



## YEAR 7 2018 APPEALS GUIDANCE

### **BEFORE COMPLETING AN APPEAL FORM PLEASE READ ALL PAGES IN THIS DOCUMENT**

*'Under the Education Act a parent/carer has the right to appeal against the decision to refuse their child a place at a school for which they have applied for.'*

As a parent/carer you have expressed a preference to your home local authority regarding the school you would like your child to attend. However, if the year group applied for is oversubscribed and has reached its published admission number (PAN), the admission authority may not be able to meet your preference. Compliance with your preference would "prejudice the provision of efficient education or the efficient use of resources" at the school.

Bristol Cathedral Choir School (BCCS) has an admission number of 120 and has received **1292** on time applications for the academic Year 7 2018/19. However, in coordination with the local authority, governors recognise the huge demand for secondary school places in Bristol and we have agreed with Bristol City Council to a breach in the published admission number to offer an additional 30 places for year 7 2018/19 entry.

All **150** places for year 7 2018/19 entry have been offered in accordance with the oversubscription criteria, in order, as set out in our admission arrangements 2018/19 and there are no further places to offer.

### **How have the 150 places been allocated for year 7 2018?**

6 places have been reserved at the request of the SEN team for children with a Statement of Special Educational Needs (SEN) or Education, Health and Care Plan (EHCP).

The remaining 144 places have been allocated by applying the oversubscription criteria, in order of priority, as set out in the published admission arrangements 2018/19 for the 1<sup>st</sup> round of allocation:

- 'Looked after' children or 'previously looked after' children (7 places).
- Probationer Choristers at The Cathedral (8 places).
- Music Specialists (15 places).
- Siblings (69 places).
- Son/daughter of BCCS members of staff (none).
- Random allocation (45) places)

### **Oversubscription Criteria**

#### **1. Looked after children and previously looked after children.**

A looked after child is a child who is (a) in the care of the local authority, or (b) being provided with accommodation by a local authority in the exercise of their social services function (see the definition in Section 22 (1) of the Children Act 1989). Previously looked

after children includes children who were adopted under the Adoption and Children's Act 2002 (section 46 adoption orders). Subject to Adoption Order, Child Arrangement Order, or Special Guardianship Order.

## 2. **Probationer Chorister**

The school will admit up to 8 pupils of the year 7 intake based on their membership of the Probationer Chorister programme at Bristol Cathedral. Children admitted under this criterion are not included in the 10% admitted under Music Specialism. If there are more probationer choristers seeking admission than places available then the 8 places would be randomly allocated and the remainder placed on a waiting list.

## 3. **Music Specialism**

The school will admit up to 10% of the year 7 intake on the basis of those who most clearly demonstrate that they have an **aptitude** in music, using a music aptitude test for pitch, melody, texture and rhythm.

## 4. **Siblings**

Pupils who, on the date of admission, will have a sibling on roll at BCCS (Year 7 to Year 11 and including Year 12). The term "sibling" means a full, half, adopted, step brother or sister, but not cousins or other family members. A sibling must be living **permanently** with the applicant at the same address at the date of their admission to BCCS. The school may require proof of relationship and/or proof of residence.

## 5. **Staff**

Pupils who are sons / daughters of serving employees of Bristol Cathedral Choir School. This will include all staff, full and part-time working 28 hours or more per week during term-time and who have been employed permanently at the school for two or more years at the time at which the application for admission to the school is made, and/or where the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage.

## 6. **Random Allocation**

Random allocation will be used as a tie-break to decide the remainder of the places until all 120 have been filled from any of the following postcode areas:

- BS1 to BS11, BS13 to BS16, BS20 to BS25, BS29 to BS32, BS34 to BS37, BS40 and BS41, BS48 and BS49

In the event of any places still available these will be allocated by random allocation to those applicants living outside of the above postcode areas.

However, if children of multiple births (twins and triplets) and are tied for the final place, those siblings will be admitted over PAN.

## **How do I appeal for a place at BCCS?**

Once you have received the official paperwork from your local authority which provides the reason why your child's application has been unsuccessful, please respond by the deadline requested.

If you decide to appeal you will need to complete the BCCS appeal pro forma with **your reasons in writing**. The appeal pro forma is available from the school website: <http://bccs.bristol.sch.uk/admissions/appeals>

You will need to submit the appeal pro forma to the school by the deadline of **Tuesday 10<sup>th</sup> April 2018**. You may include any additional information which you feel is relevant to your appeal with this form and return it to: **Admissions, Bristol Cathedral Choir School, College Square, Bristol, BS1 5TS** or email it to [admissions@bristolcathedral.org.uk](mailto:admissions@bristolcathedral.org.uk)

Appeals will not be accepted from applicants who:

- Did not name Bristol Cathedral Choir School on the common application form (CAF).
- Have been offered a higher preference i.e. a school that was placed higher on the CAF than the preference for Bristol Cathedral Choir School.

