

Richmond Independent Appeals Service

School Admissions Appeals Guidance for Parents and Carers

We appreciate that many parents can find the school admissions and appeals process daunting. These notes provide information on how to appeal, the process used and answers to a number of frequently asked questions. Please read these notes carefully before starting the process of lodging an appeal.

1. THE RICHMOND INDEPENDENT APPEALS SERVICE

The Richmond Independent Appeals Service is independent of all schools and the Achieving for Children Admissions Team which deals with school admissions for Richmond and Kingston boroughs. Before receiving your appeal form, we will not have had any involvement in your application for a school place. Because we are independent, we have no access to waiting list data. The list of schools the Appeals Service provides an appeals service for is on the [Council website, this includes some schools in other boroughs](#). If the school you want your child to attend is not on the list, please contact the school directly for information and advice on how to appeal.

2. CAN I APPEAL FOR A SCHOOL PLACE?

You can appeal for a school place at any school you have applied for and have been refused a place. This includes a school which was ranked lower on your preference list than the one offered e.g., your child may have been offered your first preference choice, but you now feel your third preference would be a better option for your child.

You cannot appeal for a place at a school you have not applied for.

3. HOW WERE SCHOOL PLACES ALLOCATED?

Information summarising how places were allocated during the main admissions round for the Borough's secondary schools and community primary schools is available at the links below. Further information about Reception place allocations at faith schools may be obtained from the schools directly.

[Reception place allocation information \(Richmond\)](#)

[Year 7 place allocation information \(Richmond\)](#)

4. HOW DO I SUBMIT AN APPEAL?

The easiest way to submit an appeal for schools whose appeals are managed by the Richmond Independent Appeals Service is to do so through the [Appeals Portal on the Richmond Council website](#). The Portal provides a useful tool for you to manage and track your appeal.

Paper copies of the appeals form can be provided on request for anyone unable to use the Appeals Portal.

5. COMPLETING YOUR APPEAL FORM

Below is a step-by-step guide to completing an appeal form using our [Appeals Portal](#).

Step 1 – Sign Up for an account

You will need to sign up for an [account](#), this is a separate account to your Richmond account and your school admissions account. You will be sent a verification email, look out for this in your email inbox (make sure to check your junk mail too). The verification email will contain a link for you to confirm your account.

Log in using the password you registered. You can then start the process of creating your appeal(s).

Dashboard

Create a new appeal or check the status of your appeal(s).

Create a new appeal ▶

YOUR APPEAL(S)

REF NO. ↕	CHILD NAME ↕	STATUS ↕	ACTION
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Click on create new appeal and you will be taken to the appeal form.

Step 2 – Starting to lodge an appeal

Appeal Form

Please [contact the appeals service](#) if you need help completing the form.

Appeal Type *
Admission
Admission
Exclusion
Transport Appeal Stage 1
Next

Appeals type – select 'admissions' from the dropdown list.

Step 3 - Your name and contact details

You will be asked to complete your name, address and contact details.

APPELLANT	CHILD	APPEAL
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Appellant's Details

Name

Title: *

First Name: *

Last Name: *

Relationship to child:

Postcode: *

Moved House Since Application?:

Moving Address?:

Second Appellant

Add Second Parent/Carer?:

Witness/Representative

Will you be calling witnesses or be represented at this hearing?:

Next

If you are moving to a new home you will need to provide details of your future address.

Tick the box if you wish to add details for a second appellant e.g. another parent, carer or family member. The second appellant will be copied into correspondence about your appeal.

You can add a second appellant at later date if you wish.

If you wish to be represented at the hearing by an advocate or call a witness, please tick the box and provide their contact details.

Only registered attendees will be admitted to the hearing.

You can add a witness or a representative later if you wish.

Click on 'next' when you have completed the above.

Step 4 – About your child

You will next be asked to complete a section with information about the child you are submitting an appeal for. When you have done this, click 'next'.

