EXPLANATORY MEMORANDUM TO

THE SCHOOL ADMISSIONS (ADMISSION ARRANGEMENTS AND CO-ORDINATION OF ADMISSION ARRANGEMENTS) (ENGLAND) (AMENDMENT) REGULATIONS 2025

2025 No. 1081

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Department for Education and is laid before Parliament by Command of His Majesty.

2. Declaration

2.1 Georgia Gould MP, Minister for School Standards at the Department for Education confirms that this Explanatory Memorandum meets the required standard.

2.2 Matt Collins, Deputy Director for Admissions, School Organisation and Transport at the Department for Education confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Mark Earl at the Department for Education can be contacted by email at the following address with any queries regarding the instrument: mark.earl@education.gov.uk. Alternatively, the Department can be contacted by telephone: 0370 000 2288.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 This Statutory Instrument ("SI") amends the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) Regulations 2012 ("the School Admission Regulations") to update Part 1 of Schedule 4 which lists Jewish maintained schools designated as having a religious character under section 69(3) of the School Standards and Framework Act 1998 ("maintained faith schools") and their religious bodies.

4.2 The School Admission Regulations prescribe matters in relation to school admissions in England. The regulations list, within Schedules 3 and 4, the religious bodies ("rabbinic authorities" in the case of Jewish schools) for maintained schools designated as having a religious character ("faith schools").

4.3 These religious bodies exercise certain functions relevant to admission arrangements for faith schools. Admission authorities for faith schools must have regard to any guidance from their religious body when constructing faith-based admission arrangements. They may also only adopt measures of faith activities within their admission arrangements – such as regular attendance at a place of worship - as laid out by this body. Faith school admission authorities must also consult their religious body when deciding how membership or practice of the faith is to be demonstrated within the school's admission arrangements.

4.4 The School Governance (Constitution) (England) Regulations 2012 confer certain functions on religious bodies named in Schedules 3 and 4 of the School Admission

Regulations, including that they must approve their school's instrument of government before it can be finalised. The School Governance (Federations) (England) Regulations 2012 also confer functions on such religious bodies, including that governing bodies proposing to federate must send them their proposals.

Where does the legislation extend to, and apply?

4.5 The extent of this instrument is England and Wales.

4.6 The territorial application of this instrument is England only.

5. Policy Context

What is being done and why?

5.1 This SI amends Part 1 of Schedule 4 to the School Admission Regulations to list, within Schedule 4, a new Jewish maintained school (Nancy Reuben Primary School) - which opened in the London Borough of Barnet in September 2025 - alongside its rabbinic authority (the Office of the Rabbis of Od Yosef Hai Synagogue, Hendon).

5.2 The requirements and powers described in paragraph 4.3 serve to ensure that faith-based admission arrangements are in line with the principles or beliefs of the faith designation and to reduce the risk of unfair admission practices. The religious bodies for academy faith schools are specified in academies' funding agreements rather than the School Admission Regulations.

5.3 This amendment will permit Nancy Reuben Primary School to adopt faith activities within its admission arrangements on the same basis as other maintained faith schools, as laid out by its rabbinic authority.

What was the previous policy, how is this different?

5.4 There is no change in policy. The amendment adds a new Jewish maintained school and its rabbinic authority to Schedule 4 to the School Admission Regulations to ensure the school may adopt faith activities within its admission arrangements.

6. Legislative and Legal Context

How has the law changed?

6.1 This SI amends Part 1 of Schedule 4 to the School Admission Regulations to ensure that it is up to date by listing a new Jewish maintained school and its rabbinic authority.

6.2 Maintained schools in England are designated as having a religious character by an order made by the Secretary of State under section 69(3) of the School Standards and Framework Act 1998 ("the SSFA"). Section 69(3) also applies to independent schools, including academy schools, by virtue of section 124B of that Act.

6.3 State-funded faith schools are permitted under the Equality Act 2010 to prioritise the admission of pupils based on their religion or belief.

6.4 This SI (the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) (Amendment) Regulations 2025) is made under powers set out in sections 88C and 88F of the SSFA. Section 88C provides that religious bodies must be notified of determined admission arrangements and contains a power to make regulations – e.g. the School Admission Regulations - setting out who must be consulted on proposed admission arrangements before they are

determined. Section 88F of the SSFA provides the Secretary of State with the power to make regulations prescribing religious bodies for faith schools.

6.5 Regulation 34 and Schedule 3 to the School Admission Regulations specify the bodies or persons that represent the religion or religious denomination in question for maintained faith schools. Where there is no one representative body that can represent the whole religion or religious denomination, the representative bodies and their individual schools are listed in Schedule 4.

6.6 Through the power in section 84 of the SSFA the Secretary of State makes the School Admissions Code ("the Code"). The Code imposes requirements and includes guidelines setting out aims, objectives and other matters in relation to the discharge of school admissions functions including by local authorities, governing bodies of maintained schools, appeal panels and schools adjudicators. The Code is applied to academy schools through provisions within their individual funding agreements.

6.7 Where a faith school has a religious body, the Code requires the admission authority to consult that religious body on its faith-based admission arrangements and have regard to its guidance on faith admissions in general. However, paragraph 1.9(i) of the Code states that school admission authorities may only adopt religious activities – such as regular attendance at a place of worship – 'as laid out' by their religious body, insofar as the religious body's advice complies with the Code. Without this religious body being named in regulations, maintained faith schools cannot adopt religious activities within their admission arrangements.

Why was this approach taken to change the law?

6.8 Amending the School Admission Regulations to list the new Jewish maintained school and its rabbinic authority within Schedule 4 is the only way the new Jewish school can – as laid out by their rabbinic authority – take account of faith activities within its admission arrangements, on the same basis as other faith schools.

7. Consultation

Summary of consultation outcome and methodology

7.1 There is no statutory requirement for the Department to consult on the SI. However, officials sought the views of interested stakeholders during 2025. The stakeholders were the London Borough of Barnet, the proposed headteacher and chair of governors of the new maintained school, the Office of the Rabbis of Od Yosef Hai Synagogue, Hendon, and Partnership for Jewish Schools Ltd ("PAJES") which provides services and support to Jewish schools primarily throughout the UK.

7.2 Respondents confirmed the name of the school, its postcode and that the Office of the Rabbis of Od Yosef Hai Synagogue, Hendon should be named as rabbinic authority for the new maintained school.

8. Applicable Guidance

8.1 No guidance is required as the role of Jewish rabbinic authorities listed in Schedule 4 is specified in the Code.

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 A full Impact Assessment has not been prepared for this instrument because there is no significant impact on business, charities or voluntary bodies.

Impact on businesses, charities and voluntary bodies

9.2 There is no, or no significant, impact on business, charities or voluntary bodies.

9.3 The legislation does not impact small or micro businesses.

9.4 There is no, or no significant, impact on the public sector because the decision to open the school has already been made by the relevant authority (London Borough of Barnet) and these regulations align with that decision by updating Part 1 of Schedule 4 to the regulations which lists Jewish maintained faith schools and their religious bodies.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 The approach to monitoring this legislation is through regular stakeholder engagement.

10.2 The instrument does not include a statutory review clause.

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 None.

12. European Convention on Human Rights

12.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 ("relevant European Union Acts").