GENERAL INFORMATION ON SCHOOL ADMISSION APPEALS

1. WHAT DOES THE LAW SAY?

The School Standards & Framework Act 1998 gives parents the right to express a preference as to the school they would like their child to attend. The admission's authority must comply with this preference **unless** it would prejudice the provision of efficient education or the efficient use of resources. Parents may appeal against any decision of the admissions authority to an Appeals Panel**.** In Harrow we have Academy schools, Voluntary Aided schools, and Community schools. The admissions authority for Academy schools, Voluntary Aided schools is the governing body of the school and for community schools is the Local Authority.

2. WHY HAVE I NOT BEEN GIVEN A PLACE AT ANY OF MY PREFERRED SCHOOL(S)?

The outcome letter you have received gives the reasons why it has not been possible to offer a place at your preferred school(s). Where the Local Authority is unable to offer a place at one your preferred schools through the co-ordinated process it will offer you a place at the nearest school with a vacancy. The Local Authority considers the school where your child has been allocated a place a reasonable offer, in that it is able to accommodate your child without prejudicing the provision of efficient education or the efficient use of resources.

3. HOW CAN I APPEAL?

You should complete the Notice of Appeal form and return it by the date specified to:

Admissions Service
P.O.Box 22
Civic Centre
Station Road
Harrow HA1 2UW

Or email to schooladmissions@harrow.gov.uk

You should give as much written detail as possible about why the school allocated is not a reasonable offer and your reasons for wanting a place at your preferred school. You should also submit any other documentation that you feel would be helpful to your case. Copies of all the papers provided will be sent to the Appeal Panel Members before the Appeal Hearing. You will also be sent a copy of all the papers circulated.

4. WHAT HAPPENS NEXT?

You will receive a letter from the Legal Department acknowledging your appeal and confirming the place, date and time of the appeal hearing. The letter will also give full details of the appeals procedure and will tell you how the members of the Appeal Panel are chosen. You will be invited to attend the appeal to put your case in person. If you wish, you may also be accompanied by a friend or have a representative present your case for you. If you cannot attend the appeal hearing, your case can be heard in your absence. The Appeal Panel will consider your written representations before coming to a decision.

5. SHOULD I BRING MY CHILD TO THE APPEAL HEARING?

You should **not** do this. The appeal is designed for the parent to put their case as it is the parent who has the right of appeal for the school of their preference on behalf of their child. There are no childcare facilities at the Civic Centre and children cannot be cared for in the committee room. Parents must make alternative arrangements for babies and children to be looked after.

6. WHAT HAPPENS IF I NEED AN INTERPRETER AT THE APPEAL?

You may have an interpreter at your appeal hearing. Please confirm on your appeal form which language is required.

7. WHEN WILL I KNOW THE RESULT OF MY APPEAL?

The Clerk to the Appeal Panel will write to you within 5 days to give you the decision of the Appeal Panel.

8. WHAT HAPPENS IF OTHER PARENTS ARE APPEALING FOR PLACES IN THE SAME YEAR GROUP AND SCHOOL AS I AM?

Where several parents are appealing for places in the same school, every effort is made to ensure that all these appeals are heard by the same Panel on the same day. Such appeals are known as multiple appeals. However, each case made by a parent is considered individually and the Appeal Panel's decision is made on the merits of that case.

9. CAN I APPEAL FOR MORE THAN ONE SCHOOL?

Yes, you can appeal for more than one school. You will need to complete a Notice of Appeal for each appeal. Appeals for more than one school are normally considered by different Appeal Panels.

10. WHAT CAN I DO IF I AM NOT SATISFIED WITH THE RESULT OF MY APPEAL?

The admission appeal procedures are designed to ensure that all parents have had a fair hearing. The decision of the Appeal Panel is binding on the Local Authority and there is no further right of appeal.

You may complain about maladministration on the part of an appeal panel to the Local Government Ombudsmen (LGO) in respect of maintained schools and you may complain to the Secretary of State in respect of appeal panels for Academy schools.

