



For Office Use Only

Application Reference Number _____

Date of Receipt _____

APPLICATION TO THE EXCEPTIONAL CIRCUMSTANCES BODY

It is important you read the information contained within this application as it provides essential advice explaining the functions of the Exceptional Circumstances Body (ECB) and detailed guidance on how to complete each question.

Applicants should be mindful of a very important point that is central to the Exceptional Circumstances process. It is **not** a route to provide applicants with their preferred school for their child. It is, however, a route to provide applicants with the school that their child **must** attend because of his/her exceptional circumstances.

The ECB **can only** consider applications that relate to children of compulsory school age seeking admission to a specified post-primary school.

The ECB is **unable** to consider applications that relate to children in receipt of a Statement of Special Educational Needs.

The process involves three tests which will be applied to the evidence you submit in support of your claim of exceptional circumstances. Your application will be successful only if the panel can answer “**Yes**” to all of the questions that apply to the three tests.

Following receipt of your completed application the ECB will arrange a hearing within 28 days or as soon as possible thereafter.

An ECB decision will issue to you, in writing, within three weeks from the date of your hearing.

Applications to the Exceptional Circumstances Body must be made using this form. If a continuation page is needed please use page 35 and ensure it is clearly marked showing the relevant test and question. The form can be completed as a typed MSWord document downloaded from the NI Direct website - however, it cannot be submitted by e-mail as a signature is required together with original copies of the evidence being submitted in support of an application. **Otherwise, please use a black ballpoint pen and ensure that the form is completed legibly.**

Please note we CANNOT accept “hand delivered” applications.

THE EXCEPTIONAL CIRCUMSTANCES PROCESS AND BODY

What is the Exceptional Circumstances Body?

1. The Exceptional Circumstances Body is a Body established by the Department of Education under the Education (Northern Ireland) Order 2006 to process applications from parents which relate to admissions to post-primary school (Years 8 to 12 only) where it is claimed that a child must attend a particular school but an application made through the normal admissions process has failed. The Exceptional Circumstances process will:
 - consider parents' claims that their child has exceptional circumstances which mean that he/she must attend a specific post-primary school;
 - decide for each application whether exceptional circumstances exist; and
 - direct the specified post-primary school to admit the child where the application is successful.

The Exceptional Circumstances process is only for children who are not in receipt of a Statement of Special Educational Needs.

The Body cannot consider cases that relate to pre-school, primary or Sixth Form admissions.

2. **The child must already have applied to the school it is claimed that they need to attend and been refused.** An application to the Exceptional Circumstances Body cannot be successful unless the child has already applied to, and been refused admission to, the relevant post-primary school through the normal admissions processes.

- If you think that your child has an **exceptional need** for admission to a particular post-primary school, then the Exceptional Circumstances process can only help you with this provided you can demonstrate that you have already applied to that post-primary school for admission, and your child was not admitted.
- The Education Authority Transfer Officer can advise you on how to apply to a post-primary school through the normal admissions processes. Their details are listed at the end of this booklet.

Who will make decisions on exceptional circumstances applications?

3. The members of the Exceptional Circumstances Body have been appointed by the Department of Education but are not employees of the Department. The Body operates independently of the Department of Education, supported by a Secretariat. The Department has no input to, or influence over, the decisions of the Body.

What are “exceptional circumstances”?

4. When it considers exceptional circumstances applications, the Body will focus on the following three tests:

Test 1: Are the circumstances that are claimed exceptional?

Test 2: Are the circumstances that are claimed “personal to the child”?

Test 3: Do the circumstances that are claimed require the child’s admission to the school a parent has specified, and only that school?

A case for admission under the Exceptional Circumstances process will exist only where the Body can answer “yes” to all three questions. By law, the Exceptional Circumstances Body **may not** regard the following circumstances as exceptional circumstances requiring the admission of a child to a particular school:

- circumstances related wholly or mainly to the kind of education provided at that school;
 - circumstances related to a child’s academic ability; or
 - circumstances related wholly or mainly to the availability of transport to that school.
5. **Parents should note that their application can only be successful if it demonstrates that there is no other school that may be considered as an alternative school for the child given the exceptional circumstances claimed.** Parents should be mindful of a very important point that is central to the Exceptional Circumstances process. It is not a route to provide parents with their preferred school for their child. It is a route to provide parents with the school that their child must attend because of his/her exceptional circumstances.

