
STATUTORY INSTRUMENTS

2007 No. 192

EDUCATION, ENGLAND

**The Education (Admission Forums)
(England) (Amendment) Regulations 2007**

Made - - - - *29th January 2007*
Laid before Parliament *6th February 2007*
Coming into force - - *27th February 2007*

The Secretary of State for Education and Skills makes the following Regulations in exercise of the powers conferred by sections 85A, 85B and 138(7) of the School Standards and Framework Act 1998(1):

Citation, commencement and application

1.—(1) These Regulations may be cited as The Education (Admission Forums) (England) (Amendment) Regulations 2007 and come into force on 27th February 2007.

(2) These Regulations apply only in relation to England.

Amendment of The Education (Admission Forums) (England) Regulations 2002

2. The Education (Admission Forums) (England) Regulations 2002(2) are amended as follows.

3. In regulation 2(1)—

(a) after the definition of “the Act” insert—

““admission forum protocol” means an arrangement of the admission forum which aims to ensure that children who have no school place are offered a place at a suitable school as quickly as possible, and which applies to all admission authorities and Academies within the area of a local education authority which have agreed to comply with such an arrangement;”

and

(b) after the definition of “school group” insert—

(1) 1998 c.31; sections 85A and 85B are inserted by sections 46 and 66 of the Education Act 2002 (c.32), section 85A is amended by section 41 of the Education and Inspections Act 2006 (c. 40).
(2) S.I. 2002/2900.

““school members” are the members of a forum appointed under regulation 5(1)(aa); and

4. In regulation 3 after paragraph (1) insert—

“(1A) For the purposes of section 85A(1A) of the Act (matters that may be included in reports) the prescribed matters are—

- (a) the number and percentages of first, second and third preferences expressed in accordance with arrangements made under section 86(1) of the Act (or more if applicable) which were met and the main factors that affected whether such preferences were met;
- (b) the number of appeals made to the appeal panel within the area of the authority;
- (c) the ethnic and social mix of pupils attending schools in the area of the authority and the factors that affect this;
- (d) the extent to which existing and proposed admission arrangements serve the interests of looked after children, children with disabilities and children with special educational needs;
- (e) how well the admission forum protocol has worked and how many children have been admitted to each school under the protocol;
- (f) whether primary schools are meeting their statutory duties in relation to infant class sizes;
- (g) details of other matters that might affect how fairly admission arrangements serve the interests of children and parents within the authority; and
- (h) any recommendation or recommendations that the forum wishes to make in order to improve parental choice and access to education in the area of the authority.

(1B) For the purposes of section 85A(1B) of the Act (information that may be requested by a forum) the prescribed information is—

- (a) in relation to local education authorities, the number and percentages of preferences expressed in accordance with arrangements made under section 86(1) of the Act which were met and the main factors that affected this;
- (b) in relation to local education authorities and governing bodies the number of appeals made to the appeal panel;
- (c) in relation to governing bodies, the ethnic and social mix of pupils attending schools and the factors that might affect this;
- (d) in relation to local education authorities how well the admission forum protocol has worked and how many children have been admitted to each school under the protocol;
- (e) in relation to local education authorities and governing bodies, information relating to whether primary schools are meeting their statutory duties in relation to infant class sizes; and
- (f) in relation to local education authorities and governing bodies, such information as might be relevant to matters that affect the admissions process and the extent to which it operates fairly and promotes parental choice and access to education.”.

5. In regulation 5—

- (a) after sub-paragraph (1)(a) insert—

“(aa) school members appointed by the authority in accordance with paragraph (6A);”

and

(b) after paragraph (6) insert—

“(6A) For the purposes of this regulation, and subject to paragraph (6B), the “school members” of a forum shall comprise one member from every maintained school, other than a special school, in the area of the authority, who should be either the head teacher or a governor (other than a governor who is appointed to the governing body by the authority and is a member of the authority).

(6B) Where a school is already represented on a forum by a core member, no school member shall be appointed for that school.

(6C) Members falling within paragraph (6A) shall be appointed following a nomination by the governing body of each maintained school within the area for which the forum has been established.”.

6. In regulation 6—

(a) in paragraph (1) after the first use of the words “core members” insert “or school members”, and in the second use of those words omit the word “core”;

(b) in paragraph (2) after the words “core member” insert “or a school member”; and

(c) after paragraph (3) insert—

“(3A) A school member shall vacate his office if he ceases to be the head teacher or a governor of the school he represents.”.

7. In regulation 9—

(a) in paragraph (1) for “their own procedure” substitute “the procedure of the forum”;

(b) after paragraph (3) insert—

“(4) It shall be the duty of the secretary or, in the absence of the secretary, of the authority, to notify every member at least one week in advance of the time and place of each meeting.

(5) In any vote regarding the exercise of a forum’s power to refer an objection to the adjudicator pursuant to section 90 of the Act, the vote must be carried by a simple majority of those members present and, in the case of an equality of votes the chairman, or in his absence the vice-chairman, shall have a second or casting vote.”.

8. In regulation 10 after paragraph (7) insert—

“(8) A school member may only nominate an alternate member who is the head teacher or governor of the school which he represents.”.

29th January 2007

Jim Knight
Minister of State
Department for Education and Skills

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 Regulations)

These Regulations amend the Education (Admission Forums) (England) Regulations 2002 and come into force on 27th February 2007.

They make provision for the representatives of maintained schools, subject to certain exceptions, to be members of the admission forum in their local authority area, and prescribe the tenure of such ‘school members’, the procedure for their nomination and for the nomination of alternate members.

They prescribe, for the purposes of section 85A (1A) of the School Standards and Framework Act 1998 (inserted by the Education and Inspections Act 2006) the matters that a forum may include in its report published under that subsection.

They prescribe for the purposes of section 85A (1B) of the SSFA 1998 (inserted by the EIA 2006) the information a forum may request from local authorities (either in the area for which the forum was established or in an adjoining area) and governing bodies of maintained school for the purposes of preparing such a report.

They require notification of meetings of a forum to be given at least one week in advance and for there to be a majority vote before a forum exercises its power to refer an objection to the adjudicator under section 90 SSFA 1998.