

Matravers School Admissions Procedures

Waiting Lists / Appeals

These procedures are based on the standard Local Authority procedures. At Matravers, as a Foundation School, the Board of Governors is the admissions authority. It adopted these procedures in January 2017 for use in the event of over-subscription for places in any academic year.

Waiting Lists:

Whenever a child is refused admission to the school his or her name is automatically added to a waiting list. This means that, for any year group that is oversubscribed, there will be a waiting list.

Waiting lists for applications will close at the end of each academic year. If any parents/carers believe that they will have a continuing desire for their child to attend Matravers School in the following school year, they must submit a fresh application for the school the following September.

The government's Code of Practice on school admissions requires that positions on a waiting list must follow the same order as the school's published admission criteria. These are set out in the Matravers School Admissions Policy for each academic year. The Code of Practice goes on to state the waiting lists should not give any priority based simply on the date a child's name was added to the waiting list.

The position of a child on a waiting list can change as the result of a change of address. It should be noted, however, that the change in position takes effect only when definite evidence of the house move has been received by the admissions authority. The following may be accepted as evidence of a future house move:

- a) a solicitor's letter which confirms that an exchange of contracts has been made;
- b) a tenancy agreement of at least six months' duration; or
- c) a letter from the Defence Housing Association that confirms a service family's new address.

Parents or carers must notify the authority of any material changes in their circumstances, such as an intended house move, as this may affect their child's position on the waiting list.

Parents or carers can ask for their children to be removed from the waiting list at any time.

The operation of a waiting list does not affect the parent or carer's right of appeal for the child. The appeals process offers a separate course of action that parents and carer's can undertake. Neither lodging nor withdrawing an appeal changes the child's position on the waiting list. Equally the child's position on a waiting list does not affect the outcome of an appeal.

Appeals – Guidance for Parents/Carers

Parents/carers whose applications for places are unsuccessful may appeal to an Independent Appeal Panel set up by the Board of Governors (the admissions authority) in accordance with Sections 88 and 94 of the School Standards and Framework Act 1998.

Your rights:

You have the right to appeal for places at all schools for which you have applied and been refused a place. This right of appeal does not apply if your child has been permanently excluded from two schools. If your child has a Statement of Special Educational Needs your appeal needs to be directed to the Special Educational Needs and Disability Tribunal (SENDIST). Please visit their website at: www.sendist.gov.uk

Unless the circumstances of the child changes significantly only one appeal is allowed to be made for each school year. Parents can re-apply for admission in the following school year. Such applications would be considered and, if again refused, the parent would have a further right of appeal.

Types of appeal / timescales:

a) for applications made in the normal admissions round, appeals must be made within 20 school days of receipt of notification that an application was unsuccessful. The panel will hear the appeal within 40 school days of the deadline for lodging appeals;

b) for late applications, appeals will be heard within 40 school days from the deadline for lodging appeals where possible, or within 30 school days of the appeal being lodged;

c) for applications to sixth forms:

i) where the offer of a place would have been conditional upon exam results, appeals must be heard within 30 school days of confirmation of those results;

ii) where the offer of a place would not have been conditional upon exam results, appeals must be heard within 40 school days of the deadline for lodging appeals;

d) for applications for in-year admissions, appeals will be heard within 30 school days of the appeal being lodged.

Appellants will be sent notification of their appeal hearing together with a copy of the school's case 10 school days in advance of the hearing. Given the number of appeals received and other factors it may not always be possible to take into consideration any dates which an appellant has indicated as inconvenient.

If an appellant wishes to submit further evidence which was not included with their initial appeal, they must make sure that it is received by the Independent Appeals Panel at least 5 clear school days prior to the hearing date.

Completing the [appeal form](#):

Please take the following information into account when you fill in the form:

- Please complete the form clearly and ensure that you provide all the information requested. If you don't this may result in a delay in processing your application.

- Your “reasons for appeal” are very important as this helps the panel understand your child’s case. This section must be completed. If not the form will be returned to you. Please explain, as fully as you can, why you want your child to attend the school. If you think your application for a place at the school has not been treated correctly or in accordance with the admissions criteria, then you should explain why.
- If there are medical issues involved, it is important that these are supported by written evidence, i.e. doctor’s letter.
- If your case is based on a house move, you should provide written evidence to confirm this. For example, a letter from your solicitor or a copy of your tenancy agreement.
- You may also include other relevant letters, correspondence, reports or documents to support your case.
- You don’t need to wait until you have all supporting evidence before you send your form to us as this may delay the processing of your appeal. Supporting evidence can be sent in later.
- If, for any reason, you cannot attend the appeal hearing the panel will make a decision based upon what you have sent in.
- Please make sure you sign and date your form.
- Your completed form should be marked “Private and confidential” and returned to: The Clerk to the Governors, Matravers School, Springfield Road, Westbury, Wiltshire BA13 3QH

Appeal procedures:

Parents/carers have the right to attend the appeal hearing and to make oral representations to the panel.

In an appeal the panel members will ultimately adjudicate an appeal on the basis of whether:

- a) the admissions authority has followed its own admissions policy, and adequately proved that either the school, year group or class to which admission is sought is full;
- b) any mistake has been made by the authority that might have incorrectly denied the child a place at the school;
- c) the decision to refuse the child admission to the school, given their circumstances, is one that any reasonable authority would have made; or
- d) the case made by the parent is sufficiently strong to prevail over the fact that the school, year group or class is full.

In order to determine whether it was “unreasonable” to refuse admission to your child, the panel must be satisfied that the decision was “perverse in the light of the admission arrangements”. For example – it was “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”.

The panel’s decision will usually be communicated to the appellant/s at the end of the hearing, or by telephone later that day. This will be followed by a letter, usually within five days of the appeal hearing, confirming the panel’s decision and the reason(s) for their decision.

Attendees:

There will be a number of people present at the hearing:

- The appellant/s and anybody else they have asked to bring along for support.
- If the appellant/s are unable to attend, their representative - if they have elected to send one.
- Three panel members – this will be a mixture of lay members and non-lay members: “Lay member – 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); Non-lay member – people who have experience in education, who are acquainted with educational conditions in the local authority area, or who are parents of registered pupils at school.”
- The clerk to the panel – an independent officer who will co-ordinate the administrative side of the hearing, and record the minutes.
- A representative from the Board of Governors, and sometimes a representative from the school.

Further information:

The Local Government Ombudsman can investigate written complaints about maladministration on the part of a panel hearing appeals for a maintained school (not an Academy). This is not a right of appeal. Maladministration covers issues such as a failure to follow correct procedures or a failure to act independently or fairly – not complaints where a person simply feels that the decision taken is wrong. Contact details are as follows:

Web: www.lgo.org.uk Helpline: 0845 602 1983 Address: 10th Floor, Millbank Tower, Millbank, London, SW1P 4QP