

# Richmond Independent Appeals Service

## School Admissions Appeals Guidance for Parents and Carers

We appreciate that many parents can find the school admissions and appeals process daunting. These notes provide information on how to appeal, the process used and answers to a number of frequently asked questions. Please read these notes carefully before starting the process of lodging an appeal.

### 1. THE RICHMOND INDEPENDENT APPEALS SERVICE

The Richmond Independent Appeals Service operates independently from schools and the Achieving for Children Admissions Team for Richmond and Kingston boroughs. We have not been involved with your school application before your appeal and do not have access to waiting list information.

### 2. CAN I APPEAL FOR A SCHOOL PLACE?

You can appeal for a place at any school where your application was refused, even if it was ranked lower on your preference list. For example, if your child was offered the first choice but you now prefer the third choice, you can appeal. However, you cannot appeal for schools you didn't apply to.

The list of schools we provide an appeals service for is on the [Council website, this includes some schools in other boroughs](#). If the school you want your child to attend is not on the list, please contact the school directly for information and advice on how to appeal.

### 3. HOW DO I SUBMIT AN APPEAL?

The easiest way to submit an appeal for schools whose appeals are managed by the Richmond Independent Appeals Service is to do so through the [Appeals Portal on the Richmond Council website](#). The Portal provides a useful tool for you to manage and track your appeal.

Paper copies of the appeals form can be provided on request for anyone unable to use the Appeals Portal.

### 4. WHO WILL HEAR MY APPEAL?

Our appeals panels are independent of the school and the local authority, they consist of three trained volunteers drawn from a pool of panel members. They will have no connection to you or to the school you are appealing for. One of the three panel members will be appointed to chair the hearing.

### 5. WHAT CAN BE CONSIDERED AT APPEAL?

There are two types of admission appeals: "Two-stage" appeals and "Infant class size" appeals. Detailed information is provided below. Please review this carefully to understand which type of appeal pertains to your child.

a) **“Two-stage” appeals**  
**(ALL appeals for Year 3 upwards and some appeals for Reception, Years 1 & 2)**

The Appeal Panel when hearing these appeals must follow a two-stage decision making process set out below.

**Stage 1 – Examining the decision to refuse admission**

The Panel should uphold your appeal at this stage if it finds that either:

- the school’s admission arrangements were unlawful and your child would have been offered a place if they were lawful;
- the school’s admission arrangements were not applied properly in your child’s case and your child would have been offered a place if they were properly applied; or
- admitting another child at the school would not prejudice the provision of efficient education or the efficient use of resources.

In considering whether prejudice would arise from an additional admission the Appeal Panel may consider:

- the effect of an additional admission in the current and following academic years;
- the impact on the organisation and size of classes;
- the availability of teaching staff;
- the effect on children already in the school; and
- the current physical accommodation of the school.

**Stage 2 – Balancing the arguments**

At this stage, a Panel will consider your reasons for appeal and weigh these against the case made by the admission authority. They can decide that despite the school being full, a child's case is compelling enough to admit them, outweighing any prejudice from having one extra student.

When submitting your two-stage appeal, you should:

- **Give reasons:** Clearly set out the reasons why your child should have a place at your choice of school.
- Explain if you think the admissions arrangements are unlawful and how this impacted your application.
- Explain if you think there has been an error in applying the admissions arrangements and how this impacted your application.
- Set out what the school you are appealing for can offer that the allocated school cannot; and
- Set out why the school you are appealing for is the best fit for your child.
- **Provide evidence:** You are strongly encouraged to provide supporting evidence for your appeal whenever possible. This evidence can take various forms, such as letters from professionals like doctors, social workers, medical reports, court documents etc. The Panel will not contact social workers, doctors, etc., to obtain information on your behalf; it is your responsibility to submit all pertinent information for your case.

The stronger your reasons and the more compelling the supporting evidence the better chance you have of your appeal being successful. For example, wanting your child to go to a particular school because it is the best in the area is not likely to convince the Panel that your child should get a place at the school.

If you can't provide all the necessary information and evidence when you submit your appeal, ensure you send it before the final deadline which we will notify you of when giving you the hearing date (usually four working days before the appeal). Submitting anything after the deadline may result in the panel refusing to accept it, or they may decide to delay your hearing.