Child's Details

Name
First Name: *

Last Name: *

Current/Previous School:

Personal Information
Date of Birth: *

Address
Same address?
 Untick to enter a different address
London Borough of Richmond upon Thames, York House, Richmond Road, Twickenham, Greater London, TW1 3AA

Step 5 – Appeal information

Reasons for Appeal

Explain your reasons for appealing as fully as possible. The Appeals Panel will read this information in advance of the hearing. You can set your reasons out in an attached document if you wish, but you will need to type “see document attached” in the reasons. Section 12 of these notes sets out what the Panel can take into account.

APPELLANT	CHILD	APPEAL
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Appeal Details

Appeal Information
School you wish to appeal for: *

Please contact the appeals service if the school you are appealing for is not on the list.
Current Year Group: *

Grounds for Appeal: *

Evidence can be submitted at the bottom of this form.

Select the school you want to appeal for a place at from the dropdown list.

You must give reasons for your appeal. Think about these before starting your appeal form.

Additional Information

You will next be asked to provide additional information regarding your attendance at the hearing and access arrangements.

There is no requirement to attend the appeal hearing, but you are strongly encouraged to do so. If you attend the Panel will be able to talk to you and get a clear understanding of your case. If you chose not to attend the appeal will go ahead in your absence and be decided on the written information submitted.

We plan to use video and telephone conferencing technology to conduct the appeal hearings. Tick the box to let us know if you will be unable to access the hearing in this way. When you have submitted your appeal, please separately contact the Appeals Service to discuss alternative options for hearing your appeal.

If you tick the box indicating you require an interpreter or have accessibility requirements you will then be prompted to provide further details.

Supporting Evidence

You are encouraged to provide evidence in support of your appeal, this may take many forms and could include letters from professionals (e.g. a doctor's letter, social worker letter, medical reports, etc.). If you have more than one appeal you will need to upload copies of the evidence you wish to submit with each appeal. The Panel will make their decision based on the information provided, they will not make enquires with social workers, doctors etc. on your behalf, so **you must ensure you provide all information relevant to your case.**

Please note:

- * There is a 5MB maximum file size for attachments.
- * That file titles which include full stops will not upload.
- * If you wish for your evidence to appear in a particular sequence please label it accordingly: e.g. Doc 1 – Doctor's Letter Jan 2021, Doc 2 – Medical Report April 2021, etc.

You will be able to add further evidence later by using the [Appeals Portal](#). If you cannot upload evidence to the [Appeals Portal](#) and need to submit hard copies of evidence via post or email please contact the [Appeals Service](#).

Evidence

If you have any supporting evidence you would like to submit please attach electronically with your appeal form or upload at a later date. We strongly recommend that you do not delay submitting your appeal form whilst you collect supporting evidence.

- Maximum file size: 5MB
- Accepted file types: DOCX, PDF, JPEG, JPG, BMP, PNG, GIF, TIFF, TXT, DOC, ODF, RTF
- Files cannot be password protected.

Evidence:

Select file

or drop file here

Submit Appeal

Step 6 – Submitting your appeal

You are now ready to submit your appeal. Click on the ‘submit appeal’ button at the bottom of the page.

A short time after the submission of your appeal you will receive an automatic acknowledgement email (don’t forget to check your junk email). If you have not received an acknowledgement within a few days of submitting your form please contact the Appeals Service to check we have received your appeal.

6. MANAGING YOUR APPEAL

The easiest way to manage your appeal is to do so through the [Appeals Portal](#). Set out below are some tips and advice on some of the main features and actions you can complete in the Portal.

Submitting evidence at a later date

- When we notify you about the date of your appeal hearing we will provide you with a deadline (usually four working days before your appeal) for the submission of any final documents. You will also see this deadline in the portal.



- To submit further evidence, click on the ‘submit evidence’ button on the dashboard.

Submit evidence
[View appeal details](#)

If the deadline for submitting evidence has passed, you will be unable to submit evidence using the Portal. You will need to contact the Appeals Service directly to make arrangements for its submission. You should note that any information submitted after the deadline might not be considered.

Withdrawing an appeal

You may decide not to proceed with your appeal for a range of reasons, including because you have been offered a place at the school in question or another school you are happy with. If you wish to withdraw your appeal:

- Log in to the [Appeals Portal](#).
- On the dashboard page click on 'view appeal details'.



