

Appeals Policy

Appeals Code

The Rimon appeals process is implemented in accordance with the guidance of the revised Appeals Code (2009). The appeal process should provide an independent, impartial and informal but structured forum so that all cases will be given a fair hearing. All evidence presented to the panel will be carefully and objectively considered before a final decision is reached.

Admission Policy

The admission policy sets out the criteria for admission. Non-acceptance will be linked to one of these criteria and the school will inform you in writing why your application was unsuccessful. Appeals will be considered on the basis of one of the following:

- a) the child would have been offered a place if the admission arrangements had been properly implemented;
- b) the child would have been offered a place if the arrangements had not been contrary to mandatory provisions in the School Admissions Code and the SSFA 1998; and/or
- c) the decision to refuse admission was not one which a reasonable admission authority would have made in the circumstances of the case.

If you wish to appeal against a decision you should complete the Rimon Appeal form within 10 school days of the decision. Your appeal will be considered by an independent panel within 40 days of submitting your form or before the end of the summer term (whichever is sooner).

The Panel

Every appeal hearing **must** have a panel with an appointed chair and a clerk, both of whom **must** be independent and present for the duration of the hearing. The clerk is not considered a member of the panel

Appeals will be heard by three voluntary members of the public including

- a) at least one lay member. Lay members are people without personal experience in the management or provision of education in any school (though it is permissible to use people who have experience as governors of other schools, or who have been involved in education in any other voluntary capacity); and
- b) at least one person with experience in education, who is acquainted with educational conditions in the area, or who is the parent of a registered pupil at a school

The Hearing

Arrangements

The hearing will take place at a neutral place (not the school). You will be informed of the date, time and place of the hearing in writing at least 10 days before it is due to take place. If you are unable to attend the hearing and the date cannot be re-arranged, your written evidence will be considered as evidence.

You can attend the hearing with a friend but you should not bring your child. Representatives of the governing body for the school will also be there to present their case.

Procedure

The chair of the panel will direct the appeals hearing and make sure that everyone present is treated fairly. Both the governing body and parents are given an opportunity to explain their case without being interrupted. Hearings follow this format

- the panel chair welcomes everyone and explains the procedure
- the case for the governing body is heard
- questioning by the parents and panel
- the case for the parents is heard
- questioning by the governing body and panel
- summing up by the governing body
- summing up by parents

Decision

The appeal panel reaches a decision in private, by a majority vote. If the panel is considering a large number of appeals about the same school, it will not make a decision about an individual case until all parents have had a chance to put their case forward.

The panel will write to the parents and the admission authority to tell them the decision and give clear reasons for that decision. If the appeal has been upheld they should let you know when your child can start at the school.

Appealing Decisions

Parents who have appealed unsuccessfully can apply for a place at the same school in respect of a later academic year and have a further right of appeal if that application is unsuccessful. They do not have a right to a second appeal in respect of the same school for the same academic year, except in exceptional circumstances as set out in the Appeals Code (DfES2009).

If you feel your hearing was not managed appropriately you can contact the government Ombudsman Local Government Ombudsman, PO Box 4771, Coventry, CV4 0EH, telephone 0845 602 1983 (Mon-Fri 8.30am to 5pm), email advice@lgo.org.uk

The Appeals Code: A Summary

1. You submit the Rimon school appeal form within ten school days of the decision letter from the local authority.
2. Arrangements for the appeal hearing will be made within 40 days (or before the end of the summer term) and you will be informed at least ten days in advance
3. Confirm your attendance and start to prepare your case
4. Seven days before the appeal you will receive all appeal papers
5. Three days before the appeal you will receive the names of the panel
6. Day of appeal hearing
7. Within 5 days you are notified of the decision with starting date if appeal is upheld
8. If you think the hearing was not managed fairly or properly you can contact the government ombudsman

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