
WELSH STATUTORY INSTRUMENTS

2013 No. 3141 (W. 314)

EDUCATION, WALES

**The School Admission Appeals Code
(Appointed Day) (Wales) Order 2013**

Made - - - - 10 December 2013

The Welsh Ministers in exercise of the power conferred on the Secretary of State by section 85(5) of the School Standards and Framework Act 1998 and now vested in them⁽¹⁾ make the following Order:

Title and application

1.—(1) The title of this Order is the School Admission Appeals Code (Appointed Day) (Wales) Order 2013.

(2) This Order applies in relation to Wales.

Appointed Day

2. The day appointed for the coming into force of the School Admission Appeals Code (a copy of a draft of which was laid before the National Assembly for Wales on 4 October 2013) is 1 January 2014.

10 December 2013

Huw Lewis
Minister for Education and Skills, one of the
Welsh Ministers

⁽¹⁾ 1998 c.31. The function of the Secretary of State under this section was transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) and then to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32).

Status: This is the original version (as it was originally made).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

EXPLANATORY NOTE

(This note is not part of the Order)

This Order appoints 1 January 2014 as the day on which the School Admission Appeals Code (“the Appeals Code”) issued under sections 84 and 85 of the School Standards and Framework Act 1998 (“the SSFA 1998”) by the Welsh Ministers comes into force. The Appeals Code applies in relation to Wales.

The Appeals Code replaces the School Admission Appeals Code which came into force on 15 July 2009. The Appeals Code reflects changes made to the SSFA 1998 since that date.

The new Code imposes requirements and includes guidelines setting out aims, objectives and other matters in relation to the arrangements for appeals in relation to admission to schools. Under section 84(3) of the SSFA 1998, it is the duty of local authorities, the governing bodies of maintained schools, admission forums and appeal panels when exercising functions under Chapter 1 of Part 3 of the SSFA 1998 to act in accordance with any relevant provisions of the Code. In addition, any other person, when exercising any function for the purpose of the discharge by a local authority or the governing body of a maintained school of functions under that Chapter, must act in accordance with any relevant provisions of the Code.

The main changes introduced by the Code are:

- (a) admission authorities must ensure that all panel members receive training every three years;
- (b) when holding appeals, admission authorities may utilise their own buildings if necessary providing this is suitably distanced from the work of the admission authority; and
- (c) panel members must consider whether the admission arrangements comply with the Part 3 of the SSFA 1998 and the Code on School Admissions.

The Appeals Code comes into force on 1 January 2014 and applies to all appeals heard on or after that date. The 2009 School Admission Appeals Code applies to appeals heard before that date.