



# Education Reform Act 1988

## 1988 CHAPTER 40

### PART I

#### SCHOOLS

### CHAPTER II

#### ADMISSION OF PUPILS TO COUNTY AND VOLUNTARY SCHOOLS

#### **27 Standard numbers for admissions.**

- (1) Subject to subsections (3), (4) and (5) below, if pupils in any age group were admitted to any county or voluntary school in the school year immediately preceding the commencement year, the standard number applying to the school for that age group in the commencement year and any subsequent school year shall be—
- the appropriate pre-commencement number; or
  - the number of pupils in that age group admitted in the school year immediately preceding the commencement year;
- whichever is the greater.
- (2) In this Chapter “the commencement year” means the school year beginning next after section 26(1) of this Act comes into force; and the reference in subsection (1)(a) above to the appropriate pre-commencement number is a reference—
- in the case of a secondary school, to the standard number applying to the school under section 15 of the 1980 Act in relation to the age group in question in the school year immediately preceding the commencement year; and
  - in the case of a primary school, to the number applicable in relation to the school and in relation to the age group in question in accordance with section 29 of this Act.
- (3) Subject to subsections (4) and (5) below, if proposals under section 12 or 13 of the 1980 Act (which impose certain requirements in relation to the establishment and alteration of schools) have fallen to be implemented in relation to any county or voluntary school,

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*Status: Point in time view as at 01/09/1991. This version of this provision has been superseded.*

*Changes to legislation: Education Reform Act 1988, Section 27 is up to date with all changes known to be in force on or before 18 June 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)*

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the number stated in the proposals in accordance with subsection (2) of section 12 (or that subsection as applied by section 13) for any school year and age group shall be the standard number applying to the school for that age group—

- (a) in any school year to which this subsection applies in relation to which the proposals have been wholly implemented; and
- (b) subject to any variation made by the Secretary of State, in any such school year in relation to which they have been partly implemented.

This subsection applies to the commencement year and any subsequent school year.

- (4) The Secretary of State may by order applying to county or voluntary schools of any class or description vary any standard number that would otherwise apply by virtue of the preceding provisions of this section.
- (5) Subject to subsections (6) and (7) below, the Secretary of State may by order vary any standard number that would otherwise apply to an individual school by virtue of the preceding provisions of this section or any order made under subsection (4) above.
- (6) An order under subsection (5) above reducing a standard number may only be made on the application of the authority responsible for determining the arrangements for the admission of pupils to the school, and is subject to the procedure under section 28 of this Act.
- (7) An order under subsection (5) above increasing a standard number may be made on the application of that authority or on an application made by any other authority in accordance with section 26(8) of this Act; and on any such application the Secretary of State may—
  - (a) refuse to make such an order;
  - (b) make an order increasing the standard number to the number proposed; or
  - (c) after consultation with both the local education authority and the governing body of the school, make an order increasing the standard number to such number (less than the number proposed) as he thinks desirable.
- (8) The authority responsible for determining the arrangements for the admission of pupils to any such school shall keep under review any standard numbers applying under this section to the school, having regard to any change in the school's capacity to accommodate pupils as compared with its capacity at the beginning of the school year to which those standard numbers first applied (whether in accordance with this section or section 15 of the 1980 Act).
- (9) References in subsection (3) above to proposals under section 12 or 13 of the 1980 Act are references to the proposals with any modifications made by the Secretary of State under either of those sections; and any standard number applying under that subsection is without prejudice to the application under that subsection of a new standard number if further proposals fall to be implemented under those sections.

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**Modifications etc. (not altering text)**

- C1 Ss. 26-32 modified by S.I. 1989/1135, art. 3(1), **Sch. 3**
- C2 S. 27(1)(2)(3) modified by S.I. 1991/410, **art.3**
- C3 S. 27(1)(2)(3) modified by S.I. 1991/410, **art.3**
- C4 S. 27(1)(2)(3) modified by S.I. 1991/410, **art.3**
- C5 S. 27(5)(7) applied (2.10.1995) by S.I. 1995/2368, **reg. 5(2)**.
- C6 S. 27(6) modified by S.I. 1988/1459, **art. 8**

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- C7** S. 27(6) excluded (2.10.1995) by S.I. 1995/2368, **reg. 4(2)**.
- C8** S. 27(5)(7) applied (2.10.1995) by S.I. 1995/2368, **reg. 5(2)**.
- C9** S. 27(7) modified (2.10.1995) by S.I. 1995/2368, **reg. 5(3)**.

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**Commencement Information**

- I1** S. 27 partly in force; s. 27 in force for certain purposes at 12.3.1991, 1.5.1991 and 1.9.1991 see s. 236 and S.I. 1991/409, **arts. 3, 4**

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