

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 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 Education Funding Agency in writing to: 33 Greycoat Street, London, SW1P 2QF. For further information please use this [link](#)

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 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.

ADMISSION ARRANGEMENTS FOR ACADEMY SCHOOLS IN HARROW, AVANTI HOUSE AND WHITMORE HIGH SCHOOL – 2022/2023

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 line with the schools oversubscription criteria, 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 Secondary School | 180 |
| Bentley Wood High School | 240 in year 7 224 in years 8, 9, 10 and 11 |
| Canons High School | 210 in years 7, 8, 9, 10 and 11 |
| Harrow High School | 180 in years 7, 8, 9, 10 and 11 |
| Hatch End High School | 210 in years 7, 8 and 9 220 in year 10 180 in year 11 |
| Nower Hill High School | 324 in years 7, 8, 9, 10 and 11 |
| Park High School | 270 in years 7, 8, 9, 10 and 11 |
| Pinner High School | 180 in years 7, 8, 9, 10 and 11 |
| Rooks Heath High School | 210 in years 7 and 8 225 in year 9 210 in years 10 and 11 |
| Whitefriars School | 150 in years 7, 8, 9, 10 and 11 |
| Whitmore High School | 270 |

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 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 secondary schools 2022-23](#).

GENERAL APPEAL STATEMENT FOR WHITMORE HIGH SCHOOL, AVANTI HOUSE SECONDARY 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.

**APPEAL FORM FOR WHITMORE HIGH SCHOOL, AVANTI HOUSE SECONDARY SCHOOL OR
A SECONDARY ACADEMY SCHOOL IN HARROW**

Please complete this form and return pages 7-9 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

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 High School
 Whitefriars School

Free School

Avanti House Secondary 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: <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 by email to schooladmissions@harrow.gov.uk

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.

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

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- | | 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: | |