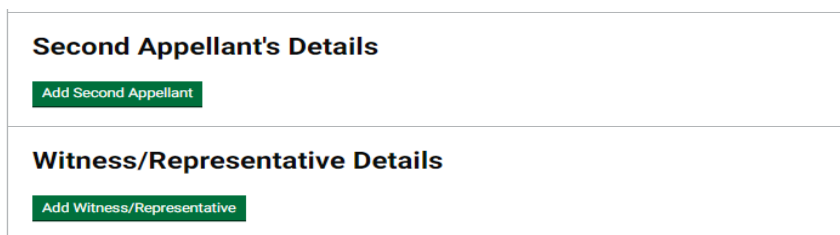
- Scroll to the bottom of the appeal details page and click on the withdraw appeal button.



- You will receive an acknowledgement email confirming you have withdrawn your appeal and the status of your appeal in the portal will be updated.

Adding a second appellant, witness or representative

- You may add a second appellant, witness or representative to your appeal at any point. To do so, log in to the [Appeals Portal](#).
- On the dashboard page click on 'view appeal details'.
- Scroll about halfway down the page
- Click on 'Add Second Appellant' or 'Add Witness/Representative' as appropriate and complete the details.



Checking your hearing date

You will be sent a notification of your hearing date and time, but you can also find the information in the 'Status' section of the dashboard.



7. WHEN WILL MY APPEAL BE HEARD?

Appeals are usually held during working hours in term time.

- Appeals received on time as part of the main admissions round for entry into Year 7 are heard in May and June.
- Appeals for Reception and Year 3 transfer to a junior school are heard in July.
- Appeals for entry into Reception or transfer into Year 3 or Year 7 received after the deadline may be heard at a later date.
- Appeals for other year groups or those made outside of the main admissions round will be heard within 30 school days of the appeal being lodged.

You will be sent an email giving you at least 10 school days' notice of the hearing date(s) and time(s), unless you have waived your right to this notice period. This will include the name of the clerk and the Appeal Panel Members who will hear your appeal.

You should contact the Richmond Independent Appeals Service as soon as possible if you are not available on the date or time fixed for your appeal.

8. PREPARING FOR YOUR APPEAL HEARING

We will send you a set of case papers before the hearing. These will include:

- Your completed appeal form.
- Any other information you choose to submit.
- The admissions authority's written statement, including information on admissions to the school.

When you receive your case papers:

- Check these papers carefully to ensure that all the documents you have submitted in support of your appeal have been included.
- Advise us as soon as possible if there is anything missing.
- Read the admission authority case carefully. Make a note of any questions you have; you will have the chance to ask questions at the hearing.
- Think about your own case. The Panel will have read all the papers in advance, so there is no need to repeat everything during the hearing. Think about and make a note of the key points you wish to get across at the hearing.
- Have the case papers with you during the hearing.

Preparing for a virtual hearing:

- If you are unfamiliar with video conferencing, you should take the opportunity to 'test' the virtual meeting environment. We are happy to arrange a test session with you if you wish.
- Think carefully about the surrounding environment in advance. Please try and minimise distractions around you so that you may hear what is being said.
- Ensure the device you are using to access the virtual hearing is fully charged!
- Disable Alexa, Google Echo or similar devices during the appeal hearing.

9. WHO IS AT THE HEARING?

- You, if you choose to attend.
- If attending with you, your partner, relative, friend, representative, supporter or witness.
- The Appeal Panel which consists of three trained volunteer members. None of the Appeal Panel will have a connection with you or the school concerned.
- The clerk to the Appeal Panel who is appointed to take notes and advise the Panel on issues of procedure and law. The clerk takes no part in the decision.

- A second clerk may be appointed whose role will be to provide technical support for the virtual hearing.
- A representative of the admission authority and possibly a witness.
- Sometimes there is also an observer, someone who is training to be or monitoring the performance of clerks or Appeal Panel Members.
- Occasionally a separate legal adviser will be appointed in addition to the clerk.

