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Changes to legislation: School Standards and Framework Act 1998, SCHEDULE 14 is up to date with all changes known to be in force on or before 08 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 14

Section 48.

[^{F1}LOCAL EDUCATION AUTHORITY SCHEMES: APPROVAL, IMPOSITION AND REVISION][^{F1}REVISION OF LOCAL EDUCATION AUTHORITY SCHEMES]

Textual Amendments

- F1** Sch. 14 heading substituted (8.2.2007 for E., 15.3.2010 for W. for specified purposes, 2.4.2010 for W. in so far as not already in force) by [Education and Inspections Act 2006 \(c. 40\)](#), s. 188(3), [Sch. 5 para. 5\(2\)](#); S.I. 2006/3400, [art. 4\(c\)](#); S.I. 2010/736, arts. 2(b), [3\(c\)](#) (with art. 4)

[^{F2}Approval or imposition of schemes by Secretary of State][^{F2}Publication of schemes]

Textual Amendments

- F2** Sch. 14 para. 1 heading substituted (8.2.2007 for E., 15.3.2010 for W. for specified purposes, 2.4.2010 for W. in so far as not already in force) by [Education and Inspections Act 2006 \(c. 40\)](#), s. 188(3), [Sch. 5 para. 5\(3\)](#); S.I. 2006/3400, [art. 4\(c\)](#); S.I. 2010/736, arts. 2(b), [3\(c\)](#) (with art. 4)

- 1 (1) [^{F3}A scheme prepared by a local education authority under section 48(1) shall be submitted to the Secretary of State on or before such date as he may by order direct, whether—
- (a) generally; or
 - (b) in relation to that authority or to any class or description of local education authorities to which that authority belongs.]
- (2) [^{F3}In preparing such a scheme a local education authority shall take into account any guidance given by the Secretary of State, whether—
- (a) generally, or
 - (b) in relation to that authority or to any class or description of local education authorities to which that authority belongs,
- as to the provisions he regards as appropriate for inclusion in the scheme.]
- (3) [^{F3}Before preparing such a scheme the local education authority shall consult—
- (a) where this sub-paragraph applies in relation to any time before the appointed day—
 - (i) the governing body and the head teacher of every school maintained by the authority as a county, voluntary or maintained special school (within the meaning of the ^{M1}Education Act 1996), and
 - (ii) the governing body and the head teacher of every grant-maintained or grant-maintained special school (within the meaning of that Act) in the area of the authority; and

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- (b) where this sub-paragraph applies in relation to any time on or after the appointed day, the governing body and the head teacher of every school maintained by the authority (within the meaning of this Chapter); and in paragraph (a)(i) “every school” includes any new school (within the meaning of Part II of the ^{M2}Education Act 1996).]
- (4) [^{F3}Such a scheme shall not come into force until it has been approved by the Secretary of State or until such date as he may, in giving his approval, specify; and the Secretary of State may approve such a scheme—
- (a) either without modifications or with such modifications as he thinks fit after consulting the authority concerned; and
- (b) subject to such conditions as he may specify in giving his approval.]
- (5) [^{F3}If in the case of any local education authority either—
- (a) the authority fail to submit a scheme as required by sub-paragraph (1), or
- (b) it appears to the Secretary of State that a scheme submitted by the authority as required by that sub-paragraph does not accord with any guidance given by him for the purposes of this paragraph and cannot be made to do so merely by modifying it,
- he may, after consulting the authority and such other persons as he thinks fit, impose a scheme making such provision of a description required to be made by a scheme under section 48 as he considers appropriate.]
- (6) [^{F3}A scheme imposed by the Secretary of State by virtue of sub-paragraph (5)—
- (a) shall be treated as if made under section 48 by the local education authority concerned; and
- (b) shall come into force on such date as may be specified in the scheme.]
- (7) [^{F4}A scheme maintained by a local education authority under section 48(1) shall be published in such manner as may be prescribed—
- (a) on its coming into force as revised under this Schedule, and
- (b) on such other occasions as may be prescribed.]

