

SCHEDULE

MODIFICATION OF THE 1996 Act

Review of standard numbers

2.—(1) After section 421 of the 1996 Act there shall be inserted the following new section

“**421A.**—(1) The admission authority for a county or voluntary school containing any infant class shall keep under review any standard 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 relevant standard number would not cause prejudice of the kind referred to in section 411(3)(a) by reason of any qualifying measures.

(2) The admission authority for 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 authority consider that any standard number at the school should be varied in order to enable the objective referred to in subsection (1)(b) to be achieved, they shall make an application for an order under section 420(2) varying the standard number.

(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.

(5) In this Chapter, “infant class” has the meaning given in section 4 of the School Standards and Framework Act 1998.”

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