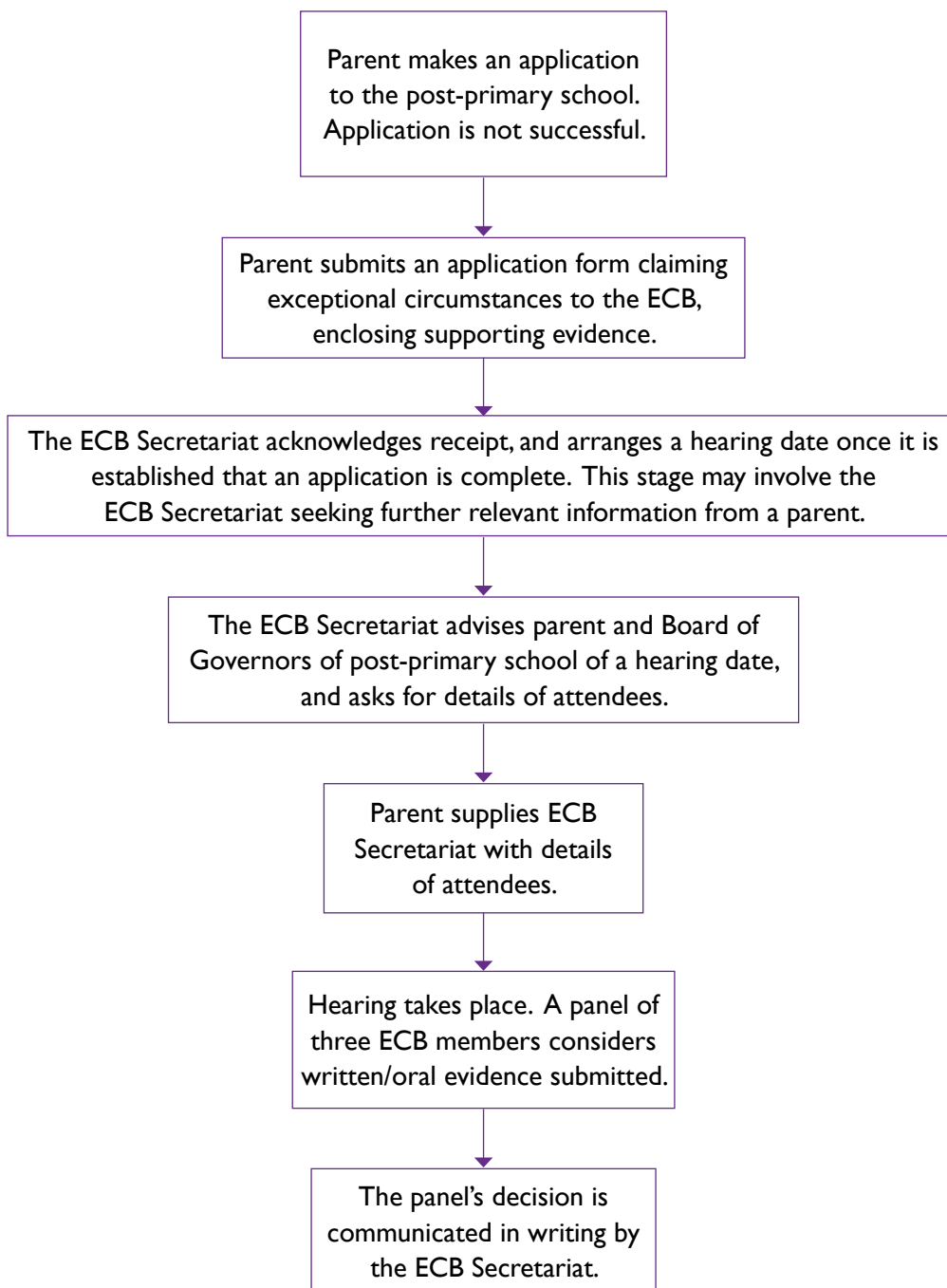
Who can make an application to the Body?

6. An application to the Exceptional Circumstances Body may be made by a **parent on behalf of a post-primary child**. The term ‘parent’ is defined in the Education and Libraries (Northern Ireland) Order 1986 as follows: “*parent*”, in relation to a child or young person, includes a guardian and every person who has the actual custody of the child or young person.
7. There is no deadline for making an application to the Exceptional Circumstances Body. Applications may be made at any point in the year as long as an application for admission has recently been made to the specified post-primary school and it has been turned down.

The Application Form

8. The Application Form is divided into five parts.
 - In the “**Basic Details**” section you will be asked 18 questions to establish essential information to facilitate the processing of your application.
 - In “**The Three Tests**” section you will be asked a series of questions that require you to provide information about the child’s exceptional circumstances. This information will be used by the Body in applying the three tests that must be passed for the application to be successful.
 - In the “**Documentation Enclosed With Your Application**” section you will list and number all the documents you are enclosing with your application to prove your claim of exceptional circumstances.
 - In the “**Declaration**” section, you are required to sign a declaration to confirm that all of the information provided is true and accurate and also to confirm that you consent to the Exceptional Circumstances Body in processing your application in line with applicable Data Protection Legislation.
 - In the “**Declaration**” section, if your child is 13 years old or over they must sign the declaration giving consent to use their information.

SUMMARY OF THE EXCEPTIONAL CIRCUMSTANCES APPLICATION PROCESS



HOW DO I COMPLETE 'THE BASIC DETAILS' SECTION OF THE APPLICATION FORM?

This section of the application form contains 18 questions which require you to provide factual information about the child on whose behalf you are submitting an application.

Question 5 asks whether the child on whose behalf you are applying is currently in receipt of a Statement of Special Educational Needs. If you do not know what this is, then it is extremely likely that your answer to this question is “no”. If your child is being considered for a Statement of Special Educational Needs at the time when you apply, and this consideration is incomplete, then your answer to this question is also “no” - but if a decision about your child’s potential statement is imminent it may be helpful for you to record this here with the date by which you expect the process to conclude. →

Please note that if the answer to this question is “yes” then the Exceptional Circumstances Body cannot, by law, consider the application.

