

Group Hearing for Multiple Class Size 30 Admission Appeals

What is a Group Hearing?

A Group Hearing is where all the appellants are invited together to hear the Admission Authority's representative present the case for the School, at the same time. Group Hearings are held when there are a number of admission appeals to be heard for a particular School, for the same academic year of entry.

How does a Group Hearing for Class Size 30 Appeals work?

The Admission Appeal Panel will hear the Admission Authority's case and then examine its decision to refuse your child a place at the School, on the grounds that to comply with your Preference would lead to Infant Class Size "prejudice" and would breach the legal duty to limit Infant Class sizes to 30 pupils. This means that at this Group stage of the hearing, the Admission Appeal Panel will consider the following matters:- **a)** whether the admission of additional children would breach the Infant Class Size Limit (Class Size 30) and **b)** whether the admission arrangements (including the area's co-ordinated admission arrangements) complied with the mandatory requirements of the Admissions Code and Part 3 of the School Standards and Framework Act 1998.

Why hold a Group Hearing?

The Group Hearing allows all the appellants to hear the Admission Authority's case at the same time, rather than it being repeated in every single individual appeal hearing. Holding a Group Hearing cuts down on the time taken by the Admission Authority's representative at the individual appeal hearings and allows more time for the appellants. It also enables each appellant to hear all the questions asked by other parents/carers in respect of the Admission Authority's case and the Admission Authority's answers to those questions.

What can I expect at the Group Hearing?

- You will be expected to report to the Reception Desk at the hearing venue and be asked to sign the Attendance Register; you will then be shown where to wait before the start of the Group Hearing.
- The Clerk to the Admission Appeal Panel will come and meet you and you will be taken to the Group Hearing Room with the other appellants and the Admission Authority's representative.
- At the start of the Group Hearing, the Chairman of the Admission Appeal Panel will outline the procedure to be followed for the Group Hearing.
- A Group Hearing can last up to 2 hours, but the length of the hearing will vary, dependent on how many appellants are present. Please ensure you arrive on time and are able to stay for the full hearing.
- The Chairman of the Admission Appeal Panel will introduce the Panel members, the Admission Authority's representative and the Clerk and explain their roles.
- The representative of the Admission Authority (the Presenting Officer) will then be asked to present the case for the School. This should include an explanation of how the allocation of places up to the Published Admission Number of the School was carried out, the oversubscription criteria, number of places allocated in each criteria and how home to School distance was measured etc. There will also be information about the School's physical capacity and resources and all the things the School wants to say to explain why it believes the admission of further children would breach the Infant Class Size Limit and that there are no measures it could take to avoid this without "prejudicing" the provision of efficient education, or the efficient use of resources in the School.
- At the end of the Admission Authority's presentation, the Admission Appeal Panel members and all the appellants will then be able to ask any questions they wish of the Presenting Officer, regarding the School's case. **Please note**, details of your individual child's case should **NOT** be raised, or discussed in this part of the appeal hearing.

- Once this questioning session has finished, the Admission Appeal Panel will retire to consider the School's case and make its decision on this stage of the process.
- The Clerk to the Admission Appeal Panel will come back and inform every one present, including the Presenting Officer, of the decision made and explain what will happen next.

What is my role at the Group Hearing?

Your role is to ask the Admission Authority's Presenting Officer any questions or raise any issues you may have about how the School places have been allocated, for example, or on any other aspect of the School's case you feel you need more information on.

You will also hear the questions asked by other appellants and the Admission Appeal Panel members, which may answer questions you had.

You must make sure that you ask all the necessary questions at the Group hearing, as you will normally not be able to ask any further questions about the School's case at your individual appeal hearing. If you cannot attend the Group Hearing in person, you may write to the Clerk to the Admission Appeal Panel with any questions you would like to be put to the Admission Authority's representative at the Group Hearing. If you wish to do so, please ensure that your letter or email arrives at least one working day before the date of the Group Hearing.

What will not be discussed at the Group Hearing?

Any individual child's case, or circumstances will **not** be discussed at the Group Hearing. The Group Hearing is for the School's case **ONLY** and for questions, or comments that are general to all. Individual circumstances can be discussed with the Presenting Officer and the Admission Appeal Panel at your private, individual appeal hearing later.

What happens at the end of the Group Hearing?

At the end of the Group Hearing the Admission Appeal Panel will retire to consider all the information it has read and heard and will decide whether the School has made its case. This means the Panel will make a decision on whether the admission of additional children would breach the Infant Class Size Limit of 30 and whether the Admission Authority's published admission arrangements are lawful.

When an Admission Appeal Panel hears School admission appeals in a Class Size 30 situation it must go through a Two Stage decision making process in accordance with statutory guidance contained in the School Admission Appeals Code 2012 (this process is explained in more detail in Paragraph 8 of the 'Notes for Parents – Primary Schools: Infant Class Size 30' which is available on the County Council's website).

After the Panel's decision – What happens next?

The Admission Appeal Panel will then go on to hear all the appellants' individual cases and consider and make a decision in each child's case on the following matters:- **c)** whether the admission arrangements were correctly and impartially applied in your child's case and **d)** whether the decision to refuse your child admission to the School was one which a reasonable Admission Authority would have made in the circumstances of your case. The Admission Appeal Panel will make its decisions once all the individual appeals have been heard.

You will already have been informed of the arrangements for your individual admission appeal hearing. Please make sure you arrive in plenty of time for your appeal and inform Reception that you have arrived. Each appellant has been allocated 30 minutes. The Admission Appeal Panel does try its best to keep to the timetable as far as possible.

At your Individual Admission Appeal Hearing

You will see the same Admission Appeal Panel members that were present at the Group Hearing. Your individual appeal hearing will be conducted in private, with no other appellants present and will follow the process as described in the "Notes for Parents". The Admission Authority's

Presenting Officer will not go over the School's case again, but will be able to provide specific, individual detail about your child, for example; where s/he was placed within the oversubscription criteria, the distance from your home to the School etc and will answer any questions you may have about things such as the waiting list, alternative schools, journey distances/routes to alternative schools etc.

The Admission Appeal Panel will have already thoroughly read and made notes on your written grounds of appeal and any supporting information, in advance of seeing you, therefore, it is NOT necessary for you to go through that documentation verbally.

Other things to be aware of

- The Clerk stays with the Admission Appeal Panel at all times to make sure the Panel acts legally.
- The Clerk will be taking notes throughout the Group hearing and during your individual appeal - these notes are not formal minutes, they are brief points of all the issues raised.
- The Clerk does NOT take part in any of the decision making process, nor does the Presenting Officer.
- The Admission Appeal Panel's decision is legally binding on both you and the Admission Authority/School – you must abide by it, as must the School.
- You can only have one Admission appeal per academic year, for each individual School, unless there is a significant, or material change of circumstances (such as a house move, for example). There is not a limit to the number of different Schools that you can appeal for in one year.
- You should ensure that you accept a School place for your child so that s/he will not miss out on education. Accepting a place at one School does not prevent you from applying to and appealing for, any other School which you would prefer your child to attend.
- There is no further right of appeal following the Admission Appeal Panel's decision. However, if you feel there has been maladministration you can raise your concerns with the Local Government and Social Care Ombudsman in the case of a maintained School, or with the Education and Skills Funding Agency for an Academy Trust School.