
WELSH STATUTORY INSTRUMENTS

2023 No. 1113 (W. 193)

EDUCATION, WALES

**The School Admission Appeals Code
(Appointed Day) (Wales) Order 2023**

Made - - - - 23rd October 2023

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 2023.

(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 Senedd Cymru on 7 August 2023) is 1 November 2023.

23 October 2023

Jeremy Miles
Minister for Education and Welsh Language, 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Status: This is the original version (as it was originally made).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 November 2023 as the day on which the School Admission Appeals Code (“the Code”) issued under sections 84 and 85 of the School Standards and Framework Act 1998 (“the 1998 Act”) by the Welsh Ministers, comes into force. The Code applies in relation to Wales and in respect of admissions to the school year 2023/2024 and subsequent years. The Code replaces the School Admission Appeals Code which issued in December 2013 and which came into force on 1 January 2014.

The 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 1998 Act, 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 1998 Act 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 in this Code are—

- (a) a power for admission authorities to decide in certain circumstances whether an appeal hearing is to be held in person, by remote access (“a remote appeal”) or partly in person and partly by remote access (“a hybrid appeal”),
- (b) a duty that if the admission authority decides to have a remote appeal or a hybrid appeal it must make all necessary arrangements for the appeal panel to have access to the necessary remote access equipment, and
- (c) a power for the admission authorities to decide that an appeal may be decided on the basis of written information only in certain circumstances.