

Admissions Policy Appendix: Changes to Procedures for Admissions and Admission Appeals until 30 September 2022

This appendix has been created in line with the DfE's [‘Changes to the admission appeals regulations during the coronavirus outbreak’](#), and their [‘Changes to school admission appeals due to coronavirus’](#) guidance.

Statement of intent

The temporary regulations implemented during the coronavirus (COVID-19) pandemic to alter certain aspects of the admissions and admission appeals process requirements to account for the complex circumstances have been extended until 30 September 2022.

In accordance with these temporary regulations, which temporarily revise the relevant regulations, the school has made the necessary amendments to our Admissions Policy. This appendix outlines how the school manages admissions appeals during the coronavirus pandemic, in line with the government's new guidance.

The appeals amendments detailed in this appendix applies to all appeals lodged before 30 September 2022, even if the process continues beyond this date.

The information in this appendix will be reviewed regularly to ensure any local and national updates and information from the government can be reflected accordingly.

1. Legal framework

This policy has due regard to all relevant statutory guidance and legislation, including, but not limited to:

- School Admissions (England) (Coronavirus) (Appeals Arrangements (Amendment) Regulations 2021
- DfE (2012) ‘School Admission Appeals Code’
- DfE (2021) ‘Changes to school admission appeals due to coronavirus’
- DfE (2021) ‘Changes to the admission appeals regulations during the coronavirus outbreak’

2. Application of these arrangements

The admission authority will ensure the appeals panel understands the temporary regulations and how the chosen process will work, e.g. by telephone or video conference.

The temporary regulations will apply until 30 September 2022, and apply to any appeals lodged before that date. Once the temporary regulations cease to apply, the school will revert to implementing the procedures in the main body of this Admissions Policy. Appeals lodged before 30 September 2022, but that are heard after this date, will not be prejudiced by the expiry of the temporary regulations.

3. Appeals

The admission authority will prepare for appeals to be conducted in the normal way after the end of September 2022, and the relevant timetables will be prepared in the normal way and published by 28 February of the relevant year.

When the admission authority informs a parent of a decision to refuse their child a place, the admission authority will include the following information:

- The reason why admission was refused
- Information about the right to appeal
- The deadline and contact details needed to make an appeal
- That parents will need to set out their grounds for appeal in writing

The deadline for lodging an appeal will be at least 28 calendar days from the date the notification of refusal was sent to the parent. All deadlines for the hearing of appeals will be heard as soon as reasonably practicable.

Appeal deadlines have been amended to allow appellants (parents) more time to lodge an appeal – these updated deadlines are:

- 28 calendar days' written notice of a new appeal deadline.
- 14 calendar days' written notice of an appeal hearing (although appellants can waive their right to this).

Where possible, decision letters will be sent within 7 calendar days of the hearing.

4. Membership of the appeals panel

During the pandemic, members of the appeals panel will only be appointed if they have, or can be provided with, the necessary equipment and facilities.

Admissions panels are made up of at least three people. In the event a member of the panel has to withdraw due to the coronavirus, e.g. they are required to self-isolate, the remaining two members will continue to consider and determine the outcome of the appeal regardless of their background. If a panel member withdraws, the appeals clerk will make a note of the reasons for their withdrawal in the record of the proceedings. If the chair of the appeals panel withdraws, the admission authority or appeals clerk (on behalf of the admission authority) will appoint a new chair from the existing appeals panel.

In the event that more than one member of the panel withdraws and leaves only one member, new panel members will be appointed so that the panel is constituted in the normal way. Where this has happened, any part-heard appeals will be reheard.

Training of the panel

Where it is not possible for panel members to undergo full training, e.g. if it is delivered in face-to-face sessions, the admission authority will find alternative ways of ensuring training can be completed in accordance with section 1.10 of the 'School Admission Appeals Code'.

The admission authority will ensure the panel and appeals clerk have a full understanding of the temporary regulations and how the new process will work.

5. Appeals hearings

The chair of the appeals panel will ensure that all appeals, whether conducted remotely or not, are private, that all parties can hear everything that is said, and that all parties have an equal chance to participate. Appeal hearings will be conducted via telephone or video conference or, where this is not possible, they will be conducted entirely based on written submissions.

Appeals panels can only hold appeals hearings remotely if they are satisfied the following criteria are met:

- The parties will be able to present their cases fully
- Each participant has access to video or telephone facilities allowing them to engage in the hearing at all times
- The appeal hearing can be heard fairly and transparently

The appeals clerk to the appeals panel will contact appellants as soon as possible after receiving their appeal to explain the temporary arrangements in place – where possible, the appeals clerk will contact the appellant by phone.

Before appeals are conducted via video conferencing software, the chair of the appeals panel will consult the ICT technician regarding the security and privacy terms and conditions of the platforms being used. All necessary security features will be utilised before appeals take place.

If the officer presenting the case for refusing the admission does not attend the meeting, the appeals panel will consider the case using the evidence submitted by the admission authority so long as the panel is satisfied that doing so will not disadvantage the appellant.

In the event that the appellant does not participate in the meeting, and it is impractical to rearrange, the appeals panel will review the written information submitted. Appellants will retain the right to be represented or accompanied by a friend even during a remote hearing.

Where necessary, reasonable adjustments will be made in accordance with the Equality Act 2010. The appeals clerk is responsible for recording all requests for reasonable adjustments as part of the appeal record.

6. Appeals decided on written submissions only

The following process will be used to when making a decision on an appeal on the basis of written submissions only:

- The appeals clerk will contact the appellant and presenting officer in line with the appeals timetable. The presenting officer should be provided with a copy of the appeal lodged and asked to submit the admission authority's evidence – the appellant should be given the opportunity to submit additional evidence in writing (preferably email) if they wish.
- The panel and appeals clerk should meet remotely, e.g. by telephone, to formulate questions for the appellant and presenting officer.

- The appeals clerk sends the questions and all relevant documents to each of the parties, e.g. the appellant receives the presenting officer's submission and vice versa.
- The appellant and presenting officer should reply to all the questions and add any additional points they wish to make. Once these answers have been sent back to the appeals clerk, the appeals clerk will send them on to the other party. Any information not submitted by the relevant deadline may not be considered.
- The panel meets remotely to discuss the answers and considers all the information in order to reach their decision.

7. Appeals by the Board of Trustees against LA decisions to admit twice-excluded children

The Board of Trustees will make appeals in writing against LA decisions to admit twice-excluded children within 21 calendar days after the day it is given notice of the decision.

Appeals by the Board of Trustees will be heard remotely where necessary.

8. Maladministration complaints

If a parent believes they have evidence of maladministration, their complaint will be heard in line with the normal procedures and section 5 of the 'School Admission Appeals Code'.

9. Monitoring and review

This policy appendix will expire on 30 September 2022.

The principal will ensure they keep up-to-date with local and national coronavirus guidance, and amendments will be made to this policy as and when necessary. Any amendments made will be communicated to all relevant stakeholders.