






Policy Directive and Procedures

SCHOOL ADMISSION APPEALS GUIDE FOR PARENTS/CARERS ON MAKING AN APPEAL AND THE APPEAL HEARING PROCESS

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Summary of Changes¹ from Previous Versions

Version no/Date	Change	Comment	Section/ Page
V2.6 (Aug 2021)	Annual review/republication	Details of how to appeal through a two stepped process added	3.0
		Details added surrounding considerations made by the Director of Education	4.0
		Details added surrounding considerations made by the Appeal Panel	6.0
V2.5 (June 2020)	Annual review/republication	Minor changes to reflect current dates Change of nomenclature from “Education Services” to “Education Resources and Estates Management”	n/a
V2.4 (Aug 2019)	Annual review/republication	Minor changes to reflect current dates	n/a

¹ Material changes only. Minor changes (such as to punctuation, grammar, etc.) will not be listed

1.0 Principles of the Appeals Policy

The process of Appeal will be governed by the following guidelines:

- Those considering appeals will do so in a fair, reasonable and non-discriminatory way
- Appeals will be heard and decided in a reasonable time
- The process of appeal and the procedures followed will be open and transparent

2.0 Allocation Models and Applicability

With effect from September 2019, a Partner School placement model was adopted for children moving from primary education into secondary education. Details of this may be found within the Secondary Admissions policy, which is available on request or on our [website](#)². The placement model for children in all other years will remain on the basis of catchment, i.e. determined by the address at which a child lives. The Appeal process documented below will be applied, irrespective of the placement model used. The application of the Committee for Education, Sport & Culture's Primary and Secondary Admissions policies is delegated to officers within Education Resources and Estates Management.

3.0 How to Appeal

If you have applied for:

- a. a place at your child's catchment school/partner site and have not been offered a place or
- b. a place at a school which is not your child's catchment school/partner site and have not been offered a place

you may seek permission to appeal against the decision of the Administration and Procurement Manager to allocate your child a place at a particular school/site.

You may challenge the decision through a two-step process:

- firstly, by seeking permission to appeal (see paragraph 4 below) by writing to the Director of Education using the Appeal Form available on request or downloadable from the [website](#)³; and
- secondly, if permission to appeal is granted, you may then make your appeal to the School Admissions Appeal Panel (see paragraphs 5 and 6 below)

The Appeal Form may be submitted in writing or by email. It should be completed with as much relevant detail as possible. You must explain why it would be unreasonably

² <https://www.gov.gg/schooladmissions>

³ <https://www.gov.gg/schooladmissions>

detrimental to your child's education to attend the school at which they have been allocated a place.

The completed form and any additional information you wish to include should be returned to the Director of Education, Sir Charles Frossard House, La Charroterie, St. Peter Port, GY1 1FH or by e-mail to educationsportandculture@gov.gg, within four weeks of the date of issue of the allocation notification letter. You will receive an acknowledgement confirming the appeal form has been received.

4.0 Gateway to Appeal Panel

There is a gateway to the Appeal Panel, which parents/carers must satisfy before an Appeal Panel will be convened to consider the merits of their child's case. The Director of Education (or a nominated deputy in the Director's absence) provides this gateway role. Neither the Director of Education nor the nominated deputy has any involvement in the original allocation exercise.

If the Director of Education is satisfied that you have prima facie grounds for an appeal (which means, broadly, there is sufficient justification for the Committee *for* Education, Sport and Culture to review the case) you will be offered the opportunity to present your case at an Appeal Hearing. In reaching this decision, the Director of Education considers whether you have provided any and/or sufficient information that might show on the balance of probabilities:

- that the school admissions policies may not have been properly followed in your child's case; or
- that attendance at the allocated school may be unreasonably detrimental to your child's education or otherwise not in your child's best interests.

If the Director of Education is not satisfied that you have grounds for appeal the decision of the Administration and Procurement Manager will stand and your child should attend the school at which they were allocated a place.

