

*These notes refer to the Education Act 2011 (c.21)
which received Royal Assent on 15 November 2011*

EDUCATION ACT 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 6: Academies

Academies: other provisions

Section 64: Academy admissions arrangements: references to adjudicator

318. **Section 64** amends Chapter 1 of Part 3 of SSFA 1998 to allow the adjudicator to consider and to determine eligible objections or referrals relating to the admissions arrangements of Academies, as they do for those of maintained schools. Under section 88H of SSFA 1998, as amended by the Act, any person or body will be able to make objections to the adjudicator about an Academy's admission arrangements (*subsection (3)*). Under section 88I, as amended, the Secretary of State will be able to make referrals to the adjudicator where it appears to the Secretary of State that an Academy's admission arrangements do not or may not conform with the requirements relating to admission arrangements. The adjudicator also has a discretion to consider admission arrangements other than those referred by the Secretary of State (*subsection (4)*).
319. The requirements relating to an Academy's admission arrangements, including the application of the School Admissions Code, are set out in the Academy agreement between the Secretary of State and an Academy (see new subsection (5)(b) of section 88K, as inserted by *subsection 5(b)*).
320. Where the adjudicator decides on any objection or referral, the decision is binding on the admission authority (and in the case of an objection, the person making the objection). The adjudicator must publish a report containing that decision and the reasons behind it. The power to make regulations under sections 88H, 88I and 88K is amended so that the regulations will also apply to Academies.