School Admission Appeals Guidance

For parents and carers applying to Stoke Park Nursery and Primary School.

This guidance explains how school admission appeals work, what to expect from the process, and how appeal panels make decisions. It is designed to help you prepare your appeal and understand the legal framework that applies.

About Admission Appeals

Stoke Park Nursery and Primary School is part of **Amplify Education**, which is the **Admission Authority** for the school. This means that Amplify Education is legally responsible for deciding how places at the school are allocated.

The appeals process is administered on behalf of Amplify Education by **Democratic Services at Bristol City Council**. Appeals are heard by an **Independent Appeal Panel**, which is completely independent of the school, the Trust, and the local authority.

You have the right to appeal if your application for a school place has been refused.

Infant Class Size Appeals (Reception, Year 1 and Year 2)

What is infant class size legislation?

By law, infant classes (Reception, Year 1 and Year 2) must not normally contain more than **30 pupils per qualified teacher**. Schools, academies and local authorities must follow this law.

If admitting an additional child would mean:

- exceeding the 30-pupil limit, or

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- taking steps to reduce class size (such as employing an additional teacher or reorganising accommodation), and those steps would cause **prejudice to the efficient education or efficient use of resources;** a place can be refused. This is known as **an infant class size prejudice**.

When can an appeal be successful?

The law strictly limits when an appeal panel can uphold an infant class size appeal. An appeal panel may only allow your appeal if **one or more** of the following applies:

- There are **not 30 pupils** in the relevant class.
- The decision to refuse admission was **not one that a reasonable admission authority would have made** in the circumstances.
- The school's admission arrangements did **not comply with admissions law**, or were **not correctly or impartially applied**, and your child would have been offered a place if they had been applied properly.

What does "reasonable" mean?

The legal threshold for finding a decision "unreasonable" is very high. The panel must be satisfied that the refusal was not just harsh or disappointing, but **clearly outside the range of decisions that a reasonable authority could make**.
In practice, this means the decision must be so illogical or unfair that no reasonable decision-maker could have reached it.

Important information for parents and carers

Infant class size appeals are subject to **very limited discretion**, and fewer appeals are successful compared with other types of appeal.

This information is provided so that you can make an informed decision about submitting an appeal. It does **not** take away your legal right to appeal, attend the hearing, or put forward your case.

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You may talk about your personal circumstances, but the panel can only consider them if they are relevant to the legal tests outlined above.

In-Year (Ordinary Prejudice) Appeals - Years 3,4, 5, 6

These appeals apply to applications for school places **outside the normal Reception intake**, or for **year groups where infant class size legislation does not apply**. This may apply where the year group you applied for is full and has reached the school's **Published Admission Number (PAN)**.

If admitting an additional pupil would cause **prejudice to the efficient education of pupils already at the school or the efficient use of resources**, the Admission Authority may refuse to offer a place.

How the panel makes its decision

The appeal panel follows a two-stage process:

1. **The school's case** – The panel considers whether admitting additional pupils would cause prejudice to the efficient education or efficient use of resources at the school.
2. **Balancing the cases** – If prejudice is found, the panel weighs this against your reasons for wanting a place at the school and your child's individual circumstances.

An appeal can only be upheld if the panel decides that **your case outweighs the prejudice** identified by the school.

Preparing and presenting your appeal

You may submit additional written information to support your appeal. This might include:

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- Letters or reports from professionals involved with your child (for example medical practitioners, educational psychologists or social workers)
- Evidence explaining why this school is particularly suitable for your child's needs

Please make sure all supporting documents are submitted **by the deadline stated in your refusal letter**, as the panel cannot accept new information after the hearing.

Attending the Appeal Hearing

You will be given **at least 14 calendar days' notice** of the date, time and format of your appeal hearing.

Appeals are normally heard **remotely via Zoom**. On the day of the hearing, you will join an online waiting room where the Clerk will explain the procedure before the appeal begins.

You may:

- Attend and speak for yourself
- Be accompanied or represented by a friend or representative
- Arrange for an interpreter if English is not your first language

If you require any reasonable adjustments or accessibility support, please contact Democratic Services as soon as possible.

What happens at the hearing?

1. The school's case

- Presentation by the Admission Authority's representative
- Questions from parents/carers and the Appeal Panel
- Summing up by the Admission Authority

2. The parent/carer's case

- Presentation of your case
- Questions from the Appeal Panel and Admission Authority
- Summing up

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Where multiple families are appealing for the same school, the school's case will be heard once in a group session. Individual parent/carer hearings are held privately and remain confidential.

Children do not normally need to attend appeal hearings.

After the Hearing

All parties will be asked to leave while the panel considers its decision. You will receive the panel's decision **in writing**, sent by the Clerk.

Decisions of appeal panels are **legally binding** on both the Admission Authority and parents/carers.

Key Points to Remember

- Read the school's admission arrangements for the relevant year
- Understand how infant class size law affects appeals for Reception, Year 1 and Year 2
- Submit your appeal form and evidence by the stated deadlines
- Focus on your child's individual needs and why the school is particularly suitable
- Support your case with clear evidence where possible

Further Information and Contacts

Clerk to the Appeal Panel (Democratic Services)
Email: school.appeals@bristol.gov.uk

School Admissions – Stoke Park Nursery and Primary School
Email: inyearadmissions@stokeparkprimary.org

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Useful guidance:

- Department for Education – *School Admissions Code* (2021)
- Department for Education – *School Admission Appeals Code* (2022)

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