

## EXAMPLE OF CASE FOR GOVERNING BODY

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

Name: ..... (insert name of child, date of birth and year group)

1. (Insert name of parents and address) are appealing for a place for their son/daughter (insert name)..... in ..... class at ..... school for the ..... school year.
2. Cornwall Council is the Local Authority (LA) for schools in Cornwall. The LA has conducted a complicated exercise in its role as the co-ordinating authority for all the parents of children due to commence reception during the 2010/11 school year who would like places at a primary school in Cornwall. In September 2009 the LA published a booklet for the parents of children due to commence their primary school education during the 2010/11 school year, explaining the procedure and inviting them to express up to two preferences for a primary school for their child. Parents who had not already made their interest known to a primary school were advised of the procedure by notices and announcements in the media, as well as by posters, which were displayed in schools, libraries, supermarkets, doctors' surgeries and early years settings. The information was also available on the Council's website. Parents were asked to return completed forms to the LA by 11<sup>th</sup> December 2009. 75% of parents opted to apply online, via the Council's website. Decisions regarding allocations were made during February and March 2010. Parents were sent notification of the outcome of their application on 23<sup>rd</sup> March 2010.
3. The Published Admission Number (PAN) for ... (insert name of school) is (insert number e.g. 20). All applications for this school (insert number e.g. 47) were put into priority order by the Admissions Panel of governing body on (insert date) in accordance with the school's published oversubscription criteria for deciding on admissions. (A copy of the school's determined admission arrangements for 2010/11 is attached to this case.) This ranked list was then sent back to the LA. All applications for all the schools in Cornwall were also ranked in priority order (by the LA for community and voluntary controlled schools and by individual governing bodies for voluntary aided and foundation schools). If any of the (insert number e.g. 47) children on ... (insert school) ranked list qualified for a place at a school which their parents had ranked as a higher preference than... (insert school), then the LA removed those children's names from the list of children wanting places at ... (insert school). Having carried out this exercise, this left (insert number e.g. 28) names on the ... (insert school) list.
4. The (insert number e.g. 20) places were allocated to the (insert number 20) children at the top of the ranked list as follows:

#### EXAMPLE ONLY AND IF RELEVANT:

Children whose parents had provided evidence of C of E affiliation	5
Children living in the designated area of the school	10
Siblings living outside the designated area of the school	2
Children living nearest to the school	<u>3</u>
Total	20

5. Unfortunately, this meant that a total of (insert number e.g. 8) children had to be refused places at ... (insert name of school) from September 2010. (Example only) 4 appeals have been received, but one has been withdrawn.
6. No further children will be offered places at the school prior to these appeal hearings (except if the school is named in a statement of special educational needs or an exception has to be made under the LA's Fair Access policy) unless the number of children due to attend has fallen below 20.
7. When the application for ... (name of child) to attend ... (name of school) was considered, it was classified as one of (insert number e.g.11) applications relating to children who were prioritised according to straight-line distance from the school. (Additional information received at a later date may have now changed that category and any such change would be reflected by the child's place on the waiting list.) ... (name of child) was refused a place at ... (name of school) because the last child in this category to be allocated a place lives (example only) 2.5 miles from the school and ... (name of child) lives (example only) 4 miles away.
8. The LA has allocated ... (name of child) a place at ... (name of different school), which was the nearest school with room and is the designated school for the family's address. This school is (example only) 0.2 miles from the family's home.
9. The governing body of ... (name of school) always makes every effort to offer places to the children of those parents who have expressed a preference for the school. However, in this case, the Authority takes the view that it is right to have refused admission to ... (name of child) to ... (name of school). The school is due to start the next academic year with Reception up to capacity. It would not be fair to those children who have already been offered places to adversely affect this arrangement by making Reception overcrowded.
10. The current numbers in each year group at ... (name of school) are as shown below:

**EXAMPLE ONLY:**

	Reception	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
NOR	21	21	22	19	25	19	21	148
PAN	20	20	20	20	20	20	20	140

Year groups which are oversubscribed have become so as the result of successful appeals or because children have had to be admitted under the Fair Access policy.

