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STATUTORY INSTRUMENTS

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**2012 No. 8**

The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012

PART 1

General

**Interpretation**

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

(2) 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;

“Academy” has the meaning in section 1(10) of the Academies Act 2010<sup>(1)</sup>: a school to which Academy arrangements relate;

“Academy arrangements” has the meaning in section 1(2) of the Academies Act 2010;

“admission authority” has the meaning in section 88(1)<sup>(2)</sup>;

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

“admission year” in relation to the admission of pupils to schools during a particular academic year in pursuance of a qualifying scheme or a scheme imposed by the Secretary of State, means that academic year;

“application”, in relation to arrangements made by a local authority under section 86(1)<sup>(3)</sup>, means a parent’s expression of preference as to the school at which that parent wishes education to be provided for the child;

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

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(1) 2010 c.32; section 53 of the Education Act 2011 (c.21), which is not yet in force, prospectively amends section 1(10) of the Academies Act 2010 and inserts section 1A into that Act. An Academy for the purposes of these Regulations will become known as an Academy school under section 1A of the Academies Act when section 53 of the Education Act 2011 is brought into force.

(2) Section 88 was amended by section 43(1) of the Education and Inspections Act 2006 (c.40), S.I. 2010/1158 and section 64(2) of the Education Act 2011 (c.21).

(3) Section 86(1) was amended by S.I. 2010/1158.

“offer date” means the date prescribed by regulation 30 when applicants receive notice of the place they have been allocated at a primary or secondary school;

“offer year” means the academic year immediately preceding the admission year;

“oversubscription criteria” means the criteria to be used to allocate places at a school if the admission authority receive 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 1997-1998 and for each subsequent academic year, and
- (b) which depend solely for their lawfulness on section 100 (permitted selection: pre-existing arrangements)(4);

“prescribed alteration” means an alteration prescribed for the purposes of section 18 of the Education and Inspections Act 2006(5);

“qualifying scheme” means a scheme co-ordinating arrangements for the admission of pupils to primary schools and secondary schools in the local authority area formulated by a local authority pursuant to section 88M(1)(a)(6) and these Regulations;

“relevant area” has the meaning in section 88F(4)(7);

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

“School Admissions Code” means any code for school admissions issued under section 84(8);

“selective Academy” is an Academy which replaces a school and to which section 6(3) of the Academies Act 2010 applies (retention of selective admission arrangements on conversion);

“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);

“working day” means any day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday within the meaning of the Banking and Financial Dealings Act 1971(9);

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

(4) For the purposes of these Regulations an application is made in the course of a normal admission round if it is not a late application or an in-year application.

(5) For the purposes of these Regulations an application is a late application if—

- (a) it is for the admission of a child to a relevant age group(10);
- (b) it is submitted before the first day of the first school term of the admission year; and
- (c) a determination relating to the application is not made by an admissions authority on or before the offer date.

(6) For the purposes of these Regulations an application is an in-year application if—

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(4) That is to say they are not rendered lawful by section 99(2)(c) (sixth forms), section 101 (permitted selection: pupil banding), or section 102 (permitted selection: aptitude for particular subjects) of the School Standards and Framework Act 1998 (c.31), nor by section 39(1)(b) (grammar schools) of the Education and Inspections Act 2006 (c.40).

(5) 2006 c.40.

(6) Section 88M(1) was amended by S.I. 2010/1158.

(7) Section 88F was amended by S.I. 2010/1158.

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

(9) 1971 c.80.

(10) See section 142(1) of the School Standards and Framework Act 1998 (c.31) for the definition of “relevant age group”.

- (a) it is for the admission of a child to a relevant age group and it is submitted on or after the first day of the first school term of the admission year; or
- (b) it is for the admission of a child to an age group other than a relevant age group.