



Dane Court Grammar School

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 do I make an appeal?

Dane Court Grammar school has employed the services of Education Clerk Services Ltd to administer the appeals. Your appeal must be made by completing an online form. The details are available on the school's [website](#). You should also upload all evidence using this online form. If you have any queries please contact the admissions officer, Jennie Miller, miller@danecourt.kent.sch.uk

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

When will my appeal be considered?

Please see the Appeals Timetable on the school [website](#). The final deadline for appeal submissions is Friday 12th May. Any appeals received after this time will be considered when reasonably possible. This may not be until July or September.

Once you have submitted your appeal you will be told by the Clerk to the Appeals Panel the exact date of your Stage Two hearing.

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.

Neither the clerk nor the school's representative are involved in the decision making process. How the Panel reach their decision is covered in the Procedures for Hearing documents on the school website.

What happens after I have submitted my online form and evidence?

Once the deadline has passed, the Clerk collates all of the forms and evidence and starts to circulate the information to the Panel members and School representatives. You may not hear from the Clerk immediately. The Clerk will email you with details of the hearings and any other relevant information 14 days before the hearing for the school you have appealed to.

Please check your junk/spam folders as the email address may not be recognised.

All contact regarding the appeal will come directly from the clerk, not from the school.

How will my appeal be considered?

The Independent Appeals Panel intends that your appeal will be heard via *Zoom* video conferencing. A link will be sent to you to join meetings. Please ensure your tablet or mobile is charged and that you are in a private place. No-one else should be with you in the room. RECORDINGS ARE NOT PERMITTED. You will be notified of the date and time in advance of the Hearing. PLEASE JOIN THE MEETING AT YOUR ALLOCATED TIME AND WAIT IN THE WAITING ROOM. The clerk will admit you into the meeting once the panel are ready. There may be some delay at times due to previous appeals running late. Please be patient. This will not affect the time allocated to your appeal.

The hearings are heard in two stages and you must attend both meetings:

First Stage - Examining the decision to refuse admission

This is referred to as the notification of the school's case and is presented with all appellants present, the school's representative and the panel members and clerk. The school's case is sent to you prior to this and it is your opportunity to hear why the school cannot offer any more places. You may ask the school questions about the information that is presented. You MAY NOT present your case at this point – you will be given the opportunity to present your case in private with the panel, the schools representative and the Clerk in the Stage Two hearing.

The Panel must consider the following in relation to each child that is the subject of the appeal:

- a) whether the admissions arrangements (including the area's co-ordinated admission arrangements) complied with the mandatory requirements of the School Admissions Code and part 3 of the School Standards and Framework Act 1998, and
- b) whether the admission arrangements were correctly and impartially applied in the case in question

Second Stage - Balancing the arguments

This is your case which will be presented in private to the panel with the school representative and clerk present. The Panel must balance the prejudice to the school against the appellant's case for the child to be admitted to the school. It must take into account the reasons for expressing a preference for the school. Further information can be found under 3.8-3.14 of the Code of Practice.

Designated Grammar Schools are permitted to select children for admission on the basis of academic ability and may leave places unfilled if there are insufficient eligible applicants. The appeal panel may be asked to consider an appeal where the appellant believes that the child did not perform at their best on the day of the entrance test. In such cases:

- a) that there is evidence to demonstrate that the child is of the required academic standards, and
- b) where applicable, the appellants argument outweighs the school's case that the admission of additional children would cause prejudice.

The Panel will not devise its own methods to assess suitability for a grammar school place unrelated to the evidence provided for the hearing.

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.

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 and submit all forms of evidence you feel are relevant.

You can make an appeal because you want your child to attend a particular school over any other. 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. Please note the appeal panel must only uphold the appeal if it is satisfied that there is evidence to demonstrate that the child is of the required academic standards, for example, school reports giving Year 5/Year 6 SAT results or a letter of support from their current or previous school clearly indicating why the child is considered to be of grammar school ability.

What evidence should I submit?

The Panel will consider all the evidence that is submitted. This is usually school reports reflecting academic standards, supporting letters from Headteacher/Class Teacher, any medical evidence that has affected your child's performance in the test or in the lead up to the test. You may submit any evidence that you feel is relevant to your appeal.

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

You will be supplied with a copy of all of your case papers 14 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. Any evidence received less than 2 weeks prior to the stage one submitted after the deadline date or on the day of the appeal may not be considered as the panel may not have sufficient time to consider your case. Evidence submitted after your appeal hearing will NOT be accepted or considered. Please list all the evidence on your application that you are intending to submit. The Clerk cannot write to your child's school, GP, or other professional bodies on your behalf. It is your responsibility to provide the information you wish to be considered. An on-line process to upload support documents will be available until Friday 12th May.

Decision Making

After all the appeals are heard, the panel will make decisions on a case by case basis following the two stage process above. Each case is considered on its own merit.

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

The decision of the Panel cannot be given to you at the end of the Appeal Hearing but the Clerk will write to you within 5 school days of the last appeal hearing for that particular school with the decision.

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. Waiting lists are subject to change and your position on the waiting list can move up or down as applications are received or declined.

If your child did not pass the Kent Test, they would not be permitted to be added to the waiting 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 Authority's Admissions Team depending on where you are located, who will be able to advise and inform you of other available places in the area.

Relevant Legislations

- School Admission Code 2021
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1001050/School_admissions_code_2021.pdf
- School Admission Appeals Code
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1108077/School_Admission_Appeals_Code_2022.pdf
- Guidance for parents/guardians from the DfE on the appeals process
<https://www.gov.uk/government/publications/admission-appeals-for-school-places/advice-for-parents-and-guardians-on-school-admission-appeals>