



## VIRTUAL MAIN ROUND AND IN YEAR ADMISSION APPEALS

### THE CHALLENGE

- In the period between 23rd March (announcement of lockdown) and the publication of the new Coronavirus Regulations 2020 (24th April 2020) Wandsworth had several in-year appeals to be determined.
- The timetable for our main transfer round multiple appeals had been set (with secondary transfer appeals due to begin in mid-May) and our ambition was to hold as many as possible on schedule.
- We wanted to ensure that appeals remained fair, transparent and accessible to all despite the circumstances.

### OUR RESPONSE

#### Outstanding In-Year Appeals

- Before lockdown, we had two days of in-year appeals scheduled for 20th March and 5th April 2020.
- Because the 20th March hearing was before lockdown, it was possible for us to hold the hearing in-person with all parties social distancing. However, we knew that parents might not feel comfortable attending in person, so we provided them with a “hybrid” option where they would join via phone or video conference and the Panel and Clerk would be together in a room. Parents opted for this option.
- However, the 5th April hearing was after lockdown and it was no longer possible for anyone to attend in person. The regulations had not been published, and we could not comply with paragraph 2.12 of the Admission Appeals Code (“*Appeal panels must allow appellants the opportunity to appear in person and make oral representations.*”) as we could not provide parents with the option of attending in person.
- We therefore sought advice from the Department for Education (DfE). They informed us that regulations were soon to be published which would amend the deadlines for hearing appeals and allow for appeals to be heard remotely. They assured us that these new regulations would apply to outstanding appeals (as

well as those lodged after their publication) and advised that we postpone. We therefore postponed the few outstanding in-year appeals to early May.

### **Preparation Before the Regulations Were Published**

Before the regulations were published, we did the following to prepare for our main round of appeals:

- First checked how Panel members felt about virtual hearings:
  - We took a poll of Panel members to determine interest/ capability
  - The majority were willing
  - A few pulled out immediately either due to increased work commitments resulting from the pandemic or fear of the technology
- Held an initial virtual ‘can we do it?’ session with Panel members on 7th April and took the opportunity to:
  - Explain what we were planning to do
  - Ask for their feedback and concerns so we could try and iron out issues
  - Work through different scenarios based on what the DfE had told us and what we were expecting the amendments to the regulations to cover (as they had not been published by that point)
  - All questions raised by Panel members were noted and circulated with responses
- We knew it would be tough, but we made an early decision to move from a “mini-multiple” approach for schools with multiple appellants to one single Stage 1 group hearing followed by individual Stage 2 hearings. The reasons for this included:
  - Access to information for all appellants at the same time
  - Reduced duplication
  - Overall time saving (as we believed virtual hearings would take longer than in-person hearings)
  - Easier to schedule
- Stayed in contact with members of the National Association of School Appeals Clerks (NASAC) and discussed issues with them via a WhatsApp chat and at virtual meetings.

### **After the Regulations Were Published**

- Having seen the Coronavirus Admission Appeals Regulations 2020, we decided to avoid using the written process as a significant number of our appellants do not speak English as their first language, and we felt that a paper-based appeal could significantly disadvantage them
- We liaised with admission authority representatives and:

- Provided reassurance that the hearings would be able to proceed and gave them information about the new regulations
- Provided advice about presenting the school case virtually
- Offered to put data (such as maps and tables showing numbers of places allocated) on the screen for all parents (NB. When screen sharing took place, parents joining by telephone were provided with the relevant page number in the school case papers).
- Made a decision to use Microsoft Teams:
  - Tested and checked its video / telephone conference capabilities across different types of devices
  - Considered security relating to personal data (personal contact details / images of children / homes etc) and the implications of using Teams vs other platforms (Zoom was not supported by our IT department)
  - Having found through testing that there were instances when an appellant could bypass the waiting room, we felt it was safer to set up individual meetings for each appellant for Stage 2, so that we could be certain that appellants could not access each other's hearings. (Note: this issue has now been addressed by Microsoft, but we have continued to use separate meetings for each individual hearing, as this allows our second "Tech" Clerk (see below) to get everyone ready in the next hearing so that the day runs smoothly)
- We developed new documentation including:
  - New notes for parents - including instructions on how to join/ trouble-shooting IT guide with separate instructions for video and phone
  - Updated notes for Chairs and Panel members - to reflect Coronavirus Regulations 2020, including asking if appellants had heard and been able to participate fully in the hearing
  - Updated decision-making guidance for Panel members - including making decisions on each appellant's ability to hear and participate in the hearing
  - Email templates to all participants about how to join and instructions about joining by telephone if the video failed or if telephone was the preferred way of joining
  - Updated guidance to Clerks on decision letters and notes to reflect new regulations and virtual hearings
  - Attendance spreadsheet for the Clerk and Tech Clerk with contact details and information about how each appellant planned to join and whether they would have a supporter with them/ joining separately
- Training for Panel members and Clerks:
  - Bespoke PowerPoint presentation written and delivered by the appeals administrator to all Panel members and Clerks on the new regulations
  - Also included update on local 'issues' they might face in appeal hearings
  - Followed up with a copy of the regulations and guidance to all participants