**b) “Infant class size” appeals  
(Includes almost all appeals for Reception, Years 1 & 2).**

The chances of success with an infant class size appeal are minimal due to the limited grounds which a panel can take into account. **In the previous three academic years there have been no successful infant class size appeals.**

Where a school organises its Reception, Year 1 or Year 2 class(es) into groups of 30 with one qualified teacher your appeal will be considered on “infant class size” grounds.

The Appeal Panel can only **review** the decision of the admission authority to refuse a place, a Panel will only uphold the appeal where one of the following applies:

- It finds that the admission of an additional child would not breach the infant class size limit.
- It finds that the school’s admission arrangements were unlawful, or were not properly applied, and your child would have been offered a place at the school if the arrangements had been lawful or had been properly applied.
- It decides that the decision to refuse admission was not one that a reasonable admission authority would have made in the circumstances of the case.

The Panel will take account of the material, e.g. any reasons you gave for your preference or medical or social evidence that was available to the admission authority at the time it made the decision to refuse a place. In the case of the main admission round, this is information made available before the decision on 16 April (National Offer Day).

Fresh material can be taken account of at appeal, but only if this supports your case that an error has been made at the time the admission authority made their decision or the admission authority failed to act reasonably when the decision was taken. A Panel cannot, for example, take account of a previously undeclared medical condition or social circumstances even if your circumstances have changed since your original application.

When submitting your infant class size appeal, you should:

- Explain if you think the admissions arrangements are unlawful and how this impacted your application.
- Explain if you think there has been an error in applying the admissions arrangements and how this impacted your application.
- Explain if any information that was provided at the time of application has been overlooked.

- Explain if you think the admission authority failed to act reasonably when they made the decision to refuse a place.
- Provide evidence supporting any of the points you have made.

The threshold for finding an admission authority's decision to refuse a place was not one a reasonable admission authority would make is very high. The Panel would need to be satisfied that the decision to refuse to admit your child was "perverse", "beyond the range of responses open to a reasonable decision maker" or "a decision which is so outrageous in its defiance of logic or of accepted moral standards".

The Government's Department for Education provides the following examples of infant class size appeal cases:

- A decision that makes it impossible for you to transport all your children to school on time is unlikely to be considered perverse.
- A decision to refuse a place for a child whose family had to relocate under a witness protection scheme might be considered perverse.

If you can't provide all the necessary information and evidence when you submit your appeal, ensure you send it before the final deadline which we will notify you of when giving you the hearing date (usually four working days before the appeal). Submitting anything after the deadline may result in the Panel refusing to accept it, or they may decide to delay your hearing.

## **7. WHAT AN APPEAL PANEL CANNOT DO.**

- Change your child's position on a school waiting list.
- Amend a school's admissions policy.
- If you are successful at appeal, attach conditions.
- Allocate a place at a school other than the one you appealed for.

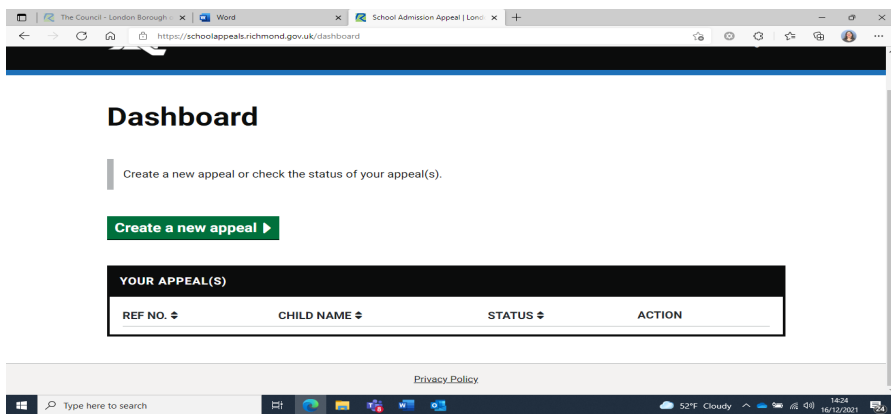
## **8. COMPLETING YOUR APPEAL FORM**

Below is a step-by-step guide to completing an appeal form using our [Appeals Portal](#).