### **How does the appeal process work?**

Democratic Services at Bristol City Council is employed by BCCS to administer and conduct our appeals. They will organise an independent appeal panel which consists of 3 people with no prior connection with BCCS, a Lay person, a Chair and a member acquainted with education. There will also be a clerk in attendance to minute the appeal.

The independent appeal panel must follow a two stage decision making process for all appeals;

**Stage 1** - You will be invited to attend, which will be in the presence of all those appealing for a place for Year 7. A presenting officer from the school will present the school's case and its decision not to admit the child. The panel will examine the decision by the school to refuse admission, whether the admission arrangements were correctly and impartially applied and whether the admission of an additional child would prejudice the provision of efficient education or the efficient use of resources.

**Stage 2** - This is your individual appeal which will be held in private. The appeal panel must balance the prejudice to the school against your case for your child to be admitted. They will need to take into account your reasons for expressing a preference including what this school can offer your child that the allocated school or other schools cannot.

### **What happens once the appeal has been lodged with the school?**

BCCS will acknowledge receipt of your appeal paperwork by letter or email and will forward all your appeal documents to Democratic Services.

### **When will the appeal be heard?**

The Year 7 2018 appeals for BCCS are scheduled to commence from Monday 4<sup>th</sup> June 2018. You will receive notification in writing from Democratic Services 10 days prior to the appeal hearing with a date and time for you to attend.

### **Where will the appeal be held?**

Appeals for BCCS will be heard at:

Bristol City Council  
City Hall,  
College Green,  
Bristol  
BS1 5TR.

### **Who decides the outcome of the appeal?**

The independent appeal panel must either uphold or dismiss an appeal. **A panel's decision that a child shall be admitted is binding on the school and the parents.** If your appeal is successful then a place will be offered at the school immediately. As a result successful appeals will take the school over its PAN. If your appeal is unsuccessful then your child will remain on the waiting list.

### **When do we know the result of the appeal?**

You will receive written notification of the outcome of your appeal within five school days of the hearing, wherever possible.

### **What happens about the school place I've already been offered?**

If you appeal, the place you have been offered at another school will be reserved by your home local authority pending the outcome of the appeal for BCCS.

### **What if I change my mind about appealing?**

If, at any time, you want to withdraw your appeal or remove your child's name from the waiting list, please inform Democratic Services [school.appeals@bristol.gov.uk](mailto:school.appeals@bristol.gov.uk)

### **What if I do not attend my appeal hearing?**

Where an appellant fails, or is unable, to attend and it is impractical to offer an alternative date the appeal may go ahead in your absence and a decision reached based on the written information submitted.

### **What if a place becomes available from the waiting list?**

If your child qualifies for a place that has subsequently become available at BCCS whilst you are waiting for your appeal to be heard then in this event your appeal will be cancelled.

N.B using your right to appeal will not affect your child being on the waiting list.

### **Waiting List**

BCCS is its own admission authority and maintains its own waiting list. The waiting list will consist of applicants who have requested via the local authority to be put on the waiting list, those who lodge an appeal, or late applications.

The waiting list is ranked in line with the oversubscription criteria. Late applicants who are 'looked after' or 'previously looked after' will be considered higher priority than any on time applications. Where a place becomes available and there is no higher priority based on the oversubscription criteria to allocate, we will offer a place by carrying out a fresh round of random allocation of all remaining applicants on the waiting list.

### **Music Specialism Waiting List**

Any applicant who declines a place offered under the 10% music aptitude criterion will be replaced from the next highest ranked applicant from the music specialism waiting list.

### **KEY POINTS – if you choose to appeal**

- Send in your Appeal Pro Forma on time – by Tuesday 10<sup>th</sup> April 2018
- Think about your child's needs
- Find out about BCCS and the school you have been offered
- Decide what is unique about BCCS in terms of meeting your child's needs
- Prepare your case

- Back up your points with evidence – simply stating your child lives locally or has always wanted to attend BCCS is not evidence.

### **What are the appeal statistics for the last 5 years?**

2017 Admission: 43 appeals heard, 5 were upheld

2016 Admission: 48 appeals heard, 5 were upheld.

2015 Admission: 54 appeals heard, 4 were upheld.

2014 Admission: 52 appeals heard, 4 were upheld.

2013 Admission: 52 appeals heard, 6 were upheld.

### **What is the net capacity at BCCS?**

The Department for Education (DfE) has confirmed that academies are not subject to the requirements on net capacity that are imposed upon maintained schools. The DfE agree the admission limit with the sponsor as part of the funding agreement.

If you require any further information please contact the Admissions Officer via email [admissions@bristolcathedral.org.uk](mailto:admissions@bristolcathedral.org.uk) or telephone 0117 353 5016.

This guidance is based on the published admission arrangements for BCCS and the Department for Education, Code of practice on School Admission and School Admission Appeals. For copies of the DfE Codes of Practice please visit [www.education.gov.uk](http://www.education.gov.uk)