

FAQs for Grammar School Appeals

My child has not been given a place at the school I applied for, what can I do?

You are entitled to appeal the decision to refuse your child a place at any school you named on your common application form. In most cases this will be because the school is full and there were other children who more closely met the school's oversubscription criteria. Alternatively, if you applied for a grammar school and your child did not achieve the entrance criteria a place has been refused as your child does not meet the admission arrangements for the school.

How will my appeal be considered?

Due to the exceptional circumstances regarding the Covid 19 pandemic, the Independent Appeals Panel intends that your appeal will be conducted based on written submissions only. This decision has been made to ensure that all appeals for the school can be heard in a fair and consistent way, considering any national/regional lockdowns/restrictions, and that the appeals process will finish before the start of the usual summer break.

Therefore, your appeal will be considered using the written submission(s) you have made, and you will not be required to attend a meeting. It is important that you send in any information that you feel would support your case as the Panel will not be able to consider evidence if it is not submitted.

To assist with your case, the schools generic defence statement is available on their website setting out the implications of awarding additional spaces through the appeals process.

If you have an equality consideration that prevents you from providing a written statement and you do not have reasonable support to do so, you are to make the school aware at your earliest convenience. Although the Panel would have a duty to consider your reasons, there would need to be clear grounds for them to identify an alternative format for your appeal to be heard.

When will my appeal be considered?

For your appeal to be considered by the 14th June 2021, you must submit your appeal between; 1st March until the 28th March 2021. Any appeals received after this time will be considered when reasonably possible.

Once you have submitted your appeal you will be told by the Clerk to the Appeals Panel when your case will be considered along with your appeal paperwork.

Who will consider my appeal?

Your case will be considered by an Independent Appeal Panel. There are usually 3 people on the panel, at least one member will have experience in education and at least one will be a lay person, they are independent of the school, Trust and Local Authority. They make the decision on whether to uphold or dismiss your appeal. If the Panel upholds your appeal the school must offer your child a place at the school. If the Panel does not uphold your appeal, then the school will not offer your child a place at the school.

There will also be a Clerk in attendance, they are independent of the school and are responsible for the administrative arrangements for the appeal, keep the official note of what is discussed and give independent and impartial advice on the appeals process and admissions law to the Panel Members.

How do I make an appeal?

Your appeal must be made in writing/email and the form and address details are available on the school's website.

What else should I do before I make an appeal?

You should also consider accepting any offer of a school place you receive to ensure that your child has a place should your appeal not be successful. Accepting another offer has no bearing on your appeal and the appeals process and does not limit other options available to you.

How do schools allocate places?

When a school receives more applications from parents than it has places available, not every child can be successful in securing a school place.

The school will use its admissions criteria, also known as oversubscription criteria, to decide which children to allocate places to, this sets out the order in which they will allocate places. Before you make an appeal it will be helpful for you to understand how the school allocated their places, so you can understand why your child did not get a place. You can do this by looking at the school's generic defence on the school's website.

What information does this school give to the Panel?

Here are some key questions and answers that the Panel would normally ask the school in relation to the school case. This information is given to the Panel. For further information please refer to the school's generic defence statement.

How many appeals have been successful in previous years and did this result in the school having to exceed its Published Admissions Number?

- There have been 34 successful appeals over the last three years.
- The school is already 73 students over capacity.
- At the request of Kent County Council, the school increased its PAN for the current Year 7 (200 students) and Year 9 (175 students). Every other year group is oversubscribed, following Year 7 and in-year admissions appeals. Consequently, the school is currently operating beyond full capacity.

How do the school organise the classes?

- There are six form groups in Years 8-11. (Following a request from Kent County Council, there is an additional form group in the current Year 7.)
- The school is organised into six houses, named after European cities. Each house acts as a 'school within a school' of up to 200 students. The houses are arranged vertically, each house comprising one form from each year group. Each house acts as the extended 'family' for a student; students remain in their houses throughout their time at the school.
- In Years 7 to 9 (Key Stage 3), students are taught in form groups for most subjects. Most form groups contain up to 30 students; the average form size is 29.4.
- In Years 10 and 11 (Key Stage 4), students are taught in option groups for many of their lessons. The size of these groups depends on the demand for the subject, most being around 24-32 students. Mathematics, English and the sciences are taught in seven groups in Years 10 and 11. Students are streamed by ability in mathematics; high ability sets may have up to 34 students; lower ability sets may have as few as 20 students.

