## sendiass email

**Blackburn with Darwen**

**Special Educational Needs & Disability (SEND)**

**Information, Advice & Support Service (IASS)**

**SENDIASS**

**(formerly Parent Partnership Service)**

**Appealing for a School**



From the 1st September 2014 Parent Partnership Services (PPS) in every local authority will evolve into Information, Advice and Support (IAS) Services. Each IAS Service will provide support similar to that of a PPS, although the type of support, and who is entitled to receive it, has been significantly expanded.



**September 2014**



**If I don't get the school I want, can I appeal?**

If you are not allocated your preferred school you will be given the right to appeal to an independent appeal panel.

**Your options**

**Waiting lists**

Your child’s name will automatically be added to the waiting list for any schools that you applied for but did not get offered a place. Admission authorities must keep a waiting list for at least one term. The waiting list is kept in the admission criteria order. Please be aware that children can move down waiting lists if other people who have greater priority join the list.

**Other schools**

If there are other schools that you did not previously apply for but you prefer to the school you have been given ask your Local Authority (LA) Admissions Team if there are vacancies. If not, you could still apply and go on the waiting list and/or appeal for a place at the school.

**Appeal for a school place**

You have the right to explain to an appeal panel why your child should go to the school even though it is full. School admission appeals must be carried out in accordance with the School Admission Appeals Code

 A form to lodge an appeal can be obtained from the Admission Team, Children’s Services & Education Department, 10 Duke Street, Blackburn BB2 1DH, (01254) 666613 if the school that you wish to appeal for is a community or voluntary controlled school. If the school is a voluntary aided, foundation or academy school then you must contact the individual school direct to obtain an appeal form. Once completed, you should return the appeal form back to the admission authority that issued it.

**In Year Transfer**

If you are applying for an in year transfer, you **MUST** complete an In Year Transfer Form, which is available from the Admissions Team, Children’s Services & Education Department, 10 Duke Street, Blackburn Bb2 1DH, (01254) 6,66613

**What sort of information should I provide?**

Whatever your reason for appealing, you should provide in advance as much information in support of your appeal as you can. This might include particular personal circumstances including, for example, medical advice. Please note that the late introduction of evidence on the day of the appeal may cause a delay as all parties need to read the new evidence.

Remember, the panel do not know your child. Do not expect them to guess. You must explain and give examples. It is very important to think of all the issues that show how only the school you are appealing for can meet your child’s needs. It is not enough to say it is a good school as all parents want that for their children. The following information may be helpful:

* Include as much information as you can, particularly in the section which asks you to give your reasons for wishing to appeal. Here, you should explain, as fully as you can, the reasons why you want your child to attend the school that you have been refused. If you do not think that your application has been treated correctly or fairly, or in accordance with the admissions criteria, then you should explain why you think this is the case. Attach additional paper or pages if you need to. If you do use additional papers leave a margin on the left hand side.
* If there are medical factors involved in your reasons for appealing (which have arisen since your original application for the school was made) it is important that these are supported by a letter from your doctor. This should be sent with your completed appeal form.
* You may include any other letters, correspondence, written reports or documents to support your case
* Please make sure that you have included as much information as you can and that you have enclosed all the supporting documentation for your appeal. This is important because if, for any reason, you do not attend the hearing and the Panel decides to proceed without you, then the Panel will make a decision based on your written submission.
* Your completed form, and any additional papers that you submit to Blackburn with Darwen Borough Council, constitutes your written case for appeal. It will be sent to all members of the Independent Appeal Panel in advance of the appeal hearing. It will also be sent to the Admission Authority for a reply.
* You will need to complete a separate form for each school you are appealing for.

See ‘Appealing for a School document by ‘ace’ website [www.ace-ed.gov.uk](http://www.ace-ed.gov.uk)

**Preparing for your Appeal**

You will receive notice, at least 10 working days in advance of the time and place of your appeal. You will also be sent the papers for your case.

These will include:

1. a copy of your appeal form;

2. a copy of any supporting information submitted with your appeal;

3. a written statement from the Admission Authority explaining why your child has not been offered a place at the school;

4. any further information specific to your individual case.

Before the day of the appeal hearing you might wish to prepare yourself by:



* Studying the procedures for the hearing.
* Making a note of any questions you may have about your appeal.
* Making sure you have looked at the Admission Authority’s case (which is included in the papers you will have received for the hearing).



* Spending some time deciding what you would like to say when the Panel invites you to explain your reasons for wanting your child to attend your preferred school.
* Reading your appeal form and ensuring that you have submitted all the paperwork to support your appeal.
* Deciding who will attend the hearing. You may bring a member of your family, a friend or other representative with you to help you make your case or simply to give you support.
* If you need an interpreter or any other type of assistance to help you at your hearing, please ensure that you have advised the Clerk in advance.

**Who will hear my appeal?**

The appeal will be heard by three people drawn from a panel of members, which is made up of parents, governors of other schools, teachers, other persons with experience of education, and "lay" members (people who have no experience of education). The panel hearing the appeal will introduce themselves to you immediately before the hearing starts. At the hearing the panel will have copies of both the written submission prepared by the schools admissions authority and the information which you have provided. A panel member should not normally hear your appeal if he or she knows you directly, is a governor of your preferred school or has been involved in your case previously.

