



School Standards and Framework Act 1998

1998 CHAPTER 31

PART III

SCHOOL ADMISSIONS

CHAPTER I

ADMISSION ARRANGEMENTS

Admission appeals

94 Appeal arrangements: general.

- (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 96 (directions for admission), and
 - (b) in the case of a community or voluntary controlled school maintained by the authority, any decision made by or on behalf of the governing body refusing the child admission to the school.
- (2) The governing body of a foundation or voluntary aided 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 foundation or voluntary aided schools maintained by the same local education authority.

Status: Point in time view as at 01/04/1999.

Changes to legislation: School Standards and Framework Act 1998, Cross Heading: Admission appeals is up to date with all changes known to be in force on or before 14 July 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)

- (4) A local education authority and the governing body or bodies of one or more foundation or voluntary aided schools maintained by the authority may make joint arrangements consisting of—
- (a) such of the arrangements made by the authority in pursuance of subsection (1) as the authority may determine; and
 - (b) arrangements made by the governing body or bodies in pursuance of subsection (2).
- (5) Schedule 24 has effect in relation to the making and hearing of appeals pursuant to arrangements made under this section.
- (6) The decision of an appeal panel on an appeal under Schedule 24 shall be binding on—
- (a) the local education authority or the governing body by whom 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, the governing body of a community or voluntary controlled school at which the appeal panel determines that a place should be offered to the child in question.

Modifications etc. (not altering text)

- C1 S. 94 restricted (29.3.1999) by S.I. 1999/1016, art. 6, Sch. 4 paras. 1, 8
- C2 S. 94 modified (temp. from 22.4.1999) by S.I. 1999/1064, reg. 5
- C3 S. 94 applied (with modifications) (1.9.1999) by S.I. 1999/2800, reg. 7, Sch. paras. 1, 2-8
S. 94 applied (with modifications) (18.10.1999) by S.I. 1999/2666, reg. 8, Sch. paras. 1(c), 2-8

95 Appeals relating to children to whom section 87 applies.

- (1) Nothing in section 94(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 maintained school, and
 - (b) refusing the child admission to the school,
- in a case where, at the time when the decision is made, section 87(2) applies to the child.
- (2) Where a local education authority are the admission authority for a community or voluntary 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 87(2) applies.
- (3) Schedule 25 has effect in relation to the making and hearing of appeals pursuant to arrangements made under subsection (2).
- (4) The decision of an appeal panel on an appeal made pursuant to arrangements under subsection (2) shall be binding on the local education authority and the governing body.

Modifications etc. (not altering text)

- C4 S. 95 modified (temp.) (22.4.1999) by S.I. 1999/1064, reg.6.
- C5 S. 95 applied (with modifications) (18.10.1999) by S.I. 1999/2666, reg. 8, Sch. paras. 1(c), 2-8.

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S. 95 applied (with modifications) (1.9.1999) by S.I. 1999/2800, reg. 7, Sch. paras. 1, **2-8**.

C6 S. 95(2) restricted (29.3.1999) by S.I. 1999/1016, art. 6, Sch. 4 paras. 1, **8**

Status:

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Changes to legislation:

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