BASIC DETAILS

1. Name of Parent/Guardian	
2. Address of Parent/Guardian <i>(all correspondence will be sent to this address unless indicated otherwise)</i>	
3. Main contact name and telephone number for any enquiries <i>(you may also provide your email address if you are content for us to contact you via email)</i>	
4. Name of Child	
5. Is the child in receipt of a Statement of Special Educational Needs?	Yes <input type="checkbox"/> No <input type="checkbox"/> If 'yes' you should not proceed with this application.
6. Gender of Child	Male <input type="checkbox"/> Female <input type="checkbox"/>
7. Date of Birth of Child	
8. Address where the child is currently living <i>(enter "as above" if applicable)</i>	
9. Name of school currently attended by the child and full postal address, including postcode. <i>If the child is not attending a school currently please state that. Name instead the school most recently attended by the child and the last date the child attended.</i>	
10. Name of the primary school most recently attended by the child. <i>(enter 'as above' if applicable)</i>	

Question 11 asks you to specify the post-primary school you wish your child to attend. →
Check - have you already applied to this school? It may be that this school is not full and can admit your child in the normal way.

Question 13 asks if you have previously applied to the Exceptional Circumstances Body in respect of the child named at Question 4. The panel considering your case will be advised of your previous application. →

Questions 14, 15 and 16 are for Year 8 applications only →

Question 14 asks you to attach two specific documents to your application and asks you to tick to confirm that you have done so. By law, the Exceptional Circumstances Body cannot direct the admission of a child to a school unless it has been demonstrated that an application for the child's admission to that school has been made and refused. The enclosure of these documents is therefore essential.

Question 15 asks for the names (in full) of all the schools that were applied to on the child's Transfer Form and to list them in order of preference that they appeared on that form. →
If you do not have a copy of your completed Transfer Form, please contact the Transfer Officer of the Education Authority. Please ensure that your transfer form is legible. If not, please contact the Education Authority and obtain a legible copy.

11. Please specify which school you wish your child to attend and the full postal address.	
12. Year Group that the child is seeking admission to.	Y8 <input type="checkbox"/> Y9 <input type="checkbox"/> Y10 <input type="checkbox"/> Y11 <input type="checkbox"/> Y12 <input type="checkbox"/>
13. Have you previously applied to the ECB in respect of this child?	Yes <input type="checkbox"/> No <input type="checkbox"/>
<p>Questions 14, 15 and 16 are for Year 8 applications only <i>(if you are applying for a place in Years 9-12, please go to Question 17)</i></p>	
<p>14. Please attach the following documents to your application and tick to confirm that you have done so:</p> <p>i. A copy of the Transfer Form that was completed to apply for a post-primary school for the child; and</p> <p>ii. A copy of the letter from the Education Authority confirming the child's placement at one of the schools listed on the Transfer Form, or confirmation that the child remains unplaced following the conclusion of the transfer process.</p>	<p>Yes (document attached) <input type="checkbox"/></p> <p>Yes (document attached) <input type="checkbox"/> if applicable</p>
<p align="center">Please note - if you do not attach the above documents to your application, the Secretariat will return it to you as incomplete.</p>	
15. Please state the names (in full) of all schools applied to on the Transfer Form and list them in the order of preference that they appeared on that form.	

Question 16 asks whether you have used, or are using, the normal admissions appeals process in to secure a place for your child in the specified school. Any parent may appeal any unsuccessful application to start Year 8 at a post-primary school by registering an appeal with the Education Authority stating the outcome of their application. Such appeals are considered by Admissions Appeals Tribunals. →

The Admissions Appeals process differs from the Exceptional Circumstances process. It checks whether schools that had more applicants than places available have selected which children to admit by correctly applying their published admissions criteria. Only where it finds errors in this process that have denied a child a place can an Admission Appeals Tribunal uphold the appeal and reverse the school's decision to refuse to admit the child. The application form for the Exceptional Circumstances process asks for this information so that the Secretariat may know if an appeal decision is pending at the same time as an application has been made to the Exceptional Circumstances Body. It will not affect your application to the Exceptional Circumstances Body.

Question 17 relates to Year 9-12 applications only →

Question 17 asks you to attach a document (letter of refusal) showing that you have recently applied to the school named at Question 11 for admission for this child and have been refused and asks you to tick to confirm that you have done so.

Question 18a asks you if you require an interpreter at your ECB hearing and also to indicate which language you require. The Secretariat will provide you with an interpreter. You are required to sign to confirm that you agree that your information can be shared with the interpreter in advance of your hearing. →

Question 18b asks you if you require any reasonable adjustments at the hearing.

