



# School Standards and Framework Act 1998

## CHAPTER 31

### SCHOOL STANDARDS AND FRAMEWORK ACT 1998

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*Status: Point in time view as at 31/01/2009.*

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*Status: Point in time view as at 31/01/2009.*

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**PART V**

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*Status: Point in time view as at 31/01/2009.*

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- 120 Early years development and childcare plans.  
121 Approval, modification and review of statement of proposals.

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- 122 Inspection of nursery education in Wales.

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133 Removal of power to establish Schools Funding Council for Wales.

*School and nursery inspections*

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- 144 Transitional provisions etc.  
145 Short title, commencement and extent.

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SCHEDULES

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- 1 (1) An Education Action Forum may, subject to sub-paragraph (2),...

*Chairman*

- 2 The members of an Education Action Forum shall elect one...

*Committees*

- 3 An Education Action Forum may— (a) establish a committee for...

*Proceedings*

- 4 The Secretary of State may by regulations make provision as...

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- 5 The validity of the proceedings of an Education Action Forum...
- 6 Subject to the preceding provisions of this Schedule, an Education...

*Accounts*

- 7 (1) It shall be the duty of an Education Action...

*Application of seal and proof of instruments*

- 8 The application of the seal of an Education Action Forum...
- 9 Every document purporting to be an instrument made or issued...

*Charitable status*

- 10 An Education Action Forum shall be a charity within the...

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- 1 Interpretation of Schedule
- 2 Governing body to consist of members appointed by appropriate authority
- 3 Effect of notice under section 16A(1) or 18A(1)
- 4 Interim executive members
- 5 (1) Every appointment of an interim executive member must be...
- 6 Duty of appropriate authority to inform other persons
- 7 Power to specify duration of interim period
- 8 Chairman
- 9 Remuneration and allowances
- 10 Duty of interim executive board
- 11 Proceedings of interim executive board
- 12 Effect on suspension of delegated budget
- 13 Exclusion of certain statutory provisions
- 14 During the interim period— (a) the local education authority may...
- 15 Closure of school
- 16 (1) Where during the interim period— (a) the Assembly gives...
- 17 Notice of resumption of government by normally constituted governing body
- 18 Time when interim executive members cease to hold office
- 19 Establishment of normally constituted governing body

SCHEDULE 2 — Allocation of existing schools to new categories

*Allocation of LEA-maintained schools*

- 1 A school which immediately before the appointed day is (within...

*Allocation of grant-maintained and grant-maintained special schools*

- 2 A school which immediately before the appointed day is (within...

*Indicative allocation of schools within paragraph 2*

- 3 For the purposes of this Schedule the indicative allocation of...

*Preliminary decision by governing body as to new category*

- 4 (1) The governing body of a school within paragraph 2...

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*Final decision by governing body as to new category*

- 5 (1) Where— (a) the governing body of a school within...

*Notification of final decision*

- 6 (1) Once the governing body of a school within paragraph...

*Final determination of new category*

- 7 (1) If— (a) the final decision of the governing body...

*Restrictions on decisions as to categories*

- 8 Regulations may make provision for prohibiting a school of any...

*Transitional arrangements: schools within paragraph 2*

- 9 (1) Where the category to which a school within paragraph...

*Transitional arrangements: general*

- 10 (1) Regulations may make such provision as the Secretary of...

*Effect of allocation*

- 11 The allocation of a school to a particular category under...

SCHEDULE 3 — Funding of foundation, voluntary and foundation special schools  
Part I — FOUNDATION, VOLUNTARY CONTROLLED AND FOUNDATION  
SPECIAL SCHOOLS

*Obligations of governing bodies*

- 1 (1) The governing body of a foundation, voluntary controlled or...

*Obligations of LEAs as regards provision of sites and buildings  
(otherwise than in connection with statutory proposals)*

- 2 (1) In the case of a foundation, voluntary controlled or...  
Part II — VOLUNTARY AIDED SCHOOLS

*Interpretation of Part*

- 2A In this Part of this Schedule “ promoters ”, in...

*Obligations of governing bodies*

- 3 (1) In the case of a voluntary aided school, the...