The representative from the admission authority in the case of voluntary aided (faith schools) and Academies will be from the school e.g. a senior member of staff, such as the Headteacher, Deputy or Assistant Headteacher, the school admissions officer or a governor, etc. In the case of community schools an officer from Achieving for Children will attend.

10. HOW LONG DOES THE APPEAL HEARING TAKE?

We estimate that with grouped hearings the first stage of the hearing will take up to an hour and the second stage around 30 minutes. If your appeal is the only appeal for the school the hearing will be heard in one session, usually taking up to an hour. We aim to stick to these timings as much as possible, but it is possible proceedings could over-run. We will endeavour to keep you informed if this is the case.

11. THE ORDER OF HEARING

The order of the hearing is as follows:

- a) The Chair will explain the procedure and make introductions.
- b) The admissions authority's representative will then present their case to the Appeal Panel. They should explain their admissions arrangements, how the places were allocated and why there would be prejudice if any additional pupils are to be admitted to the school.
- c) You can ask the representative(s) any questions you have about the admission authority's case and the Appeal Panel may also ask the admission authority some questions.
- d) If there are other appellants for the school, you will then be seen separately at your allotted time for this second part of the hearing, where the admission authority will begin by explaining how specifically the admissions arrangements applied to your child before the Panel hear from you about your reasons for wanting your child to go to the school.

OR

If you are the only appellant for the school you will immediately proceed to the stage where you will then be asked to explain to the Appeal Panel why you want your child to go to the particular school you are appealing for.

- e) The representative of the admissions authority and the Appeal Panel may ask you any questions.
- f) The admission authority representative will have the opportunity to summarise their case.
- g) You will have the opportunity before the end of the hearing to summarise your case.

- h) Both you and the representative of the admission authority will be asked to leave the room or video conference.

Before the hearing concludes please ensure you have said everything you want to say and alert the appeal panel if you have had any difficulties with hearing proceedings. You will not be able to add to your appeal once the hearing ends.

12. WHAT CAN AN APPEAL PANEL CONSIDER?

Independent Appeal Panels must follow the law when considering an appeal and the decision-making process the Panel must use is set out in the School Admission Appeals Code (SAAC).

There are two different types of admission appeals “Two-stage” appeals and “Infant class size” appeals, further information is set out below. Please read this carefully so that you are clear about which type of appeal relates to your child.

a) **“Two-stage” appeals** **(ALL appeals for Year 3 upwards and some appeals for Reception, Years 1 & 2)**

The Appeal Panel when hearing these appeals must follow a two-stage decision making process set out below.

Stage 1 – Examining the decision to refuse admission

The Panel should uphold your appeal at this stage if it finds that either:

- the school’s admission arrangements were unlawful and your child would have been offered a place if they were lawful;
- the school’s admission arrangements were not applied properly in your child’s case and your child would have been offered a place if they were properly applied; or
- admitting another child at the school would not prejudice the provision of efficient education or the efficient use of resources.

In considering whether prejudice would arise from an additional admission the Appeal Panel may consider:

- the effect of an additional admission in the current and following academic years;
- the impact on the organisation and size of classes;
- the availability of teaching staff;
- the effect on children already in the school; and
- the current physical accommodation of the school.

Stage 2 – Balancing the arguments

At Stage 2 of the process the Appeal Panel will:

- consider your written representations;
- consider your supporting evidence;
- consider what the school you are appealing for can offer that the allocated school cannot; and
- consider why the school you are appealing for is the best fit for your child.

The Panel, taking account of your reasons for your child to be admitted, will decide whether the reasons for your child’s admission outweighs the prejudice to the school. This means that the Panel can say a school is full but decide a child’s case is so compelling that it is more important to admit that child than prevent the effects of prejudice to the school as a result of having one more child.

**b) “Infant class size” appeals
(Includes almost all appeals for Reception, Years 1 & 2).**

Where a school organises its Reception, Year 1 or Year 2 class(es) into groups of 30 with one qualified teacher your appeal will be considered on “infant class size” grounds.