Further information about the Local Government Ombudsman

1. The Local Government Ombudsman can investigate complaints about maladministration on the part of an appeal panel for a maintained school. A complaint to an Ombudsman is not a further appeal. It must relate to the administration of an appeal rather than the appeal decision. Maladministration covers issues such as failure to follow correct procedures or failure to act independently and fairly. It does not cover the merits of decisions that only the panel has the authority to make. Therefore, generally, the Ombudsman cannot consider whether the appeal panel was correct to uphold or dismiss the appeal.
2. The Ombudsman is not able to overturn the appeal panel's decision but, where they find that there has been maladministration, they may make recommendations for a suitable remedy. For example, they may recommend that an appeal is reheard by a different panel and with a different clerk.

For further information about the LGO please visit www.lgo.org.uk or you can call the **LGO Advice Team on 0300 061 0614** or 0845 602 1983 and make your complaint over the telephone or write to:

The Local Government Ombudsman
PO Box 4771
Coventry
CV4 0EH

Complaints about appeal panels for Academy schools
Complaints about maladministration on the part of an appeal panel for an Academy, or that an Academy Trust has failed to comply with the Appeals Code in setting up a panel, are investigated by the agency appointed to investigate complaints about Academy schools on behalf of the Secretary of State. At the date of publication this is the Education Funding Agency.

Appellants considering making a complaint can use the Education Funding Agency website https://www.gov.uk/academy-admissions#academy-admission-appeals-complaints or write to:

Education Funding Agency
33 Greycoat Street
London
SW1P 2QF

The Secretary of State cannot review or overturn an appeal decision relating to a maintained school. An appeal panel's decision can only be overturned by the courts where the appellant or admission authority is successful in applying for a judicial review of that decision.

However, under Sections 496, 497 and 497A of the Education Act 1996, and under an Academy's funding agreement, the Secretary of State may consider whether:
a) the panel was correctly constituted by the admission authority; and
b) the admission authority has acted reasonably in exercising functions in respect of the appeals process or failed to discharge a duty in relation to that process.

11. CAN I HAVE A SECOND APPEAL?

Appellants do not have the right to a second appeal in respect of the same school for the same academic year unless, in exceptional circumstances, the admission authority has accepted a second application from the appellant because of a significant and material change in the circumstances of the parent, child or school but still refused admission. The Local Government Ombudsman; or the Admission Authority may arrange a second appeal if there were faults in the administration or procedure of an appeal that may have affected the outcome.

12. CAN MY CHILD GO ON THE WAITING LIST?

On receipt of your request for appeal papers, if your child's name is not already on the waiting list, your child's name is put on the waiting list for the school(s) for which you are appealing.

You may also request that your child's name is put on the waiting list for any school in the borough. All you need to do is to write to the Admissions Service (the address is given at Section 3 of this leaflet) with the name, address and date of birth of your child. You will also need to give name(s) of the school or school(s) you are interested in so we can add your child's name to the appropriate waiting lists.

13. INDEPENDENT ADVICE

The Advisory Centre for Education (ACE) is a national charity that provides free, independent advice on the admissions and appeals process and a range of education issues including bullying, exclusion, SEN and attendance. For advice visit www.ace-ed.org.uk or call their general enquiries line 0300 0115 142.

How Places are allocated

The Council co-ordinates secondary school places to applicants in the following way:

(a) If the number applying for a particular school is less than (or equal to) the published admissions number, all will be offered a place;

(b) If the number applying is greater than the published admissions number, places will be allocated by giving priority to children in the following order, up to the published admissions number.

The published admission number (PAN) for Whitmore and Academy schools in Harrow are:

Name of School	PAN
Avanti House	180
Bentley Wood High School	224
Canons High School	210
Harrow High School	180
Hatch End High School	210
Nower Hill High School	324
Park High School	270
Pinner High School	180
Rooks Heath College	210
Whitefriars School	90
Whitmore High School	270

All applications are considered whatever order you have ranked them in. If schools receive more applications than they have places available, the oversubscription criteria (see below) are applied to see who can be offered. Places are allocated to those who best meet the criteria. Once it has been determined which children can be offered places at each of the schools, Harrow co-ordinates all the offers to make sure that each applicant receives only one offer. We do this by looking at the way you ranked schools, as follows:

- If your child meets the oversubscription criteria for more than one of the schools you have asked for, we will look at the rankings you gave the schools and offer you a place at your highest-ranked school.
- If your child meets the oversubscription criteria for only one of the schools on your list, we will offer you a place there.

