



NORTH CESTRIAN SCHOOL

Dunham Road, Altrincham, Cheshire, WA14 4AJ

APPEAL INFORMATION BOOKLET YEAR 7

It is strongly recommended that you read this booklet before submitting an appeal application

Our Admissions Policy is available to view at: www.northcestrian.co.uk/

**Appeals for this school are detailed within our Appeals Timetable
(This is available to view on our School website)**

If your child has been refused a place at North Cestrian School and you wish to appeal against the decision you must complete an Appeal Application Form. Application forms are available on our School website. It is an online application system.

Appeals will be held on the school premises. All supplementary evidence must be sent via REGISTERED post to: The Admissions Department, NCS Hamblin Education Trust, Marlborough Road, Bowdon, Altrincham, Cheshire WA14 2RS.

Upon receipt of your appeal application, we will send you an appointment letter showing the **date and time** which has been allocated for your appeal hearing together with further information including the Governor's Statement of Case.

Preparing your case

You are responsible for presenting your case and deciding what oral or written information you want to present before the Independent Appeal Panel. The Clerk cannot do this for you and the Appeals Panel will not request any information or make any enquiries on your behalf.

You may like to write down what you wish to say at the appeal, and any questions that you wish to ask. Please remember to bring with you, all the information sent to you prior to the appeal as this will contain details of why your child has not been allocated a place at North Cestrian School.

Written Evidence

You must provide us with a written account detailing your reasons for appealing. It is very important that you inform the Appeal Panel of all the information that you consider to be part of your appeal. If you do not, and your appeal is refused, you will not be able to raise it afterwards as new information.

All paperwork is treated with the utmost confidentiality and only the original paperwork will be retained for administration purposes, any other papers will be shredded after the appeal has been heard.

The Hearing

Hearings are held in private and each case is heard individually.

It is strongly recommended that you attend the appeal hearing as it is usually easier to explain your case to the Appeals Panel in person. For appellants who fail to attend a scheduled hearing, the appeal will be heard in absentia

based on the information you and the School have previously provided. You will then be notified of the decision by post.

Should you wish to bring a witness/interpreter or Legal Representative to the hearing please inform us in advance. It is not necessary for your child to be present at the hearing, and you are *strongly advised* not to bring him/her.

The Appeal Panel

The Independent Appeal Panel will consist of 3/4 panel members, also present will be a Clerk and Chair. The Chair's role is to explain how the hearing will be conducted and to ensure all parties have sufficient opportunity to state their case. The Clerk will keep an accurate record of the proceedings and provide both parties with written notification of the Panel's decision. The Clerk will play no part in the decision-making but remain with the Panel once the hearing is over.

The School's Representative(s) will be present to explain why your child cannot be considered for a place at North Cestrian School. The School's Representative(s) are brought into the Appeal Hearing by the Clerk at the same time as the parents/carers and at the end of the hearing they will leave with the parents/carers and take no part in the decision-making process.

Order of Hearing

The appellant(s) and the School Representative(s) are brought into the meeting together by the Clerk.

- Introduction by the Chair
- The School's Representative presents the Case for the School
- Questioning by you and/or your Representative and the Appeal Panel
- You and your Representative will present the case for the appellant
- Questioning by the School's Representative and the Appeal Panel
- Summing up by the School
- Summing up by the appellant

The appellant(s) and the School Representative(s) leave the room together and take no further part in the appeal.

How does the Appeal Panel reach its decision?

The School Standards and Framework Act 1998 as amended by the Education Act 2002, says that a school which determines its own admissions must comply with parents' preference except in certain circumstances, which include:

- a) If compliance with the preference would prejudice the provision of efficient education or the efficient use of the School's resources;
- b) If the preferred school is wholly selective by reference to high ability or aptitude and the admission of the pupil would be incompatible with such selection under the admission arrangements.

Stage 1: Establishing the facts

The Appeals Panel must consider whether:

- a) The published admission arrangements comply with the mandatory provisions of the School Admissions Code and the School Standards & Framework Act 1998 and
- b) whether they were correctly applied to your child, and
- c) whether the School has proved that admitting another child to the school would prejudice the provision of efficient education or the efficient use of resources at the school.

If the Panel consider that the published admission arrangements are not lawful or were not correctly applied to your child, they must then consider whether your child would have been offered a place if the admission arrangements had been lawful or properly applied.

If the Panel are satisfied that your child would have been offered a place, your appeal must be allowed unless a significant number of children have been affected and admitting all of them would cause significant prejudice.

If the Panel consider that the published admission arrangements are lawful and were correctly applied they must then consider whether, as a matter of fact, prejudice would arise if your child were admitted to the school.

If the Appeals Panel is satisfied that there would be prejudice, it will move to Stage 2 of the decision-making process.

If the Appeals Panel is satisfied that all the appellants' children could be admitted to the school before prejudice is established, all the appeals will be allowed.

If the Appeal Panel is not satisfied that all the appellants' children could be admitted to the school before prejudice is established, it must go on to Stage 2.

Stage 2: Balancing the Arguments

The Appeals Panel will consider the reasons you have given for requesting a place at the school and balance them against the prejudice that would be caused, if your child was admitted to North Cestrian School.

If they decide that the reasons you have put forward in support of your appeal outweigh the prejudice, they will allow your appeal.

If they decide that the reasons you have put forward in support of your appeal do not outweigh the prejudice, they will refuse your appeal.

Is the decision of the Appeal Panel final?

Yes, the decision is binding on both you and North Cestrian School.

If my appeal is unsuccessful can I appeal again?

1. You only have one right of appeal in each academic school year for a particular school unless, in exceptional circumstances, the school has accepted a second application because of a significant and material change in the circumstances of the parent, child or school, and refused admission.
2. An appeal for your child's admission to the school in September can be held before the end of the previous school year so that the admission can commence at the start of the new school year. However, such an appeal will be classed as relating to the school year commencing in the September.
3. You may, however, submit an appeal for more than one school during the same academic year.

Decision

Notification of the Appeal Panel's decision including reasons for the decision will be sent in writing to the appellant(s) and the Admission Authority within 5 school days of the last appeal heard.

Further Questions

Please contact The School's Admissions Department with any enquiries relating to the application or admission process at: appeals@hamblintrust.co.uk or by calling 0161 928 0858.

Please submit any questions relating to the appeal process to Miss N Owen (Trafford Governance Services) at school.appeals@trafford.gov.uk

Appellants considering making a complaint regarding administration of an appeal should contact:

EFSA Complaints
Chief Executive's Office
53-55 Butts Road
Earlsdon Park
Coventry
CV1 3BH

Any person or body who considers that arrangements are unlawful, or not in compliance with the School Admissions Code or relevant law relating to admissions, can make an objection to the Schools Adjudicator.

Website: www.gov.uk/government/organisations/office-of-the-schools-adjudicator

Email: osa.team@osa.gsi.gov.uk

Tel: 01325 340 402

Office of the Schools Adjudicator

Bishopsgate House

Feethams

Darlington

DL1 5QE