<p>16. In relation to the school named at Question 11 - have you submitted an appeal to an Admissions Appeal Tribunal against this school's decision to turn down an application for admission?</p> <p>Indicate the outcome of any appeal (if known), or the date scheduled for a hearing if the appeal has not yet been heard.</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <hr/>
<p>Questions 17 is for Year 9-12 applications only <i>(if you are applying for a place in Year 8, please go to Questions 14, 15 and 16)</i></p>	
<p>17. In relation to the school named at Question 11 - please attach a document showing that you have recently applied to this school for admission for this child and have been refused and tick to confirm that you have done so.</p>	<p>Yes (document attached) <input type="checkbox"/></p>
<p>Please note - if you do not attach the above document to your application, the Secretariat will return it to you as incomplete.</p>	
<p>Question 18 is only for applicants who require an interpreter</p>	
<p>18a. Please advise if you will require an interpreter at your ECB hearing and indicate which language you require. Please also indicate that you are content for your application form and associated papers to be shared with the interpreter in advance of the hearing.</p> <p>18b. Please advise if you will require any reasonable adjustments at the hearing.</p>	<p>I require an interpreter: Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Language required: _____</p> <p>I agree that my information can be shared with the interpreter in advance of the hearing:</p> <p>Signed: _____</p> <p>I require reasonable adjustments: Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Adjustments required: _____ _____ _____ _____</p>

HOW DO I COMPLETE TEST 1 OF THE APPLICATION FORM?

Test 1: Are the circumstances that are claimed exceptional?

A Panel will ask itself two questions in relation to the information that you provide here.

- Are the circumstances you have claimed exceptional?
- Has the existence of the circumstances you have claimed been proved?

The Panel must answer “yes” to both these questions for your application to pass Test 1.

Question 19 asks you to describe the circumstances of the child which you believe to be exceptional. Before answering this question you should note that the laws supporting the Exceptional Circumstances process rule out certain kinds of circumstances from being the basis of a successful application. The laws also provide some examples of what kinds of circumstances may be the basis of a successful claim:

The Exceptional Circumstances Body may not consider the following to be exceptional circumstances:

- ***Circumstances related wholly or mainly to the kind of education provided at a school;***
- ***Circumstances related to a child’s academic ability;***
- ***Circumstances related wholly or mainly to the availability of transport to a school.***

Examples of circumstances that may be considered as exceptional by the Exceptional Circumstances Body are:

- ***Circumstances where in the opinion of a registered medical practitioner the child has been subject to sexual abuse;***
- ***Circumstances where a child is looked after by an authority (as defined in Article 25 of the Children (Northern Ireland) Order 1995).***

It is important to note that as these are only examples they are not the only circumstances that will be considered, nor will circumstances of this type automatically be considered to be exceptional circumstances in every case. Every application will be examined on its own merits by the Exceptional Circumstances Body and a decision taken accordingly.

You should also note that circumstances cannot be considered exceptional if the same, or very similar, circumstances would have applied to other children competing for the same place at the school specified in the application. For example, bullying, regrettably, is not an uncommon (and certainly is not an exceptional) occurrence. Research commissioned by the Department of Education found that 29% of post-primary pupils perceive that they have been bullied at least once.

Special Circumstances: applicants should note that claims of “exceptional circumstances” should not be confused with claims of “special circumstances”, which is a term used to describe arrangements operated by a number of post-primary schools in connection with the use of entrance tests to inform admissions decisions. The Exceptional Circumstances Body cannot review a school’s decision on a special circumstances claim.

The outcome of Test 1 will depend on the quality of the evidence provided in support of it. The documents you decide to submit in support of your claim of exceptional circumstances will vary depending on the nature of those circumstances, but may include for example:

- evidence from a medical professional about particular medical circumstances;
- evidence from a social worker;
- evidence from a school principal;
- evidence from an educational psychologist;
- evidence from an education welfare officer;
- evidence from the Police Service of Northern Ireland; or
- evidence from another expert/professional as appropriate to your child’s particular circumstances.

This list is not exhaustive and you must decide how best to support your case with the evidence that is most relevant to your child. The important things are that:

- the evidence confirms the existence of the exceptional circumstances of the child as you have described them; and
- the evidence is sourced from someone who is qualified to provide that evidence. A doctor’s letter, for instance, is unlikely to be able to prove that a child is being bullied at school (a letter from a school principal may be more appropriate to evidence that). A doctor’s letter is, however, more likely to be able to prove that a child is suffering from certain symptoms. Good supporting evidence is objective and factual. It is likely to be provided by professionals, experts or office-holders who are qualified in the matters to which their evidence relates.

You should also note that **all enclosed documents** must be originals, not copies - any enclosed documents that are copies will not be accepted (other than in the case of a Transfer Form). Where evidence is provided by a particular professional it should be on headed paper to include the address of the organisation that employs that professional, signed and dated by the individual.

This page is intentionally left blank.

DO NOT USE.

TEST I

Are the circumstances that are claimed exceptional?

19. Please describe below the circumstances that apply to your child which you consider to be exceptional. Within this description you should refer to evidence you are submitting in support of your claim of exceptional circumstances. Details of this evidence should be recorded in the section entitled "Documents Enclosed With Your Application".

(Additional page provided at page 35 if required.)

This page is intentionally left blank.

DO NOT USE.

(Test 1 Continued)

HOW DO I COMPLETE TEST 2 OF THE APPLICATION FORM?

Test 2: Are the circumstances that are claimed personal to the child?

A Panel will ask itself one question in relation to the information that you provide here.

