



## IN YEAR APPLICATION APPEAL GUIDANCE

### PLEASE READ BEFORE COMPLETING AN APPEAL FORM

As a parent/carer you have expressed a preference 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. 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.

#### How does the appeal process work?

Bristol Cathedral Choir School (BCCS) employs Democratic Services at Bristol City Council to administer and conduct its appeals. Democratic Services will organise an independent appeal panel that consists of three people with no prior connection with the school, a Layperson, a Chair and a member acquainted with education. A clerk will record all proceedings. The 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. 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 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.

#### Admission Criteria and Waiting List Information

BCCS is an academy funded for a set number of places in each year group. It is its own admission authority and maintains its own waiting lists. A full copy of the admission arrangements can be viewed on the BCCS website <http://bccs.bristol.sch.uk/> that will remind you of the procedure followed if a place becomes available in the year group that you have applied for.

#### Oversubscription Criteria

Where the number of applications for admissions is greater than the published admission number and after the admission of pupils with an Education, Health and Care Plan (EHCP), where BCCS is named in the plan, applications will be considered against the oversubscription

criteria as set out in order below:

### **1. A 'looked after' or 'previously looked after' child.**

Highest priority is given to 'looked after' children and all previously looked after children. A 'looked after child' is a child who is in the care of a local authority or being provided with accommodation by a local authority in the exercise of their social services functions at the time of making an application to the school. This will include children who were previously looked after but ceased to be so because they were adopted or became subject to a child arrangements order or special guardianships order immediately following having been looked after. (Child arrangements orders replace residence orders and any resident order in force prior to 22nd April 2014 is deemed to be a child arrangements order. Special guardianship order as defined in s.14a of the Children's Act 1989 as an order appointing one or more individuals to be a child's special guardian/s.)

### **2. Siblings**

Pupils who, on the date of admission, will have a sibling on roll at Bristol Cathedral Choir School (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 Bristol Cathedral Choir School. The school may require proof of relationship and/or proof of residence.

### **3. BCCS Staff**

Pupils who are sons / daughters of serving employees of Bristol Cathedral Choir School. This will include all teaching and non-teaching 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.

### **4. Random Allocation**

Once the oversubscription criteria above, have been applied, the remainder of the places will be allocated by random allocation until all places have been filled, to ALL those living in the postcode areas listed in the admission arrangements.

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

### **How do I appeal for a place at the school?**

If you wish to appeal, you will need to complete the appeal form that you received with your refusal letter, with your written reasons and submit these to the school by the deadline specified in your letter. An appeal cannot be set up without any written reasons for appealing. You can include any additional information that you feel is relevant to your appeal with the form and return it to Admissions, Bristol Cathedral Choir School, College Square, Bristol, BS1 5TS.

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

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

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

Your appeal for BCCS must be heard within 30 school working days of the appeal being lodged. 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?**

Your appeal will be heard at Bristol City Council, City Hall, 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.

### **What happens if my appeal is successful?**

If your appeal is successful then a place will be offered at the school immediately.

### **What if my appeal is unsuccessful?**

If your appeal is unsuccessful then your child will remain on the relevant waiting list for the remainder of the academic year.

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

Parent/carers will receive a decision letter from Democratic Services as soon as possible after the appeal hearing, but not later than five school days, unless there is a good reason.

### **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 Admissions at BCCS and Democratic Services immediately.

### **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.

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 Department for Education Code of Practice, please visit [www.education.gov.uk](http://www.education.gov.uk)

If you require any further information, please contact:

Admissions at the school: [admissions@cathedralschoolstrust.org](mailto:admissions@cathedralschoolstrust.org) or Democratic Services at Bristol City Council: [school.appeals@bristol.gov.uk](mailto:school.appeals@bristol.gov.uk)