88I Other functions of adjudicator relating to admission arrangements

(1) This section applies where admission arrangements have been determined by an admission authority for a maintained school in England under section 88C.

(2) Where it appears to the Secretary of State that the admission arrangements do not, or may not, conform with the requirements relating to admission arrangements, the Secretary of State may refer the admission arrangements to the adjudicator.

(3) Subsection (4) applies where—

(a) the Secretary of State refers the admission arrangements to the adjudicator under subsection (2), or

(b) the adjudicator receives a report under section 88P which, pursuant to regulations under subsection (5) of that section, states that the admission arrangements do not, or may not, conform with the requirements relating to admission arrangements.

(4) The adjudicator must—

(a) consider the admission arrangements, and

(b) decide whether they conform with those requirements and, if not, in what respect they do not.

(5) Where it appears to the adjudicator that the admission arrangements do not, or may not, conform with the requirements relating to admission arrangements (and subsection (4) does not apply)—

(a) the adjudicator may consider the admission arrangements, and

(b) if the adjudicator considers the arrangements under paragraph (a), the adjudicator must decide whether they conform with those requirements and, if not, in what respect they do not.

(6) Regulations may make provision prescribing the steps which may be taken by an admission authority where the adjudicator—

(a) is considering the authority's admission arrangements under subsection (4)(a) or (5)(a), but

(b) has not yet made a decision in the case under subsection (4)(b) or (5)(b) (as the case may be).