EXPLANATORY MEMORANDUM TO

THE EDUCATION (CO-ORDINATION OF ADMISSION ARRANGEMENTS) (PRIMARY SCHOOLS) (ENGLAND) (AMENDMENT) REGULATIONS 2005

2005 No.2

1. This explanatory memorandum has been prepared by the Department for Education and Skills and is laid before Parliament by Command of Her Majesty.

This memorandum contains information for the Joint Committee on Statutory Instruments.

2. Description

2.1 This instrument amends the Education (Co-ordination of Admission Arrangements) (Primary Schools) (England) Regulations 2002.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None

4. Legislative Background

4.1 This instrument is being made to exempt the Isles of Scilly from the requirement to formulate a co-ordinated admissions scheme for primary schools.

5. Extent

5.1 This instrument applies to England.

6. European Convention on Human Rights

Not applicable.

7. Policy background

7.1 By virtue of section 89B of the School Standards and Framework Act (inserted by section 48 of the Education Act 2002) the Secretary of State has made the Education (Co-ordinationion of Admission Arrangements) (Primary Schools) (England) Regulations 2002 to require LEAs to formulate and take steps to adopt a scheme for co-ordinating admissions to all primary schools in their area. The regulations further prescribe the circumstance in which the Secretary of State may impose a scheme if the LEA is unable to secure agreement with all the admission authorities in its area in an academic year.

7.2 The regulations set out the requirements of a qualifying scheme, including that the scheme shall provide a mechanism for eliminating multiple offers of places at schools within each LEA so that parents receive one offer of a school place and all receive the offer at the same time. This instrument exempts the Isles of Scilly from that requirement.. The LEA now

has only one primary school – although the school has sites on several islands – and there is consequently no opportunity or need for co-ordination.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

9. Contact

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