### **Step 1 – Sign Up for an account**

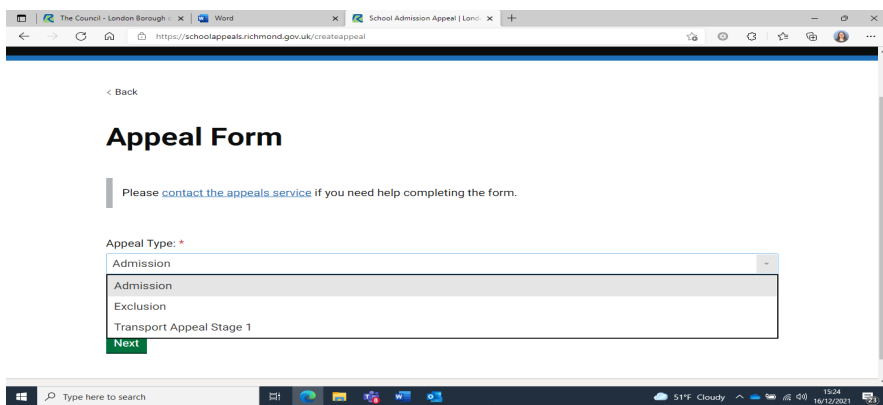
You will need to sign up for an [account](#), this is a separate account to your Richmond account and your school admissions account. You will be sent a verification email, look out for this in your email inbox (make sure to check your junk mail too). The verification email will contain a link for you to confirm your account.

Log in using the password you registered. You can then start the process of creating your appeal(s).



Click on create new appeal and you will be taken to the appeal form.

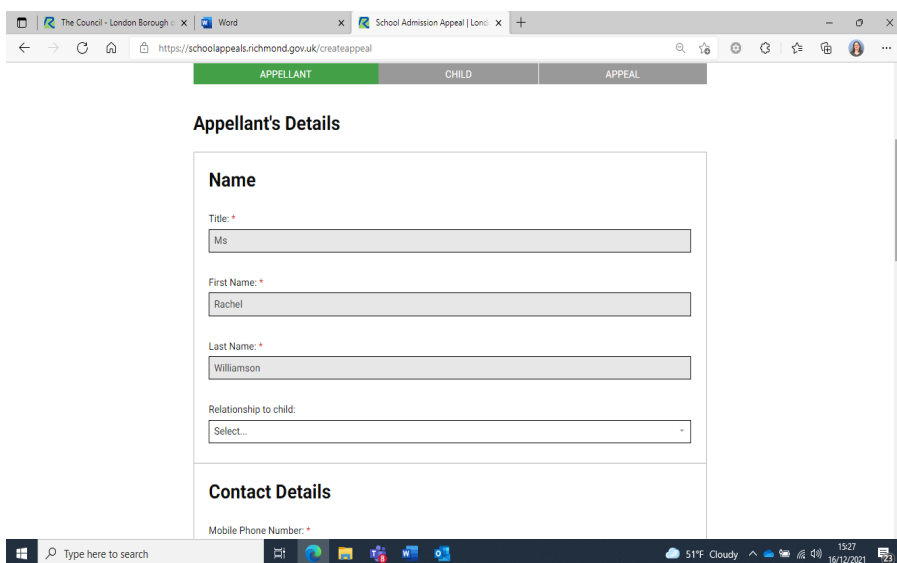
### Step 2 – Starting to lodge an appeal



Appeals type – select 'Admissions' from the dropdown list.

### Step 3 - Your name and contact details

You will be asked to complete your name, address and contact details.



Postcode: \*  
TW1 3AA

Moved House Since Application?:

Moving Address?:

**Second Appellant**

Add Second Parent/Carer?:

**Witness/Representative**

Will you be calling witnesses or be represented at this hearing?:

Next

If you are moving to a new home you will need to provide details of your future address.

Tick the box if you wish to add details for a second appellant e.g. another parent, carer or family member. The second appellant will be copied into correspondence about your appeal.

You can add a second appellant at later date if you wish.

If you wish to be represented at the hearing by an advocate or call a witness, please tick the box and provide their contact details.

Only registered attendees will be admitted to the hearing.

You can add a witness or a representative later if you wish.

Click on 'next' when you have completed the above.

### Step 4 – About your child

You will next be asked to complete a section with information about the child you are submitting an appeal for. When you have done this, click 'next'.

