

## FREQUENTLY ASKED QUESTIONS

**IMPORTANT:** The school will not be able to disclose any information about your appeal.

The appeals process, Panel and Clerk are all independent of the school.

Please read the FAQs below and contact the Clerk for any further information.

When do I need to submit my appeal?

Appeal forms should be submitted on-line by midnight on **Wednesday 17th April 2024** and supplementary evidence must be uploaded onto the system by this date.

What happens if I waive my rights to 14 days' notice?

You will be given an appeal hearing date at short notice and more than likely before other appeals are scheduled. The same format and procedures will apply. This does not affect the outcome of the decision of the appeal and does not affect your statutory rights.

What evidence should I submit?

The Panel will consider all the evidence that is submitted. This is usually school reports reflecting academic standards, supporting letters from Headteacher/Class Teacher, any medical evidence that has affected your child's performance in the test or in the lead up to the test. You may submit any evidence that you feel is relevant to your appeal.

When should I submit the evidence?

All evidence must be uploaded with your appeal form by **Wednesday 17th April 2024**. Any pending evidence may be posted up to 2 weeks prior to the stage one hearing however, this may not be circulated in advance of the hearing as Panel members paperwork is circulated well in advance to allow them to read through all papers.

Any evidence received less than 2 weeks prior to the stage one, submitted after the deadline date or on the day of the appeal, may not be considered. Evidence submitted after your appeal hearing will not be accepted or considered. The Clerk cannot write to your child's school, GP, or other professional bodies on your behalf. It is your responsibility to provide the information you wish to be considered.

What happens after I have submitted my on-line form and evidence?

Once the deadline has passed, the Clerk collates all of the forms and evidence and starts to circulate the information to the Panel members and School representatives. You may not hear from the Clerk immediately. The Clerk will email you with details of the hearings and any other relevant information 14 days before the hearing for the school you have appealed to.

**Please check your junk/spam emails as the email address may not be recognised.**

Who are the Panel members?

The Panel members are independent of the school and have been trained in all matters related to appeals and in accordance with the latest Appeals Code of Practice. There are usually 3 Panel members which comprise of a Chair and at least one from each of the following categories:

- a) Lay person (someone without personal experience in the management of any school or provision of education in any school (except as a school governor or in another voluntary capacity))
- b) People who have experience in education, who are acquainted with educational conditions in the local authority area

What does the Clerk do?

The Clerk provides an independent and impartial service and is a legal point of reference. The Clerk makes the necessary administrative arrangements for the hearing and notifies all parties of the order of the proceedings in advance of the hearings. The Clerk ensures that the papers are circulated to all parties in advance of the hearing. The Clerk keeps a record of the proceedings and stays with the Panel to record the decision that is made.

Neither the clerk nor the school's representative are involved in the decision making process.

How the Panel reach their decision is covered in the Procedures for Hearings documents

#### What do I say in my appeal hearing?

Everything that you would like the Panel to consider should be submitted before the appeal. You may wish to present your appeal based on the submission and explain certain aspects of the appeal. You may prefer that the Panel ask you questions based on the submission. Any new information brought to the Panel on the day may not be considered. Please check with the Clerk when you arrive at your appeal if you are unsure. Each Appeal is allocated 15 minutes which is a guideline of how much time you have as multiple appeals will be heard. Appeals are timetabled and every effort is made to adhere to your allocated time, however there are occasional delays if previous appeals have taken longer than expected. All appeals are held in private with the panel, school representative and Clerk present.

#### Who should attend the Appeal with me?

It is usual for the parents/carers of the child to attend the appeal. Your child may not attend the appeal and if they are present for translation purposes, they will not be interviewed by the panel. You may be represented or accompanied by a friend. Please inform the Clerk of who will be attending the appeal with you prior to the Hearing so that the Zoom link details can be sent to them. You may not bring a member of staff or the governing body of the school that you are appealing to. If you do not wish to attend your hearing, you must notify the Clerk immediately and confirm if you wish to withdraw the appeal or if you prefer that the appeal is heard in your absence. The appeal will be heard based on the written information submitted.

#### Where will the Appeal be held?

Appeals will be heard via Zoom video conferencing. A link will be sent to you to join meetings. Please ensure your tablet or mobile is charged and that you are in a private place. No-one else should be with you in the room. Recordings are not permitted. You will be notified of the date and time in advance of the Hearing. Please join the meeting at your allocated time and wait in the waiting room. The clerk will admit you into the meeting once the panel is ready. There may be some delay at times due to previous appeals running late. Please be patient. This will not affect the time allocated to your appeal.

The hearings are heard in two stages and you must attend both meetings:

#### **First Stage - Examining the decision to refuse admission**

This is referred to as the notification of the school's case and is presented with all appellants present, the school's representative and the panel members and clerk. The school's case is sent to you prior to this and it is your opportunity to hear why the school cannot offer any more places. You may ask the school questions about the information that is presented. You may not present your case at this point – you will be given the opportunity to present your case in private with the panel, the schools representative and the Clerk in the Stage Two hearing.

The Panel must consider the following in relation to each child that is the subject of the appeal:

a) whether the admissions 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

b) whether the admission arrangements were correctly and impartially applied in the case in question

**Second Stage - Balancing the arguments**

This is your case which will be presented in private to the panel with the school representative and clerk present.

The Panel must balance the prejudice to the school against the appellant's case for the child to be admitted to the school. It must take into account the reasons for expressing a preference for the school. Further information can be found under 3.8-3.14 of the Code of Practice.

**When will I hear the outcome of my appeal?**

The Clerk will write to you with the decision that the Panel has made. All of the appeals for a particular school received by the deadline must be heard before the Panel can make their decision. You will receive an email confirming the outcome of your appeal usually within 7 days after the last appeal has been heard. Where there are a large volume of appeals, you will receive an email/letter within 7 days confirming whether your child has been offered a place or not and a detailed email/letter will follow confirming the reasons why your child was not offered a place if this is the conclusion.

**Further Appeals and Complaints.**

Appellants do not have the right to a second appeal in respect of the same school in the same academic year. You may complain about the constitution of the panel or maladministration however, the decision of the Panel cannot be reviewed or overturned. Details of who to contact will be in the decision letter that is sent to you.