A full explanation of admission arrangements is available in the Guide to Secondary Schools 2020-21 or refer to our website at www.harrow.gov.uk/schooladmissions

APPLICANTS NOT OFFERED A PLACE IN ANY SCHOOL LISTED ON THE APPLICATION FORM:
If you do not give a full list of preferences it is taken to mean that all other schools are equally acceptable. If it is not possible to offer at one of the schools you have listed on the application form you will be offered the school with a vacancy nearest to the home address.

LATE APPLICATIONS:
Forms received after the closing date will be dealt with only after those received by the closing date have been processed. Places will be offered at any school where vacancies remain using the admission authorities admissions criteria.

ADMISSION TO SECONDARY SCHOOL AT TIMES OTHER THAN THE MAIN ALLOCATION

A place will be offered at the preferred school if a vacancy exists in the appropriate year group. If it is not possible to meet parents' preference because the school is full in that year group, a place will be offered at the nearest secondary school with a vacancy. Admission of one child to a secondary school does not give a right of admission for brothers or sisters, if places are not available for all at the same time.

A full explanation of admission arrangements is available from the Access Harrow Information Service at the Civic Centre - Please ask for "Guide to Secondary Schools 2020-21" or refer to our website at www.harrow.gov.uk/schooladmissions

GENERAL APPEAL STATEMENT FOR WHITMORE HIGH SCHOOL AND SECONDARY ACADEMY SCHOOLS IN HARROW

Reasons it has not been possible to offer a place at your preferred school

All schools have a published admissions number, which is the number of pupils of one age group that can be admitted in any one year. When the number of admissions reaches the published number, the year group is full. The admissions authority can refuse to admit an additional child on the grounds that to do so would prejudice the provision of efficient education and the efficient use of resources. It has not been possible to offer a place for your child at your preferred school as the year group is full.

To admit an extra child when the year group is full would mean less teacher time and less teacher attention for each child and this would prejudice the provision of efficient education. The National Curriculum places a requirement on teachers to deliver a broad and balanced curriculum to each child. In addition the National Curriculum demands that practical work is undertaken in small groups. Oversubscription in a year group affects a teacher's ability to respond to the needs of each and every child, to provide small group work and to ensure that each child has the support and help needed to assist their learning. These factors affect the quality of education for all children in a year group which is oversubscribed.

In a year group which has more children than the published admissions number, resources will be spread more thinly and this will prejudice the efficient use of resources. Each child will have less access to the resources and equipment in the school and will therefore be disadvantaged by being in an overfull year group. The admission of one extra child will mean that there is less space and working area for each child within the year group which makes it difficult to provide an active learning environment. Also there are concerns regarding science classes that involve practical work with Bunsen burners and chemicals. In addition, larger year groups bring hazards because rooms are more crowded and accidents can occur more easily. The school you have been allocated can accommodate your child without going over the published admissions number.

Allocation breakdown for September 2020 Intake

School Name	Number of applications received	Number of place available	Special Educational Needs – EHC Plans	Looked After Children	Medical/Social needs Child	Medical Parent	Sibling	Children of Staff	Feeder school	Random Allocation	Distance Criteria	Furthest distance offered in miles*
Avanti House	778	180	3	1	0	0	77	1	74	N/A	24	0.339
Bentley Wood	679	224	0	1	0	0	60	1	20	82	60	1.495
Canons High	471	210	4	0	0	0	57	0	N/A	N/A	127	N/A
Harrow High	533	180	0	0	0	0	34	0	N/A	N/A	114	N/A
Hatch End High	481	210	2	0	0	0	52	1	N/A	N/A	144	N/A
Nower Hill	1604	324	2	3	0	0	104	1	N/A	N/A	214	1.027
Park High	806	270	6	1	0	0	84	0	N/A	N/A	179	1.083
Pinner High	1177	180	7	1	0	0	71	3	N/A	N/A	98	0.7
Rooks Heath	397	210	1	0	0	0	57	1	N/A	N/A	124	N/A
Salvatorian College	175	150	Information for Salvatorian College and The Sacred Heart Language College can be obtained directly from the school									
Sacred Heart	373	180										
Whitefriars School	232	90	1	0	0	0	17	0	N/A	N/A	68	N/A
Whitmore High	1569	270	7	0	2	0	103	1	N/A	N/A	157	0.66

+ Children with an Education Health Care Plan
** Distance is measured in a straight line from the home address to the centre point of the school site as defined by the school using a computerised mapping system based on ordnance survey data.

