**Changes to school admission appeal arrangements**

**Consultation response form**

Your name:

Organisation (if applicable):

email/telephone number:

Your address:

Responses should be returned by 8 March 2023 to:

School Organisation and Admissions Branch

Education Business Planning and Governance Division

Education, Social Justice and Welsh Language Group

Welsh Government

Cathays Park

Cardiff

CF10 3NQ

or completed electronically and sent to:

email: SchoolsManagementDivision3@gov.wales

**Question 1** – Do you agree that the 2005 Regulations and the School Admission Appeals Code should include an option for holding appeals remotely?

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Agree | [ ]  | Disagree | [ ]   | Neither agree nor disagree | [ ]   |

If you disagree, please suggest alternative proposals or provide further feedback.

**Supporting comments**

|  |
| --- |
|  |

**Question 2** – Do you agree the following formats allow for a fair and transparent appeal hearing?

|  |  |  |  |
| --- | --- | --- | --- |
| Format | Agree | Disagree | Neither agree nor disagree |
| Face to face | [ ]  | [ ]  | [ ]  |
| Remote (telephone) | [ ]  | [ ]  | [ ]  |
| Remote (video conference) | [ ]  | [ ]  | [ ]  |
| Written submission | [ ]  | [ ]  | [ ]  |

**Supporting comments**

|  |
| --- |
|  |

**Question 3i** – Do you agree that admission authorities should make the decision on whether to offer appeal hearings in person, remotely or give a choice to attendees for either?

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Agree | [ ]  | Disagree | [ ]   | Neither agree nor disagree | [ ]   |

If you disagree, please suggest who should make the decision.

**Supporting comments**

|  |
| --- |
|  |

**Question 3ii** – What factors should be taken into account in reaching this decision?

|  |
| --- |
|  |

**Question 4** – Do you agree that appeals held entirely by telephone should be limited to where video conferencing cannot be used for reasons relating to connectivity or accessibility, and only if the appellant and presenting officer both agree?

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Agree | [ ]  | Disagree | [ ]   | Neither agree nor disagree | [ ]   |

**Supporting comments**

|  |
| --- |
|  |

**Question 5** – Do you agree that appeals should only be considered on the basis of the written evidence submitted where either:

1. the presenting officer does not attend, and the appeal panel is satisfied that it can resolve the case by using evidence submitted by the admission authority, if the appellant will not be disadvantaged in doing so?

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Agree | [ ]  | Disagree | [ ]   | Neither agree nor disagree | [ ]   |

**or**

1. the appellant fails or is unable to attend and it is impractical to offer an alternative date?

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Agree | [ ]  | Disagree | [ ]   | Neither agree nor disagree | [ ]   |

**Supporting comments**

|  |
| --- |
|  |

**Question 6** – Do you agree that hybrid appeal hearings should be an option? (By ‘hybrid’ we mean where one or more participants join remotely, by video conference or telephone, and one or more attend in person.)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Agree | [ ]  | Disagree  | [ ]   | Neither agree nor disagree | [ ]   |

**Supporting comments**

|  |
| --- |
|  |

**Question 7** – Do you agree that hybrid appeal hearings can be conducted in a fair and transparent way which enables the appellant and presenting officer an opportunity to present their case?

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Agree | [ ]  | Disagree | [ ]   | Neither agree nor disagree | [ ]   |

**Supporting comments**

|  |
| --- |
|  |

**Question 8** (for local authorities) – Do you agree the proposed Appeals Code will result in new costs/savings for local authorities?

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Agree | [ ]  | Disagree | [ ]   | Neither agree nor disagree | [ ]   |

Please explain why and what estimation can be made of these additional costs/savings – this may include, for example, organisational, staffing, venue, travel and technology costs/savings.

**Supporting comments**

|  |
| --- |
|  |

**Question 9** (for schools) – Do you agree the proposed Appeals Code will result in any costs/savings for schools?

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Agree | [ ]  | Disagree | [ ]   | Neither agree nor disagree | [ ]   |

Please explain why and what estimation can be made of these additional costs/savings – this may include, for example, organisational, staffing, venue, travel and technology costs/savings.

**Supporting comments**

|  |
| --- |
|  |

**Question 10** – Minor technical drafting changes will also be made to ensure the Appeals Code is up to date – these include changes to legislation, other educational codes of practice and departmental names. Please provide any comments you have on the proposed changes*.*

**Supporting comments**

|  |
| --- |
|  |

**Question 11** – We would like to know your views on the effects that the proposal to allow appeal hearings to be held remotely or in person would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

**Supporting comments**

|  |
| --- |
|  |

**Question 12** – Please also explain how you believe the proposed policy to allow appeal hearings to be held remotely or in person could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

**Supporting comments**

|  |
| --- |
|  |

**Question 13** – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

|  |
| --- |
|  |

|  |  |
| --- | --- |
| Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here: | [ ]  |