



School Standards and Framework Act 1998

1998 CHAPTER 31

PART III

SCHOOL ADMISSIONS

CHAPTER I

ADMISSION ARRANGEMENTS

Nursery and special schools, etc: children with statements

- 98 Admission for nursery education or to nursery or special school: children with statements of special educational needs**
- (1) Children admitted to a school for nursery education and subsequently transferred to a reception class at the school shall be regarded for the purposes of this Chapter as admitted to the school (otherwise than for nursery education) on being so transferred.
 - (2) The admission of children to a school for nursery education shall be disregarded for the purpose of—
 - (a) applying in relation to a primary school any provision of section 93 or Schedule 23 which refers to the number of pupils admitted or intended to be admitted to a school in any school year, or
 - (b) determining for the purposes of any provision of section 93 or Schedule 23 what is a relevant age group in relation to a primary school.
 - (3) Subject to subsection (4), nothing in this Chapter applies in relation to—
 - (a) nursery schools, or
 - (b) children who will be under compulsory school age at the time of their proposed admission.

Status: This is the original version (as it was originally enacted).

- (4) Where the arrangements for the admission of pupils to a maintained school provide for the admission to the school of children who will be under compulsory school age at the time of their proposed admission, this Chapter shall apply in relation to the admission of such pupils to the school otherwise than for nursery education.
- (5) Regulations may make provision in connection with the arrangements for the admission of pupils to community or foundation special schools, and for the allocation between the local education authority and the governing body of such a school of functions in connection with such arrangements.
- (6) Apart from section 92(3) to (6) and subsection (5) above, nothing in this Chapter applies in relation to special schools.
- (7) Subject to subsections (8) and (9), nothing in this Chapter applies in relation to children for whom statements of special educational needs are maintained under section 324 of the Education Act 1996.
- (8) Any provision made by, or (as the case may be) by virtue of, section 84 or 92(3) to (6) or this section applies, or (as the case may be) may be made so as to apply, in relation to such children.
- (9) Such children shall, in addition, be taken into account for the purposes of—
 - (a) the reference in section 86(5) or (9) to a number of pupils, and
 - (b) the fixing of admission numbers under section 93 and the determination, variation and review of standard numbers under Schedule 23.
- (10) In subsection (8) the reference to any provision made by this section includes a reference to subsection (4) only so far as it has effect for the purposes mentioned in subsection (9).