



School Admission Appeals During Coronavirus Measures

The government announced that during the coronavirus response, parents will continue to have the right to appeal against a refusal of a place at their school of choice. We have developed a range of support services and resources to assist admission authorities at this challenging time.

On 24 April the government issued **new regulations** providing for new-style virtual hearings to facilitate these admission appeals. The regulations do not change the legal requirements for clerking services and training for panel members. The regulations also amend the timescales for completing the appeals.

In order to avoid future challenge, it is important for all admission authorities (foundation and voluntary aided schools, academy trusts and local authorities) to ensure their new admission appeals procedures are fair and lawfully compliant.

Our expert education lawyers are available to support admission authorities with this. We can offer you a variety of services, from high quality training for potential admission appeal panel members and independent clerks, to assisting you with preparing documentation for presentation to the admission appeal panel, or representing the admission authority as the Presenting Officer at the virtual admission appeal hearings. Please see our range of services below.

Specialist Training and Clerking Services

We are mindful that our mission always is to support our existing clients and new. We want to ensure that we avoid conflicts of interest so that our specialist admission lawyers can support you every step of the way. For this reason, we will not be able to provide a Clerk to admission appeal panels or, likewise, specialist training to clerks and admission appeal panel members. Instead, we have linked up with expert barristers chambers **The 36 Group** so that you can potentially instruct a pre-trained barrister as a Clerk and/or arrange specialist training of clerks and/or admission appeal panel members through them, subject to demand.

To establish whether there is a demand for these services, we would be grateful if you could register your interest in this service by clicking [here](#).

Admission Appeal Hearing Checklist and Telephone Helpline

Regardless of whether the admission authority manages their own admission appeal hearings, or outsources these to external admission service providers, all admission processes



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remain the responsibility of the admission authority, including ensuring admission appeal hearings are legally compliant. The new regulations will introduce additional requirements.

We have developed an admission appeal hearing checklist, which admission authorities can work through to address the legal requirements. After completing the checklist, one of our lawyers will arrange a telephone conference with you to discuss the legal requirements, the administrative arrangements made and the proposals for how the admission appeal hearing will take place virtually. This service will be provided at no extra cost to our existing **retainer subscribers**. A small fixed fee will apply to non-subscribers.

The Admission Authority's Written Statement/Documentation

We are aware that, during the lockdown, the preparation of a robust written statement may be more of a challenge for some admission authorities. We are able to work with you to prepare your written statements, covering the legal considerations that the admission appeal panel must consider.

We will be pleased to provide you with details of the information and documents that we will require in order to prepare a first draft

of the written statement for you. For our retainer clients, the first hour of this work will be completed under the retainer scheme subscription.

Appearing as Presenting Officer at Admission Appeal Hearings

Our lawyers are available to act as a Presenting Officer before the school, and make representations to the admission appeal panel on behalf of admission authorities, during the coronavirus restrictions. This service will work best when combined with working with our lawyers to prepare the admission authority's written statement in advance of the hearing.

Post-Hearing Services

Unsuccessful appellants may seek recourse by way of complaints to the Local Government Ombudsman (maintained schools) or ESFA (academies), and/or through judicial review. Our experienced lawyers can advise admission authorities and some local authorities to navigate these additional challenges.

If you require specialist legal advice in relation to school admission appeals, please contact Yvonne Spencer or Joanna Goddard.

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An annual retainer providing a specified number of hours of support per term (according to your needs), by email or over the telephone, together with other additional benefits.

Please contact **Joanna Goddard** or **Rosie Browne** for more details.



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