**Child's Details**

**Name**

First Name: \*  
[Text Field]

Last Name: \*  
[Text Field]

Current/Previous School:  
[Text Field]

**Personal Information**

Date of Birth: \*  
[Date Picker: DD/MM/YYYY]

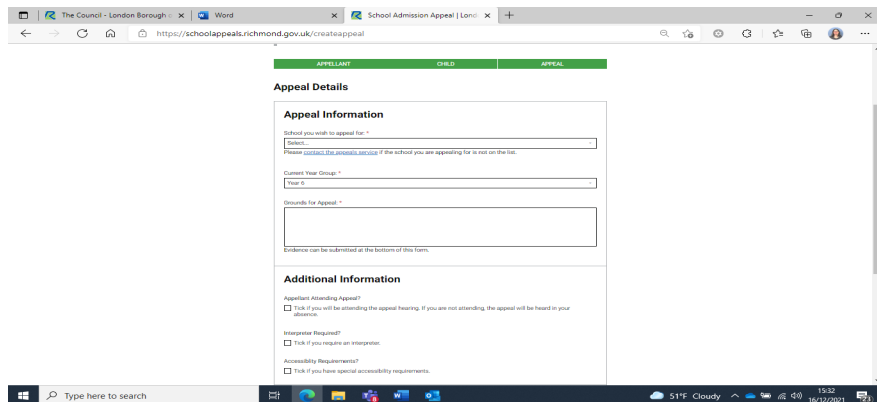
**Address**

Same address?  
 Untick to enter a different address  
London Borough of Richmond upon Thames, 70th Floor, Richmond Road, Twickenham, Greater London, TW1 3AA

## Step 5 – Appeal information

### Reasons for Appeal

The Appeals Panel will read your reasons for appeal in advance of the hearing. You can set your reasons out in an attached document if you wish, but you will need to type “see document attached” in the reasons box.



Select the school you want to appeal for a place at from the dropdown list.

You **must** give reasons for your appeal. Think about these before starting your appeal form.

### Additional Information

You will next be asked to provide additional information regarding your attendance at the hearing and access arrangements.

There is no requirement to attend the appeal hearing, but you are strongly encouraged to do so. If you attend the Panel will be able to talk to you and get a clear understanding of your case. If you chose not to attend the appeal will go ahead in your absence and be decided on the written information submitted.

We plan to use video conferencing technology to conduct the appeal hearings. Please contact the Appeals Service if you need to discuss alternative options for hearing your appeal.

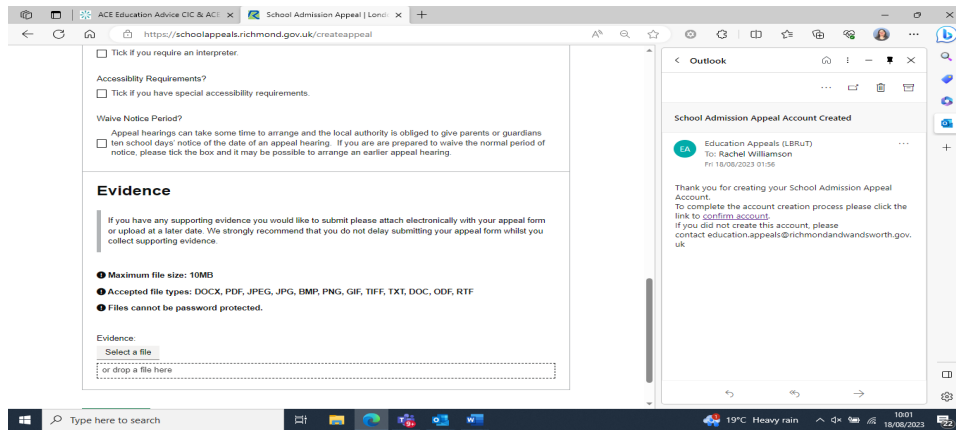
If you tick the box indicating you require an interpreter or have accessibility requirements you will then be prompted to provide further details.

### Supporting Evidence

You will be able to add further evidence later by using the [Appeals Portal](#). If you cannot upload evidence to the [Appeals Portal](#) and need to submit hard copies of evidence via post or email please contact the [Appeals Service](#).

Please note:

- \* There is a 10MB maximum file size for attachments.
- \* That file titles which include full stops or dashes will not upload.
- \* Files cannot be password protected.



## Step 6 – Submitting your appeal

You are now ready to submit your appeal. Click on the ‘submit appeal’ button at the bottom of the page.

A short time after the submission of your appeal you will receive an automatic acknowledgement email (don’t forget to check your junk email). If you have not received an acknowledgement please contact the Appeals Service to check we have received your appeal.

