

FAQs for Rochester 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 will my appeal be considered?

From 1st October 2022 the School Admission Appeals Code states that Admission authorities may make arrangements for appeal hearings to be held in person or remotely by video conference or a mixture of the two ("hybrid"). Rochester Grammar School has opted for appeals to be heard by video conference.

When will my appeal be considered?

Appeals for Rochester Grammar School will be heard from Tuesday 23rd April to Thursday 25th April 2024. The deadline for submitting an on-time appeal is 28 March 2024. Any appeals received after this time will be considered when reasonably possible.

Once you have submitted your appeal you will be informed by the Clerk to the Appeals Panel of the date your appeal will be considered, along with your appeal paperwork.

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.

How do I make an appeal?

Your appeal must be made in writing/email and the form and address details are available on the school's website.

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.

How do schools allocate places?

When a school receives more applications from parents than it has places available, not every child can be successful in securing a school place.

The school will use its admissions criteria, also known as oversubscription criteria, to decide which children to allocate places to, this sets out the order in which they will allocate places. Before you make an appeal it will be helpful for you to understand how the school allocated their places, so you can understand why your child did not get a place. You can do this by looking at the school's generic defence on the school's website.

What information does this school give to the Panel?

Here are some key questions and answers that the Panel would normally ask the school in relation to the school case. This information is given to the Panel. For further information please refer to the school's generic defence statement.

- How many appeals have been successful in previous years and did this result in the school having to exceed its Published Admissions Number?
 - Rochester Grammar School had 4 successful appeals for admission to Year 7 in September 2019, 6 successful appeals for admission to Year 7 in September 2020, 6 successful appeals for admission to Year 7 in September 2021, 7 successful appeals for admission to Year 7 in September 2022 and 3 successful appeals for admission to Year 7 in 2023.
- How do you measure the home/school distance and how do you ensure it is correct?
 - The distance is calculated using the graphical information software used by School Admissions and Transport. It uses the co-ordinates of the home address and the school and determines the shortest route it can calculate using roads and footpaths known to it. The route found is not one that the child would necessarily be expected to walk. It is the shortest route that can be calculated for the purpose of the application for admission.

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. Your appeal will be held virtually and the panel will ask further questions in relation to your case if additional information is required.

You can make an appeal because you want your child to attend a particular school over any other, but the stronger your reasons, the better chance you have of your appeal being successful. 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 Medway Test, and you requested for a Medway Review process to take place, then the Panel must only consider, whether the Review was carried out in a **fair, consistent and objective way**. If the Panel are not presented with such evidence, then the appeal would not be successful at this stage.

Where a Panel found evidence that the Medway Review was not carried out under one of those criteria, or if you did not request a Medway Review, the Panel would consider whether there is sufficient evidence that the child is of grammar school ability. To support your appeal, you could include school reports/assessments and references from your child's current school that show your child is of grammar school ability. School work cannot be submitted.

In addition, you may wish to incorporate answers to some of the following questions that Panel Members would usually ask when relevant. Remember, there will be no further opportunity for the Panel to ask you any individual questions in relation to your case.

- The scores he/she attained in the Medway test were some way below that of children assessed as suitable for admission to the school. If he/she were to be offered a place, can you tell the Panel how he/she would cope working with children who may/will be of greater ability and probably working at a much faster pace?
- Did he/she have any additional tuition to help them with the tests?
- What support did the school provide in preparation for the tests?
- Please explain why you think your child did not meet the required standard in the paper where they scored lower than the required level.
- If you mention a health issue in your appeal, please explain how this affected his/her education at primary school? Please include a clear chronology of events with dates if possible.
- If English is an additional language? You may wish to address this in your appeal, particularly if it is not the language spoken at home.

If the Panel find sufficient evidence that the child is of grammar school ability, they will move on to the second stage of the appeal to consider and balance the prejudice to both the school and the appellant based upon the school's defence statement. You may therefore wish to also incorporate answers to the following questions in your submission. (see below)

For all appellants. You may wish to incorporate answers to some of the following questions that Panel Members would usually ask when relevant. Remember, there will be no further opportunity for the Panel to ask you any individual questions in relation to your case.

