Birmingham City Council

Date: As postmark

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Dear Parent/Carer

PRIMARY SCHOOL ADMISSION APPEALS

I am writing to you as the Local Authority has been unable to offer your child a place at your preferred school. The Authority is unable to offer your preferred school because the school is currently full to its published admission number in your child's year group and the Authority therefore believes that to comply with parental preference and admit your child to the school would prejudice the provision of efficient education or the efficient use of resources. You have the right to appeal against this decision.

Enclosed with this letter is a leaflet regarding school appeals, together with an appeal form which you must complete if you wish to have this decision reviewed by an independent appeal panel. Before you complete the form, please read this letter and the leaflet carefully. You should answer all the questions fully, as this will ensure the appeal panel is aware of all the facts concerning you and your child. The section marked "reasons for appeal" is provided for you to explain to the appeal panel why you feel your child should be admitted to your preferred school. You should explain this as clearly as possible. Should you decide to exercise your right of appeal, you are encouraged to attend the appeal hearing (accompanied by a friend if you wish). If you decide not to attend, your appeal form and any supporting information you provide will be the sole basis of your whole case. If you are appealing on medical grounds, you will need to provide documentary evidence in the form of a letter from your family doctor or a hospital consultant to support your appeal.

USEFUL INFORMATION – ALL PRIMARY APPEALS (INFANT AND NON-INFANT CLASS)

Of the 1,144 appeal cases heard during the 2010/11 academic year, 35 appeals were decided in the parents' favour. Therefore, 3.1% of all primary appeals heard were successful.

USEFUL INFORMATION – INFANT CLASS SIZE PREJUDICE APPEALS

Of the 804 appeal cases heard during the 2010/11 academic year, 10 appeals were decided in parents' favour. Therefore 1.2% of all infant class size prejudice appeals heard were successful.

For Reception, Year 1 and Year 2 appeals

Reception, Year 1 and Year 2 are "infant classes" for the purposes of the Education (Infant Class Sizes) (England) Regulations 1998. The Regulations provide that no such class may contain more than 30 pupils with a single school teacher.

As a result of the legal limits placed on infant class sizes, the circumstances in which an appeal panel may uphold an infant class size appeal are extremely limited. To uphold such an appeal, an appeal panel must be satisfied that either:

- the child would have been offered a place if the published admission arrangements had been properly implemented;
- the child would have been offered a place if the arrangements had not been contrary to mandatory provisions in the School Admissions Code and the School Standards and Framework Act 1998; and/or

Directorate of Children, Young People and Families
School Admissions and Pupil Placements Service
PO Box 16513
Birmingham
B2 2FF

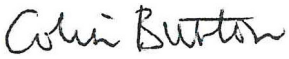
Telephone: 0121 675 0555
Facsimile: 0121 464 4593
E-mail: SchoolAdmissionsAppeals@birmingham.gov.uk
www.birmingham.gov.uk/schooladmissions

- the decision to refuse admission was not one which a reasonable admission authority would have made in the circumstances of the case.

Members of the appeal panel will be given all the information relating to your appeal one week in advance of the hearing to allow them time to study your case. If there is any additional information which you wish to have included with your appeal before it is heard, or if you have any other queries, please contact Tim Francis on 0121 675 6544. Copies of your completed appeal form will be forwarded to the school you are appealing for and to the school your child currently attends, as this will allow the schools, where necessary, to provide information to the panel that is relevant to your appeal.

If you choose to appeal, you should complete the enclosed form and return it to the School Admissions and Pupil Placements Service at the address below. If you have not received acknowledgement of your appeal within 10 working days, please contact this office.

Yours sincerely



Colin Burton
Team Manager (In-Year)
School Admissions and Pupil Placements Service

IMPORTANT – PROOF OF YOUR HOME ADDRESS MUST BE PROVIDED WITH THIS FORM. ACCEPTABLE PROOF INCLUDES A PHOTOCOPY OF YOUR CURRENT COUNCIL TAX BILL OR A RECENT UTILITY BILL (GAS, WATER, ELECTRICITY) DATED WITHIN THE LAST 6 MONTHS. FAILURE TO PROVIDE SATISFACTORY PROOF OF ADDRESS MAY RESULT IN THE HEARING OF YOUR APPEAL BEING ADJOURNED TO A LATER DATE, AS THE APPEAL PANEL WILL NEED TO BE SATISFIED THAT YOU ARE LIVING AT THE ADDRESS STATED ON THE APPLICATION FORM.

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