

## EXAMPLE OF A CASE FOR THE GOVERNING BODY – CLASS SIZE PREJUDICE

Appeal for a Place at ..... (insert name of school)

Name ..... (insert name of child, date of birth and class)

1. ... (Name of parent) and family live in ... (name of village). For the reasons given in the Notice of Appeal, (name of parent) has requested a place for (name of child) at (name of school) but has been refused a place as the school is full in his/her year group. In addition, (name of child) has been refused a place on the grounds that the admission of further children to this year group would cause “class size prejudice”.
2. The Published Admission Number (PAN) for all year groups at (name of school) is (number) and there are already (number) pupils on roll in Year (insert). All (number) Year (insert) children are taught in one class by one qualified teacher. Government policy precludes infant classes being in excess of 30 if there is only one qualified teacher for the class and it is, therefore, not possible to admit any further children into Year (insert) and keep within Government requirements.
3. The admission number for each school is set with regard to the net capacity assessment for the school. This takes into account all the rooms in a school, their size and what they are used for. The most recent net capacity assessment for (name of school) was carried out in (date). This confirmed the school’s “Indicated Admission Number” (IAN) as (number) and the “Net Capacity” as (number). The school’s PAN has been set in line with this assessment. In accordance with paragraph 2.20(b) of the School Admission Appeals Code, a summary of the school’s net capacity is attached to this case.

The net capacity calculation shows the maximum workplaces available at the school as (number) and the minimum as (number). The number of year groups (7) is then applied to these figures to produce the “net capacity range”. In this case the range is (number) to (number).

The School Admissions Appeals Code (paragraph 3.48) states that “when deciding whether prejudice would arise if further children were admitted to a school, the panel must take into account” the PAN for the school, which has been set “with regard to the IAN derived from the net capacity assessment for the school.” However, panels are also reminded that “the net capacity is designed to encompass the wide variety of teaching styles and room layouts that are found in schools across the country,” and, by the use of a range of suggested minimum and maximum intake numbers, it “allows admission authorities some flexibility” in setting “an admission number that suits the needs of the school”.

The Code goes on to say that it is not the role of an appeal panel to “reassess the capacity of the school” as this has already been agreed, via local consultation, “based on an objective assessment of the space available”. The panel’s responsibility is to “consider the impact on the school of admitting

additional children in terms of the organisation and size of classes, the availability of teaching staff and the effect on children already at the school”.

4. A total of (insert number) applications were received, these included both first and second preferences, and these were ranked by the Admissions Panel of Governors on (date) and placed into priority order according to the admissions policy oversubscription as agreed by the governors of the school. The oversubscription criteria in the policy states: **Example only – insert your own.**
  - a Children in public care
  - b medical, psychological or social worker recommendation
  - c Sibling at the school at the time of admission
  - d Home address within the designated area of the school
  - e Religious affiliation; priority given to
    - Active members of Christian denominations
    - All Christians
    - Active believers of all faiths
  - If a ‘tie-breaker’ situation occurs, where two children have equal priority, the Governors will reconsider priority against the agreed oversubscription criteria and consider the position of the child’s home address \*\* giving priority to the applicant living nearest to the school site. Measurements will be by a straight-line measurement from the front gate of the parent’s property to the main school gate using the LA’s Geographical Measurement System (G.I.S.).
  
5. Of the (insert number) of applications allocated places (Example numbers)
  - a. 8 were siblings (c above)
  - b. 5 lived in the designated area for the school (d above)
  - c. 2 places were allocated on religious grounds (e above) with their application supported by the parish priest or minister.

This explains how the total of (insert number PAN) of allocated places was reached

6. The year group numbers at ... (name of school) are as follows:

	Year R	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
PAN	?	?	?	?	?	?	?	?
NOR	?	?	?	?	?	?	?	?

7. All year groups are taught in single classes/mixed age classes, the school having (number) class bases – one/two/three per year group. It would not be effective or efficient to organise classes in any other way. As a result, in order to avoid breaking the law regarding infant class size restrictions, the governing body would have to fund an additional teacher if this year group exceeds 30.

8. Included in the (number) pupils in Year (insert) is one child on the Special Needs Register (3.33%).

The Special Needs Register for ... (name of school) is as detailed below:  
**Example only.**

	School Action	School Action +	Statement	Number of teachers	Number of TA hours
Reception	1	1	0	1	35
Year 1	0	1	0	1	20
Year 2	1	2	0	1	20
Year 3	1	1	1	1	15
Year 4	2	0	0	1	15
Year 5	2	0	1	1	15
Year 6	1	2	0	1	15

9. The LA has notified the family that the nearest school to their new address with a **place available** for ... (name of child) is ... (name of different school), approximately 4.9 miles (example) away. Free transport would be provided if ... (name of child) were to attend this school. ... (name of school) is approximately 0.2 miles (example) away.

10. The governors of ... (name of school) do seek to meet parental preferences wherever possible but, when a year group is full, they unfortunately have to refuse places for children on the grounds that the admission of more pupils could prejudice the provision of efficient education for the existing pupils.

11. For the reasons outlined in this case, the governing body has refused admission to Year (insert) at the school on the grounds that the admission of more children to this year group would cause “class size prejudice”, that is to say prejudice to efficient education or efficient use of resources as a result of the measures which would need to be taken to comply with the duty to limit the size of infant classes.

Note: The information quoted above was correct at the time of preparation on insert date.

..... (Chairman of Governors)

..... (Headteacher and Presenting Officer)

**Enclose with the statement – Map of the school and area  
Plan of school  
Full copy of Admissions Policy for the relevant year  
Copy of the Net Capacity Assessment form**