

Appeals for a place at St Mary's CE Primary School

An Independent Panel may uphold an appeal for admission at St Mary's CE Primary School where:

- It finds that admission to the school would not breach the infant class size limit of 30.
- It finds that admissions arrangements did not comply with admissions law or had not been correctly and impartially applied and the child would have been offered a place if the arrangements had complied or had correctly or impartially applied.
- Where it decides that the decision to refuse admission was not one which a reasonable admission authority would have made in the circumstances of the case.

When making an appeal the appeal panel must consider:

- Whether the admission of an additional child would breach the infant class size limit.
- Whether the admissions arrangements (including the area's coordinated admission arrangements) complied with the mandatory requirements of the School Admission Code and Part 3 of the School Admission Code, Part 3 of the SSFA Act 1998.
- Whether the admissions arrangements were correctly and impartially applied in the case(s) in question.
- Whether the decision to refuse admission was one which a reasonable admission authority would have made in the circumstances of the case.

FAQs for Appeals

My child was not offered a place at my preferred school, what can I do?

If you were not offered a place at the school that you applied for, you can join their waiting list and you also have the statutory right to appeal this decision. If your child is due to start primary school in September 2026, you can appeal if you are refused a place at one of your preferred schools on National Offer Day - Thursday 16 April 2026.

We recommend that you still accept the place that your child was offered as this will not affect your appeal and will guarantee that your child has a school place if your appeal is unsuccessful.

Why was I not offered a place at the school I applied for?

Your application was considered in accordance with the School Admissions Code and the school's published admission arrangements. Every school has a Published Admission Number (PAN). The PAN is the maximum number of pupils that they will admit to each year group.

Where a school receives more applications than their PAN, each application is considered against the schools' oversubscription criteria. If you were not offered your preferred school, this is usually because the school is full and there were other children who were ranked higher against the school's oversubscription criteria. You can find the school's oversubscription criteria at www.kent.gov.uk/admissionscriteria.

Are there different types of appeals?

Yes. There are two types of appeals:

Breach Appeals

Prejudice Appeals

When will my appeal be heard?

You must submit your appeal before Monday 18 May 2026 for it to be considered by Monday 20 July 2026. Any appeals received after this time will be heard within 40 school days from the deadline, or where reasonably possible in line with updated guidance from the Department for Education.

For 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 where reasonably possible in line with updated guidance from the Department for Education.

Appeals can only be heard during term time only.

Who will consider my appeal?

Your case will be considered by an Independent Appeal Panel.

There are usually 3 people on the panel, at least one member will have experience in education and at least one will be a lay person, they are all independent of the school, Trust and Local Authority. They will make the decision on whether to uphold or not uphold your appeal.

There will also be a Clerk in attendance. They are independent of the school and are responsible for the administrative arrangements for the appeal, keeping a written record of what is discussed and giving independent and impartial advice on the appeals process and admissions law to the Panel Members.

How will my appeal be heard?

The Independent Appeals Panel intends that your appeal will be conducted under a virtual setting using Microsoft Teams. All paperwork will be issued to you electronically and further instructions will be issued nearer the time.

If you can demonstrate an equality consideration that prevents you from accessing the hearing virtually, and you do not have reasonable support to do so, please email

appeals@kent.gov.uk, to provide your reasons and any information/evidence that would support your case. There would need to be clear grounds to identify an alternative format for the appeal to be heard.

How is a decision made?

This will vary depending on which type of appeal you have. See page 4 & 6 for further information on how a Panel make their decision on a Breach Appeal and a Prejudice Appeal.

The decision of the Appeals Panel is binding on all parties.

How do I cancel my appeal?

If you wish to cancel your appeal, please email appeals@kent.gov.uk to inform us. You do not need to provide a reason for why you wish to cancel.

What can I do if my appeal is unsuccessful?

You can remain on the waiting list for the school. You can also apply to other schools after 7th June 2023 and join the waiting lists for those schools. Children who are on the waiting list are ranked based on the school's published oversubscription criteria, not how long they've been on the list.

It is your responsibility to secure suitable education for your child. If your child is without a school place, contact your Local Authority's Admissions Team depending on where you are located, who will be able to advise and inform you of other available places in the area.

If my appeal is unsuccessful, can I appeal again?

No, you can only appeal to the same school once per academic year.

Can I provide information about my child's or my health or medical needs?

Yes, if you believe that your child's or your health or medical needs are relevant to your case you can include this in your appeal. However, please be aware that in order for this to have been considered against the school's oversubscription criteria, this information must have been submitted to the school at the time of making your application.

Is there anything that the Panel will not accept?

Examples of schoolwork your child may have undertaken will not be accepted as the Panel will not be able to make a proper judgement about its quality. The members would have nothing to measure it against and would not know the depth of the work submitted. Also, they would not know whether the work had been carried out unaided.

Can I submit additional evidence after submitting my appeal?

Yes, however, it is recommended that you submit all of your information or evidence when you lodge the appeal. If you have additional information to add, it is important that you send it at your earliest convenience.

You will be supplied with a copy of all of your case papers at least 7 calendar days in advance of the hearing date. You will have an opportunity to add any further information, providing that it is at least 5 calendar days before the date of the hearing. After that time there may not be a chance to provide additional information as the Panel would require sufficient time to consider your case.