- Are the circumstances you have claimed those of the child and not somebody else?

The panel must answer “yes” to this question for your application to pass Test 2.

Question 20 asks you to explain how the exceptional circumstances you have described for Test 1 are those of the child and not of somebody else. This explanation may be unnecessary (eg in the case of a child whose exceptional circumstances are defined by a medical condition).

On the other hand, the circumstances you have claimed for Test 1 may involve the circumstances of those living with the child or their wider family. In such cases you should explain why the circumstances you have claimed are to be regarded as those of the child. For an application to be successful the exceptional circumstances claimed must be those of the named child and not those of anyone else. In practise this means that a successful application will not involve the needs or preferences of parents or extended family, except where these unavoidably dictate the circumstances of the child. For example, it may not be successfully argued that a child must attend a particular school because of reasons associated with a parent’s employment arrangements. Such circumstances are regarded as belonging to the parent rather than to the child.

You should also note that this test does not mean that a child’s exceptional circumstances cannot involve another person if the claim is to be successful. Take the example of a child whose exceptional circumstances are that they are a carer to a disabled member of their family. Such an example clearly involves the disability of someone rather than the child at the centre of the claim. However, at the same time the circumstances of the child’s caring responsibilities are clearly the child’s circumstances.

TEST 2

Are the circumstances that are claimed personal to the child?

20. Please explain below how the exceptional circumstances you have described for Test 1 are those of the child and not those of somebody else. Please note that you are not required to provide documentary evidence in support of Test 2 at this stage. If necessary, panel members will request such evidence at a later stage in the process.

(Additional page provided at page 35 if required.)

HOW DO I COMPLETE TEST 3 OF THE APPLICATION FORM?

Test 3: Do the circumstances that are claimed require the child's admission to the school you have specified and only that school?

Before you answer these questions you should note that Test 3 will often be the hardest test for an application to pass. It will require you to do a reasonable amount of background work. Some circumstances (for example, an exceptional case of bullying) may unfortunately mean that a child needs to leave their current school. However, these may not necessarily be circumstances that require the child to move to one particular school as an alternative. Many schools have places available and all must be capable of catering for all children except in the most exceptional of circumstances.

In relation to Test 3, the success of your application may depend on the extent to which you are able to demonstrate that there is no other school that may be considered as an alternative school for your child. Parents should be mindful that the Exceptional Circumstances process is not a route to provide parents with their preferred school for a child. It is a route to provide parents with the school that their child must attend because of his/her exceptional circumstances.

Question 21 asks you to describe any features about the school you have specified which make it necessary for your child to attend only this school.

In answering this question you should note that features may be physical features that a school possesses (eg location close to a specialist medical facility), non-physical features (eg some form of specialist child support not available at alternative schools within a reasonable travelling distance) or a combination of both. It is important to emphasise that your application needs to include evidence which supports your claim that the specified school has certain features which are necessary to meet your child's needs.

TEST 3

Do the circumstances that are claimed require the child's admission to the school you have specified and only that school?

21. You have already specified a school that the child must attend and described the child's circumstances. Please describe below why you consider your child needs to attend the specified school, and only that school. You should include within your description any features of the specified school which you consider to be relevant, and refer to any evidence you are submitting in support of what you are claiming. Details of this evidence should be recorded in the section entitled "Documents Enclosed With Your Application".

(Additional page provided at page 35 if required.)

Question 22 is where you should indicate which alternative schools you have considered for your child and, for each school named, explain why you have ruled it out as a possible alternative school. In doing so you should be mindful of the features you have claimed in respect of the specified school, and consider what evidence you can provide that alternative schools cannot offer your child those features.

Before you answer this question, it may be helpful to understand how your answer will be processed. When your application is received, the ECB Secretariat will establish the names of all post-primary schools within 15 miles of where your child lives that have places available. This information is available from the Education Authority and it should be used to inform your answer to Question 22. The Secretariat will draw to the attention of the panel hearing your application the names of any schools with places available which do not appear in your answer to Question 22. You will then be invited to provide further explanations as to why certain alternative schools with places available are being ruled out by you as a possible school for your child.

In accordance with Department of Education policy on school admissions, there are certain circumstances in which it will be considered legitimate for you to rule out alternative schools that have places available.

Firstly, if it can be proven that a child is unable to travel to one of the alternative schools with places available inside one hour, for example, because bus timetables do not allow for this. All such claims will be checked by the Secretariat.

Secondly, it is possible that you may be able to successfully rule out a school on the grounds of school type. There are four school types:

Denominational: this includes all denominational secondary and grammar schools. The term “denominational” reflects a connection these schools have with a particular religious denomination (ie Catholic);

Non-denominational: this includes all non-denominational secondary and grammar schools. The term “non-denominational” reflects the fact that these schools have no connection with a particular religious denomination;

Integrated: Integrated education brings children and staff from Catholic and Protestant traditions, as well as those of other faiths, or none, together in one school. Integrated Schools differ from other schools in Northern Ireland by ensuring that children from diverse backgrounds are educated together every day in the same classrooms.

Irish-medium: Irish-medium education is education provided in an Irish speaking school.

