



School Standards and Framework Act 1998

1998 CHAPTER 31

PART III

SCHOOL ADMISSIONS

CHAPTER I

ADMISSION ARRANGEMENTS

[^{F1}Admission arrangements: England]

[^{F1}88H Reference of objections to adjudicator

(1) This section applies where admission arrangements have been determined by an admission authority for a maintained school in England under section 88C.

[This section also applies where admission arrangements for [^{F3}an Academy school] ^{F2}(1A) have been determined by the proprietor of [^{F3}an Academy school] under Academy arrangements.]

(2) Where—

(a) [^{F4}a body or person] wishes to make an objection about the admission arrangements, and

(b) the objection does not fall within any description of objections prescribed for the purposes of this paragraph,

that [^{F5}body or] person may refer the objection to the adjudicator.

^{F6}(3)

(4) On a reference under subsection (2) ^{F7}... the adjudicator must decide whether, and (if so) to what extent, the objection should be upheld.

Changes to legislation: School Standards and Framework Act 1998, Section 88H is up to date with all changes known to be in force on or before 22 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (5) Regulations may make provision—
- (a) as to any conditions which must be satisfied before—
 - (i) an objection can be referred to the adjudicator under subsection (2)^{F8} ..., or
 - (ii) the adjudicator is required to determine an objection referred to him under subsection [F9(2)];
 - (b) as to circumstances in which the adjudicator is not required to determine an objection under subsection (4);
 - (c) prescribing the steps which may be taken by an admission authority where an objection has been referred to the adjudicator under subsection (2)^{F10} ... but has not yet been determined.
 - (d) prohibiting or restricting the reference under subsection (2)^{F11} ..., within such period following a decision by the adjudicator under this section as may be prescribed, of any objection raising the same (or substantially the same) issues in relation to the admission arrangements of the school in question.

^{F12}(6)]

Textual Amendments

- F1** Ss. 88B-88Q inserted (2.12.2008 for specified purposes, 26.1.2009 in so far as not already in force) by Education and Skills Act 2008 (c. 25), ss. 151(4), 173(2)(b)(4); S.I. 2008/3077, arts. 2(a), 4(d)
- F2** S. 88H(1A) inserted (1.2.2012) by Education Act 2011 (c. 21), ss. 64(3), 82(3); S.I. 2012/84, art. 3
- F3** Words in s. 88H(1A) substituted (1.4.2012) by Education Act 2011 (c. 21), s. 82(3), Sch. 13 para. 10(4)(a); S.I. 2012/924, art. 2
- F4** Words in s. 88H(2)(a) substituted (1.2.2012) by Education Act 2011 (c. 21), ss. 36(2)(a), 82(3); S.I. 2012/84, art. 3
- F5** Words in s. 88H(2) inserted (1.2.2012) by Education Act 2011 (c. 21), ss. 36(2)(b), 82(3); S.I. 2012/84, art. 3
- F6** S. 88H(3) omitted (1.2.2012) by virtue of Education Act 2011 (c. 21), ss. 36(3), 82(3); S.I. 2012/84, art. 3
- F7** Words in s. 88H(4) omitted (1.2.2012) by virtue of Education Act 2011 (c. 21), ss. 36(4), 82(3); S.I. 2012/84, art. 3
- F8** Words in s. 88H(5)(a)(i) omitted (1.2.2012) by virtue of Education Act 2011 (c. 21), ss. 36(5)(a), 82(3); S.I. 2012/84, art. 3
- F9** Word in s. 88H(5)(a)(ii) substituted (1.2.2012) by Education Act 2011 (c. 21), ss. 36(5)(b), 82(3); S.I. 2012/84, art. 3
- F10** Words in s. 88H(5)(c) omitted (1.2.2012) by virtue of Education Act 2011 (c. 21), ss. 36(5)(c), 82(3); S.I. 2012/84, art. 3
- F11** Words in s. 88H(5)(d) omitted (1.2.2012) by virtue of Education Act 2011 (c. 21), ss. 36(5)(d), 82(3); S.I. 2012/84, art. 3
- F12** S. 88H(6) omitted (1.2.2012) by virtue of Education Act 2011 (c. 21), ss. 36(6), 82(3); S.I. 2012/84, art. 3

Changes to legislation:

School Standards and Framework Act 1998, Section 88H is up to date with all changes known to be in force on or before 22 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 14(3)(aa) inserted by [2011 nawm 7 s. 16\(2\)](#) (Amendment not applied to legislation.gov.uk - s.16(02) of 2011 nawm007 omitted by 2013 nawm001 s. 100(4), Sch. 5 para. 13(2); S.I. 2014/178, art. 2(f) (with art. 3) prior to commencement)
- s. 18B inserted by [2011 nawm 7 s. 16\(3\)](#) (Amendment not applied to legislation.gov.uk - s.16(02) of 2011 nawm007 omitted by 2013 nawm001 s. 100(4), Sch. 5 para. 13(2); S.I. 2014/178, art. 2(f) (with art. 3) prior to commencement)
- Sch. 22 para. 5(1B) inserted by [2023 c. 55 s. 235\(4\)](#)