The chances of success with an infant class size appeal are minimal due to the limited grounds which a panel can take into account. **In 2020-21 there were no successful infant class size appeals.**

The Appeal Panel can only **review** the decision of the admission authority to refuse a place, a Panel will only uphold the appeal where one of the following applies:

- It finds that the admission of an additional child would not breach the infant class size limit.
- It finds that the school’s admission arrangements were unlawful, or were not properly applied, and your child would have been offered a place at the school if the arrangements had been lawful or had been properly applied.
- It decides that the decision to refuse admission was not one that a reasonable admission authority would have made in the circumstances of the case.

The Panel will take account of the material, e.g. any reasons you gave for your preference or medical or social evidence that was available to the admission authority at the time it made the decision to refuse a place. In the case of the main admission round, this is information made available before the decision on 16 April (National Offer Day).

Fresh material can be taken account of at appeal, but only if this supports your case that an error has been made at the time the admission authority made their decision or they failed to act reasonably when the decision was taken. A Panel cannot, for example, take account of a previously undeclared medical condition or social circumstances even if your circumstances have changed since your original application.

The threshold for finding an admission authority’s decision to refuse a place was not one a reasonable admission authority would make is high. The Panel would need to be satisfied that the decision to refuse to admit your child was “perverse”, “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”.

The Government’s Department for Education provides the following examples of infant class size appeal cases:

- A decision that makes it impossible for you to transport all your children to school on time is unlikely to be considered perverse.
- A decision to refuse a place for a child whose family had to relocate under a witness protection scheme might be.

13. WHAT AN APPEAL PANEL CANNOT DO.

- Change your child’s position on a school waiting list.
- Amend a school’s admissions policy.
- If you are successful at appeal, attach conditions.
- Allocate a place at a school other than the one you appealed for.

14. HOW WILL I KNOW THE APPEAL PANEL’S DECISION?

You will be sent a letter setting out the Panel’s decision and explaining the reasons for it. The letters are usually posted within five school days of the decision - the clerk will advise you of the likely timescale at the hearing.

15. WILL I BE SUCCESSFUL IN MY APPEAL?

The Independent Appeals Service is unable to comment on the likelihood of success in specific cases. However, set out below are the figures for the number of successful appeals in the last few years:

Type of appeal	2018-2019		2019-2020		2020-2021	
	Total no. appeals heard	Successful appeals	Total no. appeals heard	Successful appeals	Total no. appeals heard	Successful appeals
Two stage appeals	71	18	30	6	63	11
Infant class size appeals	13	0	13	1	16	0

Data for appeals lodged between 1 September and 31 August each year. Includes appeals the Richmond Independent Appeals Service handles for schools in neighbouring boroughs.

16. CAN I APPEAL AGAIN?

If your appeal is unsuccessful you do not have a further right of appeal for the same school in the same academic year.

17. COMPLAINTS

If you feel that the appeals procedure was not properly followed by the Appeal Panel you can:

- Complain to the Local Government and Social Care Ombudsman if the school you appealed for is a community or voluntary aided school.
- Complain to the Education and Skills Funding Agency if the school you appealed for is an Academy.

The Education and Skills Funding Agency and the Ombudsman cannot overturn the decision of an Appeal Panel, they can only investigate if there has been a failure to follow correct procedures.

An Appeal Panel's decision can only be overturned by the courts on successful application for a Judicial Review of that decision. You should seek your own legal advice if you wish to lodge a Judicial Review.

18. CONTACT DETAILS

If you have any questions about the appeals procedure contact the Appeals Service by calling 020 8891 7183 or email: education.appeals@richmondandwandsworth.gov.uk

19. FURTHER SOURCES OF INFORMATION

To apply for a school place or to enquire about Richmond waiting lists or schools with vacancies please contact School Admissions on richmond.admissions@achievingforchildren.org.uk

To apply for a school place or to enquire about Kingston waiting lists or schools with vacancies please contact School Admissions on kingston.admissions@achievingforchildren.org.uk

[Child Law Advice](#) offers free legal advice on school admission appeals and exclusions. Their telephone advice service can be contacted on 0300 330 5485.

The [Advisory Centre for Education \(ACE\)](#) is an independent advice centre for parents with an advice line which can be contacted on 0300 0115 142 (Monday to Wednesday 10am to 1pm (term time only)).