You should note that an ECB panel will not permit you to successfully rule out a school on the grounds of type if it is the same type as a school (primary or post-primary) that your child has attended previously, or it is the same type as the school you have specified at Question 11. You should also note that you cannot successfully rule out a school using a definition of school type other than the four types listed above. In particular:

- **You may not** successfully rule out any school that is or is not a grammar school simply because it is or is not a grammar school;
- **You may not** successfully rule out any school that is or is not a single-sex school simply because it is or is not a single-sex school. It should be noted, however, that there may be occasions when a compelling need that a child must attend a single-sex school can be demonstrated, for example, where evidence relates to child abuse of a sexual nature;
- **You may not** successfully rule out any school simply because it does or does not provide a particular course or subject.

You should note that for **family-based claims** (ie if the basis of an application is that a child must attend the same school as another family member or members), even if you successfully prove that the child must be at the same school as other family members, you may still need to demonstrate why other schools which have places available cannot admit all the children who need to be educated together.

22. Please list below alternative schools you have considered and explain why you have ruled each school out as a possible school for your child. You should refer to any evidence you are submitting in support of what you are claiming. Details of this evidence should be recorded in the section entitled “Documents Enclosed With Your Application”.

Name of School	Reason(s) why you have ruled this school out as a possible alternative school for your child

HOW DO I COMPLETE THE “DOCUMENTS ENCLOSED WITH YOUR APPLICATION” SECTION OF THE APPLICATION FORM?

Here you list and number the important documents you have enclosed with your application as evidence. Please use the following checklist to ensure you have enclosed the appropriate evidence to support each question. In particular:

Question 14 relates to Year 8 applications only and asks you for evidence that your child was refused admission to the specified school. You must attach **both**:

- a copy of the Transfer Form that was completed to apply for a post-primary school for the child; **and**
- a copy of the letter from the Education Authority confirming the child’s placement at one of the schools listed on the Transfer Form, or confirmation that the child remains unplaced following the conclusion of the transfer process.

Question 17 relates to Year 9-12 applications and asks you to attach a document (letter of refusal) showing that you have recently applied to the specified school for admission for this child and have been refused.

Question 19 (relating to Test 1) asks you about evidence that proves the existence of the exceptional circumstances you have claimed in relation to your child. Please note, in order to provide evidence of the circumstances you are claiming, a document must come from an appropriate source. An appropriate source will often be a qualified professional with personal knowledge of the child and/or the circumstances claimed as exceptional.

Questions 21 and 22 (relating to Test 3) ask you about evidence in relation to features of the specified school which you have claimed make it necessary for your child to attend that school, and also evidence about alternative schools you have ruled out as not being able to offer your child these features.

Please note that the table asks you to indicate whether the documents you have provided relate to Test 1, Test 3, or both Tests 1 and 3. One document may support more than one test. At this stage you are not required to provide documentary evidence in support of Test 2. If necessary, the panel will request such evidence at a later stage in the process.

Please also note that if you are enclosing several pieces of supporting evidence you should ensure that the correct postage amount has been paid to cover the contents of the envelope, otherwise the envelope will not be accepted and your application will be delayed. The ECB Secretariat recommends that you use **Special Delivery** when posting your application.

Please note “hand delivered” applications **CANNOT** be accepted.

DOCUMENTS ENCLOSED WITH YOUR APPLICATION

In order to assist the ECB panel and as a checklist for you to confirm that you have included all the documentary evidence you feel is necessary to support your case, please complete the table below, listing all the documents you are enclosing. Please note that you are not required to provide documentary evidence in support of Test 2 at this stage. If necessary, panel members will request such evidence at a later stage in the process. Please provide **original documents**, except in the case of a Transfer Form (if applicable) when a copy will be acceptable. All documentation will be returned to you.

Please number each document enclosed	Document Title	Please indicate which test or tests each document supports	
		Test 1	Test 3

DECLARATION

Check - have you signed the Declaration in relation to all of the information contained within your application? Your signature means that:

- you are consenting for all of the information that is part of your application to be used by the Exceptional Circumstances Body (including its Secretariat) in accordance with the applicable Legislation Data Protection for the purpose of determining whether a claim of exceptional circumstances should be upheld. A copy of the Exceptional Circumstances Body privacy notice can be found at www.education-ni.gov.uk/node/33787; and
- you are consenting for the Body's Secretariat to make enquiries about support offered/ provided by the school currently, or most recently, attended by the child and/or the Education Authority if this is relevant to the circumstances described in the application; and
- you are consenting for the information provided in this application to be shared with the Board of Governors of the post-primary school named at Question 11, and anyone else whose views need to be sought on the circumstances claimed as being exceptional; or
- if you are **not** consenting for the full application to be shared with the Board of Governors of the post-primary school named at Question 11, that you are providing a summary of the exceptional circumstances being claimed in this application. The summary must contain enough information in explaining the underlying reasons why you are claiming exceptional circumstances but will allow you to omit any information which you consider to be of a confidential or sensitive nature: **(Please note that no documentary evidence submitted in support of your application will be shared with the school named at Question 11);**
- you are confirming that the child named in Question 4 of the application form is of compulsory school age; and most importantly,
- **you are confirming that all of the information contained within your application is true and accurate.**

Before signing this declaration it is important that you read it carefully and understand it. It is also important that you do not leave the declaration unsigned as this will mean that your application will be returned to you as incomplete.

