

## **In-Year Appeals – Frequently asked questions & statistics**

Before you can make an appeal, you must first have applied for a place. Applications are made directly with the local authority. Once the application has been processed, you will receive a letter from the local authority advising you of the outcome.

If you are refused a place and are dissatisfied with the admission decision, you have the right to make a representation to an independent appeals panel. You may find the following information helpful when considering whether to make an appeal.

### **Infant class size**

The Government has set a limit on the size of infant classes (Reception, Year 1 and Year 2), as described below. Appeals are very rarely upheld for infant classes because of this.

4.12 Admission authorities **must** provide parents with information on the limited circumstances in which an infant class size appeal can be upheld in order that they can make an informed decision about whether to submit an appeal.

2.15 **Infant class size** – Infant classes (those where the majority of children will reach the age of 5, 6 or 7 during the school year) **must not** contain more than 30 pupils with a single school teacher. Additional children may be admitted under limited exceptional circumstances. These children will remain an ‘excepted pupil’ for the time they are in an infant class or until the class numbers fall back to the current infant class size limit. The excepted children are:

- a) children admitted outside the normal admissions round with statements of special educational needs or an Education, Health and Care Plan specifying a school;
- b) looked after children and previously looked after children admitted outside the normal admissions round;
- c) children admitted, after initial allocation of places, because of a procedural error made by the admission authority or local authority in the original application process;
- d) children admitted after an independent appeals panel upholds an appeal;
- e) children who move into the area outside the normal admissions round for whom there is no other available school within reasonable distance;
- f) children of UK service personnel admitted outside the normal admissions round;
- g) children whose twin or sibling from a multiple birth is admitted otherwise than as an excepted pupil;
- h) children with special educational needs who are normally taught in a special educational needs unit attached to the school, or registered at a special school, who attend some infant classes within the mainstream school.

### ***Should I appeal?***

Where a place has been refused, this is because an academy believes that the admission of a child would prejudice the provision of efficient education or the efficient use of resources.

The roll of the panel is to consider the reasons that an academy gives for why the child cannot be admitted and weigh them up against the parents’ / carers’ reasons for wanting a place at an academy. The panel also consider what information was stated on the application, if an academy’s admission arrangements complied with the mandatory requirements of the School Admissions Code, and whether those arrangements were correctly and impartially applied to the application.

As any upheld appeal will result in an additional child being admitted, which could have health and safety implications and / or a harmful effect on the teaching and learning of all or some of the pupils in the year group, only those appeals with strong reasons are likely to be upheld. Appeals solely on the grounds of convenience of location are less unlikely to be upheld.

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The figures below show the number of appeals received for the last three years, both for entry at the start of Reception and for in-year appeals, and how many were upheld and rejected.

<b>Dixons Allerton Academy</b>	<b>Lodged</b>	<b>Upheld</b>	<b>Rejected</b>
2025 – Reception entry	0	0	0
2024 – Reception entry	0	0	0
2023 – Reception entry	12	0	12
In-Year 2024-25	7	0	7
In-Year 2023-24	1	0	1
In-Year 2022-23	9	0	9

<b>Dixons Music Primary</b>	<b>Lodged</b>	<b>Upheld</b>	<b>Rejected</b>
2025 – Reception entry	0	0	0
2024 – Reception entry	5	0	5
2023 – Reception entry	8	1	7
In-Year 2024-25	3	0	3
In-Year 2023-24	3	0	3
In-Year 2022-23	6	0	6

### ***What should I put in my appeal?***

It is important to put ALL your reasons for wanting a place on the form. It is *your* responsibility to provide any supporting documentation, such as letters from a hospital consultant / paediatrician or social services to support those reasons.

If you cannot submit all your documents when you submit the appeal, you can provide additional documents up to the deadline, which is five days before the hearing. If you provide additional documents after the deadline or on the day of your appeal, the panel may be unable to consider them, or they may defer your appeal to another date. The panel cannot consider documents submitted after the hearing has taken place.

### ***If my appeal is refused, can I appeal again?***

If you are unsuccessful in your appeal, a second appeal will only be considered for the same academic year if there has been a significant change in your circumstances because of which a new application has been accepted.

### **Please note**

You cannot appeal for an academy if you did not list it as a preference on the local authority's application form.

