
EXPLANATORY NOTE

(This Note is not part of the Regulations)

These Regulations make provision for ballots to determine whether grammar schools should retain selective admission arrangements.

Part I contains definitions; in particular it contains the definition of “eligible parents”(regulation 4), that is parents who are to be eligible to request a ballot or vote in a ballot. Eligible parents are different for area ballots and petitions for area ballots and for feeder school ballots and petitions for feeder school ballots. “Feeder school” is also defined in Part I (regulation 6). Regulation 3 prescribes Electoral Reform (Ballot Services) Ltd under section 105(3)(c) of the School Standards and Framework Act 1998 (referred to in the Regulations as “the designated body”). The designated body is to receive petitions and make the arrangements for the holding of the ballot and the regulations confer other functions on the designated body.

Part II contains provisions relating to petitions for a ballot. A petition can relate to all schools in a “relevant area” (an expression defined in regulation 2), a group of grammar schools (groups of grammar schools being listed in Schedule 2) or a “stand alone grammar school” (such grammar schools being listed in Schedule 3) (regulation 7). Provision is made in regulation 7 that in order to trigger a ballot the petition must be signed by a number of eligible parents which is at least 20% of the “parent population” (an expression defined in regulation 7(9)).

Part III contain provisions as to the ballot itself. Again a ballot can relate to all schools in a “relevant area”, a group of grammar schools or a “stand alone grammar school” (regulation 11). Part III also contains provisions whereby the Secretary of State may declare a ballot void (regulation 15) and provides that if a ballot has been in favour of retaining selective admission arrangements no further ballot may be held for 5 years (regulation 16).

Part IV contains supplementary provisions. In particular regulation 17 provides for the period within which admission arrangements must be revised so that a school no longer has selective admission arrangements in cases where the ballot has been in favour of ending selection. Regulation 22 makes special provisions for a case where a petition is received before 31st July 1999. Under such circumstances the ballot cannot be held until after 1st September 1999 and regulation 22 makes special provisions for eligibility to vote in such a ballot