DECLARATION

By signing this declaration you are confirming that you consent to the information provided in your application being shared with the Board of Governors of the post-primary school named at Question 11, and anyone else whose views need to be sought on the circumstances claimed as being exceptional.

HOWEVER if you do not wish for the information contained in TESTS 1, 2 & 3 of the application to be shared with the post-primary school named in Question 11, due to its sensitive or confidential nature, you **MUST** instead provide a **SUMMARY** of the exceptional circumstances of your case. (See guidance on page 26.)

Please indicate below if you are content for this **FULL** application to be shared with the school named at Question 11.

YES I am content for the **FULL** application form to be submitted as part of my application.

NO I am **NOT** content for the **FULL** application form to be submitted as part of my application and have chosen to provide a summary of the exceptional circumstances in my case.

If you have ticked **NO** above, please provide a summary of the exceptional circumstances of your case on page 34. This information **WILL** be provided as part of your application to the school named at Question 11.

Please note that failure to provide either the full application or the summary will result in a delay with your application.

I declare that all of the information provided in this application is true and accurate. I consent for this information to be used by the Exceptional Circumstances Body (including its Secretariat) in accordance with the applicable Data Protection Legislation for the purpose of determining whether a claim of exceptional circumstances should be successful. I consent for the Body's Secretariat to make enquiries about support offered/provided by the school currently, or most recently, attended by the child and/or the Education Authority if this is relevant to the circumstances described in the application. I also confirm that the child named at Question 4 of this form is of compulsory school age.

Signature of Parent/Guardian: _____

Date: _____

	Unsuitable dates for a hearing
Following receipt of your completed application we aim to arrange a hearing within 28 days or as soon as possible thereafter. To ensure we do not set a date which may coincide with any pre-arranged commitments it would be helpful if you could advise of any dates within the next six weeks which would be unsuitable for you to attend a hearing. Attendance at hearings is not compulsory, but is recommended.	

Declaration of consent - child over 13 years of age

I consent for this information to be used by the Exceptional Circumstances Body (including its Secretariat) in accordance with the applicable Data Protection Legislation for the purpose of determining whether a claim of exceptional circumstances should be successful. I consent for the Body's Secretariat to make enquiries about support offered/provided by the school currently, or most recently, attended by me the child/and or the Education Authority if this is relevant to the circumstances described in the application.

Signature of Child: _____

Date: _____

What happens once my application is submitted to the Body?

Your application will be acknowledged by the Body's Secretariat. If the Secretariat finds that your application omits any of the following it will return it to you as incomplete with guidance on how to complete it:

- a document or documents showing that you have recently applied for admission for your child to the school specified at Question 11 and have been refused;
- a signed declaration of consent at the end of the application form;
- a document which you have stated has been enclosed with your application but is missing;
- a signed declaration of consent if child is over 13.

Once an application is complete, your case will be scheduled for a hearing before an Exceptional Circumstances panel. The Secretariat will seek to have this hearing within 28 days of the receipt of a complete application, or as soon as possible thereafter.

An Exceptional Circumstances panel will comprise three members of the Exceptional Circumstances Body. All panels will consist of a mix of members who have been appointed for their legal expertise and members appointed for their expertise in relation to the education and/or welfare of children.

You will then be contacted by the Secretariat who will advise you of the date, time and location of your hearing and ask you to indicate if it is your intention to attend the hearing (your child may attend if you wish and/or a representative) and also if you require any special arrangements to be made to enable you to do so. Please note that children cannot be left unattended at the hearing venue and there are no childcare facilities. If you are unable to attend the hearing on the date given it will only be possible to reschedule the hearing for very exceptional reasons. Doing so will require the hearing to be adjourned to a later date.

At this stage it may also be necessary for the Secretariat to make enquiries about support offered/ provided by the school currently, or most recently, attended by the child, and/or the Education Authority if this is relevant to the circumstances described. The Secretariat may also need to obtain information about Department of Education policies that apply to circumstances described in an application.

Invitation to applicants to provide further information: at any point during the processing of your application a panel may request, through the Secretariat, that you provide further evidence in support of your application. In such circumstances, the Secretariat will contact you to ask you to provide the requested information in advance of the hearing.

Who can attend the hearing?

You have a right to attend the hearing and to make representations to the panel in support of your application, and may be accompanied by the child and/or any representative that you may choose. While attendance is not compulsory, applicants are encouraged to attend where possible, as attendance offers an opportunity for panel members to understand in greater detail the arguments being advanced, and explore with the applicant any issues that remain unresolved following consideration of the written application and supporting documentary evidence. Only persons involved in making representations may attend a hearing.

Will anyone else present evidence to the panel?

The Board of Governors of the school you have specified will be given the opportunity to provide written or oral representation to the panel, but is not compelled to do so. Hearings may proceed regardless of whether or not the Board of Governors comment on an application. A panel may also request evidence to be provided by any other relevant source if it determines that this evidence may be important in arriving at a decision. If this is considered necessary you will be provided with a copy of that evidence prior to the hearing.

