
STATUTORY INSTRUMENTS

2007 No. 105

EDUCATION, ENGLAND

The School Admissions (Adjudicator Determinations
Relating to Looked After and Certain Other
Children) (England) Regulations 2007

<i>Made</i>	- - - -	<i>20th January 2007</i>
<i>Laid before Parliament</i>		<i>29th January 2007</i>
<i>Coming into force</i>	- -	<i>27th February 2007</i>

The Secretary of State for Education and Skills, after consulting the Council on Tribunals, makes the following Regulations in exercise of the powers conferred by sections 95A(9) and 97C of the School Standards and Framework Act 1998(1):

Citation, commencement, application and interpretation

1.—(1) These Regulations may be cited as The School Admissions (Adjudicator Determinations Relating to Looked After and Certain Other Children) (England) Regulations 2007 and come into force on 27th February 2007.

(2) These Regulations apply only in relation to England.

(3) In these Regulations “the Act” means the School Standards and Framework Act 1998.

Required consultation under sections 95A, 97 or 97B of the Act

2. Before making a determination in connection with a reference made pursuant to sections 95A(3), 97(3) or 97B(4) of the Act, and in the event that the adjudicator wishes to determine that a school in England is to be required to admit the child, the adjudicator must consult the following persons—

- (a) the admission authority for any school that he is considering may be required to admit the child;
- (b) the governing body of any such school if not the admission authority; and
- (c) the local authority for the area in which any such school is situated if not the admission authority.

(1) 1998 c.31; sections 95A and 97C were inserted by sections 48 and 51 respectively of the Education and Inspections Act 2006 (c.40). For the meaning of “prescribed” and “regulations”, see section 142(1) of the 1998 Act.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Information to be provided to the Adjudicator

3. An admission authority for a maintained school⁽²⁾ must provide such information relating to the circumstances of the school as may be requested by the adjudicator for the purposes of any determination he is considering making in relation to the school in connection with a reference under sections 95A(3), 97(3) or 97B(4) of the Act.

20th January 2007

Jim Knight
Minister of State
Department for Education and Skills

(2) "Maintained school" is defined for the purposes of Chapter 1 of Part 3 of the School Standards and Framework Act 1998, in section 84(6), as a community, foundation or voluntary school.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations arise from changes made to the School Standards and Framework Act 1998 by the Education and Inspections Act 2006 and come into force on 27th February 2007.

They make provision in relation to references to the Schools' Adjudicator in respect of: decisions by or on behalf of local education authorities to admit looked after children who have been permanently excluded from two or more schools (section 95A of the 1998 Act); directions by local education authorities to admit children who have been refused admission to or excluded from every school within a reasonable travelling distance of their home (section 97 of the 1998 Act); and directions by local education authorities to admit looked after children (section 97B of the 1998 Act).

Regulation 2 sets out the persons who must be consulted on a reference to the adjudicator pursuant to sections 95A, 97 or 97B of the 1998 Act before the adjudicator determines that a school is to be required to admit the child.

Regulation 3 requires admission authorities to provide information to the adjudicator when requested in relation to a reference under those sections.