

Bemerton St John VA Primary School



APPEALS AGAINST THE GOVERNORS' DECISION NOT TO ADMIT YOUR CHILD TO THE SCHOOL

Explaining the Appeals Procedure

I Making an Appeal

If your child has been refused a place at the School, you have the right to appeal against the decision.

Appeals are heard by special committees called Admission Appeals Committees. The Committees are clerked by an independent clerk on behalf of the Governors.

If you wish to appeal, please complete and return the attached form to:

*Mrs Carina Sawyer
Clerk to Governors
Bemerton St John VA Primary School
Lower Road
Lower Bemerton
Salisbury
SP2 9NW*

csawyer@bemerton-st-john.wilts.sch.uk

Please include with the form any documents containing more details or evidence in support of your appeal which you wish the Committee to consider.

Your form must be returned within 21 days of the date of the letter which accompanies this note.

2 After you have returned the Form

- a) You will be told at least 14 days in advance when and where your appeal is to be heard. Every attempt will be made to hear your appeal somewhere local.
- b) Please try to attend the appeal yourself. If you wish you may bring a friend, relative or representative.

- c) If you indicate that you will attend and then fail to do so and do not inform the Clerk to the Governors the Committee may consider your appeal in your absence.
- d) Your appeal will be heard in private and as informally as possible.
- e) At least 7 days before your hearing, the Clerk to the Governors will send you a written summary of the Governors' case. This will include the reasons why they have not been able to meet your request for a place for your child at the school.
- f) It is essential that all the members selected attend the meeting of an Appeals Committee. If they are not able to, it will be necessary to adjourn the hearing. Members of the Appeals Committee must be present for the whole hearing.

3 At the Hearing

The Committee has three members drawn from a pool of eligible persons as defined in Schedule 24 of the School Standards and Framework Act 1998. It will include at least one person who is a lay member and at least one person who has experience in education or is acquainted with the educational conditions of the area. An independent clerk will also be present to record the Committee's decision and advise on law and procedure.

The Committee will have copies of your form (plus any other documents you may have submitted), together with the Governors' written case. If you choose to appeal full details of the procedure to be followed at the Appeals Committee will be sent to you beforehand.

4 The Decision

The Committee will make its decision in private after hearing all the evidence. In reaching its decision, the Committee will consider:

- a) All representations made to it by yourself and the Governors;
- b) your preference(s); and
- c) the arrangements for the admission of pupils to the School.

The decision of the Committee is final. There is no right of appeal from this decision for the parents or the School.

The Secretary of State for Education has limited powers to intervene if he can be satisfied that the school's governing body is acting unreasonably or neglecting its duties under the Acts (Education Act 1996, School Standards and Framework Act 1998), but he has no power simply to resolve differences of opinion between parents and the governing body. Parents who are dissatisfied with the actions of an Appeals Committee may complain to the Local Ombudsman, the High Court or the Council on Tribunals.

The clerk to the Appeals Committee will communicate their decision and the reasons for it to you and the School in writing, usually within 7 days.