How many additional students can be accommodated in each class without impacting the level of education received?

- The Department for Education recommends that a classroom should be 55m² or larger to accommodate 30 students and one teacher. Dane Court has 30 classrooms smaller than 55m² and 21 classrooms that are 55m² or larger. All classrooms 55m² or larger are equipped with 30 chairs and desks. Some of the smaller classrooms are used for teaching smaller groups, such as some sixth form classes; others, between 45m² and 55m², are equipped with 30 desks and chairs for whole-class teaching, but space is restricted. In these rooms, additional students would make it exceptionally difficult for the teacher to circulate in order to monitor work and support students.
- Additional students will lead to larger classes in Key Stage 3 and eventually to larger GCSE groups in Years 10 and 11. This will inevitably have an impact on the amount of individual attention for each student, with a significant effect on vulnerable students and those with special educational needs or disabilities.
- In many smaller rooms, particularly in the older part of the school, larger class sizes would limit space and restrict movement within the lesson, making it exceptionally difficult for the teacher to circulate in order to monitor and support students. This would affect all students but, once again, it would have a disproportionate effect on vulnerable students and those with special educational needs.
- The admission of additional students would also have a negative impact on other important school events. For example, assemblies would have to be redesigned and limited to reduce student numbers, thereby curtailing opportunities for students to come together as a community.

Are there any plans for the school to expand their facilities?

- No

How do you measure the home/school distance and how do you ensure it is correct?

- Distances are provided by Kent County Council.

If the Panel decided that the school could admit additional pupils, what would be the impact on the school, in particular in relation to Health and Safety issues?

What strategies are you able to put in place to ease the problem?

- The school would have serious concerns about the health & safety implications if the Panel decided that we could admit additional students.
- We would have particular concerns about the health & safety of students at busy times in the school day, such as lesson transition and lunchtimes. At present, we ease this situation by supervising and managing student movement between lessons. Furthermore, we have implemented a staggered lunchtime to reduce the amount of time students spend queuing for food.
- Additional students would increase congestion in corridors as well as queuing times at break and lunch. This would have a negative impact on the welfare and wellbeing of all students.
- Any additional students allocated through the admission appeals process in 2021 will put additional strain on the school. To admit more students can only be at the expense of the safe and efficient education of those already on roll. The health and safety of students will be compromised, particularly during break-times and lesson transitions.

What information should I give to the Panel?

It's important that you clearly set out the reasons why your child should have a place at your choice of school. As your appeal will be conducted as a paper based exercise only and there will be no further opportunity for the Panel to ask you any individual questions in relation to your case.

You can make an appeal because you want your child to attend a particular school over any other, but the stronger your reasons, the better chance you have of your appeal being successful. You should focus on what the school can offer that meets your child's needs. This can include;

- what the school can offer that other schools cannot
- what the impact will be on your child in not attending the school of your choice.

Every school has a Published Admission Number (PAN). The PAN is the maximum number of pupils that they will admit to each year group. You may believe that the school could take additional pupils, if so, you could ask the school to provide you with information to help you make your case.

You can also appeal if you believe that the admission authority did not apply their admission arrangements properly and if they had applied them properly, they would have offered your child a place at the school. You should explain why you believe this is the case and refer to the part of the admission arrangements that you believe has not been applied properly.

If your child did not meet the required standard in the Kent Test/entrance test, the Panel will firstly consider whether there is sufficient evidence that the child is of grammar school ability. To support your appeal, you could include school reports/assessments and references from your child's current school that show your child is of grammar school ability. School work cannot be submitted.

In addition, you may wish to incorporate answers to some of the following questions that Panel Members would usually ask when relevant. Remember, there will be no further opportunity for the Panel to ask you any individual questions in relation to your case.

- The scores he/she attained in the Kent tests/own entrance test were some way below that of children assessed as suitable for admission to the school. If he/she were to be offered a place, can you tell the Panel how he/she would cope working with children who may/will be of greater ability and probably working at a much faster pace?
- Did he/she have any additional tuition to help them with the tests?
- What support did the school provide in preparation for the tests?
- Please explain why you think your child did not meet the required standard in the paper where they scored lower than the required level.
- You mention a health issue in your appeal, please explain how this affected his/her education at primary school? Please include a clear chronology of events with dates if possible.
- If English is an additional language? You may wish to address this in your appeal, particularly if it is not the language spoken at home.

