



Education Act 1996

1996 CHAPTER 56

PART VI

SCHOOL ADMISSIONS, ATTENDANCE AND CHARGES

CHAPTER I

SCHOOL ADMISSIONS

Admissions appeals relating to county and voluntary schools

423 Appeal arrangements.

- (1) A local education authority shall make arrangements for enabling the parent of a child to appeal against—
 - (a) any decision made by or on behalf of the authority as to the school at which education is to be provided for the child in the exercise of the authority's functions, other than a decision leading to or embodied in a direction under section 431 (directions for admission), and
 - (b) any decision made by or on behalf of the governing body of a county or controlled school maintained by the authority refusing the child admission to the school.
- (2) The governing body of an aided or a special agreement school shall make arrangements for enabling the parent of a child to appeal against any decision made by or on behalf of the governing body refusing the child admission to the school.
- (3) Joint arrangements may be made under subsection (2) by the governing bodies of two or more aided or special agreement schools maintained by the same local education authority.
- (4) Schedule 33 has effect in relation to the making and hearing of appeals pursuant to arrangements made under this section.

Status: Point in time view as at 01/09/1997.

Changes to legislation: Education Act 1996, Cross Heading: Admissions appeals relating to county and voluntary schools is up to date with all changes known to be in force on or before 26 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)

- (5) The decision of an appeal committee on such an appeal shall be binding—
 - (a) on the local education authority or governing body by or on whose behalf the decision under appeal was made, and
 - (b) in the case of a decision made by or on behalf of a local education authority, on the governing body of any county or controlled school at which the appeal committee determines that a place should be offered to the child in question.

^{F1}(6)

Textual Amendments

F1 S. 423(6) repealed (1.9.1997) by 1997 c. 44, s. 57(1)(4), Sch. 7 para. 33, **Sch.8**; S.I. 1997/1468, art. 2(2), **Sch. 1 Pt.II**.

[423A ^{F2}Appeals relating to children to whom section 411A(2) applies.

- (1) Nothing in section 423(1) or (2) requires any arrangements to be made for enabling the parent of a child to appeal against a decision—
 - (a) made by or on behalf of the admission authority for a county or voluntary school, and
 - (b) refusing the child admission to the school,
 in a case where, at the time when the decision is made, section 411A(2) applies to the child.
- (2) Where a local education authority are the admission authority for a county or controlled school, the authority shall make arrangements for enabling the governing body of the school to appeal against any decision made by or on behalf of the authority to admit to the school a child to whom, at the time when the decision is made, section 411A(2) applies.
- (3) Schedule 33A shall have effect in relation to the making and hearing of appeals pursuant to arrangements made under subsection (2).
- (4) The decision of an appeal committee on an appeal made pursuant to arrangements under subsection (2) shall be binding—
 - (a) on the local education authority by or on whose behalf the decision under appeal was made, and
 - (b) on the governing body of any county or controlled school at which the appeal committee determines that a place should be offered to the child in question.]

Textual Amendments

F2 S. 423A inserted (1.9.1997) by 1997 c. 44, s. 12(1) (with s. 57(3)); S.I. 1997/1468, art. 2(2), **Sch. 1 Pt.II**.

Status:

Point in time view as at 01/09/1997.

Changes to legislation:

Education Act 1996, Cross Heading: Admissions appeals relating to county and voluntary schools is up to date with all changes known to be in force on or before 26 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.