

GENERAL INFORMATION ON SCHOOL ADMISSION APPEALS FOR PRIMARY SCHOOLS IN HARROW

**THIS FORM SHOULD ONLY BE USED IF YOU WANT TO APPEAL FOR A PLACE IN
RECEPTION, YEAR 1 OR YEAR 2
IN A HARROW PRIMARY SCHOOL**

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 Academies, Voluntary Aided schools and Community schools. The admissions authority for Academies and Voluntary Aided schools is the governing body of the school and for community schools it 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). The Local Authority/Admissions 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: 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 school 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/Admissions 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 Academies.

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 [School admissions - Local Government and Social Care Ombudsman](#) or If you cannot use the complaint form, you can call our helpline on 0300 061 0614. It is open between 10am and 4pm, Monday to Friday, except on public holiday.

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 Education Schools Funding Agency. Please complete the online complaint form which is available on their website: [School admissions: Complain about the appeals process - GOV.UK \(www.gov.uk\)](#)

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, your child's name is automatically 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 or email 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 the name(s) of the 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, you can ring **0300 0115 142** Monday – Wednesday, 10.00 am – 1.00 pm, term time only. For further advice, visit www.ace-ed.org.uk

ADMISSION ARRANGEMENTS FOR HARROW SCHOOLS 2021/2022

Information is available at [School admission arrangements 2021 - 22 – School admission arrangements – Harrow Council](#)

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 primary school with a vacancy. Admission of one child to a primary school does not give a right of admission for brothers or sisters, if places are not available for all at the same time.

All applications are considered in the order you have ranked them in. If schools receive more applications than they have places available, the admission rules are applied to see who can be offered. Places are allocated to those who best meet the rules.

A full explanation of the admission arrangements is available in the [Guide to Primary Schools 21/22](#)

GENERAL APPEAL STATEMENT FOR A HARROW PRIMARY SCHOOL

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

It has not been possible to offer a place for your child at your preferred school as the year group is full.

Regulations made under Section 1 of the School Standards and Framework Act 1998 limit the size of an infant class (a class in which the majority of children will reach the age of 5, 6 or 7 during the school year) to 30 pupils per school teacher.

The Local Authority/Admission Authority considered your application and at the time of allocation has refused to admit your child on the grounds that the admission of an additional child would breach the infant class size limit and there are no measures it could take to avoid this without prejudicing the provision of efficient education or efficient use of resources.

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.

If a place is offered when there is no vacancy, 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. 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.

The decision the school has taken in this case is a reasonable one, having reached the Admissions Number of pupils, and having the teaching staff, funding and capacity only to deal with this number of children.

APPEAL FORM FOR A HARROW SCHOOL

Please complete this form if you wish to appeal for a place for a school listed below for your child at a school at which the Local Authority or Admissions Authority is unable to offer you a place.

This form is for the following schools for a place in Reception, Year 1 or Year 2

Avanti House Primary School	Newton Farm Nursery, Infant and Junior School
Aylward Primary School	Norbury School
Belmont School	Pinner Park Primary School
Camrose Primary School and Nursery	Pinner Wood School
Cannon Lane Primary School	Priestmead School and Nursery
Cedars Manor School	Roxbourne Primary School
Earlsmead Primary School	Roxeth Primary School
Elmgrove Primary and Nursery School	Stag Lane Primary School
Glebe Primary School	Stanburn Primary School
Grange Primary School	Vaughan Primary School
Grimsdyke School	Weald Rise Primary School
Heathland School	Welldon Park Primary School
Kenmore Park Junior School	West Lodge Primary School
Longfield Primary School	Whitchurch Primary School
Marlborough Primary School	Whitefriars 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
Email address:			
School offered/attending:			
School appealing for: <i>(please note you can only appeal for one school per form)</i>			

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.

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

When considering appeals the Admissions 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 of an additional child/additional children would breach the infant class size limit;
- ii) 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;
- iii) Whether the admission arrangements were correctly and impartially applied in the case(s) in question; and
- iv) Whether the decision to refuse admission was one which a reasonable admission authority would have made in the circumstances of the case.

The panel **may** only uphold the appeal at the first stage where:

- a) It finds that the admission of additional children would not breach the infant class size limit; or
- b) It finds that the admission arrangements did not comply with admissions law or were not correctly and impartially applied and the child would have been offered a place if the arrangements had complied or had been correctly and impartially applied; or
- c) It decides that the decision to refuse admission was not one which a reasonable admission authority would have made in the circumstances of the case.

In multiple appeals where a number of children would have been offered a place under paragraph above, and to admit that number would seriously prejudice the provision of efficient education or efficient use of resources, the panel **must** proceed to the second stage.

The panel **must** dismiss the appeal at the first stage where:

- a) It finds that the admission arrangements did comply with admissions law and were correctly and impartially applied; or
 - b) It finds that the admission arrangements did not comply with admissions law or were not correctly and impartially applied but that, if they had complied and had been correctly and impartially applied, the child would not have been offered a place;
- and it finds that the decision to refuse admission was one which a reasonable admission authority could have made.

b) **Second Stage:** The panel must compare each appellant's case for their child to be admitted and decide which of them, if any, to uphold. Where the school could admit a certain number of children without breaching the infant class size limit (or without needing to take measures to avoid breaching it that would prejudice the provision of efficient education or efficient use of resources) the panel must uphold the appeals of at least that number of children.

Please use the space on the next page 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. Please attach or include any documents that you wish the panel to consider that support your case.

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)

FOR OFFICE USE ONLY

APPEAL REFERENCE: N.C. YEAR GROUP:

FULL NAME OF PUPIL:

SCHOOL APPEALED FOR:

ATTENDING (if applicable):

SCHOOL OFFERED BY AUTHORITY:

DATE OF HEARING: TIME OF APPOINTMENT:

PLACE: Civic Centre