- ‘Test’ session for Panel members before each set of appeals:
  - Used to iron out tech issues and answer questions about the new regulations
  - Short one-to-one sessions also held with individual Panel members when necessary
  
- Interpreters
  - Contacted each interpreter before the hearing
  - Tested connectivity and explained the process
  
- First fully virtual hearing held on 1st May 2020 for a single, in year appellant provided an opportunity to test and refine our remote hearing plans including:
  - Side-by-Side Teams Meetings: Having a separate meeting for pre-meeting/ adjournment/ decision-making worked well with information sent to Panel members in advance about the need to hang-up whichever meeting they are in, and then go back and click on the link to join the other meeting. Panel members were initially concerned it would be complicated but easily managed in practice
  - Practice Hearing: A ‘test’ session with the Panel a few days before hand was very useful and meant everyone was well prepared. The appeals administrator showed Panel members how to switch between the appeal hearing meeting and the private meeting for adjournment and answered questions about how the hearing would run, positioning their cameras and finding a suitable place from which to conduct the hearing
  - WhatsApp Group: A WhatsApp group was set up for Panel members and the Clerk(s) to allow them to “pass notes” to each other during the hearing. This proved to be very valuable during the hearing and prevented inappropriate questioning. The WhatsApp group was deleted after the hearing
  - Charging Devices: We nearly lost one Panel member during the decision making as they had not plugged in their laptop. Teams uses a lot of charge so it was important that our guidance notes reminded all participants to keep their devices plugged into a power source
  - Checking Attendees: The private teams meeting for the pre-meet took place half an hour before the start of the hearing. When the Panel were ready for the hearing, the Clerk left them in the private meeting, went into the main hearing, and then sent a WhatsApp when all attendees were in the waiting area and the everyone was ready to start. This avoided any embarrassment with the Panel sitting in the meeting with the appellant while we waited for the school to join, or vice versa
  - Decision-Making: The decision notes were converted into a PowerPoint presentation and was shared on screen during the decision-making, which the Panel thought this was useful

## How it Worked in Practice

- All hearings with more than one appellant had a second “Tech” Clerk, who’s role was to:
  - Help appellants to get connected to the meeting
  - Be a point of contact for appellants, admission authorities and panel members who got disconnected from the meeting
  - Monitor meeting attendance in large group hearings in case anyone dropped off
  - Get all parties connected to the next meeting so that the Panel could move smoothly between hearings
  - Contact parents when appeals overran/ finished early
  - The Tech Clerk was always a full trained appeals Clerk
- Set up a Teams meeting to run throughout the day for Panel members and the Clerk and Tech Clerk:
  - Used for pre-meeting
  - Adjournment room
  - Decision-making (where the appeals could be completed in a day)
- Allowed more time than usual for hearings:
  - Stage 1 increased from 1 hour to 2 hours for secondary schools
  - Stage 1 for primary schools with more appellants increased from 1 hour to 2 hours where there were 4 or more appellants (where there were fewer than 4 appellants we allowed 1 hour for Stage 1)
  - Stage 2 appointments increased from 20 mins to 40 mins for all schools.
  - Also allowed an hour for pre-meeting, although we did not always use all the time allocated
- Stage 1 for all appellants:
  - Only the Panel joined and had their video on throughout
  - Appellants joining by video were asked to keep their video off while others joined by telephone conference facility
  - Interpreters were connected to appellants by telephone and although muted in meeting, were asked to inform the Panel if they needed any information clarified
- Individual 2nd stage appointments
  - Parents and Panel joining by video facility kept the video on throughout where possible
  - Some appellants joined by telephone facility
  - Interpreters provided live interpreting for everyone to hear with microphone on

