

*These notes refer to the Education and Inspections Act 2006
(c.40) which received Royal Assent on 8 November 2006*

EDUCATION AND INSPECTIONS ACT 2006

EXPLANATORY NOTES

COMMENTARY

Part 3: Further Provisions about Maintained Schools

Section 49: Procedure for giving direction under section 96 of SSFA 1998

231. This section amends section 97 of the 1998 Act.
232. Section 96 of that Act enables local authorities to direct the governing bodies of schools for which they are not the admission authority to admit a child where the child has been refused admission to or excluded from every school within a reasonable travelling distance. Section 97 provides that, on receipt of a notice of a decision to direct, the governing body may refer the matter to the Secretary of State or, in relation to Wales, the National Assembly. The Secretary of State (or the National Assembly) is then able to determine which school should admit the child. This section amends section 97 so that, in relation to England, such references will in future be made to the adjudicator rather than the Secretary of State.