

Waiting Lists and Appeals

Wigan Council operates waiting lists for all community primary schools and the following own admission authority schools:

- Bedford Hall Methodist Primary School (Academy)
- Golborne Primary School (Academy)
- Lowton Junior and Infants School (Foundation school)
- Marus Bridge Primary School (Academy)
- Orrell Holgate Primary School (Academy)
- Orrell Lamberhead Green Primary School (Academy)
- Platt Bridge Community School (Academy)
- St James' CE Primary (Academy)
- Tyldesley Primary School (Academy)
- Westleigh Methodist Primary School (Academy)

You can contact Wigan Council **after 3rd May 2022** to check that your child's name is on the waiting list for community primary schools and the schools listed above.

Waiting lists for voluntary aided (church) schools, Church of England Academies and Hindley Green Community Primary

The governing body or academy trust will maintain a waiting list which will operate until 31st December 2022.

You can contact the individual school **after 3rd May 2022** to check that your child's name is on the waiting list.

How waiting lists operate:

Places may become available at a school after the offer date.

Each admission authority will:

- put all children who are refused a place at one of their preferences on the waiting list for the school;
- keep the list in priority order, **decided by the oversubscription criteria for the school only;**
- offer any places that become available to the next child on the waiting list; and
- keep the waiting list until 31st December 2022.

Important information about the waiting list

Admission authorities cannot take into account the length of time a child's name has been on the waiting list, only the oversubscription criteria for the school. This means that your child's position on the list may change if another child is added who has higher priority in the oversubscription criteria.

Parents may enquire about their child's position on a waiting list **after 3rd May 2022**.

Children's names can only be placed on the waiting list for schools that parents have named as a preference on their application. If parents wish their child's name to be placed on the waiting list for a school that they did not name as a preference they must decide which of their original preferences they wish to change.

How to Appeal

You can appeal to an independent appeal panel against the decision not to offer your child a place at any school your child has been refused.

Appeals for Community, Foundation Primary Schools and Academies (except Church of England academies and Hindley Green Community Primary)

If you want to appeal you must:

- Read the advice sheet enclosed.
- Submit the online appeal form by visiting www.wigan.gov.uk/primaryadmissions or contact us on 01942 489013 to request an appeal form be posted to you.
- Your appeal form must be received by the School Organisation Team by **17th May 2022**.

You should receive a written acknowledgement of your appeal within a few days of submitting it. If you do not receive an acknowledgement, please inform the School Organisation Team by email to schoolplaces@wigan.gov.uk

Catholic Primary Schools in the Liverpool Archdiocese

Liverpool Catholic Archdiocese organises appeals for Catholic primary schools in Wigan that are in the archdiocese. [Request a form online](#) or contact:
or contact:

The Archdiocese of Liverpool,
Education Department,
Liverpool Archdiocesan Office,
Croxteth Drive,
Sefton Park,
Liverpool,
L17 1AA

If you have any questions about the appeal hearing, you can contact the Liverpool Archdiocese Schools Department on: 0151 522 1071.

Church of England Voluntary Aided and Academy Primary Schools; Catholic Primary Schools in the Salford diocese (Holy Family RC Primary School, New Springs and Our Lady's RC Primary School, Aspull); Hindley Green Community Primary School

If you want to appeal you must:

- Read the advice sheet enclosed.
- Submit the online appeal form by visiting www.wigan.gov.uk/primaryadmissions or contact us on 01942 489013 to request an appeal form be posted to you.
- If you complete the paper appeal form, please return your form to the Chair of Governors/Academy Trust at the school. Whichever way you submit your appeal, it must be received by **17th May 2022**.

You should receive a written acknowledgement of your appeal within a few days of submitting it. If you do not receive an acknowledgement, please contact the school.

Advice to Parents on Admission Appeals

Appeal hearing

Face to face appeal hearings can now take place. If for a reason related to the incidence or transmission of coronavirus, a face-to-face hearing is not possible, we will refer to the provisions of the temporary regulations to ensure that appeals can continue to be considered. The temporary regulations are called the School Admissions (England) (Coronavirus) (Appeals Arrangements) (Amendment) Regulations 2020.

