A Guide for Parents

For Admission Appeals Relating to Emerson Valley School and Merebrook Infant School.

Brooklands Academy, Hazley Academy, Shenley Brook End and Walton High Academy

July 2026

Introduction

The law allows a person with parental responsibility for a child to appeal against the decision of the Admission Authority (The school) to an impartial body known as the Independent Appeal Panel. References to a parent in this guide mean a parent or person with parental responsibility.

The appeals are heard by an Independent Appeal Panel (The Panel) which is **totally independent** of the school and consists of volunteers trained by the Independent Appeals Provider, none of which has any connection with the school.

This guide has been compiled for you as a parent to help you understand how the appeals system works, and your role and rights within it.

Main Headings:

- What is an independent admission appeal
- What happens if I decide to appeal
- What should I expect at a hearing
- The appeal hearing
- Multiple Bulk Appeals – Year R cohort for the following September
- How will the Appeals Panel reach their decision
- After the appeal hearing
- Appendix: Useful addresses

The advice contained in this booklet should be read as a summary of guidance for parents who are going through the appeal process and not a definitive or legal guide. The advice in this booklet has been drawn from the Department for Education School Admission Appeals Code and applies to appeals in respect of decisions communicated on or after 1 February 2012, more information may be downloaded or viewed online Advice for parents and guardians on school admission appeals - GOV.UK

The **Form to Appeal** should be returned to **Clerk to the independent Appeal Panel** at the appropriate school address below;

C/O Emerson Valley School
Hodder Lane
Emerson Valley
Milton Keynes
MK4 1JR

C/O Merebrook Infant School
Dulverton Drive
Furzton
Milton Keynes
MK4 1EZ

C/O Brooklands Academy

Fen Street

Brooklands

Milton Keynes

MK10 7HE

C/O Hazley Academy

Emperor Drive

Hazeley

Milton Keynes

MK8 0PT

C/O Shenley Brook End School

Walbank Grove

Shenley Brook End

Milton Keynes

MK5 7ZT

C/O Walton High Academy

Fyfield Barrow

Walnut Tree

Milton Keynes

MK7 7WH

What is an independent admission appeal?

If you receive a letter on behalf of the Local Authority informing you that the school will not be offering your child a place, you have the right to appeal against this decision to an Independent Appeals Panel. Your appeal will be heard by the Appeals Panel at a hearing to be arranged by the Independent Clerk to the Appeals Panel (the Clerk), to which both you and representative(s) of the school will be invited to attend and give evidence. Following the hearing, the Appeals Panel will make a decision on the case that is binding on both you and the school. There is no further right of appeal

What are my grounds for appeal?

The turndown letter sent on behalf of the school should set out clearly the reasons why the application for your child to join the school was not successful, against the published admissions criteria for the school. You should read this carefully. You will be able to question the representative of the school about the reasons given for non-admission. You should also consider carefully your reasons for wanting your child to attend the school. There might be one overriding concern or a combination of reasons.

These might include:

- Family circumstances
- Existing links with the school i.e. sibling
- Transport
- Distance to the school
- Medical reasons
- The school has not administered its admissions criteria correctly.

The above is not a definitive list and you may have other reasons for your appeal.

You should be aware that an appeal can prolong the period of uncertainty for parents and children, so it's important to be realistic about your reasons for appealing and the chances of being successful. This is particularly the case if you're appealing a decision refusing your child a place to an infant class (such as reception, year 1 and year 2), where the law prevents a school from admitting more than 30 pupils per teacher, other than in specific exceptional circumstances. As such, there are limited circumstances in which an appeal panel can uphold an infant class appeal.

Whatever your reasons you should, wherever possible, provide evidence to support your appeal. For example, if you are appealing on medical grounds, you would need to submit copies of letters from your doctor/consultant.

Can I appeal to more than one school/academy at the same time?

Parents are entitled to make an independent appeal against each unsuccessful application they make for their child to attend a school/academy.

How do I make an appeal?

The enclosed Form to Appeal should be returned to the Clerk to the Appeal Panel by the stated deadline at the top of the form and to the address on page 2 of this guide. It is very important that you return your appeal form on time, as not doing so could delay your appeal.

Please use the space on the form provided to let a member of the Appeals Team know if you need an interpreter or are a disabled person who requires reasonable adjustments to participate in the appeal.

When will my appeal be heard?

- Primary admissions round (i.e those relating to decisions sent on national offer day date) appeals for on- time admissions must be heard within 40 school days of the deadline for lodging the appeals.
- Primary admissions – late applications: appeals should be heard within 40 school days from the deadline for lodging appeals where possible or within 30 school days of the appeal being lodged
- In –year admissions: these appeals must be heard within 30 school days of the appeal being lodged.

You will receive at least 14 days (10 working days) notice of the date and time of your appeal hearing. If an appeal is urgent, parents can agree with the clerk to have less than 10 school days' notice. If you agree this with the clerk, you will be required to confirm this in writing.

What happens next?

At least seven days before the hearing you will receive a full set of papers. All members of the Appeals Panel and the representative of the school will be sent copies of these papers at the same time. The papers will include copies of:

- All correspondence between yourself and the school
- Your appeal form
- Papers you have supplied to support your grounds for appeal
- A statement from the school
- An agenda stating what will happen during the hearing.

