



Founded 1674

THE HARVEY GRAMMAR SCHOOL

Cheriton Road Folkestone
Kent CT19 5JY

Headteacher: **Mr S Norman, BA (Hons), NPQH**

Appeals-Further Information and Frequently Asked Questions

My child has not been offered a place at the Harvey Grammar School. What can I do?

You are entitled to appeal the decision to refuse your child a place at any school you named on your common application form. If your son passed either the Shepway or Kent test they would be eligible for a place at the school. However, the Harvey Grammar School is a very popular and oversubscribed school and there are not always enough places available for all those who would like to attend. The places are allocated using the school's over-subscription criteria, details of which can be found on the school's website.

Can I appeal if my child failed the Kent and/or Shepway Test?

Yes. If your child did not meet the required standard in the Kent or Shepway Test, the Panel will consider firstly whether there is sufficient academic evidence to demonstrate that your son is of grammar school ability. The evidence you could provide might include copies of school reports/assessment outcomes and references from your child's current school stating that they believe your child is of grammar school ability. ***Please do not send copies of your son's school work as this will not be included in the appeal paperwork sent to the Panel. The Panel are unable to judge under what circumstances the work was completed.***

If the Panel believe there is sufficient academic evidence to show that your son is of grammar school ability, they will move on to the second stage of the appeal to consider and balance the prejudice to both the school and your son based upon the school's defence statement. If they believe there is more prejudice to your son by not being offered a place at the school, then they will uphold the appeal.

How will my appeal be considered?

Due to the exceptional circumstances regarding the Covid 19 pandemic, the Independent Appeals Panel will consider your son's appeal based on written submissions only. This decision has been made to ensure that all appeals for the Harvey Grammar School can be heard in a fair and consistent way and that the appeals process will conclude before the start of the usual summer break.

Therefore, your appeal will be considered using the written submission(s) you have made, and you will not be required to attend an appeal meeting. It is important that you send in as much information as you can, that you feel will support your appeal, as the Panel will not be able to consider evidence if it is not submitted.

If you have an equality consideration that prevents you from providing a written statement and you do not have reasonable support to do this, you must make the school aware at your earliest convenience, in any event as soon as possible, so alternative arrangements can be made if necessary. Although the Panel would have a duty to consider your reasons, there would need to be clear grounds for them to identify an alternative format for your appeal to be heard.

When will my appeal be considered?

For your appeal to be considered by the 16th June 2021, you must submit your appeal before **5pm on 28th March 2021**. Appeals will be heard within 40 school days from the deadline, or where reasonably possible in line with updated Guidance from the Department of Education. The date for the appeals to be heard is the week commencing **24th May 2021**.

Who will consider my appeal?

Your case will be considered by an Independent Appeal Panel. There will be 3 people on the panel, at least one member will have experience in education and at least one will be a lay person. The Panel is independent of the school, Trust and Local Authority. They alone make the decision on whether to uphold your appeal or not.

There will also be a Clerk in attendance. They too are independent of the school and are responsible for the administrative arrangements for the appeal, keep the official note of what is discussed and give independent and impartial advice on the appeals process and admissions law to the Panel Members. The Clerk is not involved in the decision making.

What information should I give to the Panel?

It is very important that you clearly set out the reasons why you believe your son should be offered a place at the Harvey Grammar School. The more academic evidence you provide the better.

You may wish to incorporate answers to some of the following questions that Panel Members would usually ask at an Appeal hearing if you were there in person.

- Why does your son want to attend the Harvey Grammar School?
- What does he like about the school?
- What can the school provide for your son that the offered school cannot?
- What is the journey like to the school allocated?
- Are there any medical/equality act issues you would like the Panel to consider?

Remember, there will be no further opportunity for the Panel to ask you any individual questions in relation to your case so add any information to your paperwork that you believe enhances your case.

Can I submit examples of my son's school work?

No, you cannot submit examples of school work as part of your evidence. This will not be considered as the Panel are not be able to make a proper judgement about the circumstances under which the work was undertaken or its quality.

Can I submit additional evidence after the deadline for submitting my appeal?

If possible please submit all your evidence via email, prior to the deadline of 28th March. However if you cannot send all the information and supporting evidence you need to at the time you submit your appeal, it is important you send it as soon as you can, but at the latest 10 calendar days before the hearing date. You will be notified of the appeal hearing date **at least** 14 calendar days in advance.

A complete copy of the appeal paperwork will then be sent to you at least 7 calendar days before the hearing. **When you receive the appeal paperwork please ensure that all papers you submitted have been sent to you (it will not include examples of work.) If you believe anything is missing please contact the school immediately and advise them of this.**

Decision Making

The Panel will discuss and make a decision to either uphold your appeal or not. They will weigh up your case for wanting your son to attend The Harvey Grammar School against the school's arguments for it not being able to admit another child. The Panel will uphold your appeal if it finds that the prejudice to your son of not being given a place at The Harvey outweighs the prejudice to the school of admitting another child.

How will I find out the results of my appeal?

The Clerk to the Panel will write to you following the hearing and inform you of the Panel's decision within 7 calendar days of the date of the last appeal. No decisions will be made until all the appeals have been heard.

If the Panel does not uphold my appeal what else can I do?

If your son is eligible for a place at the Harvey Grammar school by virtue of passing the Shepway or Kent Test his name can be placed on the school's waiting list. You may wish to put your child's name on the school's waiting list even where you have accepted a place at another school. If your son did not pass the entrance tests, but the Panel deemed him to be of selective ability during the appeal process, his name can be added to the waiting list. This will be made clear in the appeal decision letter sent from the Clerk.

Schools must operate a waiting list for at least the first term of each school year of admission (until 31 December). Children who are on the waiting list are ranked according to the school's oversubscription criteria; not how long they have been on the list.

If you believe that you suffered injustice as a result of maladministration by the Panel, you have the right to pursue your complaint with the Education Skills Funding Agency (ESFA). This is not a right of appeal and must relate to issues such as failure to follow the correct procedures or a failure to act independently and fairly, rather than simply that you are disappointed with the Panel's decision or believe it to be wrong.