

School Admissions

Charging for appeals

Previous briefings have referred to concerns expressed by some schools at the situation which arose in some local authorities, where the LAs had introduced charges for arranging appeals in voluntary aided and foundation schools, but had not allocated funds to the schools for this purpose. The Diocese provided advice when contacted by schools, and the matter was taken up with the DfE by the National Society. Following a short consultation in November/December 2015, DfE have re-stated the requirement in the School Admissions Appeal Code that "Local authorities must allocate reasonable funds to governing bodies of maintained schools which are admission authorities to meet admission appeals costs." (If the schools have agreed that the LA should retain funding centrally and arrange appeals on behalf of voluntary aided and foundation schools, without charge, it is not necessary for the LA to allocate the funds to the schools).

DfE also advised that "If local authorities are compliant with the admission appeals code they do not have to change their approach to funding admission appeals. Should local authorities, in agreement with their Schools Forum, wish to continue to retain funding centrally to cover admission appeals for all types of schools, they will be able to do so. If local authorities need to increase their centrally retained admissions funding to do this, they need the consent of the School Forum and Secretary of State to do so...However, if local authorities are not compliant with the admission appeals code, they will have to change their approach".

In the light of the above, the Diocesan advice is that voluntary aided and foundation schools in those local authorities (including Tameside and Salford, and possibly some others) where schools have been charged for admission appeals but have not been allocated funds for this purpose should now contact their Schools Forum to ensure that this matter is (or has recently been) placed on the agenda. As well as sorting out how this will be handled in future, the schools may wish to seek reimbursement of any charges that have been made previously, as it is clear that the local authorities in question were not discharging their statutory responsibilities, and were exceeding their powers under their local scheme for financing schools. The Diocese understands that Salford LA has recently addressed the matter and is arranging to reimburse voluntary aided and foundation schools for the costs incurred.