How do I prepare for my appeal?

You should familiarise yourself with the agenda; this states the order of proceedings for the hearing. The statement from the school is very important because it explains why it has not been possible to offer your child a place at the school. **You should read this carefully**. You will have the opportunity to ask the officer presenting the case for the school, questions about what is written in the statement.

You should also spend some time deciding what you would like to say when the Appeal Panel invites you to explain the reasons for wanting your child to attend the school. Some people find it helps them to write this down beforehand.

You may have additional evidence to support your appeal. This can be sent to the clerk right up to the day of the hearing, or you can bring this with you.

Please note that if you bring a lot of written information on the day of the appeal hearing, the appeal panel may have to adjourn your appeal so that they and the school representative can read the additional evidence to ensure they give it proper consideration.
It is advisable that you provide as much information in support of your appeal as possible. If you present additional documentation on the day of your appeal, it is helpful if you can provide 5 copies.

Before the appeal hearing

- Make sure you have studied the statement from the school
- Write down any questions you would like to ask about the statement
- Write down any questions you may have about your appeal
- Write or type out your case to read out at the hearing
- Collect any extra paperwork to support your appeal
- Invite your partner, friend, supporter or adviser to come with you
- Advise the clerk if you have any access needs or require any special equipment or other assistance
- Also provide proof of address and/or your child being resident at the address if you have not already provided this information.
- If you are coming to live in the area from abroad you will need to provide a copy of the child's and parents passports showing immigration stamps and all relevant documentation to show that the child has the right of abode in the UK.

Withdrawing an appeal

You can withdraw your appeal before the appeal hearing by telephoning and then confirming it in writing to the Clerk to the Appeal Panel. However, if you wish your appeal to be reinstated you will normally be expected to show good reasons why it should be. You may also withdraw from an appeal during the appeal itself. You are advised to give the matter careful consideration before you withdraw your appeal.

What should I expect at the hearing?

Where do I go for the hearing?

The Clerk will notify you of the location, date and time of the appeal hearing. Every effort will be made for your appeal to be heard at the designated time.

Who will be there?

- You, and a partner, friend, supporter and/or adviser (if required)
- The Appeals Panel (3 or 5 members)
- The Clerk
- Representative(s) from the school

Your friend, supporter or adviser can be a family member/friend or an advisor such as a Choice adviser, interpreter or signer. They can also be a locally elected politician, social worker, special educational needs adviser, learning mentor provided this will not lead to a conflict of interest. Employees or directors of the school are not allowed to attend in this capacity. It is for you as a parent to decide whether your child should attend the hearing.

You and the presenting officer will wait in separate areas before the appeal. Neither you nor the presenting officer may be left alone with the appeal panel at any time so if there is any reason to adjourn the meeting, you will both be required to leave the room and again must wait in separate areas. You must enter and leave the room at the same time as the school's presenting officer.

What is an Appeals Panel

The Appeals Panel will have 3 (sometimes 5) members. **It is entirely independent of the school.** No member will have ever had any connection with the school or with any of the appellants. All members of the appeal panel are volunteers. There will be at least one lay member, who has no experience of the provision of education (but may be a school governor at another school) and one non-lay person, such as a retired teacher.

The Appeals Panel will have received training for their role. They are there to consider the written evidence, listen to the oral evidence and ask questions of both sides.

The appeal panel will then decide and will decide to either uphold or reject an appeal. If it decides to uphold an appeal, deciding that a child shall be admitted to the school, this is legally binding on the admissions authority (unless overturned by a court). If the appeal panel decides to reject an appeal, there is no further right to appeal.

What is the role of the independent Clerk to the Appeals Panel

The Clerk arranges the hearing; provides independent advice to you on the appeals process prior to and during the hearing; and takes notes at the hearing to record the proceedings. The Clerk is also responsible for ensuring that the relevant facts are established, and the appeal hearing is carried out fairly. Within seven days of the hearing the Clerk will write to tell you the Appeals Panels decision. The Clerk is not a member of the appeal panel and does not take part in the decision-making process, although the Clerk will be present when the Appeals Panel makes its decision.

Should I attend the appeal hearing?

Parents should make every effort to attend the appeal so that the information they provide enables the Appeal Panel to reach a balanced decision.

If a parent/carer is unable to attend and another date cannot be arranged, the appeal will be heard in their absence based on the written evidence alone.

The Appeal Hearing

What will happen at the appeal hearing

- The Chair of the Appeal Panel will welcome all parties to the hearing; introduce the panel members and the Clerk, the schools presenting officer and parents or representatives of the child.
- The Chair will explain the role of the Appeal Panel. The Chair will clarify that the appeal panel is an independent body and its decision is legally binding.
- The Chair will explain the role of the Clerk
- The Chair will explain the procedure and order of the hearing and is responsible for effective time management.
- The schools presenting officer will present the case for the school.
- You, or your representative, and the appeal panel may ask the presenting officer questions.
- You, or your representative, will be given the opportunity to present your case.
- The schools presenting officer and the appeal panel will have the opportunity to sum up your case.
- The schools presenting officer will sum up the case for the school.
- You, or your representative, will have the opportunity to sum up your case.

