

SCHEDULE

MODIFICATION OF THE 1996 Act

Review of approved admission numbers

5.—(1) After section 426 of the 1996 Act, there shall be inserted the following new section

“**426A.**—(1) The governing body of a grant-maintained school containing any infant class shall keep under review any approved admission number applicable to admissions to an infant class, having regard to

- (a) the school’s capacity to accommodate pupils, and
- (b) the need to secure that the admission to the school in any school year of a number of children in any relevant age group equal to the approved admission number would not result in prejudice to the provision of efficient education or the efficient use of resources by reason of qualifying measures.

(2) The governing body of any such school shall in particular carry out a review under subsection (1) as soon as reasonably practicable following the coming into force of regulations under section 1 of the School Standards and Framework Act 1998 by virtue of which any limit on class sizes is to apply in relation to any such class at the school.

(3) Where, as a result of a review under subsection (1), the governing body consider that any approved admission number at the school should be varied in order to enable the objective referred to in subsection (1)(b) to be achieved, they shall seek approval to the variation of that number in accordance with section 426(4).

(4) For the purposes of subsection (1) a school’s capacity to accommodate pupils shall be calculated having regard to any guidance given from time to time by the Secretary of State.”.

(2) This paragraph applies at any relevant time falling before the commencement of paragraph 11 of Schedule 23 to the 1998 Act.