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STATUTORY INSTRUMENTS

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**2022 No. 975**

**EDUCATION, ENGLAND**

**The School Admission Appeals Code  
(Appointed Day) (England) Order 2022**

*Made - - - - 21st September 2022*

The Secretary of State makes the following Order in exercise of the powers conferred by sections 85(5) and 138(7) of the School Standards and Framework Act 1998<sup>(1)</sup>.

**Citation, extent and application**

- 1.—(1) This Order may be cited as the School Admission Appeals Code (Appointed Day) (England) Order 2022.
- (2) This Order extends to England and Wales.
- (3) This Order applies in relation to England.

**Appointed day**

2. The day appointed for the coming into force of the revised code issued by the Secretary of State under section 84(5) of the School Standards and Framework Act 1998<sup>(2)</sup> (a copy of a draft of which was laid before each House of Parliament on 16th June 2022)<sup>(3)</sup> is 1st October 2022.

**Savings provision**

3.—(1) Despite article 2, the School Admission Appeals Code 2012 continues to have effect, as it had effect immediately before 1st October 2022, in relation to an appeal pursuant to section 94 or 95 of the School Standards and Framework Act 1998<sup>(4)</sup> which is lodged before 1st October 2022.

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(1) 1998 c. 31. Section 85 was amended by section 40 of and Part 6 of Schedule 18 to the Education and Inspections Act 2006 (c. 40), and S.I. 2007/1388. Section 138 was amended by paragraph 111 of Schedule 21 and Part 3 of Schedule 22 to the Education Act 2002 (c. 32), paragraph 9 of Schedule 12 and paragraph 8 of Schedule 16 to the Education Act 2005 (c. 18), paragraph 21 of Schedule 4, Part 3 of Schedule 18 and paragraph 3 of Schedule 17 to the Education and Inspections Act 2006 (c. 40), section 62 of the Education Act 2011 (c. 21), and paragraph 2 of Schedule 16 to the Deregulation Act 2015 (c. 20).

(2) 1998 c. 31. Section 84 was amended by paragraph 2 of Schedule 4 and Part 3 of Schedule 22 to the Education Act 2002 (c. 32), section 40 and 50 of and Part 6 of Schedule 18 to the Education and Inspections Act 2006 (c. 40), section 43 of the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), and S.I. 2010/1158 and 2016/413.

(3) School Admission Appeals Code, ISBN 978-1-5286-3460-1. See <https://www.gov.uk/government/publications/school-admissions-appeals-code>.

(4) 1998 c. 31. Section 94 was amended by section 50 of and paragraph 8 of Schedule 4 to the Education Act 2002 (c. 32), section 43 and 51 of the Education and Inspections Act 2006 (c. 40), section 152 of and Schedule 2 to the Education and Skills Act 2008 (c. 25), paragraph 4 of Schedule 3 to the Local Government (Wales) Measure 2011 (nawm 4), and S.I.

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

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(2) In paragraph (1), “School Admission Appeals Code 2012” means the revised code issued by the Secretary of State under section 84(5) of the School Standards and Framework Act 1998, a copy of a draft of which was laid before each House of Parliament on 1st December 2011 and which came into force on 1st February 2012<sup>(5)</sup>.

21st September 2022

*Kelly Tolhurst*  
Minister of State  
Department for Education

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<sup>(5)</sup> Reference: DFE-57508-2012, brought into force by S.I. 2012/216. See also <https://www.gov.uk/government/publications/school-admissions-appeals-code>.  
<sup>(5)</sup> 2010/1158. Section 95 was amended by paragraph 9 of Schedule 4 to the Education Act 2002 (c. 32), section 48 of the Education and Inspections Act 2006 (c. 40), paragraph 67 of Schedule 1 to the Education and Skills Act 2008 (c. 25), paragraph 4 of Schedule 3 to the Local Government (Wales) Measure 2011 (nawm 4), and S.I. 2010/1158.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order appoints 1st October 2022 as the day on which the School Admission Appeals Code (“the Appeals Code”) comes into force.

The Appeals Code replaces the previous School Admission Appeals Code, which came into force on 1st February 2012 (“the School Admission Appeals Code 2012”), subject to the savings in article 3.

The Appeals Code imposes requirements and includes guidelines setting out aims, objectives and other matters in relation to the arrangements for appeals against decisions to refuse admission to a maintained school and for appeals by governing bodies, pursuant to sections 94 and 95 of the School Standards and Framework Act 1998 (c. 31) respectively.

The Appeals Code introduces:

- on a permanent basis, the ability to hold appeal hearings remotely (by video conference and in some circumstances by telephone) as well as in person. The flexibility to hold appeal hearings remotely was temporarily introduced in April 2020, via the School Admissions (England) (Coronavirus) (Appeals Arrangements) (Amendment) Regulations 2020 (S.I. 2020/446), as a result of the COVID-19 pandemic;
- hybrid appeal hearings, where one or more participants attend in person while one or more participants attend remotely.

Article 3 of this Order saves the School Admission Appeals Code 2012 in relation to appeals lodged before the Appeals Code comes into force.

Copies of the Appeals Code (ISBN 978-1-5286-3460-1) and the School Admission Appeals Code 2012 (Reference: DFE-57508-2012) can be purchased from Dandy Booksellers Limited, 15 Hoopers Yard, Kimberley Road, London, NW6 7EJ, telephone orders: +44 (0) 20 7624 2993, email orders: [enquiries@dandybooksellers.com](mailto:enquiries@dandybooksellers.com), website: [www.publicinformationonline.com](http://www.publicinformationonline.com). The Appeals Code and the School Admission Appeals Code 2012 may be downloaded free of charge from <https://www.gov.uk/government/publications/school-admissions-appeals-code>.