What will happen at the hearing?

The panel will consider the information provided in your application, or in oral evidence, and any supporting documentary evidence in order to reach a decision. **For a case to be successful, the panel must be satisfied that on the basis of the available evidence, it can answer “yes” to the following three tests:**

- Test 1: Are the circumstances that are claimed exceptional?
- Test 2: Are the circumstances that are claimed personal to the child?
- Test 3: Do the circumstances that are claimed require the child’s admission to the school a parent has specified, and only that school?

Where the panel feels that there is insufficient information to reach a determination it may request further information from any of the relevant parties.

How long will a hearing take?

This will depend on the complexity of the issues before the panel. A complex case may not be concluded in one day; other cases may be more straightforward and take no more than an hour or two to consider. The length of time taken to hear a case is not an indication of the relative merits of the case, simply its complexity.

As some hearings may need to be adjourned in order to seek further information, additional evidence or clarify some issues, the final date of the hearing will be the date on which the panel is satisfied that it has all the information it needs in order to make a determination.

When will I know the outcome of my application?

Decisions will not be communicated at the hearing. Once all of the evidence is before the panel, including written evidence and any representations made at the hearing, the panel will consider the case and reach a decision in private. After consideration and discussion, decisions will be arrived at on the basis of a simple majority of the panel. The panel will record its decision and notify the Secretariat which will write to the applicant, the specified school and the Education Authority to advise them of the decision. The panel's decision will issue **within three weeks** of the final date of the hearing or as soon as possible thereafter. Please do not contact the Secretariat during this period as decisions will not be communicated verbally.

What will be the panel's decision on my application?

In respect of all the applications that it hears, the panel will decide **either**:

- that the child who is the subject of the application does have exceptional circumstances that require his/her admission to the post-primary school that his/her parents have specified. If this is the case, the panel will direct the specified school to admit the child;
or
- that the child who is the subject of the application does **not** have exceptional circumstances that require his/her admission to the post-primary school that his/her parents have specified. If this is the case, the panel will not direct the specified school to admit the child.

USEFUL ADDRESSES AND TELEPHONE NUMBERS

<p>Education Authority (Post-primary Transfer Officer) County Hall 182 Galgorm Road BALLYMENA BT42 1HN Tel: 028 2565 3333</p>	<p>Department of Education Rathgael House 43 Balloo Road Rathgill BANGOR BT19 7PR Tel: 028 9127 9279 Department of Education Website: www.education-ni.gov.uk</p>
<p>Secretariat The Exceptional Circumstances Body Rathgael House 43 Balloo Road Rathgill BANGOR BT19 7PR Tel: 028 9127 9871 Email: ecbsecretariat@education-ni.gov.uk</p>	<p>NI Direct www.nidirect.gov.uk www.nidirect.gov.uk/appealing-a-school-place-decision</p>



For Office Use Only

Application Reference Number _____

Date of Receipt _____

REQUEST FOR EQUALITY MONITORING INFORMATION

As a Body established by the Department of Education, it is incumbent upon the Body to comply with statutory equality duties under Section 75 and Schedule 9 of the Northern Ireland Act 1998. To help meet this duty, the Body needs to collect certain information about the child to which this claim relates, over and above that which is required to process a claim of exceptional circumstances.

The following information that is requested will be used solely for monitoring purposes to assess the extent to which this Body is meeting its statutory duties in relation to equality. This information will be stored securely and will not be made available to anyone except when required by law.

Please tick the relevant boxes as they apply to the child for whom exceptional circumstances are being claimed.

Equality Category						
Racial Group	White	<input type="checkbox"/>	Black	<input type="checkbox"/>	Asian	<input type="checkbox"/>
	Irish Traveller	<input type="checkbox"/>	Other (specify)			
Community Background	Catholic	<input type="checkbox"/>	Protestant	<input type="checkbox"/>	Other (specify)	
Gender	Male	<input type="checkbox"/>	Female	<input type="checkbox"/>		
Disability*	Disabled	<input type="checkbox"/>	Non-disabled	<input type="checkbox"/>		
Dependents	With dependents	<input type="checkbox"/>	Without dependents	<input type="checkbox"/>		
Age of Child	_____ Years					

* *The Disability Discrimination Act (often referred to as the DDA) describes a disabled person as someone who has “a physical or mental impairment which has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities”.*

COMPLETED EQUALITY MONITORING FORMS SHOULD BE SENT TO:

The Exceptional Circumstances Body - Secretariat
 Rathgael House, 43 Balloo Road,
 Rathgill, BANGOR BT19 7PR

This page is intentionally left blank.

DO NOT USE.

SUMMARY OF EXCEPTIONAL CIRCUMSTANCES

[Empty box for summary of exceptional circumstances]

(If further paper is required, please use A4 paper only.)

COMPLETED APPLICATION FORMS SHOULD BE SENT TO:

The Exceptional Circumstances Body - Secretariat
Rathgael House
43 Balloo Road
Rathgill
BANGOR
BT19 7PR

The Exceptional Circumstances Body is committed to ensuring that information of a personal and sensitive nature is stored in an appropriately secure environment.

Please note “hand delivered” applications **CANNOT** be accepted.

