

PRESENTING SCHOOL'S CASE AT APPEAL

This is for Infant Class size appeals only

The school must decide whether the case is one of ordinary prejudice or [infant] class size prejudice. The panel cannot make this decision for you.

The following pages give the outline of the best way to present your school's case at admission appeals.

It is important that the written case stands alone; you may be expected to answer "technical" questions on it. You are not allowed to make new points at the appeal other than in answer to a question.

No infant class must contain more than 30 children with a single teacher.

There are exceptions and these are as follows:

- Children admitted outside the normal admissions round with statements of special educational needs specifying a school;
- Looked after children and previously looked after children admitted outside the normal admissions round;
- Children admitted, after initial allocation of places because of procedural error made by the admissions authority or local authority in the original allocation process;
- Children admitted after an independent appeals panel upholds an appeal;
- Children who move into the area outside the normal admissions round for whom there is no other school within a reasonable distance;
- Children of UK service personnel admitted outside the normal admissions round
- Children whose twin or sibling from a multiple birth is admitted otherwise than as an excepted pupil;
- Children with educational needs who are normally taught in a special educational unit attached to the school, or registered at a special school, who attend some infant classes within the mainstream school

The exception lasts for the duration of key stage 1 and must be approved by Diocese and Local authority.

Even if there are mixed age classes, either infant class size or ordinary class size prejudice might occur in subsequent years, and this must be taken into account when presenting the school's case.

You need to attach:

admission arrangements [in full]

[If parish boundaries are involved, a map showing these boundaries.]

Parents' application form with preferences

Additional information submitted by parents to admissions panel

Faith reference [where appropriate].

Material in brackets should be **deleted** – it is there to give you hints of what to put.

Exzmples 2

xxxxxxx C of E (VA) Primary School

NAME OF PUPIL:	Surname:
	Forenames:
ADDRESS:	
DATE OF BIRTH:	SEX:
YEAR GROUP IN WHICH PLACE IS REQUESTED: Reception	

A. Statement by the Governing Body in support of their decision not to offer a place at the preferred school:

There is no place available in the appropriate year group as it has been filled to the agreed admission number in accordance with the school's published admission policy.

Under the provisions in the School Standards and Framework act 1998, the Governing Body is under a statutory duty to ensure that no infant class will contain more than 30 pupils per qualified teacher for all ordinary teaching sessions.

The Governing Body must ensure that infant class size requirements are met at the present time and in future years. It is essential therefore that the situation is scrutinised both in relation to the year group required and also in relation to all future Key Stage 1 classes (Reception, Year 1 and Year 2)

B. How the places were allocated

Admission number for Reception: **30**

Number of preferences for the year group: **105**

Number of children admitted under each criterion.

1. Looked after and Previously looked after children: **1**
2. Children with special educational needs or social circumstances affecting the child where these needs can only be met at school: **0**
3. Children who have a sibling attending the school on the date of the application and on the date of the admission: **12**

4. Children whose parents live within the ecclesiastical parish of [REDACTED] and worship in a church in full membership of Churches Together in England: **16**
5. Children of staff who have been employed in the school for the whole of two years prior to the closing date for applications, or where the member of staff is recruited to fill a vacant post for which there is a demonstrable skill: **1**
6. Children of parents who live within the ecclesiastical parish of the [REDACTED], but do not worship in a church in full membership of Churches Together in England: **63**
7. Children whose parents live outside the ecclesiastical parish of [REDACTED].
 - a) Children with a parent/guardian worshipping in a church in membership of Churches Together in England: **2**
 - b) Other children: **10**

Reasons why this child was not admitted:

[REDACTED] was placed in category 6. In applying the admissions criteria, there were more children with a higher priority than [REDACTED] and therefore a place could not be offered at this school.

Number of current appeals for this year group: 4

C. Reasons why a place could not be offered:

Admission number:

The admission number for this year group is 30.

This is based on the net capacity assessment within the asset management plan, which gives an indication of 30 places in each year group.

The school's teaching accommodation consists of 7 classrooms for 7 classes:

Classrooms:

Room for Year R has area 67.7 sq m with 30 basic workplaces

Room 1 for Year 1 has area 67.8 sq m with 30 basic workplaces

Room 2 for Year 2 has area 68.21 sq m with 30 basic workplaces

Room 3 for Year 3 has area 67.6 sq m with 30 basic workplaces

Room 4 for Year 4 has area 58.55 sq m with 30 basic workplaces

Room 5 for Year 5 has area 67.82 sq m with 30 basic workplaces

Room 6 for Year 6 has area 57.34 sq m with 30 basic workplaces

Small group rooms:

ICT suite

Hall

Music room

Library

Dining room

Thus the school is designed for 7 classes and a total of 210 children. No infant class may have more than 30 children to one teacher, and that dictates our arrangement of classes.

Numbers in each age group (2015-16):

Age Year group Admission number	4+ YR	5+ Y1	6+ Y2	7+ Y3	8+ Y4	9+ Y5	10+ Y6	Total on roll
	30	30	30	30	30	30	30	
Numbers on roll	30	30	30	30	28	24	26	198

Numbers in each age group information for next September (2016)**Numbers in each age group (2016-17):**

Age Year group Admission number	4+ YR	5+ Y1	6+ Y2	7+ Y3	8+ Y4	9+ Y5	10+ Y6	Total on roll
	30	30	30	30	30	30	30	
Numbers on roll	30	30	30	30	30	28	24	202

Staffing of school:

The school has a head teacher, a deputy head teacher and currently 8 teachers. Some of the staff share the responsibility for the class and work part time.

There are 11 support staff in classrooms

SEN register

Education Health Care Plan – 2 children

School Action/School Action Plus – 28 children

Alternative accommodation:

Primary School

D. Conclusion:

The Governing Body has considered parental preferences and admitted up to the admission number. Priority for admission was established by applying the Governing Body's published admissions policy.

Regulations made under section 1 of the Schools Standards and Framework act 1998 limit the size of an infant class (Reception, Year 1 and Year 2) to a maximum of 30 children per qualified teacher for all ordinary teaching sessions. There is a statutory duty on all admission authorities to adhere to the infant class size regulations.

In the case of [REDACTED] Primary School the Governing Body is unable to exceed the limit on infant class size for the following reasons:

- Appointing another teacher is not possible given the budgetary constraints;

The Governing Body maintains that in allocating places to the school,

- a) The published admissions policy was correctly and impartially applied; and
- b) That the decision of the Governing Body to refuse a place to this child was reasonable in view of the duty to comply with the limit on infant class.

SAMPLE