- Have you visited the school?
- What did you like about the school?
- When you looked round other schools what was it about this school that makes you believe it's the right/only school for your child?
- What can the school you want provide for your child that the offered school cannot?
- How will you get your child to the school allocated?
- What's the journey like to the school allocated?
- Are there any health/equality act issues raised in the case?
- What are the problems you will face if he/she does not get a place at the school?
- What support do you have locally?

Where do I send my appeal?

You must submit your appeal directly to the school in the first instance either by email or post. Your appeal form must not be sent to your Local Authority.

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

It is suggested that you provide all of your information at the time of appealing, however if you cannot send all the information and supporting evidence you want to at the time you submit your appeal, it's important you send it at your earliest convenience.

You will be supplied with a copy of all of your case papers at least 10 school 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. Within the first 5 school days of these papers being issued to you, you will have an opportunity to add any further information. After this time, if additional information is shared then the panel will decide if they choose to review the additional information.

What happens at an appeal hearing?

For all appeals, the Panel must decide if the school's admission arrangements were correctly and impartially applied in the individual's case and decides whether "prejudice" would arise were the child to be admitted.

If the child was not offered a place at the school on the grounds of their Medway Test, then Panel Members must consider the child's academic attainment. If they do not find the adequate academic evidence, the appeal is not successful, and the Panel are not required to move to the second stage.

If a Medway Review was submitted, the Panel would only consider if the Review was carried out in a fair, consistent and objective way. The Panel would only move to the second stage if they found evidence that the Review was not carried out under one of those criteria.

The second stage is for where;

- the child met the required standard in the Medway Test but was not offered a place because there were other children who more closely met the school's admissions criteria
- or
- the Panel found sufficient evidence of grammar ability in the children who had not met the required standard in the test.

At the second stage, the Panel will consider and balance the prejudice to both the school and the appellant based upon the school's defence statement.

You will be issued with a link to the time and date of your individual appeal with instructions of how to access the hearing.

If you do not wish to, or find that you cannot attend your appeal on the day, for whatever reason, the Panel Members may hear the appeal in your absence and make their decision based on the information available to them at the time. If you are not attending the appeal, please email ruth.rivers@rochestergrammar.tsat.uk letting the Administrator know in advance so that the Clerk is aware of this.

You are welcome to bring someone to help you put forward your case.

Your 'friend' or adviser at a hearing can be a locally elected politician, or an employee of the local education authority provided that this will not lead to a conflict of interest.

(The Panel members may ask questions at any time to make sure that they understand all the points made by you and the School representative or if they need more information in order to reach a decision.)

Decision Making

The Panel will then discuss and make a decision to either uphold or dismiss your appeal. They will weigh up your case for wanting your child to attend the school against the school's arguments for not being able to

admit another child. The Panel will uphold your appeal if it finds that the negative impact on your child of not attending your preferred school outweighs the case put forward by the school's case as to why it cannot admit any more pupils.

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

The Clerk will normally write to you within 5 school days to notify you of the Panel's decision. If the Panel is hearing a large number of appeals, this will be 5 school days after the last appeal is considered. 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.

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 Authorities Admissions Team depending on where you are located, who will be able to advise and inform you of other available places in the area.

How will my information be shared?

Rochester Grammar School appeals are administered by a third-party, Clerks Associates. By submitting an appeal to Rochester Grammar School, you are consenting to your personal data being shared with this third party in order to administer your appeal. Personal data will only be retained for two years as defined by the Appeals Code.

Relevant Legislations

In accordance with regulations issued by the Department for Education (DfE), Independent Appeals Panels and Admission Authorities must adhere to:

- School Admissions 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 2022
<https://www.gov.uk/government/publications/school-admissions-appeals-code>
- Guidance for parents/guardians from the DfE on the appeals process
<https://www.gov.uk/government/publications/admission-appeals-for-school-places>