





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
V2.10	Annual review/republication		
V2.9	Annual review/republication	Updated links and formatting	Throughout
V2.8 (June 2023)	Annual review/republication	Formatting and details added to the four-stage appeal process.	3.0
V2.7 (Aug 2022)	Annual review/republication	Details of how to appeal through the updated four step process	3.0
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 which is in line with local legislation and our international agreements².
- 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](#)³. 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 Operations.

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 School Admissions Team to allocate your child a place at a particular school.

You may challenge the decision through a four-stage process:

Stage 1 – Head of Education Operations

In the first instance, to appeal the decision of the School Admission team, a request can be made by completing the Appeal Form and submitting in writing or by email to The Education Office or schooladmissions@gov.gg.

The Appeal Form is available on request or downloadable from the [website](#)². After the allocation notification letter has been issued and received the Appeal Form must be returned to The Education Office **within four weeks** of this being issued.

² [Discrimination Legislation - States of Guernsey \(gov.gg\)](#) and [International conventions & treaties - States of Guernsey \(gov.gg\)](#)

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

The Head of Education Operations will review the detail of the appeal. In making their decision, the Head of Education Operations will consider all the information they receive and the submissions you make to determine whether or not the school placement offered would be unreasonably detrimental to your child's education or otherwise not in your child's best interests.

If your request for an alternative place is not granted under Stage 1 of the process, you may then request that your appeal is reviewed under Stage 2.

Stage 2 – Professionals Appeal Panel

If you have already appealed under Stage 1 and your request for an alternative place has not been granted, you may then write to The Education Office, or e-mail (EducationSportandCulture@gov.gg), **within five working days** of the date of the Stage 1 outcome letter, to request that your appeal is reviewed by the internal Professionals Appeal Panel.

The Professionals Panel will be made of three senior officers from The Education Office, which can include educationalists and non-educationalists, one of whom will be the Chairperson.

The Professionals Appeal Panel will review the information already received and the submissions you make to determine whether or not the school placement offered would be unreasonably detrimental to your child's education or otherwise not in your child's best interests.

If your request for an alternative place is not granted under Stage 2 of the process, you may then write to the Director of Education at The Education Office, seeking permission to appeal the Panel's decision under Stage 3 (see below).

Stage 3 – 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 you have already completed Stages 1 and 2 of the appeals process, as above, and wish to appeal the decision of the Professionals Appeal Panel, you may write to the Director of Education at The Education Office, or e-mail (EducationSportandCulture@gov.gg), **within five working days** of the date of the Stage 2 outcome letter.

In writing to the Director of Education, you should include as much relevant detail as possible and explain why it would be unreasonably detrimental to your child's education to attend the school at which they have been allocated a place.

If the reviewing officer is satisfied that you have prima facie grounds for an appeal (which means, broadly, there is sufficient justification for the Committee *for* Education, Sport & Culture to review the case) you will be offered the opportunity to present your case at an Appeal Hearing. In reaching this decision, the reviewing officer 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 reviewing officer is not satisfied that you have grounds for appeal, the decision of the School Admissions Team will stand and your child should attend the school at which they were allocated a place, which will conclude the appeal process.

Stage 4 – Appeal Panel Hearing

If permission to appeal is granted through the Stage 3 Gateway, you may then make your appeal to the School Admissions Appeal Panel, which is the final level of appeal within the Committee *for* Education, Sport & Culture (see sections 4.0 and 5.0 below).

4.0 Appeal Panel

A School Admissions Appeal Panel, usually comprising at least three members of the Committee *for* Education, Sport & Culture will be convened to hear your appeal. None of the members will have had any involvement in the allocation process, nor the Appeal Stages 1 – 3 above.

This Appeal Panel has the authority to decide about your request on behalf of the Committee *for* Education, Sport & 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 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 the School Admissions Team takes into consideration is outlined in the documents:

- "Circumstances in which a parent/carer request for an Out of Catchment Area/Partner school (OCAPS) placement may be agreed"
<https://www.gov.gg/schooladmissions>
- "Circumstances in which an Education-Specified Out of Catchment Area/Partner school (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.

5.0 The Appeal Hearing

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

Attendees

- The chairperson of the Appeal Hearing (likely to be the President or Vice-President of the Committee *for* Education, Sport & 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.

The meeting

- 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 senior officer nominated by the Director of Education 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 & 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 nominated senior officer 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 reasonable, or that there is some other reason why a new decision should be substituted.
- The chairperson will then ask you and the nominated senior officer 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.

The decision

- In making its decision, the Appeal Panel will consider all the of the information it receives and the submissions you and the nominated senior officer make. It 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 school admissions policies, taking into account any prejudice there may otherwise be to the efficient provision of education under the Committee's mandate.

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