
STATUTORY INSTRUMENTS

2008 No. 3089

The School Admissions (Admission Arrangements) (England) Regulations 2008

PART 1

General

Citation, commencement and application

1.—(1) These Regulations may be cited as the School Admissions (Admission Arrangements) (England) Regulations 2008.

(2) These Regulations come into force on 31st December 2008.

(3) They apply in relation to admission arrangements for schools in England for the academic year 2010-2011 and subsequent years.

Interpretation

2.—(1) In these Regulations—

“SSFA 1998” means the School Standards and Framework Act 1998;

“academic year” means a period commencing with 1st August and ending with the next 31st July;

“additional radial area” means any part of the radial area which falls outside the relevant area for consultation about the proposed admission arrangements for a school (but excluding any part of such an area that is in Scotland);

“admission authority” has the meaning in section 88(1);

“admission number” means the number of children in any relevant age group intended to be admitted in any academic year as determined or, where the context requires, proposed to be determined by an admission authority in accordance with section 88D;

“determination year”, in relation to the proposed admission arrangements for a school, means the academic year beginning two years before the academic year which the arrangements will be for;

“local authority” means a local education authority;

“indicated admission number” means the number of pupils in any relevant age group referred to as such in, and determined in accordance with the net capacity assessment method set out in, the guidance “Assessing the Net Capacity of Schools” issued by the Department for Education and Skills in August 2002;(1)

“main entrance” means the principal entrance to the school premises or, if the school has more than one site, the principal entrance to the main administrative building of the school;

(1) Assessing the Net Capacity of Schools, DfES/0739/2001 REV is available on the DCSF website www.dcsf.gov.uk/netcapacity/. See section 142(1) of SSFA 1998 for the definition of “relevant age group”.

“oversubscription criteria” means the criteria to be used to allocate places at a school if the admission authority receives more applications than there are places available;

“pre-existing selection arrangements” means any selection arrangements which—

- (a) were included in the admission arrangements for a school at the beginning of the academic year 1997/98 and for each subsequent academic year, and
- (b) which depend solely for their lawfulness on section 100 (*permitted selection: pre-existing arrangements*) (that is to say they are not rendered lawful by section 99(2)(c) (*sixth forms*), section 101 (*permitted selection: pupil banding*)(2), section 102 (*permitted selection: aptitude for particular subjects*), or section 39(1)(b) of the Education and Inspections Act 2006 (*grammar schools*);

“prescribed alteration” means an alteration prescribed for the purposes of section 18 of the Education and Inspections Act 2006;

“radial area” is the area described by a circle—

- (a) of which the centre is the main entrance to the school to which the proposed admission arrangements relate, and
- (b) which has a radius of 3.2 kilometres in the case of a primary school and 8 kilometres in the case of a secondary school
(but excluding any part of such an area that is in Scotland); and

“relevant area” has the meaning in section 88F(4) and The Education (Relevant Areas for Consultation on Admission Arrangements) Regulations 1999(3);

“school” means a community, foundation or voluntary school;

“School Admissions Code” means any code for school admissions issued under section 84;(4) and

“selection arrangements” means those arrangements (if any) in the admission arrangements determined for a school for a particular academic year which make provision for the selection of pupils by ability or aptitude within the meaning of section 99(5).

(2) For the purposes of these Regulations admission arrangements for a school are treated as being for the particular academic year in which pupils are to be admitted to the school in consequence of the arrangements.

(3) Save where otherwise appears, any reference in these Regulations to a numbered section is a reference to that section of SSFA 1998.

Regulations revoked

3.—(1) Subject to paragraph (2) the Regulations set out in Schedule 1 are revoked.

(2) The Regulations referred to in Schedule 1 continue to have effect in relation to admission arrangements for schools in England for the academic years 2008-2009 and 2009-2010.

(2) Section 101 is amended by section 54 of the Education and Inspections Act 2006.

(3) [S.I. 1999/124](#).

(4) Section 84 is amended by section 40 of, and Part 6 of Schedule 18 to, the Education and Inspections Act 2006.