
STATUTORY INSTRUMENTS

2008 No. 3089

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

PART 4

Procedure for determining admission arrangements: consultation

Persons who must be consulted

12.—(1) This regulation prescribes for the purposes of section 88C(2) the persons who must be consulted about proposed admission arrangements for a school.

(2) Subject to regulation 15 the following persons must be consulted—

- (a) whichever of the governing body and the local authority are not the admission authority;
- (b) the admission authorities for all other schools in the relevant area;
- (c) the governing bodies for all community and voluntary controlled schools in the relevant area (so far as not falling within sub-paragraph (a) or (b));
- (d) where the admission authority for the school is the local authority, any neighbouring local authority;
- (e) where the admission authority for the school is the governing body, any relevant local authority (so far as not required by sub-paragraph (a) or (b));
- (f) the admission forum established by the local authority;
- (g) relevant parents;
- (h) such other persons in the relevant area or the additional radial area who appear to the admission authority to have an interest in the proposed admission arrangements; and
- (i) in the case of a foundation or voluntary school which is designated as having a religious character by an order under section 69(3), the body or person representing the religion or religious denomination in question.

(3) For the purposes of sub-paragraphs (2)(b) and (c) in the case of a primary school the admission authority need only consult the admission authorities for other schools in the relevant area which are primary schools.

(4) For the purposes of sub-paragraph (2)(d) a local authority is “neighbouring”, in relation to another local authority, if the areas of the two authorities adjoin to any extent.

(5) For the purposes of sub-paragraph (2)(e) a local authority is “relevant” if any part of its area falls within the relevant area for consultation or the additional radial area.

(6) For the purposes of sub-paragraph (2)(g) “relevant parents” means all parents who fall within regulation 26.

(7) For the purposes of sub-paragraph (2)(i)—

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- (a) the bodies or persons listed in the second column of the Table must be consulted about proposed admission arrangements for schools designated as having the religion or religious denomination listed in the first column of the Table, and
- (b) where a school is designated as having more than one religion or religious denomination, the body or person listed in the second column of the Table for each of the religions or religious denominations must be consulted about the proposed admission arrangements for that school.

Bodies and persons to be consulted in relation to the admission arrangements of schools with a religious character

<i>Religion or religious denomination</i>	<i>Body or person to be consulted</i>
Church of England	The appropriate diocesan authority
Jewish	The appropriate rabbinic authority for the school listed in Schedule 2
Methodist	The Methodist Connexional Education Secretary
Muslim	The Association of Muslim Schools UK
Quaker	The Religious Society of Friends (Quakers)
Roman Catholic	The Diocesan Bishop or the equivalent in canon law for the diocese in which the school is situated
Seventh-Day Adventist	The British Union Conference of Seventh Day Adventists
Sikh	Nanaksar Thath Isher Darbar Trust

Matters to which consultation is to relate

13.—(1) This regulation prescribes for the purposes of section 88C(2) the matters to which any consultation must relate.

(2) Subject to regulations 14 and 15, consultation must relate to all of the arrangements (including the whole admissions policy and any supplementary information form) which the admission authority propose to determine as the admission arrangements for the school for the particular academic year, except any exempt arrangements.

(3) For the purposes of paragraph (2) admission arrangements are exempt to the extent that—

- (a) in the case of a grammar school, they make provision that the school should retain selective admission arrangements as defined by section 104(2) or that the school should cease to have such arrangements in accordance with section 108 or section 109; or
- (b) section 88C is excluded by section 103(1) and (2) from applying to their determination (*making or abandonment of provision for selection which constitutes a prescribed alteration*).

Additional consultation: proposed increase in admission number

14.—(1) Where the proposed admission arrangements include an admission number which exceeds the admission number determined for the previous academic year by 27 or more—

- (a) the admission authority must also consult any trade union representing staff at the school who may be affected by the proposed increase, and
 - (b) such consultation need only relate to the proposed admission number.
- (2) For the purposes of this regulation “staff” means any person who works at the school.

Circumstances where consultation is not required

15.—(1) This regulation prescribes for the purposes of section 88C(2) the circumstances in which an admission authority is not required to consult on its proposed admission arrangements.

(2) An admission authority is not required to consult on its proposed admission arrangements for the academic year 2011-12 and any subsequent academic year where—

- (a) it consulted on its proposed admission arrangements in accordance with section 88C(2) in one or both of the two preceding determination years, and
- (b) the proposed admission arrangements are the same as those determined following the last such consultation.

Manner of consultation

16.—(1) An admission authority must communicate their proposed admission arrangements by—

- (a) sending each person who must be consulted by virtue of sub-paragraphs (a) to (f) and (i) of regulation 12(2) or regulation 14 a copy of the proposed admission arrangements and inviting their comments,
- (b) displaying a copy of their proposed admission arrangements on their website (if they have one) together with details of the person within the admission authority to whom comments may be sent, for the duration of the consultation held by virtue of regulation 17(1) and (2), and
- (c) publishing, in a newspaper circulating in the locality of the local authority-
 - (i) information about where a copy of their proposed admission arrangements may be obtained, and
 - (ii) details of the person within the admission authority to whom comments may be sent.

(2) For the purposes of this regulation the proposed admission arrangements must include any exempt arrangements (within the meaning of regulation 13) together with an indication that comments are not sought on any such element of the proposed admission arrangements.

(3) Communication under paragraph (1) (a) may be effected by the transmission of a copy of the proposed admission arrangements in electronic form, except in any case where there are grounds for believing that the intended recipient is unable to make use of it in that form.

Time for consultation and determination of admission arrangements

17.—(1) Subject to paragraph (2) every admission authority must, in respect of their proposed admission arrangements for the school for each academic year, take all steps necessary to ensure that they will have completed any consultation required by section 88C and these Regulations before 1st March in the determination year.

(2) Any consultation —

- (a) must allow consultees at least eight weeks to respond, and
- (b) in the case of consultations in relation to admission arrangements for the academic year 2011-2012 and subsequent years, must start no earlier than 1st November in the determination year.

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(3) Every admission authority must take all steps necessary to ensure that they determine their admission arrangements before 15th April in the determination year.