The Appeals Panel members can ask questions at any time to clarify what is being said, or to gain further information.

Once these stages have been completed, you and the school's presenting officer will be asked to leave together.

The appeal panel will consider the case and make their decision. Appellants will be notified of the decision in writing.

Multiple (Bulk) Appeals

The busiest period during the year is between April and June when appeals are considered for entry into the Year R cohort for the following September. Appeals during this time are often referred to as 'Bulk' appeals and are when several appeals have been received in relation to the same school/academy.

When there are several appeals to be heard, the school may present their case only once and all the appellants will be invited to hear the case at the same time, and to ask questions of the academy's representative(s) at a public meeting.

The individual cases are then heard by the Appeals Panel in private. To ensure a fair process, the Appeals Panel cannot make their decision about your case until all the appeals have been heard. This means it may take a little longer for you to receive the Appeals Panel decision.

How will the Appeals Panel reach their decision

The decision-making process

The Appeals Panel follows a two-stage process in making its decision.

- **First Stage - examining the decision to refuse admission**

The panel must consider the following matters in relation to each child that is subject of an appeal:
a. Whether the admission arrangements (including the area's co-ordinated admission arrangements) complied with the mandatory requirements of the School Admissions Code and Part 3 of the School Standards and Framework Act 1998; and
b. Whether the admission arrangements were correctly and impartially applied to the case in question.

If your child would have been offered a place if the admission arrangements had been properly implemented, then the Appeals Panel must uphold your appeal.

The panel must then decide whether the admission of additional children would prejudice the provision of efficient education or the efficient use of resources.

If the Appeals Panel is not satisfied in the first stage there would be prejudice if the child were admitted to the school (only in single appeals), they should allow the appeal.

If the Appeals Panel is satisfied that the school has applied its admission criteria correctly and proved its case that prejudice would occur were the child to be admitted, then they will move on to the second stage of the decision-making process.

- **Second Stage – balancing the arguments**

The panel must balance the prejudice to the school against the appellant's case for the child to be admitted to the school. It must consider the appellant's reasons for expressing a preference for the school, including what the school can offer the child that the allocated or other schools/academy cannot. If the panel considers that the appellant's case outweighs the prejudice to the school, it must uphold the appeal.

In multiple appeals, the panel must not compare the individual cases when deciding whether an appellant's case outweighs the prejudice to the school. However, where the panel finds there are more cases which outweigh prejudice than the school can admit, it must then compare the cases and uphold those with the strongest case for admission. Where a certain number of children could be admitted without causing prejudice, the panel must uphold the appeals of at least that number of children.

When will I hear the outcome of my appeal

The Clerk will notify you in writing of the Appeal Panels decision, within seven days, wherever possible.

Does the Appeal Panel ever adjourn the appeal hearing

The Appeal Panel may adjourn the appeal hearing to later in the same day or another day in the following circumstances:

- If substantial new issues are raised for the first time at the hearing it may be necessary to adjourn to allow any party taken by surprise to consider the issues.
- If a parent submits a lot of additional information on the day of the hearing and it is in the best interests of both parties that the Appeal Panel ensures it considers the new information before it.
- If the Appeal Panel requires further information to be obtained by the school or parent
- If, due to the time it takes to deal with any stage of any appeal that was not anticipated, the Appeal Panel may have to adjourn that appeal and/or any other appeal to a later time of day or another day.
- If a panel member is ill or absent
- For any other appropriate reason.

After the Appeal Hearing

If my appeal is turned down, can I appeal again?

There is no appeal against the decision of the Independent Admission Appeal Panel. Parents who have appealed unsuccessfully can apply for a place at the same school in respect of a later academic year and have a right of appeal if that application is unsuccessful.

If circumstances change significantly, for example if your first appeal was heard when you lived outside the area and you subsequently move into the defined area, you may apply to the school again. It is up to the school to decide whether there has been a "material change of circumstances" and whether it will, therefore, consider your application again.

A fresh appeal can only be made if the school considers the application again and turns it down.

Complaint about the Appeal Process

You can complain about the way the appeal was carried out, but you cannot complain about the decision itself.

Complaints about an academy are considered by the Department for Education.

The DfE cannot review or overturn decisions of Appeal Panels but can consider whether the panel was correctly constituted and whether the school has acted reasonably in exercising functions in respect of the appeal process or has failed to discharge any legal duty in relation to the process.

If DfE decides something went wrong with the appeals panel, it may:
- Ask the school to hold a new appeal hearing with a different panel
- Recommend the school reviews its appeals process

For more information on lodging a complaint and the form to complete:
School admissions: Complain about the appeals process - GOV.UK

You should get a decision on your complaint within 9 weeks (45 working days). You'll be told if it'll take longer.

Appeals for Sixth Form

The requirements for entry to the Sixth Form are set out in the school's published admission arrangements for Sixth Form. If you are refused admission, you have the right to appeal. The appeal will follow the normal two stage process, as detailed earlier.