## 9. MANAGING YOUR APPEAL

The easiest way to manage your appeal is to do so through the [Appeals Portal](#). You can use the portal to do an number of things including:

- Submitting evidence at a later date
- Checking the deadline for submitting evidence
- Withdrawing an appeal
- Adding other hearing attendees
- Checking your hearing date and time
- Getting the link to your online appeal
- Checking the appeals papers submitted by you and the admission authority
- Checking the outcome of your appeal

## 10. WITHDRAWING AN APPEAL

You might choose to discontinue your appeal for various reasons, such as receiving an offer from the school in question or another satisfactory school. If you no longer intend to pursue your appeal, please withdraw it promptly. This is because schools often need to divert staff from their regular duties to attend appeal hearings, and the costs associated with organising these appeals are generally borne by the schools, impacting their budgets.

## 11. WHEN WILL MY APPEAL BE HEARD?

Appeals are usually held during working hours in term time.

- Appeals received on time as part of the main admissions round for entry into Year 7 are heard in May and June.



- Appeals for received on time as part of the main admission round for Reception and Year 3 transfer to a junior school are heard in July.
- Appeals for entry into Reception or transfer into Year 3 or Year 7 received after the deadline may be heard at a later date.
- Appeals for other year groups or those made outside of the main admissions round will be heard within 30 school days of the appeal being lodged.

You will be sent an email giving you at least 10 school days' notice of the hearing date(s) and time(s), unless you have waived your right to this notice period. This will include the name of the clerk and the Appeal Panel Members who will hear your appeal and the links to join the hearing online (keep an eye on your junk email to ensure you receive this). You can also find the information in the 'Status' section of the appeal portal.

**You should** contact the Richmond Independent Appeals Service as soon as possible if you are not available on the date or time fixed for your appeal.

## **12. PREPARING FOR YOUR APPEAL HEARING**

We will send a set of case papers to the first named appellant seven working days before the hearing, or you can find them in the Appeals Portal.

These will include:

- Your completed appeal form.
- Any other information you choose to submit.
- The admissions authority's written statement, including information on admissions to the school.

When you receive your case papers:

- Check these papers carefully to ensure that all the documents you have submitted in support of your appeal have been included.
- Advise us as soon as possible if there is anything missing.
- Read the admission authority case carefully. Make a note of any questions you have; you will have the chance to ask questions at the hearing.
- Think about your own case. The Panel will have read all the papers in advance, so there is no need to repeat everything during the hearing. Think about and make a note of the key points you wish to get across at the hearing.
- Have the case papers with you during the hearing.

Preparing for a virtual hearing:

- Check you have received or can access the links to the video conference, these will be sent at least a couple of days before the hearing, alternatively you can find them in the portal. Log into the portal and click on 'view appeal details' which will open a new page where you can find the online hearing link.

- If you are unfamiliar with video conferencing, you should take the opportunity to 'test' the virtual meeting environment. We are happy to arrange a test session with you if you wish, please ask.
- Think carefully about the surrounding environment in advance. Please try and minimise distractions around you so that you and other participants may hear what is being said.
- Please do not join the hearing from a public place, open plan office or vehicle whilst driving. All participants need to be in an environment where they can speak safely and freely about sometimes sensitive matters.
- You may find it easiest to use a headset or headphones with an inbuilt microphone to get the best sound quality.
- Ensure the device you are using to access the virtual hearing is fully charged!
- Disable Alexa, Google Echo or similar devices during the appeal hearing.

### **13. WHO IS AT THE HEARING?**

- You, if you choose to attend.
- If attending with you, your spouse/partner, relative, friend, representative, supporter or witness.
- The Appeal Panel which consists of three trained volunteer members. None of the Appeal Panel will have a connection with you or the school concerned.
- The clerk to the Appeal Panel who is appointed to take notes and advise the Panel on issues of procedure and law. The clerk takes no part in the decision.
- A second clerk may be appointed whose role will be to provide technical support for the virtual hearing.
- A representative of the admission authority and possibly a witness.
- Sometimes there is also an observer, someone who is training to be or monitoring the performance of clerks or Appeal Panel Members.
- Occasionally a separate legal adviser will be appointed in addition to the clerk.

The representative from the admission authority in the case of voluntary aided (faith schools) and Academies will be from the school e.g. a senior member of staff, such as the Headteacher, Deputy or Assistant Headteacher, the school admissions officer or a governor, etc. In the case of community schools an officer from Achieving for Children will attend.

