
EXPLANATORY NOTE

(This note is not part of the Regulations)

The School Admissions (Co-ordination of Admission Arrangements)(England) Regulations 2008 (“the 2008 Regulations”) are made under sections 88M, 88N, 88O, 138 and 144 of the School Standards and Framework Act 1998. They come into force on 10th February 2009. They require local authorities (with the exception of the Council of the Isles of Scilly) to formulate a qualifying scheme to co-ordinate arrangements for the admission of pupils to maintained schools in their area, so that parents apply to their home local authority (irrespective of where the school might be), and receive one offer of a school place. They do not apply to applications for admission to a sixth form of a school.

The 2008 Regulations also amend the School Admissions (Co-ordination of Admission Arrangements)(England) Regulations 2007 (“the 2007 Regulations”) to impose a new requirement to formulate a scheme to co-ordinate in-year applications for the academic year 2010-2011. The 2007 Regulations are then revoked in respect of academic year 2011-2012 and subsequent years.

The qualifying scheme will co-ordinate the following classes of application: “applications made in the course of a normal admission round” (in other words, applications for a normal year of entry, made according to the annual timetable for applying to primary and secondary schools), “late applications” (in other words, applications for the normal year of entry, made outside the course of a normal admission round but before the first day of the school year) and “in-year applications” (in other words applications made during the school year, or applications for a year other than a normal year of entry). The 2008 Regulations contain slightly different requirements, depending on the class of application.

The Regulations apply in relation to admission arrangements for the academic years 2011-2012 onwards, except for the amendments to the 2007 Regulations.

Regulation 4 requires local authorities to formulate qualifying schemes which comply with the requirements of Schedule 1. Regulation 5 prescribes the action to be taken by a local authority, including consultation requirements, to secure the adoption of qualifying schemes.

Regulation 6 requires local authorities to notify the Secretary of State once they have taken the steps required by regulation 5, and regulation 7 provides that where a local authority notify the Secretary of State that a scheme has not been adopted by 15th April in the relevant year, the Secretary of State may impose a scheme.

Regulation 8 requires local authorities to determine a date in each year when decisions to offer or refuse admission to primary schools must be sent to parents, and regulation 9 prescribes the date on which decisions to offer or refuse admission to secondary schools must be sent to parents.

Regulation 10 ensures that any obligations placed upon local authorities and governing bodies of schools under qualifying or imposed schemes are enforceable as if they were direct statutory duties.

Schedule 1 contains the requirements which must be met in relation to a scheme formulated by a local authority. The requirements apply to applications for primary and secondary schools.

Regulation 11 introduces Schedule 2, which amends the 2007 Regulations. The effect of the amendments is to place local authorities under a duty, for the academic year 2010-2011, to formulate a scheme to co-ordinate in-year applications. Schemes must be formulated by 1st January before the start of the academic year. Local authorities must consult on the contents of the scheme and notify the Secretary of State once the schools covered by the scheme have agreed to it. If the Secretary of

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State does not receive such a notification by 15th April before the start of the academic year, he may impose an in-year scheme on the relevant authority.