APPEAL FORM FOR WHITMORE HIGH SCHOOL OR A SECONDARY ACADEMY SCHOOL IN HARROW

Please complete this form and return pages 8-10 if you wish to appeal for a place for your child at a school at which the Local Authority or Academy School is unable to offer you a place.

This form is for the following schools:

Academy schools
Avanti House
Bentley Wood High School
Canons High School
Harrow High School
Hatch End High School
Nower Hill High School
Park High School
Pinner High School
Rooks Heath College
Whitefriars School

Community School
Whitmore High School

Your appeal will be heard by an Appeals Panel who are totally independent of the admission authority and have had no involvement with any decision made to date about your child.
PLEASE PRINT CLEARLY IN BLACK INK AND COMPLETE ALL SECTIONS

Child's first name:			
Child's surname:			
Child's date of birth: DD/MM/YYYY		**Gender:**	**Male / Female**
Home address:			
Name of Parent/Carer			
Telephone number:	Daytime	Evening	Mobile
School offered:			
School appealing for: *(please note you can only appeal for one school per form)*			

The Notice of Appeal forms an important part of your case and you should give as much written detail as possible about your reasons why the school allocated is not acceptable and also your reasons for wanting a place at your preferred school. You may continue your case on another sheet of paper and should attach any other information you wish to be considered as part of your case with this notice.

NOTICE OF APPEAL

PLEASE COMPLETE THIS FORM IN BLACK INK

When considering appeals the Independent Appeal Panel will consider the case in two parts:

a) **First Stage: establishing the facts**, at which the panel considers:
i) whether the admission arrangements (including the area's co-ordinated admission arrangements) complied with the mandatory requirements of the School Admissions Code and Part 3 of the School Standards and Framework Act 1998; and
ii) whether the admission arrangements were correctly and impartially applied in the case in question.

b) **Second Stage: balancing the arguments**, at which the panel exercises its discretion, balancing the degree of prejudice to the school against the appellant's case for the child being admitted to the preferred school, before arriving at a decision. The panel must take into account the appellant's reasons for expressing a preference for the school, including what that school can offer the child that the allocated or other schools cannot.

Please use the space below to set out the details of your appeal. Use extra sheets of paper if you need to. Please try and include all of your reasons for appealing to this particular school and try to relate your case to points detailed above.

Admission arrangements failed to comply with the legislation and statutory code Please give details:
Admission arrangements were not correctly applied Please give details:
Admission of additional child does not prejudice the efficient education or use of resources Please give details:
My child's case for admission to the school outweighs any prejudice caused to the school Please give details:
Other grounds Please give details:

	Please tick			
1. Will you be attending the appeal hearing in person?	YES		NO	
2. Do you intend to have another person accompany you/ represent you?	YES		NO	
3. Do you require a translator? If yes please confirm which language is required……	YES		NO	

If you have answered YES to question 2 or 3, please give name and address (email/telephone number) of representative or own translator (Please print in BLOCK capitals)

Name of representative or translator	
Address	
Telephone	
email address	

TO BE COMPLETED BY PARENT/CARER (Please print in BLOCK capitals)

NAME OF PARENT/CARER*: ……..….
Mr / Mrs / Ms / Miss*

SIGNED: .....Parent / Carer * DATE: .....……..…
(* Please delete as applicable)

You should return the completed Notice of Appeal and any other supporting documentation to Harrow Council, School Admissions Services, Station Road, Harrow HA1 2UW or email to schooladmissions@harrow.gov.uk by

30th March 2020

FAILURE TO RETURN THIS FORM MAY DELAY THE APPEAL HEARING

FOR OFFICE USE ONLY

APPEAL REFERENCE: .....……..... N.C. YEAR GROUP: .....**11+**.....

FULL NAME OF PUPIL: .....

SCHOOL APPEALED FOR: .....

ATTENDING (if applicable): .....

SCHOOL OFFERED BY AUTHORITY: .....

DATE OF HEARING: .....…..... TIME OF APPOINTMENT: .....…….....

PLACE: ……**Civic Centre** .....