**Where and when will my appeal be heard?**

If you submit your appeal in the normal admission round, before 31st March 2015 for secondary schools or before 18th May 2015 for primary schools, your appeal will be heard within 40 school days. At other times of the year, your appeal will be heard within 30 days of the admissions authority receiving your completed appeal form. A copy of the information relating to your case and details of the hearing regarding your appeal will be sent to you 10 school days before the appeal is to be heard. You will be invited to attend the appeal hearing to tell the Appeal Panel why you feel your child should have a place at your preferred school. Appeals are usually held in Blackburn Town Hall.

**Who will be present at the appeal hearing?**

It is important that, wherever possible, you attend the hearing - it is very helpful for the panel hearing your appeal to hear first hand why you want your child to attend a particular school. You can also bring along someone to help you make your case, such as a friend, relative or other adviser, such as an Independent Parental Adviser (IPA). A representative from the Aided, Academy, Foundation Free and Trust schools will attend to present the appeal case and clarify factual matters about the circumstances at the school.

A clerk is present at all times during the hearing. Their job is solely to keep notes of the hearing for the use of the panel only and to advise the panel on matters of procedure. They will play no part in deciding your appeal and will remain with the panel when they make their decision. At no time will either you or the admissions representative be left alone with the panel.

**The Panel’s decision**

For all appeals, but not infant class size appeals, the panel must follow a two-stage process when reaching a decision.

**Stage One** (about the school's circumstances)

* The Chair will welcome both parties and introduce those present.
* The clerk then explains the procedure to be followed and what will happen next.
* An admissions officer/school representative will present the case explaining why they did not offer you a place at your preferred school.
* Panel members and you may ask questions about what has been said.

**Stage Two** (about your circumstances)

* The Chair will then ask you to give your case.
* The Panel and admissions officer/school representative may ask you questions on what you have said about your personal circumstances and reasons for admitting your child.
* The admissions officer/school representative will sum up the case.
* You will then be asked to sum up and you will always have the last word.

**What happens next?**

Once the panel has made the decisions on all the appeal cases for that school/year group, an initial decision letter confirming the outcome will be sent to all appellants within 3 working days of the decisions being made. A further letter is sent in respect of all unsuccessful appeals, to provide full details of the reasons for the panel’s decision, within 15 working days of the decisions being made.

You will be given information about how to complain if you think the hearing was not properly conducted.

If you win your appeal your child must be offered a place. The panel is not allowed to attach conditions to the place.

If you were unsuccessful you cannot normally appeal again because Admission Authorities will not accept further applications in the same school year. However, if there is a significant change in your circumstances you may request a re appeal. The admissions authority will consider your request and you will be informed if your request has been successful.



**Publications/references**

**Information leaflets**

 Information leaflets are being produced and will be uploaded at a later date.

You can download information on SEND from the Council for Disabled Children (CDC). The information has been produced by CDC in partnership with the Department for Education. The series of fact sheets, films and posters are designed to help parents/carers, children and young people understand some of the key themes of the new reforms including EHC plans, Post-16 support, the Local Offer and making decisions.

<http://www.councilfordisabledchildren.org.uk/resources/cdcs-resources/information-for-children-and-young-people-on-send-reforms>

**Useful websites:**

* [www.blackburn.gov.uk](http://www.blackburn.gov.uk/) – Blackburn with Darwen Council – Local Offer
* [www.justice.gov.uk](http://www.justice.gov.uk/) – Special Educational Needs & Disability Guidance
* [www.cafamily.gov.uk](http://www.cafamily.gov.uk/) – Advice and links on medical disorders and syndromes
* [www.**ipsea**.org.uk](http://www.ipsea.org.uk) –Independent Parental Special Educational Advice
* [www.ofsted.gov.uk](http://www.ofsted.gov.uk/) – Recent Ofsted reports
* www.gov.uk – where you can access guidance on:
	+ Code of Practice 2014
	+ Special Educational Needs & Disability – A guide for Parents
	+ Implementing a new 0 to 25 special needs system: advice for local authorities and health partners
	+ 16-25 high-needs funding arrangements: additional information
	+ Supported internships
	+ School: guide to 0 to 25 SEND Code of Practice
	+ Further education: guide to the 0 to 25 SEND Code of Practice
	+ Social Care: guide to the 0 to 25 SEND Code of Practice
	+ Transition to the new 0 to 25 special educational needs and disability system
	+ Home to school travel and transport guidance
	+ Mental health and behaviour in schools
	+ Supporting pupils at school with medical conditions
	+ School Admissions Code & Regulations 2012
	+ School Admission Appeals Code 2012
* [www.ndti.org.uk](http://www.ndti.org.uk) – Preparing for Adulthood. The Department for Education has commissioned a two year programme called *Preparing for Adulthood* that will provide knowledge and support to local authorities and their partners, including families and young people, so they can ensure that disabled young people achieve paid work, independent living, good health and community inclusion as they move into adulthood

## Contact details

## Blackburn with Darwen Information,

## Special Education needs & Disability Information, Advice & Support Service,

## SENDIASS, Cathedral Quarter, 45 Railway Road, Blackburn BB1 1EZ

##  Tel 01254 503049

##  Email: office@community.org.uk

## Website [www.communitycvs.org.uk/sendiass](http://www.communitycvs.org.uk/sendiass)

*It may not always be possible to speak with a member of the team during the times specified, due to outside office appointments etc. However, the service does operate an answer machine service, so that messages may be left at any time*