School Admission Appeal

Statement on behalf of the Admissions Authority

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ School

The admission of an additional child would breach **infant class size regulations** at

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_ CE School.

Mandatory Requirements

The Admissions Authority is required to consult on and determine admission arrangements (Schools Admissions Code 2021).

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| --- | --- |
| Date of last consultation on admission arrangements  |  |
| Admission arrangements and rules | *Have changes been made in the last 3 years?*  |
| Published Admission Number (PAN) |  |
| Date the Admissions Authority formally determined admission arrangements (**must be determined annually by the 28 February**) |  |
| Date when the Admission Authority published online its determined admission arrangements and notified all appropriate authorities including information on how to refer objections to the School’s Adjudicator |  |
| The Governing Body of XXXXXX school is its Admission Authority.The Governing Body carefully follows the relevant legislative requirements when determining it admission policy, as well as the Department for Education’s School Admission Code 2021 and the School Admission Appeals Code 2012. It ensures that the admission arrangements are reviewed every year and the statutory consultation process in undertaken e very seven years or when changes are proposed, if sooner. |
| Relevant Measures:The powers of Independent Panels to admit children are restricted by Section 6, para 2a and 2b of the Education (Admission and Appeals Arrangements) (England) Regulations 2002. This means that in law the Independent Panel can only review the Admission Authority’s decision to refuse admission and only determine that a place should be offered to a child refused admission to a school on infant class size “prejudice” grounds where it is satisfied that one of the following applies:1. whether the admission of additional children would not breach the infant class size limit; and/or
2. whether the admission 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
3. whether the admission arrangements were correctly and impartially applied in the case(s) in question; and
4. whether the decision to refuse admission was one which a reasonable[[1]](#footnote-1) admission authority would have made in the circumstances of the case.
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| These restricted powers to admit children apply where the Admissions Authority states that to admit the child would cause prejudice to efficient education, or the efficient use of resources, by reason of measures that would be required to be taken in order to ensure that the limit on class sizes of one per thirty children is met at the school (for example, where it would be necessary to employ an additional qualified teacher).This/these case(s) is one in which admission of an additional child would cause prejudice to efficient education and the efficient use of resources by reason of the following ‘relevant measure’.1. The appointment of an additional teacher
 |
| Reasons why ‘relevant measures’ would be required to comply with Infant Class Size legislation:1. Admission Number

The net capacity of the school is \_\_\_\_ (with a minimum number of workplaces of \_\_\_\_ and a maximum number of workplaces of \_\_\_\_) The Published Admission Number (PAN) is\_\_\_\_The PAN for the \_\_\_\_\_ intake is \_\_\_\_ This is the indicated admission for all years from Reception to Year 6.1. Numbers on roll and organisation of the school are set out in the table below:

EXAMPLE

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| CLASS | Reception | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 | Year 6 | Total |
| R | 30 |  |  |  |  |  |  | 30 |
| 1 |  | 31\* |  |  |  |  |  | 31 |
| 2 |  |  | 30 |  |  |  |  | 30 |
| 3 |  |  |  | 31\*\* |  |  |  | 31 |
| 4 |  |  |  |  | 31\* |  |  | 31 |
| 5 |  |  |  |  |  | 30 |  | 30 |
| 6 |  |  |  |  |  |  | 30 | 31 |
| TOTAL | 30 | 31 | 30 | 31 | 31 | 30 | 30 | **213** |

