

Frequently Asked Questions arising from the Schools Adjudicator's decision (20 February 2017)

	Question	Answer
1	What did the Schools Adjudicator decide?	The decision related to the Council's change to the oversubscription criteria of community and voluntary schools to remove the priority given to pupils living out of catchment who had a sibling connection. In broad terms, the Adjudicator ruled that the change in the criteria was unfair on the grounds that more people were disadvantaged by the change than if no change had taken place and that there was no clear or evidenced based reason for the change.
2	Who does the Adjudicator's decision affect?	The Adjudicator's decision affects the Council's school admission arrangements for community and voluntary controlled schools from the 2018/19 academic year onwards. The decision also has an impact on those parents applying for places in 2017/18 as it will affect the waiting lists for oversubscribed schools. It is also proposed to offer affected parents (see Q3 below) who have already appealed for school places for 2016/17 a second appeal for the relevant schools where a sibling link exists.
2016/17 Academic Year		
3	My application for 2016/17 has already been decided. How does the Adjudicator's decision affect that?	The Adjudicator's decision does not direct the Council to take any action for the 2016/17 admission arrangements. Normally there is no second right of appeal for the same school in the same academic year. However, due to these exceptional circumstances, the Children's and Young People's Committee has agreed that a second appeal be offered to those parents who can evidence a sibling connection at the relevant school. This avoids the need for affected parents to make a second application, which will help to speed up the overall process.
4	How do I request a second appeal?	The Education Appeals team will write out to all those affected parents. If you have not been contacted by 28 th February 2017 and you feel that your appeal does fall into this category please contact us on education.appeals@nottscc.gov.uk or tel: 0300 5008080.
5	If I want a second appeal, how will the process work?	In your second appeal the Panel will look at any updated information presented by both parties, including the issues raised by the Adjudicator's decision. The overall format of the hearings will be largely the same as for your first appeal, with an initial joint multiple hearing stage held, with all appellants invited, for those schools where more than two appellants are involved.
6	If the Panel decides that the admission arrangements do not meet the requirements of the Admissions Code will all the appeals for that school be allowed?	<p>There is no guarantee that a second appeal will be successful. There are various stages to the Panels' decision-making with regard to the admission arrangements in such circumstances. In broad terms, the Panel has to decide:</p> <ol style="list-style-type: none"> Were the admission arrangements lawful and compliant with the Admissions Code? If not, did any of the appellants miss out on a place for their child at the school as a result? Can the school cope with the number of children who have been affected? If yes, then all of the affected appeals would be allowed. If not, the Panel needs to decide which, if any, of the appeals to allow. <p>Further details about the specific decision-making processes, including the issue of prejudice can be found on pages 15-16 of the School Admission Appeals Code (pages 20 and 21 for infant class size prejudice cases). https://www.gov.uk/government/publications/school-admissions-appeals-code</p>

7	I did not originally appeal for the 2016/17 academic year but would like to now in light of the Adjudicator's decision. Is it too late to appeal now?	No it is not too late - any parents who believe they were affected by the oversubscription criteria change who did not appeal initially will retain their existing right to appeal within the 2016/17 academic year, as per normal circumstances. http://www.nottinghamshire.gov.uk/schoolappeals
2017/18 Academic Year		
8	I have already applied for a school place in 2017/18. How does the Adjudicator's decision affect that?	In the decision, the Adjudicator clearly stated that, due to the timing of the applications process, it would be unfair to implement any change to admission criteria for the 2017-2018 normal admission round. This is because places have already been applied for based on the existing oversubscription criteria which do not include a criterion for pupils living out of catchment who had a sibling connection
9	If I am unsuccessful in obtaining a place at my preferred schools, how will the Adjudicator's decision affect that?	The waiting lists for oversubscribed schools, effective from 4 th May 2017 onwards, will operate in accordance with the revised oversubscription criteria which will give priority for pupils living out of catchment who have a sibling connection. The waiting list applies to all on-time unsuccessful applications, late applications and changes to preferences.
10	Does the Adjudicator's decision affect my right to an appeal?	No – every parent is entitled to an appeal for a school for which they have unsuccessfully applied. The appeals are heard by independent appeals panels. The panels will consider the implications of the Adjudicator's decision as part of its decision-making.
2018/19 Academic Year		
11	I will be applying for a school place for the 2018/19 academic year. How does the Adjudicator's decision affect that?	The admission arrangements for 2018/19 have been approved by the Children and Young People's Committee on 20 February 2017. The arrangements reinstate the previous priority given to pupils living out of catchment who have a sibling connection.
General Questions		
12	How many applicants get a place at their first preference school?	Approximately 92% of people received a place at their first preference school in 2016/17.