If the Panel find sufficient evidence that the child is of grammar school ability, they will move on to the second stage of the appeal to consider and balance the prejudice to both the school and the appellant based upon the school's defence statement. You may therefore wish to also incorporate answers to the following questions in your submission. **(see below)**

For all appellants. You may wish to incorporate answers to some of the following questions that Panel Members would usually ask when relevant. Remember, there will be no further opportunity for the Panel to ask you any individual questions in relation to your case.

- Have you visited the school?
- What did you like about the school?
- When you looked round other schools what was it about **this** school that makes you believe it's the right/only school for your child?
- What can the school you want provide for your child that the offered school cannot?
- How will you get your child to the school allocated?
- What's the journey like to the school allocated?
- Are there any health/equality act issues raised in the case?
- What are the problems you will face if he/she does not get a place at the school?
- What support do you have locally?

Is there anything that the Panel will not accept?

Yes. Examples of school work your child may have undertaken will not be accepted as the Panel will not be able to make a proper judgement about its quality. The members would have nothing to measure it against and would not know the depth of the work submitted. Also, they would not know whether the work had been carried out unaided.

Where do I send my appeal?

You must submit your appeal directly to the school in the first instance either by post or email.

miller@danecourt.kent.sch.uk

Your appeal form **must not** be sent to your Local Authority.

Can I submit additional evidence after the deadline submitting my appeal?

It is suggested that you provide all of your information at the time of appealing, however if you cannot send all the information and supporting evidence you want to at the time you submit your appeal, it's important you send it at your earliest convenience.

You will be supplied with a copy of all of your case papers at least 10 calendar days in advance of the date when the Panel will meet to decide your appeal. At this time you will be issued with all documents relating to your appeal, including the individual statement as to why a place was not offered to your child. Within the first 5 calendar days of these papers being issued to you, you will have an opportunity to add any further information. After that time no further addition information can be received as the Panel would require sufficient time to consider your case.

All paperwork will be issued to you electronically via Microsoft Teams and further instructions will be issued to you nearer the time.

What happens at an appeal hearing?

For all appeals, the Panel must decide if the school's admission arrangements were correctly and impartially applied in the individual's case and decides whether "prejudice" would arise were the child to be admitted.

If the child was not offered a place at the school on the grounds of their Kent Test/schools own entrance test, then Panel Members must consider the child's academic attainment. If they do not find the adequate academic evidence, the appeal is not successful, and the Panel are not required to move to the second stage. The second stage is for where;

- the child met the required standard in the Kent Test or entrance test but was not offered a place because there were other children who more closely met the school's admissions criteria
- or
- the Panel found sufficient evidence of grammar ability in the children who had not met the required standard in the test.

At the second stage, the Panel will consider and balance the prejudice to both the school and the appellant based upon the school's defence statement.

Decision Making

The Panel will then discuss and make a decision to either uphold or dismiss your appeal. They will weigh up your case for wanting your child to attend the school against the school's arguments for not being able to admit another child. The Panel will uphold your appeal if it finds that the negative impact on your child of not attending your preferred school outweighs the case put forward by the school's case as to why it cannot admit any more pupils.

When will I be told if my appeal has been successful?

You will receive notice of the outcome electronically via Microsoft Teams.

The Clerk will normally provide this link to you within 7 calendar days to notify you of the Panel's decision. If the Panel is hearing a large number of appeals, this will be 7 calendar days after the last appeal is considered.

The decision of the Appeal Panel is binding and only the courts, by way of a judicial review, can overturn a decision.

If the Panel upholds your appeal the School must admit your child.

If the Panel does not uphold your appeal you still have a number of options you may wish to consider.

If the panel does not uphold my appeal what else can I do?

You may wish to put your child's name on the school's waiting list (if you have not already done so), even where you have accepted a place at another school. Schools must operate a waiting list for at least the first term of each school year of admission (until 31 December) Children who are on the waiting list are ranked by how closely they match the school's oversubscription criteria, not how long they've been on the list.

It's your responsibility to secure suitable education for your child and you may want to seek an alternative school place. If your child is without a school place, contact your Local Authorities Admissions Team depending on where you are located, who will be able to advise and inform you of other available places in the area.