




Education Department

Policy Document

SCHOOL ADMISSION APPEALS

A guide for Parents/Carers on making an Appeal and the Appeal Hearing Process

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1. Principles of the Appeals Policy

The process of Appeal will be governed by the following guidelines:-

- Those considering appeals will do so in a fair, reasonable and non-discriminatory way.
- Appeals will be heard and decided in a reasonable time.
- The process of appeal and the procedures followed will be open and transparent.

2. How to Appeal

1. If you have applied for

- (a) a place at your child's catchment school and have not been offered a place or;
- (b) a place at a school which is not your child's catchment school and have not been offered a place;

you may seek permission to appeal against the decision of the Administration and Procurement Manager to allocate your child a place at a particular school by writing to the Director of Education using the Appeal Form available on request from the Department or downloadable from the Education Department's [website](#)¹.

- 2. The Appeal Form should be submitted in writing, but may not be submitted by email. It should be completed with as much relevant detail as possible. You must explain why it would be unreasonably detrimental to your child's education to attend the school at which he/she has been allocated a place.
- 3. The completed form and any additional information you wish to include should be returned to the Director of Education, Education Department, PO Box 32, Grange Road, St. Peter Port, GY1 3AU, within four weeks of the date of issue of the allocation notification letter. The Department will send you an acknowledgement confirming the appeal form has been received.

¹ www.education.gg/admissions

3. Gateway to Appeal Panel

4. There is a gateway to the Appeal Panel, which parents/carers must satisfy before an Appeal Panel will be convened to consider the merits of their child's case. The Director of Education (or the Deputy Director of Education in the Director's absence) provides this gateway role. Neither the Director of Education nor the Deputy Director has any involvement in the original allocation exercise.
5. If the Director of Education is satisfied that you have prima facie grounds for an appeal (which means, broadly, taking your case at its highest, is there a case for the Education Department to answer?) you will be offered the opportunity to present your case at an Appeal Hearing. If the Director of Education is not satisfied that you have grounds for appeal the decision of the Administration and Procurement Manager will stand and your child should attend the school at which he/she was allocated a place.

4. Appeal Panel

6. A School Admission Appeal Panel, usually comprising at least three members of the Education Board will be convened to hear your appeal. None of the members will have had any involvement in the allocation exercise, nor the Gateway procedure above.
7. This Appeal Panel has the authority to make a decision about your request on behalf of the Education Board. You will be advised of the date of the Appeal Hearing at the earliest opportunity and not less than five working days before the Hearing. You will be sent, at this stage, a copy of all of the documentation that will be before the Appeal Panel, save for any additional information sent by you as per the next paragraph.
8. You may submit additional written information to support your case in advance, but you should ensure that any additional information is submitted at least two working days before the Appeal Hearing.
9. Further information on out of catchment placements and the typical circumstances that the Department considers is outlined in the documents:
 - The circumstances in which a Parent/Carer request for an Out of Catchment Area Student (PC-OCAS) placement may be agreed www.education.gg/admissions

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- The circumstances in which an Education Department instigated Out of Catchment Area Student (ED-OCAS) placement may be contested www.education.gg/admissions

10. Any decision will be taken on a case by case basis considering the particular facts of the application.

5. The Appeal Hearing

11. The Appeal Hearing is intended to be conducted as informally as possible. The process will be as follows:-

- The chairperson of the Appeal Hearing (likely to be the Education Minister or Deputy Minister) will welcome everybody to the meeting and introduce the Appeal Panel members. The panel will be supported by a clerk and minute taker. (The clerk and minute taker have no vote on the panel). The clerk is there to support the panel members and the minute taker will produce a written record of the Hearing. You may request a copy of the minutes.
- At the meeting, the Appeal Panel will already have copies of the written information that you have submitted, along with all other relevant documentation (which you will have been sent as above).
- A representative of the Education Department will explain the reasons why your child has not been offered a place at the school you requested. The panel members will be able to ask him/her questions.
- You will then be given the opportunity to present your case in support of your appeal. You can bring someone with you to help present your case. The panel members will be able to ask you questions. (Note: The Education Department cannot allow employees of schools to support individual appeals for admission to their school, either at the hearing itself or in providing letters of support because of possible conflicts of interest and the possibility of unfairness to other applicants).
- There will then be a summing up stage where you and the Education Department representative will be given the opportunity to summarise the main points of your respective cases.

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- The onus is upon you to prove, on the balance of probability (in other words, that it is more likely than not) that the original decision was one that a reasonable decision maker could not have made, or that there is some other reason why a new decision should be substituted.
 - The chairperson will then ask you and the Education Department representative to leave the Appeal Hearing. The clerk and minute taker will remain with the Appeal Panel to record its decision and the reasons for the decision, but will not play any part in making the decision.
12. If you decide not to attend the Hearing, but submit further written information in support of your appeal, the Appeal Panel will carefully consider all this written information before coming to its decision.
13. Whether you attend or not, you will normally be sent the decision of the Appeal Panel in writing within 10 days of the hearing. If your appeal application is unsuccessful you will be sent the details of the basis of the Appeal Panel's decision.
14. The decision of the Appeal Panel is final.
15. The Appeal Hearing is the final level of appeal within the Education Department.

Approved by the Education Board on 17/09/2014

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