5.0 Appeal Panel

A School Admissions Appeal Panel, usually comprising at least three members of the Committee *for* Education, Sport and Culture will be convened to hear your appeal. None of the members will have had any involvement in the allocation process, nor the Gateway procedure above.

This Appeal Panel has the authority to make a decision about your request on behalf of the Committee *for* Education, Sport and Culture. You will be advised of the date of the Appeal Hearing at the earliest opportunity and not less than five working days before the Hearing.

You will also be sent, not less than five working days before the Hearing, a copy of all of the documentation that will be before the Appeal Panel, save for any additional information sent by you as per the next paragraph.

You may submit additional written information to support your case in advance, but you should ensure that any additional information is submitted at least two working days before the Appeal Hearing.

Further information on out of catchment placements and the typical circumstances that Education Resources and Estates Management takes into consideration is outlined in the documents:

- "Circumstances in which a Parent/Carer request for an Out of Catchment Area/Partner Site (PC-OCAPS) placement may be agreed" <https://www.gov.gg/schooladmissions>
- "Circumstances in which an Education-Specified Out of Catchment Area/Partner Site (ES-OCAPS) placement may be contested" <https://www.gov.gg/schooladmissions>

Any decision will be taken on a case by case basis considering the particular facts of the application.

6.0 The Appeal Hearing

The Appeal Hearing is intended to be conducted as informally as possible. The process will be as follows:

- The chairperson of the Appeal Hearing (likely to be the President or Vice-President of the Committee *for* Education, Sport and Culture) will welcome everybody to the meeting and introduce the Appeal Panel members. The panel will be supported by a clerk and minute taker. (The clerk and minute taker have no vote on the panel). The clerk is there to support the panel members and the minute taker will produce a written record of the Hearing. You may request a copy of the minutes
- At the meeting, the Appeal Panel will already have copies of the written information that you have submitted, along with all other relevant documentation (which you will have been sent as above)
- A representative of Education Resources and Estates Management will explain the reasons why your child has not been offered a place at the school/site you requested. The panel members will be able to ask him/her questions
- You will then be given the opportunity to present your case in support of your appeal. You can bring someone with you to help present your case. The panel members will be able to ask you questions.
(Note: The Committee *for* Education, Sport and Culture cannot allow employees of schools to support individual appeals for admission to their school, either at the

hearing itself or in providing letters of support because of possible conflicts of interest and the possibility of unfairness to other applicants)

- There will then be a summing up stage where you and the Education Resources and Estates Management representative will be given the opportunity to summarise the main points of your respective cases
- The onus is upon you to prove, on the balance of probability (in other words, that it is more likely than not) that the original decision was not one that a reasonable decision maker could have made, or that there is some other reason why a new decision should be substituted
- The chairperson will then ask you and the Education Resources and Estates Management representative to leave the Appeal Hearing. The clerk and minute taker will remain with the Appeal Panel to record its decision and the reasons for the decision, but will not play any part in making the decision
- In making its decision, the Appeal Panel will consider all the of the information it receives and the submissions you and the Education Resources and Estates Management representative make, and will consider whether the school admissions policies were properly followed and whether attendance at the allocated school may be unreasonably detrimental to your child's education or otherwise not in your child's best interests to such a degree that it justifies an exception to the schools admissions policies, taking into account any prejudice there may otherwise be to the efficient provision of Education with the Bailiwick.

If you decide not to attend the Hearing, but submit further written information in support of your appeal, the Appeal Panel will carefully consider all this written information before coming to its decision.

Whether you attend or not, you will normally be sent the decision of the Appeal Panel in writing within 10 days of the hearing. If your appeal application is unsuccessful you will be sent the details of the basis of the Appeal Panel's decision.

The decision of the Appeal Panel is final.

The Appeal Hearing is the final level of appeal within the Committee *for* Education, Sport and Culture.