

## Applying for a school place

Starting school or transferring between primary to post primary can be very daunting, not just for children and young people but for their parents and carers as well. Parents should be diligent and ask the Education Authority or even the school itself if they are unsure about processes, procedures and time limits for submitting applications and if relevant, appeal requests.

Every child aged between four and sixteen years old is entitled by law to a place at a school, however, there is no guarantee that your child will get into a particular primary or post-primary school. Wherever possible, your child will get a place at one of your preferred schools but this cannot be guaranteed. It can be very upsetting for you and your child if, when having identified a school, your child does not get a place.

### **What if a school is oversubscribed:**

Many schools receive more applications than they have places to offer. Every school has an admissions limit and this determines the number of pupils they will accept. All schools are required to admit pupils up to the limit of their statutory admissions number. They may not exceed their overall enrolment number.

All schools have admissions criteria which they use to decide who to admit if they get more applications than they have places available. Schools that are oversubscribed follow these criteria when allocating places. Admissions criteria are a matter for the schools Board of Governors as they are the statutory admissions authority for post primary schools. Details of admissions criteria, along with the number of applications schools have received for the previous three years, are listed in the 'A Guide for Parents' booklet produced by the Education Authority (EA) in your region. The criterion set by the school Board of Governors will vary from school to school but all are required to be clear, fair and objective.

Pupils with a **statement of special educational needs** from the EA have a separate transfer procedure. The EA will discuss with the parent a suitable post primary school placement for their child as part of the review of the child's statement.

### **What to do if your child is not allocated a place:**

If you think that a school has not applied, or not correctly applied its admissions criteria, you have the right of appeal to an independent tribunal. These tribunals are set up by the EA in your region and their decisions are binding.

If you require advice or information about submitting an appeal, please contact our Legal & Investigations team on 028 9031 1616 or [legalteam@niccy.org](mailto:legalteam@niccy.org).

### **Primary or Nursery school admissions**

#### Appealing a nursery or primary school place

If there are too many applications for places some children may not be allocated a place in your chosen nursery or primary school. If this is the case, you have a legal right to appeal, however, only if you think that the school did not apply or did not correctly apply its published admissions criteria.

You cannot appeal the decision for any other reason other than stated above. Please contact our legal team if you require clarification.

### **Post primary school admissions**

#### Appealing a post primary school place

If your child has not been given a place at one of your preferred schools, the EA can let you know which schools have places available which you can then contact to enquire as to whether that school would be suitable for your child.

If your child does not get into the post primary school of your preference there are two ways in which you can appeal against a decision not to admit your child.

You may use one or both appeal routes.

- You can apply to the Education Authority (EA) in your region if you believe that the school's published admissions criteria were not applied correctly. Details of how to make an appeal will be included in the letter from the EA offering your child a school place. It will also tell you the deadline that you must meet if you want to appeal. The EA in your region will inform you of when your appeal will be heard. The panel's decision is legally binding - both on you and the school.

- Also in respect of post-primary admissions decisions, parents can appeal to an independent Exceptional Circumstances Body (ECB) if they believe that there are compelling reasons why their child **must** attend a particular post-primary school. This facility is available only in respect of admissions to post-primary schools (Years 8 to 12). There is no deadline for applications to the ECB. See below for more information about the ECB.

### Exceptional Circumstances Body (ECB)

There is an appeal process in situations where you consider that, for exceptional reasons, your child must attend a particular school. A claim of exceptional circumstances can only be considered after you have applied to the post-primary school through the normal admissions process and been refused a place. You should be aware that the ECB process is not another route to provide you with the preferred school for your child. It is only for those parents/guardians, who for exceptional reasons, think that their child must attend a particular school. When it considers exceptional circumstances applications, the ECB will consider the following three tests:

1. Are the circumstances that are claimed exceptional?
2. Are the circumstances that are claimed 'personal to the child'?
3. Do the circumstances that are claimed require the child's admissions to the school a parent has specified, and only that school?

The appeal will only succeed under the Exceptional Circumstances process where the above three questions are all answered positively by the ECB.

The ECB can consider information which is relevant, such as supporting evidence from a social worker, GP or educational psychologist.

The following are circumstances which **may** be accepted:

- Where, in the opinion of a registered medical practitioner, the child has been subjected to sexual abuse.
- Where a child is looked after by an authority.
- Where a child is a carer for a disabled member of their family. The disability is not the child's, but the caring responsibilities are the child's circumstances.

Please note these are only examples of situations which *may* be considered and that every application will be considered on its own merits.

The following are **not** considered to be exceptional circumstances:

- Related wholly or mainly to the kind of education provided at the school
- Related to a child's academic ability
- Related wholly or mainly to the availability of transport to that school
- Bullying
- Needs or preferences of parents – e.g. employment arrangements of parents
- Where a school is or is not a grammar school
- Where a school is or is not a single-sex school
- Where a school does or does not provide a certain subject

Parents should be mindful that an appeal to the ECB can only be successful if it can be demonstrated that there is no other school which may be considered as an alternative for the child because of the exceptional circumstances. After the hearing the Body will let you and the school know by post. If your appeal is successful, your child will be offered a place at that school.

An application form to the ECB can be obtained from the ECB-Secretariat, Rathgael House, 43 Balloo Road, BANGOR, BT19 7PR. This contains detailed notes on how to complete the form but below is a short step by step of the process.

### **Step by step**

- Complete application form and send to the Exceptional Circumstances Body-Secretariat, address above
- The Secretariat of the Body will acknowledge the application and return the form if any information is missing
- The hearing will be scheduled and you will be notified of the date
- You can provide further evidence at this stage if you need to
- You attend the hearing and make representation to the panel who will ask you questions about the evidence you have provided in your application form

- The Board of Governors at the relevant school will be invited to make oral or written representation to the panel but they may or may not, you will be given any information they have provided (if any) before the hearing
  
- The panel will consider all the evidence and will write out to you within three weeks of the final date of the hearing or as soon as possible thereafter
  
- The panel may adjourn the hearing if they believe they need more information before a decision can be made

If you require further information, please contact our Legal and Investigations Team on 028 9031 1616 or [legalteam@niccy.org](mailto:legalteam@niccy.org) or the Exceptional Circumstances Body Secretariat on telephone number on 028 9127 987.