

Status: Point in time view as at 01/11/2005.

Changes to legislation: School Standards and Framework Act 1998, Cross Heading: Community special schools is up to date with all changes known to be in force on or before 13 September 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

[^{F1}SCHEDULE 9

CONSTITUTION OF GOVERNING BODIES

Textual Amendments

- F1** Schs. 9-13 repealed (1.10.2002 for E. for specified purposes, 1.9.2003 for E., 1.9.2004 for W. for specified purposes, 31.10.2005 for W. for specified purposes, 31.3.2008 for W. in so far as not already in force) by Education Act 2002 (c. 32), s. 216(4), **Sch. 22 Pt. 3** (with ss. 210(8), 214(4)); S.I. 2002/2439, **art. 3**; S.I. 2003/1667, **art. 4**; S.I. 2004/1728, art. 5, **Sch. Pt. 2**; S.I. 2005/2910, art. 4, **Sch.**; S.I. 2007/3611, art. 4(2), **Sch. Pt. 2**

Commencement Information

- II** Sch. 9 wholly in force at 1.9.1999; Sch. 9 in force for certain purposes at Royal Assent see s. 145(5); Sch. 9 in force at 1.9.1999 in so far as not already in force by S.I. 1999/2323, art. 2(1), **Sch. 1** (with arts. 3-5, Schs. 5-7).

PART II

CONSTITUTION OF GOVERNING BODIES

Community special schools

- 10 (1) The governing body of a community special school shall consist of the following—
- the head teacher, except at any time when he chooses not to be a governor,
 - governors of each of the categories specified in the first column of the table set out in paragraph 9, in the numbers specified in either the fourth or the fifth column, and
 - any additional governors required by virtue of paragraph 15.
- (2) The option of having a smaller governing body constituted in accordance with the fifth column of the table is accordingly available whether or not the school has less than 100 registered pupils.
- (3) As regards the alternatives specified in the fourth column of the table, the governing body of a community special school to which that column is applicable must be constituted in such a way as to reflect either all the first alternatives or all the second alternatives.
- (4) Whichever set of numbers applies to the governing body of such a school under the fourth or fifth column—
- the number of co-opted governors shall be reduced by one, and
 - in place of that governor there shall be a representative governor appointed under sub-paragraph (5) or (6),

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except in a case where sub-paragraph (6) applies and no voluntary organisation is designated for the purposes of that sub-paragraph.

- (5) Where the school is established in a hospital, a representative governor shall be appointed—
- (a) (if the hospital is vested in the Secretary of State) by the [^{F2}Primary Care Trust or] Health Authority; or
 - (b) (if the hospital is vested in a National Health Service trust [^{F3} or a Primary Care Trust]) by that trust.
- (6) Where the school is not established in a hospital, then—
- (a) if a voluntary organisation is designated by the local education authority, in relation to the school, as the appropriate voluntary organisation concerned with matters in respect of which the school is specially organised, a representative governor shall be appointed by that organisation; or
 - (b) if two or more voluntary organisations are so designated as appropriate voluntary organisations concerned with such matters, a representative governor shall be appointed by those organisations acting jointly.]

Textual Amendments

- F2** Words in Sch. 9 para. 10(5)(a) inserted (1.10.2002) by [National Health Service Reform and Health Care Professions Act 2002 \(c. 17\), ss. 2\(5\), 42\(3\), Sch. 2 Pt. 2 para. 65](#); S.I. 2002/2478, [art. 3\(d\)](#)
- F3** Words in Sch. 9 Pt. II para. 10(5)(b) inserted (8.2.2000) by S.I. 2000/90, arts. 1, 3(1), [Sch. 1 para. 34](#)

Modifications etc. (not altering text)

- C1** Sch. 9 para. 10 applied (with modifications) (1.9.1999) by S.I. 1999/2243, [reg. 10\(1\)](#).
 Sch. 9 para. 10 excluded (1.9.1999) by S.I. 1999/2243, [regs. 14\(1\)](#), 16.
 Sch. 9 para. 10 applied (with modifications) (1.9.1999) by S.I. 1999/2262, [regs. 10\(1\)\(2\)](#), 17
 Sch. 9 para. 10 applied (with modifications) (1.9.1999) by S.I. 1999/2262, [reg. 32\(3\)](#)

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