acknowledge receipt of your form. This will be done by email if you have provided us with your email address, or by post. This acknowledgement will include your reference number.
- We will then set up an appeal hearing date that complies with statutory timeframes.
- If we have more than one appeal application we will timetable all those appeals to be heard at the same appeal hearing if possible.
- Once we have a date, we have to organise an Independent Appeals Panel and a Clerk, the hearing will be heard at the Academy or via a remote platform such as Microsoft Teams or Zoom.
- Members of the Panel will not have a vested interest in the outcome of the child or have prior involvement in earlier stages of the proceedings. The composition of the Panel will not include any person that is disqualified under the School Admissions (Appeal Arrangements) (England) Regulations 2012.
- We will write to you 10 academy days before the hearing date to advise you of the date and time of your appeal hearing. Our letter will give you a deadline by which we can accept additional supporting evidence in the Academy. A deadline is necessary because of our printing deadlines and the fact that we need to send paperwork out to all parties within a statutory timeframe. If you cannot get your additional supporting evidence to the Academy by this deadline date, you may take it with you to the appeal hearing - (please take 5 copies). However, please bear in mind that in these circumstances it is up to the Panel to decide whether any material not submitted by the specified deadline is considered. They will take into account its significance and the effect any possible adjournment may have on the hearing.
- The Academy will be working to produce their case and this will be sent to you before the hearing.
- All necessary paperwork is collated and printed.
- We will write to you approximately 7 days before the hearing date. Our letter will include all the paperwork necessary for the hearing to take place. It will include your form and any supporting

evidence; the Academy's case; a list of the panel members, clerk and presenting officer from the Academy. If you know any of the panel members listed, there may be a conflict of interest, please contact the Academy immediately to discuss.

- If you have indicated on your form that you will be attending the appeal hearing and you subsequently find that you cannot, please let the Academy know. If you fail to attend when you have indicated that you will and we have not heard from you, the Panel will consider your written case in your absence.
- If you have indicated on your form that you will not be attending the appeal hearing and you subsequently find that you can, please let the Academy know so that we do not deviate from the agreed timetabling.
- You may wish to arrange an interpreter or signer to support you at the appeals hearing, you will also need to attend; the interpreter or signer cannot put your case forward for you in your absence.

Who will be at the appeal hearing?

- You and anybody else you have indicated you wish to bring along for support.
- If you cannot attend, your representative if you have indicated you will send one.
- 3 Panel members
- The clerk
- A presenting officer from the Academy

On occasion, there may be an observer at the hearing. This may be somebody who is in training as a clerk or panel member. They will take no part in the hearing or the decision-making.

What happens on the day?

- Please arrive at the Academy promptly (and preferably 5 - 10 minutes early) and report to Reception.
- There may be other parents there appealing.
- The Clerk will meet you and will explain what will happen during the appeal hearing. The Clerk will also answer any procedural questions you may have. If you have any additional supporting evidence that you wish the Panel to consider, please hand your 5 copies to the Clerk at this time.
- You will be invited into the appeal room. The Chair of the Panel will introduce the Panel members and will try to put you at your ease.
- The appeal hearing will begin. The Academy representative is invited to explain to the Panel why they have had to refuse a place at the Academy. The panel will check whether the admission arrangements are lawful. The Panel then has the opportunity to question the Academy representative and will invite you to do the same.
- The next stage is where you will be asked to put your case forward in whichever way you find easiest. You may wish just to highlight the important points of your written case; you may wish to read out your written case or you may wish somebody else to read out your written case.
- The Panel will ask you questions about your case and the Academy representative may also ask you questions.
- The Chair will make sure that you have covered all points that you wanted to make and will ask you if you feel you have had the opportunity to fully put your case to the Panel.

At the end of this stage where both sides have been heard, you and the Academy representative will be asked to leave the room. This is the end of your participation in the appeal hearing. You are now free to leave.

- The Clerk returns to the room and the Panel makes its decision.
- You are not told the outcome of your appeal on the day.

What happens after the hearing?

- The Clerk has five academy days from the end of the appeal hearing in which to write to you with the Panel's decision and reasons for their decision. A copy of this letter is sent to the Academy.

The Panel's decision is binding on all parties and cannot be overturned except by a Court where the appellant or the Academy are successful in applying for Judicial Review of that decision.

Timetable

- Refusal letter sent, with reason
- Appeal lodged with OSA within 20 academy days from date of notification, including appeal form
- Panel convened
- Meeting arranged within 30 academy days of appeal being lodged
- Appeal hearing
- Decision in writing within five working days

Frequently Asked Questions:

Q. Do I have to pay for the appeal?

A. There is no charge to parents for appeals.

Q. Can I ask the Panel to contact anyone, such as my doctor or social worker, to confirm what I have said on my form or at the hearing?

A. No. You are responsible for making sure that the Panel has any written supporting evidence at the hearing.

Q. How long will the hearing take?

A. This is difficult to say, however, generally for mid-year appeals, it takes about an hour; it really depends on the complexity of the cases.

Q. Can I bring a friend to the appeal hearing?

A. Yes, you can bring somebody with you either to support you or to speak on your behalf.

Q. Can I bring my child with me?

A. No.

Q. Where will the appeal be heard?

A. At the Academy.

Q. When are appeals heard?

A. Weekdays between 10am and 2pm, term time only.

Q. Can I change the date or time of my appeal?

A. We are not usually able to accommodate changes to timetabling for a variety of reasons including statutory timeframes or numbers of appeals and co-ordinating Panel members.

Q. What should I do if I change my mind about appealing?

A. If you decide to withdraw your appeal, please let the Academy know as soon as possible.