## RESULTS AND FEEDBACK

- The first large group multiple appeals were convened for Stage 1 on 14th May (less than 3 weeks after the publication of the Coronavirus Regulations 2020):
  - With 23 appellants (34 participants including 2 interpreters)
  - Stage 2 individual hearings took place on 16th to 18th May
  - Interpreter sessions over-ran and we had for the first time ever in Wandsworth we had to delay an appointment to the last day – but there was time in the schedule to do this
  
- The hearings took longer than anticipated in some cases:
  - Secondary school Stage 1 multiple appellant hearings – 2-3 hours
  - Stage 2 secondary hearings tended to take full 40 minutes for each appellant (at least)
  - Primary school Stage 1 multiple appellant hearings – 1 ½ hours
  - Stage 2 primary hearings took 30-40 minutes on average
  - Individual hearings (secondary or primary transfer, late transfer or in year) generally took 1 ½ - 2 hours in total for each appellant
  
- The role of the Tech Clerk was essential to the smooth running of the appeals:
  - Informed the Panel (either in the Team meeting or via WhatsApp) when the everyone was connected, and the hearing could begin
  - Informed the Panel if someone (Panel member/ appellant/ Clerk) lost connectivity and kept a record of this for inclusion in the decision letter
  - The Tech Clerk telephoned appellants who did not join the hearing 10-15 minutes beforehand as requested and either:
    - Helped them join if they were having IT issues
    - Or left at least one telephone message if the appellant did not answer, informing them that the appeal would start without them 10 minutes after the scheduled start time if we did not hear from them
  - In most cases, the Tech Clerk was the appeals administrator so was familiar with the families and had, in many cases, been in regular contact with them up to the hearing
  - The appellants found the presence of a ‘familiar face’ at the helm very reassuring
  
- Wandsworth will have heard 90 virtual appeals by end of summer term
  
- Appeals allowed (to 6th July 2020):
  - 2/46 secondary transfer (4.3%)
  - 2/4 secondary in-year and late transfer (50%)
  - 7/24 primary transfer to date (29%)

(Information as at 6th July 2020)

<b>Wandsworth Virtual Appeals</b>			
<b>School type</b>	<b>No of schools</b>	<b>No of appellants*</b>	<b>No of days</b>
Secondary (transfer and in-year complete)	4**	46 transfer 4 in-year	10 full days for transfer appeals  4 mornings for in-year appeals
Secondary (late transfer and in-year scheduled)	3**	5	1 full day
Primary (complete)	15	24	6 full days, 2 mornings
Primary (transfer and in-year scheduled)	2	11	3 full days, 1 morning
<b>Total</b>	<b>21</b>	<b>90</b>	<b>20 full days, 5 mornings</b>

\*not including withdrawals

\*\*three of the schools in secondary rows are the same three schools

- We did not get usual number of ‘no show’ appellants:
  - More parents engaged with the process which was very positive
  - Parents were surprised and pleased that their appeals would be heard ‘on time’
  - It also seemed that it was less stressful for appellants to present and we did not see as many tears or emotional outbursts in the virtual hearings
  - Many parents thanked the Panel at the end of the hearing for conducting the appeal virtually
  - Quote from parent: *“I would like to thank you for your help and support with the appeal procedures. It shows how dedicated you are to achieving the best for your employer. My family greatly appreciates your efforts.”*
- Panel members told us:
  - *“Although the Stage 1 hearing was long, the benefits of all the appellants being able to participate in one hearing not only made it fairer and more transparent but it also meant from the Panel’s point of view that we did not have to ask you the same questions again and again and again – or for the admission authority representative to give the same answers repeatedly.”*
  - *“It was really intense and very tiring. I was conscious that I was ‘on screen’ all the time and that although I couldn’t read appellants’ body language which is usually really helpful, they could see me all the time.”*
  - *“It was significant that we did not get the usual number of ‘no shows’ or parents who stated that they would ‘not be in attendance’ appeals this year and that this was undoubtedly due to them being more available due to the lockdown.”*

- *“We were initially concerned about having lots of separate meetings to move between, but it was easier than expected and helped things run smoothly.”*
- *“Thanks to everyone for such a professional and enjoyable experience.”*
  
- Admission authority representatives told us:
  - *“It was [Stage 1] a marathon for all of us!! More so for you and the Panel, so thank you to all of you! I agree that the format worked well under the circumstances and hopefully we can do Stage 1 for everyone again in the future, whether it’s remote or at the Town Hall.”*
  - *“I thought the Tech Clerk gave a clear 'steadying hand' performance with the Panels. I'm sure the appellants would have appreciated that a lot.”*

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