



## **COMPLETING YOUR APPEAL FORM**

**FOR A PLACE AT A SOMERSET SCHOOL DURING THE ACADEMIC YEAR**

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### **PLEASE READ THESE NOTES BEFORE COMPLETING THE APPEAL FORM**

Before completing the attached appeal form please read these notes thoroughly. If you remain unclear concerning the information requested, how to complete the form, or the deadline by which your form must be submitted, then please contact Somerset Direct on **0300 123 2224** for further help.

Your appeal form should be completed in English. Help is available with translation and interpretation upon request to Somerset Direct. You may complete your form by handwriting or type, please note however that the form must be signed. Please endeavour to complete all fields on the form. Where a field is not relevant then please indicate this with **N/A**.

Please return your completed appeal form to the School Admissions Appeals Co-ordinator at the address below. Your appeal form must be received within 6 weeks of the date of your refusal letter, however you are advised to submit your form as soon as possible. (If sent by post, proof of posting is strongly recommended). Your appeal will take place within 30 school days of your form being received by the School Admissions Appeals Co-ordinator.

You should include with your appeal form all the information you would like the Appeal Panel to consider. If supporting documents cannot be provided at this time, please ensure that they are submitted as soon as possible. This includes any supporting information (e.g. a doctors note, medical evidence, or evidence of a house move).

It may be necessary to delay the hearing if supporting information is provided less than three working days before the hearing, which the panel considers may need further investigation or which the admission authority may need time to respond to.

**You are entitled to receive notice of the date of your appeal hearing 10 school days in advance of the hearing date. However, you have the right to waive this period of notice where it suits your circumstances to do so. For example, where a school holiday would otherwise delay your appeal hearing, if you waive the period of notice then it may be possible to have your appeal hearing scheduled during the holiday period. If you wish to waive your rights to this notice period, please tick the relevant box at section 3a on your appeal form.**

**If your preferred method of contact is by e-mail you must provide a suitable e-mail address to which all of your appeal documentation can be sent. If you choose to receive your appeal paperwork by e-mail you will need to check your e-mail account regularly and must respond to the verification e-mail that will be sent to the e-mail address listed on the appeal form within 3 days. If a reply is not received then all paperwork will be sent by post.**

Please note the appeal documentation will be referred to at the hearing so you may want to print a copy to bring with you to the hearing.

**Please return your form to:**

The School Admission Appeals Co-ordinator  
School Admissions Team  
County Hall  
Taunton  
Somerset  
TA1 4DY

## **The following may be useful when completing your form**

### **Sibling details**

Please include details of all siblings and identify any current provision at an early years setting, school, or sixth form.

### **Parent/Carer**

The applicant must be a parent/carer of the child concerned, and have legal responsibility for the care and education of the child at the time of the appeal hearing, **or** a person who has been delegated responsibility to complete the form on behalf of a parent/carer.

### **Your home address**

This will be the address to which all correspondence relating to your appeal hearing will be sent if your preferred method of contact is by post.

### **The child's home address**

The home address that will be used for the preparation of technical information in connection with your appeal will be the address at which the child concerned lives, or subject to evidence will be living at the time the school place is expected to be required.

### **Changing address**

The Appeal panel will seek proof of an intended house move. Normally a solicitors letter proving 'exchange of contract' or a fixed term rental agreement for a period of six months or more will be satisfactory.

### **Bullying/Issues at current/previous school(s)**

If the grounds for your appeal include bullying or issues at your child's current/previous school(s), you should be aware that the Headteacher will be asked to comment. This information will then be made available to the Appeal Panel at the hearing.

### **Person(s) accompanying**

You are entitled to bring a friend or adviser along to the hearing, this can be a locally elected politician, or an employee of the local education authority such as an educational social worker, Special Educational Needs (SEN) adviser or learning mentor.

