



Education and Skills Act 2008

2008 CHAPTER 25

PART 5

MISCELLANEOUS AND GENERAL

CHAPTER 2

MISCELLANEOUS

School admissions

152 Sixth form admissions etc: appeals

- (1) Section 94 of the School Standards and Framework Act 1998 (c. 31) (appeal arrangements: general) is amended as follows.
- (2) In subsection (1)—
 - (a) for “the parent of a child” substitute “the appropriate person”;
 - (b) before paragraph (a) insert—
 - “(za) in a case where the local education authority are the admissions authority, any decision made by or on behalf of the authority refusing a child admission to a school,”;
 - (c) in paragraph (a)—
 - (i) for “any decision” substitute “any other decision”, and
 - (ii) for “the child” substitute “a child”;
 - (d) in paragraph (b), for “the child” substitute “a child”.
- (3) In subsection (1A), for “the parent of” substitute “the appropriate person in relation to”.
- (4) In subsection (2)—
 - (a) for “the parent of a child” substitute “the appropriate person”;

Status: This is the original version (as it was originally enacted).

- (b) for “the child” substitute “a child”.
- (5) In subsection (2A), for “the parent of” substitute “the appropriate person in relation to”.
- (6) After that subsection insert—
- “(2B) In this section, “the appropriate person”, in relation to a child, means—
- (a) in the case of a decision about sixth form education for the child any of the following—
 - (i) the child;
 - (ii) a parent of his;
 - (iii) the child and a parent of his, acting jointly;(but subject to regulations made under subsection (5A));
 - (b) in any other case, a parent of the child.”
- (7) In subsection (5A), after paragraph (a) insert—
- “(aa) in cases where separate appeals are made by a parent and a child against a decision about sixth form education for the child, for the appeals to be joined, or otherwise for securing that no more than one appeal against the decision is proceeded with;”.
- (8) After subsection (6) insert—
- “(6A) In this section, any reference to a decision about sixth form education for a child is a reference to a decision—
- (a) made in relation to a preference expressed in accordance with arrangements made under section 86A(1) as to where education should be provided for the child, or
 - (b) refusing permission for the child to enter the sixth form of the school to which he has been admitted.”