What will happen at the appeal?

If you decide to appeal against the decision not to offer your child a place at your preferred school the appeal will be heard by an independent Appeals Panel. There are 2 types of appeal, and different considerations apply to both.

Appeals where a limit of 30 Children per Teacher applies

Infant classes are those in Reception, Year 1 and Year 2 in a Primary School. The law limits the size of an infant class to 30 pupils with a single class teacher. This is known as the “class size limit”. Some schools may have more than 30 pupils in each of these year groups, but the classes must be arranged in such a way to avoid breaching the limit of 30 pupils in each class.

If the admission of an additional child would mean that a school would have to take additional steps to comply with the class size limit, resulting in detrimental consequences for the efficient provision of education or the efficient use of resources, this is known as “class size prejudice”.

If the decision not to offer a place to your child was made on the ground of class size prejudice, there are only three circumstances in which the Appeal Panel can determine that a place is to be offered to him/her:

1. Where the admission arrangements did not comply with the mandatory provisions of the School Admissions Code or the relevant legislation AND your child would have been offered a place if they were compliant, or
2. Where the admission arrangements were not properly implemented AND your child would have been offered a place if they had been properly implemented, or
3. Where the appeal panel is satisfied that the decision to refuse admission was not one which a reasonable admission authority would make in the circumstances of the case. In order to determine that the decision to refuse admission was unreasonable, the Panel must be satisfied that it was “perverse in the light of the admission arrangements”. The courts have stated that, for a decision to refuse admission to be considered unreasonable, the panel must be satisfied that the refusal was “beyond the range of responses open to a reasonable decision maker”.

The circumstances of the case include the published admission arrangements, the circumstances of your child and family, the preference expressed by you and the practical consequences for the school if any or all of the appellants were successful.

Appeals where a limit of 30 Children per Teacher does not apply.

This includes appeals for:

- Primary School places in infant classes where the circumstances are such that the class size limit does not apply (for example, where the organisation of classes would keep the number of pupils below 30 in each class)
- Primary School places in year groups other than Reception, Year 1 and Year 2

In determining these appeals, the panel must follow a 2-stage process:

Stage 1: establishing the facts

The panel must consider whether the admission arrangements were correctly and impartially applied to your child. This means that the panel must consider whether the admission arrangements complied with the mandatory provisions of the School Admissions Code or the relevant legislation, and if they were properly applied in your child's case. If the admission arrangements were not compliant and/or were not properly applied in your child's case AND your child would have been offered a place if they had been, then the panel should allow your appeal.

The panel must then consider whether the efficient provision of education or the efficient use of resources would be prejudiced by the admission of additional children. If the panel consider that there would be no prejudice if all of the children appealing were admitted to the school, then it should allow all the appeals. However, if the panel consider that there would be prejudice if some or all the children appealing were admitted, then it must go on to the second stage.

Stage 2: balancing the arguments

The panel must consider whether the grounds for your child to be admitted outweigh any prejudice to the school. The panel must take into account your reasons for expressing a preference for the particular school (for example, why you want that school in particular and what it can offer your child that others cannot).

In situations where several children are appealing for the same school and year group, this stage involves the panel considering, for each individual case, whether the appellant's grounds for admission to the school outweigh any prejudice to the school. If there are several cases which outweigh the prejudice to the school and merit admission, but the panel decides that the school could not cope with that number of successful appeals, the panel must then compare all of the cases and decide which of them to allow.

If the Panel decide that a certain number of children could be admitted without causing prejudice, the Panel must allow at least that number of appeals. If the panel decide that the prejudice to any child appealing does not outweigh the prejudice to the school, then the panel should refuse that appeal.

Independent Appeals Panel Decision

The Panel will make their decision once all the appeals for the particular school being held before that Panel have been heard. You will be notified in writing as soon as possible – usually within 5 days – after the decision. It is not necessary to telephone the Council or school for the decision.