

EDUCATION AND INSPECTIONS ACT 2006

EXPLANATORY NOTES

COMMENTARY

Part 3: Further Provisions about Maintained Schools

Section 40: Code for school admissions

191. This section makes provision for both England and Wales.
192. It modifies sections 84 and 85 of the 1998 Act to strengthen the status of the school admissions code of practice. At present this is referred to in section 84(1) as a code of practice containing practical guidance and section 84(2) provides that it may contain guidelines. Relevant bodies, such as governing bodies of maintained schools, are required 'to have regard to' the code.
193. *Subsections (2) to (4)* amend section 84(1) to (3) to strengthen the force of the code by requiring relevant bodies to act in accordance with it, and to provide that it may impose requirements and may include guidelines
194. *Subsection (2)* also amends section 84(1) so that admission forums are included within the list of bodies to whose functions the code applies.
195. *Subsection (6)* inserts a definition of 'admission forum' into section 84(6).
196. *Subsection (9)* enables the requirement to consult on a draft of the code, imposed by section 85(2) of the 1998 Act, to be satisfied by consultation undertaken before the Act receives Royal Assent.