
STATUTORY INSTRUMENTS

2012 No. 8

The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012

PART 2

Admission arrangements

CHAPTER 6

Reference of objections to the adjudicator: schools and Academies

Objections that may not be referred to the adjudicator

21.—(1) For the purposes of section 88H(2)(b) the description of objections that may not be referred under section 88H(2)(1) is—

- (a) an objection which in substance seeks an alteration to admission arrangements for a grammar school, which by virtue of section 104(4) may only be made in accordance with sections 105(2) to 109(3) (altering the school's admission arrangements so that it no longer has selective admission arrangements);
- (b) an objection which in substance seeks an alteration to admission arrangements for a selective Academy so as to remove selection, which by virtue of its Academy arrangements may only be made in accordance with those Academy arrangements;
- (c) an objection that the admission number has not been changed or has been increased for—
 - (i) any school whose admission authority are not the local authority; or
 - (ii) an Academy;
- (d) an objection in respect of an increase or no change to the admission number for a community or voluntary controlled school other than an objection by the governing body of that school;
- (e) an objection to an agreement that the admission arrangements for an Academy may vary from the School Admissions Code.

(2) For the purposes of paragraph (1)(e), an agreement is that made between the proprietor of an Academy and the Secretary of State and set out in the Academy arrangements.

(1) Subsection 88H(2) was amended by the Education Act 2011 (c.21), section 36(2).

(2) Section 105 was amended by S.I. 2010/1158.

(3) Section 109 was amended by the Education and Inspections Act 2006 (c.40), Schedule 3, paragraph 29 and S.I. 2010/1158.

Restriction on referring objections following a decision by the adjudicator

22. For the purposes of section 88H(5)(d)(4), where the adjudicator has determined an objection to the admission arrangements of a school or Academy, no objection may be referred to the adjudicator raising the same or substantially the same issues in relation to those admission arrangements within 2 years of the decision by the adjudicator.

Time limit for objections

23. The adjudicator is not required to determine an objection referred under section 88H(2) unless it is received by the adjudicator on or before 30th June in the determination year.

Condition to be met before the determination of an objection

24. An objection may only be referred under section 88H(2) where the person or body making the objection provides their name and address to the adjudicator.

Information to be provided by the admission authority

25. Where the adjudicator is carrying out functions under sections 88H and 88I(5) and makes a request to the admission authority of a school or an Academy for any of the information set out in Schedule 1 to these Regulations the admission authority must provide the requested information to the adjudicator.

(4) Subsection 88H(5)(d) was amended by the Education Act 2011 (c.21), section 36(5)(d).

(5) Sections 88H and 88I were amended by the Education Act 2011 (c.21). Section 88H was amended by section 36(1) to (6), and section 64(3). Section 88I was amended by sections 34(3) and 64(4).