11. The most recent net capacity assessment confirms the "Indicated Admission Number" (IAN) as (insert number e.g. 20) and the "Net Capacity" as (insert number e.g.140). 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 (insert number e.g.150) and the minimum as (insert number e.g.105). The number of year groups (7) is then applied to these figures to produce the "net capacity range". In this case the range is (insert number e.g. 21 to 15). The PAN (insert number e.g. 20) is, therefore, near the top of this range.

12. 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”.

13. The governing body sets the PAN each year after consultation with the LA. Taking into account the available accommodation and facilities at the school, together with the organisation which the school deems to be in the best interests of all its pupils, a decision was taken to retain the PAN of (insert number e.g. 20) for 2010/11 and this is the figure which has been set again for admission to reception in September 2011. There have never been any objections from the LA (or any other person consulted as part of the statutory procedures) regarding this PAN.
14. The school has (insert number e.g. 5) classrooms. There have not been any recent additions to accommodation or improvements at the school and there are none planned (amend as necessary). **EXAMPLE ONLY: One of the five classrooms is only 51 square metres in size, compared to the recommended minimum of 58 square metres. All classes are mixed age with two year groups in each class. The current classroom arrangements are as follows:**

21 Reception, 7 Year 1 = 28  
14 Year 1, 12 Year 2 = 26  
10 Year 2, 19 Year 3 = 29  
25 Year 4, 7 Year 5 = 32  
12 Year 5, 21 Year 6 = 33

The school will organise to a similar pattern for 2010/11.

**EXAMPLE ONLY – DESCRIBE THE CLASS ORGANISATION.**

15. Although infant classes can contain up to a maximum number of 30 pupils, the Headteacher and governing body of ... (name of school) have decided that it would be preferable to have smaller infant classes and larger junior classes. **Educationally, the school feels that Key Stage 1 classes of 30, particularly when the age groups are mixed, can be too large, especially if any of the children have behavioural problems. The first three classes are kept, therefore, as far as possible, below 30. Nevertheless, the school would not want to see junior classes rising to unacceptable levels either. As Years 4, 5 and 6 are organised into two classes any year group which exceeds the current PAN of 20 has the potential effect of causing one (or both) of these classes to have to go over 30, as has already happened. At the moment, these two classes are at 32 and 33. Although this is not illegal for a Key Stage 2 class, it is not desirable. Classes of 32 and 33 are far from ideal and the governors must protect the children already attending this small school from overcrowded classes. The Headteacher and governing body feel that the ideal size for this small school is a maximum of 140 children.**

16. The table below shows the current number of children with special needs in the school (excluding Year 6 as these children will be leaving shortly).

**EXAMPLE ONLY:**

	School Action	School Action +	Statement	Number of teachers	Number of TA hours
Reception		1		1	?
Year 1	2	1		1	?
Year 2	4			1	?
Year 3	2	1	1	1	?
Year 4	1			1	?
Year 5		2		1	?

Two of the children who are School Action + are currently being assessed for full statements of special educational needs.

17. Additional pupils would add to the teacher’s workload within the year group and decrease the amount of individual teaching time available to each child. Additional pupils would also reduce the space available, particularly when this year group becomes Key Stage 2. It is for these reasons that further admissions to this year group would prejudice the education of the pupils already offered places at the school.

18. For the reasons outlined in this case, the governing body has refused admission to any additional children to ... (name of school) on the grounds that the admission of more pupils to this year group would prejudice the provision of efficient education and the use of resources.

**Note: The figures quoted in the text above were all correct at the time of preparation on 22<sup>nd</sup> May 2010.**

..... (Chairman of Governors)

..... (Headteacher and Presenting Officer)

May 2010

**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**