### **14. HOW LONG DOES THE APPEAL HEARING TAKE?**

We estimate that with grouped hearings the first stage of the hearing will take up to an hour and the second stage around 30 minutes. If your appeal is the only appeal for the school the hearing will be heard in one session, usually taking up to an hour. We aim to stick to these timings as much as possible, but it is possible proceedings could over-run. We will endeavour to keep you informed if this is the case.

### **15. THE ORDER OF HEARING**

To ensure everyone has their say there will be a set order for the hearing as follows:

- a) The Chair will explain the procedure and make introductions.

- b) The admissions authority’s representative will then present their case to the Appeal Panel, highlighting key points from their written submission.
- c) You can ask the representative(s) any questions you have about the admission authority’s case and the Appeal Panel may also ask the admission authority some questions.
- d) If there are other appellants for the school, you will then be seen separately at your allotted time for this second part of the hearing, where the admission authority will begin by explaining how specifically the admissions arrangements applied to your child before the Panel hear from you about your reasons for wanting your child to go to the school.

**OR**

If you are the only appellant for the school you will immediately proceed to the stage where you will then be asked to highlight your key points about why you want your child to go to the school you are appealing for.

- e) The representative of the admissions authority and the Appeal Panel may ask you any questions.
- f) The admission authority representative will have the opportunity to summarise their case.
- g) You will have the opportunity before the end of the hearing to summarise your case.
- h) Both you and the representative of the admission authority will be asked to leave the room or video conference.

Before the hearing concludes please ensure you have said everything you want to say and alert the appeal panel if you have had any difficulties with hearing proceedings. You will not be able to add to your appeal once the hearing ends.

**16. HOW WILL I KNOW THE APPEAL PANEL’S DECISION?**

Within five school days of the appeal hearing, the outcome of your appeal will be posted to the school appeals portal. You will be sent an email letting you know when this is available.

**17. WILL I BE SUCCESSFUL IN MY APPEAL?**

The Independent Appeals Service is unable to comment on the likelihood of success in specific cases. However, set out below are the figures for the number of successful appeals in the last few years:

Type of appeal	2021-2022		2022-2023		2023-2024	
	Total no. appeals heard	Successful appeals	Total no. appeals heard	Successful appeals	Total no. appeals heard	Successful appeals
<b>Two stage appeals</b>	67	15	71	10	85	13
<b>Infant class size appeals</b>	12	0	18	0	7	0

*Data for appeals lodged between 1 September and 31 August each year. Includes appeals the Richmond Independent Appeals Service handles for schools in neighbouring boroughs.*

## **18. CAN I APPEAL AGAIN?**

If your appeal is unsuccessful you will not normally have a further right of appeal for the same school for the same academic year. You can appeal for other schools you have not previously appealed for.

## **19. COMPLAINTS**

If you feel that the appeals procedure was not properly followed by the Appeal Panel you can:

- Complain to the Local Government and Social Care Ombudsman if the school you appealed for is a community or voluntary aided school.
- Complain to the Department for Education if the school you appealed for is an Academy.

The Department for Education and the Ombudsman cannot overturn the decision of an Appeal Panel if it has been properly made, they can only investigate if there has been a failure to follow correct procedures. Further information about making a complaint can be found at:

An Appeal Panel's decision can only be overturned by the courts on successful application for a Judicial Review of that decision. You should seek your own legal advice if you wish to lodge a Judicial Review.

## **20. CONTACT DETAILS**

If you have any questions about the appeals procedure contact the Appeals Service by calling 020 8891 7183 or email: [education.appeals@richmondandwandsworth.gov.uk](mailto:education.appeals@richmondandwandsworth.gov.uk)

## **21. FURTHER SOURCES OF INFORMATION**

To apply for a school place or to enquire about Richmond waiting lists or schools with vacancies please contact School Admissions on [richmond.admissions@achievingforchildren.org.uk](mailto:richmond.admissions@achievingforchildren.org.uk)

To apply for a school place or to enquire about Kingston waiting lists or schools with vacancies please contact School Admissions on [kingston.admissions@achievingforchildren.org.uk](mailto:kingston.admissions@achievingforchildren.org.uk)

[Child Law Advice](#) offers free legal advice on school admission appeals and exclusions. Their telephone advice service can be contacted on 0300 330 5485.

[School Admissions Code](#)

[School Admission Appeals Code](#)

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