
STATUTORY INSTRUMENTS

1999 No. 125

The Education (Objections to Admission Arrangements) Regulations 1999

PART III

DECISIONS ON OBJECTIONS AND EFFECT OF DECISIONS

Reference of objections to the Secretary of State

7.—(1) The adjudicator shall refer an objection to the Secretary of State under section 90(3)(b) in a case where the objection is about any criterion for admission to a school relating to a person's religion, religious denomination or religious practice.

(2) This regulation does not apply to Wales.

Publication of decisions

8.—(1) Decisions of the adjudicator or the Secretary of State and the reasons for them shall be published under section 90(7)—

- (a) by notifying them in writing to the parties to the objection and to all other bodies whom the admission authority was required to consult about the relevant admission arrangements under section 89(2); and
- (b) in the case of a decision on an objection about pre-existing selection arrangements within the meaning in regulation 5(2) (whether or not the objection was referred by a parent), by publishing the information in paragraph (2) of this regulation in a newspaper circulating in the area served by the school in question within 14 days after the date when the decision and reasons were given.

(2) The information to be published under subparagraph (1)(b) is—

- (a) the name of the admission authority and (if different) of the school to which the admission arrangements relate; and
- (b) a short description of the decision and of the reasons for it.

Limitation on later objections

9.—(1) Where an objection about the admission arrangements for a particular school for a particular school year has been decided by the adjudicator or the Secretary of State, no subsequent objection may be referred (by the person or body who made the objection or by anyone else) about—

- (a) those arrangements, or
- (b) the arrangements for that school for the next following school year,

which raises the same or substantially the same issue.

(2) Paragraph (1)(b) shall not prevent an objection being referred about the arrangements for a school where—

- (a) the decision mentioned in paragraph (1) upheld an objection to the admission arrangements for the school; and
- (b) the substance of the objection now sought to be referred is that the admission arrangements for the school determined by the admission authority for the next following school year are, so far as material, the same or substantially the same as those against which the earlier objection was referred.

Power to alter arrangements following decision on an objection

10.—(1) This regulation applies where—

- (a) the adjudicator or the Secretary of State has made a decision upholding to any extent an objection to admission arrangements determined by an admission authority; and
- (b) a relevant admission authority reasonably believe that the arrangements which they have determined are, so far as material—
 - (i) the same as those arrangements; or
 - (ii) sufficiently similar for the same decision to have been made against them had an objection been made.

(2) In a case where this regulation applies, the relevant admission authority may revise their admission arrangements by making such alterations as they reasonably believe to be necessary to achieve consistency with the decision, and may determine their arrangements in that revised form.

(3) Any such determination of revised arrangements shall not be made later than two months after the date on which the decision and the reasons for it were notified under regulation 8(1)(a).

(4) In this regulation, “relevant admission authority” means an admission authority who, before they determined the admission arrangements that they wish to revise, were required under section 89(2) to consult the admission authority against whom the decision was made.