Textual Amendments

- F3** Sch. 14 para. 1(1)-(6) repealed (8.2.2007 for E., 15.3.2010 for W. for specified purposes, 2.4.2010 for W. in so far as not already in force) by [Education and Inspections Act 2006 \(c. 40\)](#), s. 188(3), [Sch. 5 para. 5\(4\)\(a\)](#), [Sch. 18 Pt. 6](#); S.I. 2006/3400, [art. 4\(c\)\(d\)](#); S.I. 2010/736, arts. 2(b), [3\(c\)\(d\)](#) (with art. 4)
- F4** Sch. 14 para. 1(7) substituted (8.2.2007 for E., 15.3.2010 for W. for specified purposes, 2.4.2010 for W. in so far as not already in force) by [Education and Inspections Act 2006 \(c. 40\)](#), s. 188(3), [Sch. 5 para. 5\(4\)\(b\)](#); S.I. 2006/3400, [art. 4\(c\)](#); S.I. 2010/736, arts. 2(b), [3\(c\)](#) (with art. 4)

Marginal Citations

- M1** 1996 c. 56.
M2 1996 c. 56.

Revision of schemes

- [^{F52} (1) A local education authority may, in accordance with this paragraph, revise the whole or any part of the scheme prepared by them under section 48(1).

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- (2) Section 48(1) and paragraph 1(2) shall apply in relation to the preparation by the authority of any revision under this paragraph as they apply in relation to the preparation by the authority of a scheme.
- (3) As regards any proposed variation of the scheme, the authority—
 - (a) shall first consult every governing body and head teacher whom they are obliged to consult under paragraph 1(3), and
 - (b) shall then submit a copy of their proposals to the Secretary of State for his approval.
- (4) Where the proposals are so submitted, paragraph 1(4) shall apply to the scheme as revised as it applies to a scheme prepared under section 48.
- (5) The Secretary of State may by a direction revise the whole or any part of any scheme as from such date as may be specified in the direction.
- (6) Before giving such a direction the Secretary of State shall consult the local education authority and such other persons as he thinks fit.]

Textual Amendments

F5 Sch. 14 paras. 2A, 2B substituted for Sch. 14 para. 2 (8.2.2007 for E., 15.3.2010 for W. for specified purposes, 2.4.2010 for W. in so far as not already in force) by [Education and Inspections Act 2006 \(c. 40\)](#), s. 188(3), [Sch. 5 para. 5\(5\)](#); S.I. 2006/3400, [art. 4\(c\)](#); S.I. 2010/736, [arts. 2\(b\), 3\(c\)](#) (with [art. 4](#))

- [^{F5}2A (1) A local education authority may, in accordance with this paragraph, revise the whole or part of the scheme maintained by them under section 48(1).
- (2) In revising the scheme, the local education authority shall take into account any guidance given by the Secretary of State, whether—
 - (a) generally, or
 - (b) in relation to that authority or any class or description of local education authorities to which that authority belongs,
 as to the provisions the Secretary of State regards as appropriate for inclusion in the scheme.
 - (3) As regards any proposed variation of the scheme, the authority—
 - (a) shall first consult the governing body and head teacher of every school maintained by the authority (within the meaning of this Chapter), and
 - (b) shall then submit a copy of their proposals to the authority's schools forum for their approval.

Textual Amendments

F5 Sch. 14 paras. 2A, 2B substituted for Sch. 14 para. 2 (8.2.2007 for E., 15.3.2010 for W. for specified purposes, 2.4.2010 for W. in so far as not already in force) by [Education and Inspections Act 2006 \(c. 40\)](#), s. 188(3), [Sch. 5 para. 5\(5\)](#); S.I. 2006/3400, [art. 4\(c\)](#); S.I. 2010/736, [arts. 2\(b\), 3\(c\)](#) (with [art. 4](#))

- 2B (1) Regulations may make provision preventing schemes as revised from coming into force unless they are approved in accordance with the regulations by the local education authority's schools forum or by the Secretary of State.
- (2) The regulations may in particular—

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- (a) prescribe circumstances in which proposals which have been submitted to a local education authority's schools forum may be submitted to the Secretary of State,
- (b) enable the schools forum or the Secretary of State to approve proposals with modifications, and
- (c) enable the schools forum or the Secretary of State, in giving their or his approval, to specify the date on which the scheme as revised is to come into force.]

Textual Amendments

F5 Sch. 14 paras. 2A, 2B substituted for Sch. 14 para. 2 (8.2.2007 for E., 15.3.2010 for W. for specified purposes, 2.4.2010 for W. in so far as not already in force) by [Education and Inspections Act 2006 \(c. 40\)](#), s. 188(3), [Sch. 5 para. 5\(5\)](#); S.I. 2006/3400, [art. 4\(c\)](#); S.I. 2010/736, arts. 2(b), [3\(c\)](#) (with art. 4)

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