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|  \* Child admitted because of an administrative error\*\* Child admitted because sibling of a twin\*\*\* Child admitted due to the admission of a Looked After Child**Last place offered:**The last place was offered on the \_\_\_\_\_\_\_\_\_\_\_\_ to a child under criterion \_\_\_ “Children who live in the designated area’. This child lives 0.34 miles (for example) from the school. |
| **Accommodation:**For example: \_\_\_\_\_\_\_\_\_\_\_\_\_ School has 6 classrooms, a Foundation Stage classroom and a nursery. All 8 of the classrooms have a defined capacity of 30 and are in full-time use throughout the school day.In addition to the above, \_\_\_\_\_\_\_\_\_\_ School has a Hall of \_\_\_\_ square meters. The hall is large enough for whole school activities and assemblies. It is also used for lunch times.Also consider: What type of building is it? Victorian, 1960’s, old or new? Do you have narrow corridors which cause bottlenecks? Outside area – explain how this is used. |
| **Children with an Education & Health Care Plan, or those who need additional support**Do you have any children (particularly in the year group in question) who have additional needs, with or without an ECHP? Are they supported by a Teaching Assistant? Does this mean for example that space in the classroom is impeded because of additional adults? Do any children have mobility aids (wheelchair or example) which again impinges on space?  |
| **Staffing****The staffing complement at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_School is:**EXAMPLE

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| CLASS | Reception | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 | Year 6 | Total |
| R | 1 QT, FT +1 TA FT |  |  |  |  |  |  |  |
| 1 |  |  |  |  |  |  |  |  |
| 2 |  |  |  |  |  |  |  |  |
| 3 |  |  |  |  |  |  |  |  |
| 4 |  |  |  |  |  |  |  |  |
| 5 |  |  |  |  |  |  |  |  |
| 6 |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |

PPA (Planning, Preparation & Assessment) time is covered by teaching assistants at the school and a supply teacher covers PPA time and management two days per week. The school has \_\_\_ full-time Teaching Assistants and 6 part-time Teaching Assistants. All TAs support pupils with SEND within the classes and Higher Level Teacher Assistants (HLTAS) provide cover supervision. |
| **Budget**What position is the school in financially? Are there any specific funding issues? Explain how the addition of a further child could cause prejudice to efficient education, or the efficient use of resources.ExampleThe school’s budget is extremely stretched and it would not be in a position to fund another teacher at the current time. The Teaching Staff is experienced which is reflected in the staffing costs. The teacher in Year X is newly qualified (NQT). She is therefore relatively less experienced than other members of staff. The teacher in Year 2 is on maternity leave and is being covered by supply teachers.The minimum cost of an additional teacher would be at least £23,000 per annum (NQT)) which would leave the school with a large deficit in its budget. |
| **Conclusion** ExampleThe more numbers rise, the more likely it becomes that the quality of teaching and learning will decline. If an additional child were to join this yeargroup at \_\_\_\_\_\_\_\_\_\_\_\_\_ School there would be prejudice to the efficient education of those already there by:* Reducing teacher time for individual pupils
* Increasing work for all staff at the school: extra assessments, more target setting, increased workload for homework, school work, more marking, more parent-teacher meetings and more administration
* Increased pressure on activities where numbers have to be limited (school teams, plays, music groups and trips)
* Reduced level of resources available to individual pupils, increased sharing of equipment (particularly laptops/Ipads etc) between pupils
* Increased congestion on the school site, both in the classroom and at break and lunch times.

All of this causes prejudice as it decreases the educational opportunities for pupils already at the school to achieve and reach their potential.Section 86 of the School Standards & Framework ACT 1998 sets out the duties of Admission Authority’s regarding the arrangements regarding the arrangements for enabling parents to express a preference and for complying with that preference. However, the duty imposed by subsection (2) does not apply if compliance with the preference would prejudice either the provision of efficient education or the efficient use of resources or both. In this case there would be prejudice and therefore the Admissions Authority requests that this appeal should not be upheld. |
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Further required documents:

1. Admissions Policy
2. Number of children offered and the number refused admission under each criterion of the admissions policy
3. Net Capacity Assessment summary sheet; (a copy should be in school, however your local authority contact should be able to send you one).
4. Add to the catchment map distances from home to your school and distance to allocated school – include other nearby schools on the map, in addition to the one the applicant’s have been offered
5. Details of the in-year Fair Access Protocol where applicable
1. The threshold for finding that an admission authority’s decision to refuse admission was not one that a reasonable authority would have made is high. The panel will need to be satisfied that the decision to refuse to admit the child was ‘perverse in the light of the admission arrangements ie it was ‘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 that no sensible person who had applied his mind to the question could have arrived at it’. [↑](#footnote-ref-1)