You may also wish to consider using the Choice Advice Service – Tel 01823 356903 or e-mail [choiceadvice@somerset.gov.uk](mailto:choiceadvice@somerset.gov.uk)

However this person must not be a member of the Admissions Authority or an employee of the school in question.

### **Supporting information**

You should provide as much information as you consider appropriate to substantiate your reasons for wanting a place at a particular school. You should complete **part 3** of the appeal form as fully as possible and if you require additional space, continue on a separate sheet.

**You may also like to consider requesting a booklet that explains the school admission appeals procedure from the School Admissions Appeals Co-ordinator, alternatively it is available on the Somerset County Council School Admissions website.**

## **Information regarding Infant Class Size appeals.**

The Local Authority are required by the School Admissions Code to inform parents of the limited circumstances in which an Infant Class Size appeal can be upheld.

The law states that there must not be more than 30 children in an infant class (that is, classes containing reception, year 1 and year 2 children). This applies even if other adults are always present, and/or some children are absent. There are a few circumstances in which an additional child or children may be classed as an 'exception' and the class size goes over 30. But if children leave and the class size returns to 30, that does not mean extra children can be admitted again.

Therefore when considering an appeal for a place in an infant class, the panel's task is to review the decision already made. **It does not have the flexibility to say that the appellants personal circumstances mean that they should have a place at the school, if this would take the number of children in the class over 30.** This makes an infant class size appeal different to other school admissions appeals.

An appeal panel can uphold the appeal if the admissions authority has made a mistake in applying the admissions criteria which means you have been wrongly denied a place. The panel can also uphold an appeal if it considers that your child would have been offered a place if the admissions arrangements had not been 'contrary to mandatory provisions in the School Admissions Code'.

A panel can uphold an appeal if it considers that the decision not to offer a place was 'perverse in light of the published admission arrangements'. Parents often complain to the Local Government Ombudsman that the panel should have upheld their appeal because the decision to refuse a place was perverse. The Local Government Ombudsman does not usually uphold the complaint, because the threshold for the decision to be perverse is extremely high in infant class size appeals.

Most applicants who have been refused a place at their preferred school consider the refusal to be perverse. But the word has a stronger meaning in its legal sense. It means 'beyond the range of responses open to a reasonable decision maker', or 'a decision which is so outrageous in its defiance of logic or of accepted moral standards that no sensible person who had applied his mind to the question could have arrived at it'. **A decision that makes it impossible for an applicant to transport all their family to school on time, or even impossible for them to continue working, is very unlikely to be perverse. The courts have established this.**



# SCHOOL ADMISSION APPEAL FORM

## FOR A PLACE AT A SOMERSET SCHOOL DURING THE ACADEMIC YEAR INFANT CLASS SIZE APPEAL

(Reception, Year 1 or Year 2 where the class size is 30 or more)



**Please ensure you read the attached notes before completing this appeal form**

### 1. Pupil/School Details Section:

Full name	Date of Birth	Please tick ✓	
<input type="text"/>	<input type="text"/>	Is your child –	
		Male	<input type="checkbox"/>
		Female	<input type="checkbox"/>

Preferred School (A separate appeal form must be completed for each school you wish to appeal for)	Date on which place required
<input type="text"/>	<input type="text"/>

Please circle		
Have you appealed for a place at this school previously?	Yes	No
Have you approached/visited your preferred school?	Yes	No

Pupil's current school	OR if not on roll:	Previous school	Date last on roll
<input type="text"/>		<input type="text"/>	<input type="text"/>

Sibling Details:			Please tick ✓	
Full name	Date of Birth	Year Group	Current school	Or last school
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

### 2. Applicant's Details:

Title: Mr/Mrs/Miss/Dr/Other (please circle)	Preferred contact telephone numbers
Parent/Carer's Name(s)	<input type="text"/>
<input type="text"/>	<input type="text"/>

Your current address:

Your child's address, if different:

