



Diocesan Boards of Education Measure 1991

1991 No. 2

7 Powers of Board to give directions to governing bodies of aided church schools

- (1) Where the Board is satisfied that the governing body of any aided church school in the diocese is discharging its functions in relation to any matter affecting the status, continuance, size or character of the school or any significant enlargement of its premises in a manner which is not in the best interests of that school or of church schools generally or that the governing body of any such school has failed to discharge its functions in relation to any such matter, the Board shall have power to give directions to that governing body as to the exercise of those functions.
- (2) Where the giving of directions under subsection (1) above is to be considered at any meeting of the Board, at least fourteen days' notice of the time and place at which the meeting is to be held shall be given by the secretary of the Board to the secretary of the governing body of the school concerned, and the governors of that school shall be entitled to attend that meeting; and no directions shall be given unless they have been approved by a two-thirds majority of the members of the Board present and voting at the meeting.
- (3) It shall be the duty of a governing body to comply with any lawful directions given to it under subsection (1) above and if, before the expiration of the period of six months beginning on the date on which the directions are given, the governing body fails to comply with directions with respect to any of the following matters, that is to say—
 - (a) an application under section 15(4) of the Education Act 1944 (revocation of order whereby school is an aided school); or
 - (b) the submission to the Secretary of State of proposals under section 13(1)(b) of the Education Act 1980 (change in character of school),

the Board may itself make that application or submit those proposals and the provisions of the Education Acts 1944 to 1988 shall apply in relation to anything done by the Board by virtue of this subsection as if it had been done by the governing body of the school.

Status: This is the original version (as it was originally enacted).

- (4) Where the Board gives any directions under subsection (1) above it shall cause a report thereon to be laid before the next meeting of the diocesan synod.
- (5) In this section any reference to the functions of a governing body shall be construed as excluding functions in relation to the acquisition of grant-maintained status.