

# Appeal Administration Service

## Annual Subscription

### April 2012–March 2013

#### Statutory right of appeal

All families with children of statutory school age have the right to appeal against a decision not to offer their child a place at their preferred school(s).

In accordance with statutory requirements, appeals must be heard by a panel that is independent of the admission authority for the school or academy concerned.

#### Responsibility of academies and free schools

Academies, including free schools, are funded directly by the Department for Education. Primary academies receive £8.15 per pupil and secondary academies receive £8.23 per pupil to cover the cost of admissions and appeals. Academies are therefore responsible for conducting their own appeals in accordance with the *School Admissions Appeal Code*. However, the Local Authority offers an [Appeal Administration Service](#) that is available to purchase at extremely competitive rates.

#### Services available to purchase

The [Appeal Administration Service](#) includes:

- access to the Head of School Admissions and Pupil Placements and/or a senior manager;
- development of a detailed 'statement of case' for use in appeal hearings;
- receipt and electronic logging of appeal forms;
- liaison with families about the progress and outcomes of their appeals;
- scheduling of appeal cases and preparation of case paperwork;
- option for the academy's or school's case to be presented at hearings of the independent appeal panel by an experienced senior officer from the Local Authority OR by your own member of staff (training can be provided);
- notification of all appeals scheduled and their outcome;
- response to all correspondence relating to appeals, eg from families, MPs, councillors, Local Government Ombudsman, etc;
- annual provision of statistics on the number of appeals received, withdrawn, upheld and dismissed;
- archiving of appeal forms for 18 months as required by law, followed by secure disposal.

Please note that appeal panels must be independent of both the Local Authority and the academy that is the subject of the appeal. However, the School Admissions and Pupil Placements Service will liaise with Legal and Democratic Services within Birmingham City Council to constitute an independent appeal panel on behalf of academies and free schools that purchase our services. There is a separate charge for constituting the independent appeal panel (see below under 'Charges').

#### Additional free services

Academies that purchase the [Appeal Administration Service](#) will also be provided with the following services at no additional cost:

- support at the time of secondary transfer or reception class admissions;
- ranking of all applications prior to the offer of places;
- investigation of potentially fraudulent address claims;
- creation of waiting lists in accordance with admission criteria;
- home-to-school distance measurements.

#### Expertise

The School Admissions & Pupil Placements Service has:

- a team of experienced staff with in-depth knowledge of school admissions and appeals matters;
- access to legal advice from the Local Authority's lawyers who specialise in education law.

Help, advice, guidance and support will be readily available to academies that purchase our appeal administration service.

The expertise of the School Admissions and Pupil Placements Service is reflected in extremely low rates of upheld appeals when compared to the national average (see table below).

#### % appeals upheld 2010-11

	Birmingham Local Authority	National
Primary	3.1%	22.8%
Secondary	5.3%	33.7%
TOTAL	4.1%	27.8%

Source: Data obtained from table on DfE website (*Appeals by parents against non-admission of their children to local authority (LA) maintained primary and secondary schools 2006/07 to 2010/11, England*).

#### Why use our service?

Principals and Governors of academies and free schools can concentrate on their functions, confident that the administration of school admission appeals is handled professionally and in line with the framework laid down by law, including compliance with the *School Admissions Code*, *School Admission Appeals Code*, relevant legislation and regulations.

## Charges

Academies and free schools wishing to purchase the [Appeal Administration Service](#) will be charged a single subscription fee at the start of each academic year. This will cover the academy or school for all appeal administration, regardless of the number of appeals received in that year. It will provide peace of mind to know that no further charges will be levied later in the year. For 2012/13, the annual charge will be based on the size of the academy or school, as measured by its total Published Admission Number (PAN) for all statutory year groups (Reception to Year 11). The resulting figure will be multiplied by £2.00 to calculate the annual charge.

### Example:

An academy that caters for secondary age pupils has a Published Admission Number (PAN) of 180 in each year group from Year 7 to Year 11, making a total PAN of 900. The academy's annual fee would therefore be £1,800 (900 x £2.00).

(In addition to this, the Legal and Democratic Services Department currently charge £50 per appeal hearing for constituting the independent appeal panel.)

In the event that an unsuccessful appellant launches a legal challenge against the decision or actions of the independent appeal panel that determined their appeal, your academy or school would be required to indemnify both the members of the panel and the Local Authority against any reasonable legal costs and expenses reasonably incurred by the panel or authority in defending the challenge, provided that the decision or actions in question were taken in good faith.

If you have any queries please feel free to contact us to discuss them.

## Guarantees

We can offer you a number of guarantees that underpin the quality of our service. All our staff have an up to date CRB clearance, and our procedures for storing and disposing of children's information comply with strict data protection legislation.

## About the School Admissions and Pupil Placements Service

The School Admissions and Pupil Placements Service (formerly the Admissions and Appeals Service) is the admission authority to all Birmingham community and voluntary controlled schools on behalf of Birmingham Local Authority. We provide a comprehensive admissions and appeals service to those schools, and a tailored service to maintained schools that are their own admission authority, ie voluntary aided and foundation schools.

In addition to our responsibilities towards schools that the Local Authority maintains, the Service co-ordinates admissions to all free schools and academies in Birmingham.

The School Admissions and Pupil Placements Service administers school admissions and appeals in accordance with the published admission arrangements and statutory requirements and guidelines, including those set out in various pieces of legislation and in both the *School Admissions Code* and the *School Admissions Appeals Code*. We offer advice, guidance and support to all types of schools and academies to assist them in meeting their statutory responsibilities.

## How to contact us

To purchase an annual a subscription to our Appeal Administration Service or find out more about it, please contact Julie Newbold, Head of School Admissions and Pupil Placements on:

Telephone: **0121 303 2268**

Email: [admissions@birmingham.gov.uk](mailto:admissions@birmingham.gov.uk)

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