House Name/No:	House Name/No:
Street:	Street:
Town:	Town:
Postcode:	Postcode:
How long has your child been resident at this address?	Date since

**Moving house?** Please provide your new address below:

House Name/No:	Street:
Town:	Postcode:
If moving house, please enter 'exchange of contract' date or 'rental agreement' start date:	

E-mail address:	<input type="text"/>
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Preferred method of contact (Please tick ✓)	*E-mail	<input type="checkbox"/>	Post	<input type="checkbox"/>
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\*Please note that if your preferred method of contact is by e-mail you must read the first page of notes attached to this document which contains important information regarding the verification of your e-mail address.

### 3. Parent/Carer Statement

Please enter any information you feel is relevant to support your appeal for a school place. Should you require more space, please continue on an additional sheet and enclose with this appeal form.

If applicable - Please state why you believe the admission arrangements do not comply with admission law.

If applicable - Please state why you believe the admission arrangements have not been correctly and impartially applied **and why your child would have been offered a place if they had been.**

If applicable - Please state why you believe the decision to refuse admission was not reasonable **in light of the admission arrangements: that is, within the constraints of the rules.**

Please state any other information you feel is relevant to support your appeal for a school place. Please continue on a separate sheet if necessary.

Are there any dates the appeal hearing should avoid?	
Are you intending to attend the appeal hearing? (we would encourage you to do so if you can)	
Please provide the name of anyone accompanying you to the hearing.	
Please state the role in which the above person is attending e.g. family member, friend, legal representative, Choice Adviser, Social Worker etc.	
Please help us to meet your needs by stating any requirements that you have for access into and around buildings, access to materials (e.g. print size) or access to spoken language (e.g. induction hearing loop, an interpreter).	

a) Please note I wish to waive my right to 10 school days notice of my hearing date. Please ✓

b) Choice Advice can offer impartial support and advice about admission appeals, please see the enclosed leaflet. For further information regarding this service please tick. Please ✓

c) I hereby confirm that I am the parent/carer of this child and/or have the parent/carer's permission to complete this appeal form.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**This appeal form will not be accepted unless fully completed and signed. Any incomplete forms will be returned and this will cause a delay to your appeal being scheduled.**

## **Notification regarding the processing of any personal data supplied on this form**

**Data Controller** – Somerset County Council

**Data Protection Officer contact** – [informationgovernance@somerset.gov.uk](mailto:informationgovernance@somerset.gov.uk)

**Purpose for processing** – The information that you give on this form will be used by the Council for the purpose of processing your application for a school admissions appeal for your child.

**Legal basis for processing – By law:** The School Admissions Code 2014 and The School Admissions Appeal Code 2014 which are statutory guidance for Local Authorities.

Legitimate Interests: For the prevention and detection of crime (Fraud Act 2006) and to help improve services.

**Data Sharing** – the personal data provided will be shared with early years settings, health authorities, schools, academies and free schools and may also be shared with other SCC service providers, Somerset County Councils software supplier and School Appeal Panels. If you are applying for a school outside Somerset it may be shared with other Local Authorities and schools and academies in their area. Data may be shared by schools with a private admissions provider. SCC will not disclose this information to any unauthorised person or body.

**Transfers abroad** – this data is held within the EU and is accessible by the approved application provider.

**Data Retention** – The personal data supplied on this form will be retained for as long as is necessary to meet our statutory requirements and legitimate interests and it will be disposed of in a manner appropriate to its sensitivity.

**Your Rights** – You have the right to ask Somerset County Council to a copy of your data, the right to rectify or erase your personal data, and the right to object to processing.

However these rights are only applicable if the Council has no other legal obligation concerning that data. You also have the right to complain to the regulator, <https://ico.org.uk/>

**Consequences:** If you do not supply this information to us, we will not be able to process your appeal for a school place for your child.

For more information see [www.somerset.gov.uk/privacy](http://www.somerset.gov.uk/privacy)