*Obligations of LEAs as regards provision of sites  
(otherwise than in connection with statutory proposals)*

- 4 (1) In the case of a voluntary aided school, the...

*Grants by Secretary of State in respect of expenditure on premises or equipment*

- 5 (1) The Secretary of State may make grants—

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*Grants by Secretary of State in respect of preliminary expenditure*

- 6 (1) The Secretary of State may pay grants—

*Loans by Secretary of State in respect of initial expensesexpenditure*

- 7 (1) Where, on the application of the governing body of...

*Assistance by LEAs in respect of maintenance and other obligations of governing bodies*

- 8 A local education authority may give to the governing body...

*Duty to transfer interest in premises provided under paragraph 8*

- 9 (1) Where assistance under paragraph 8 consists of the provision...

*Meaning of “capital expenditure”*

- 9A (1) This paragraph applies for the purposes of this Schedule...

- 9B (1) For the purposes of paragraph 9A, “proper accounting...

Part III — FOUNDATION, VOLUNTARY AND FOUNDATION SPECIAL SCHOOLS:  
COMMON PROVISIONS

*Default powers of Secretary of State*

- 10 (1) Where it appears to the Secretary of State that...

*Endowments*

- 11 Where any sums accruing in respect of the income of...

*Disapplication of restriction on local authority disposals*

- 12 Subsection (2) of section 123 of the Local Government Act...

SCHEDULE 4 — School organisation committees

*Interpretation*

- 1 In this Schedule— “committee” means a school organisation committee;  
“the...

*Election of chairmen and appointment of members*

- 2 Regulations may make provision with respect to—

*Allowances for members*

- 3 (1) For the purpose of the payment of financial loss...

*Financial and other assistance by Local Education AuthorityLEA*

- 4 (1) The relevant authority in the case of a committee...

*Proceedings*

- 5 (1) Regulations may make provision as to the meetings and...

- 6 The validity of any proceedings of a committee shall not...

- 7 Subject to any provision made by or under this Schedule,...

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8 When taking any decision a committee shall have regard (so...

*Indemnity*

9 The relevant authority in the case of a committee shall...

*Default powers of Secretary of State*

10 Each of sections 496 and 497 of the Education Act...

SCHEDULE 5 — Adjudicators

*Interpretation*

1 In this Schedule “adjudicator” means a person appointed under section...

*Tenure of office*

2 (1) Subject to sub-paragraphs (2) and (3), an adjudicator shall...

*Remuneration and pensions*

3 (1) The Secretary of State may pay to an adjudicator...

*Staff and accommodation etc.*

4 The Secretary of State may— (a) provide an adjudicator with...

*Procedure*

5 (1) Regulations may make provision as to the procedure to...

6 When taking any decision an adjudicator shall have regard (so...

*Indemnity*

7 The Secretary of State shall indemnify an adjudicator against any...

*Parliamentary disqualification*

8 In Part III of Schedule 1 to the House of...

*Parliamentary Commissioner*

9 For the purposes of section 5 of the Parliamentary Commissioner...

*Supervision of Council on Tribunals*

10 (1) In section 7 of the Tribunals and Inquiries Act...

SCHEDULE 6 — Statutory Proposals concerning schools in Wales: Procedure and implementation

Part I — PROCEDURE FOR DEALING WITH STATUTORY PROPOSALS:  
ENGLAND

*Application of Part I*

1 (1) This Part of this Schedule applies to proposals published...

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### *Objections*

- 2 (1) Any person may make objections to , or comments...

### *Approval of proposals*

- 3 (1) Proposals published under section 28, 28A, 29 or 31...

### *Determination by LEA whether to implement proposals*

- 4 (1) Where any proposals have been published by a local...

### *Requirement to implement proposals*

- 5 (1) Where— (a) any proposals published under section 28, 28A,...  
Part II — PROCEDURE FOR DEALING WITH STATUTORY PROPOSALS

### *Application of Part II*

- 6 This Part of this Schedule applies to proposals published under...

### *Objections*

- 7 (1) Any person may make objections to any proposals published...

### *Approval of proposals*

- 8 (1) Proposals published under section 28, 29 or 31 require...

### *Determination whether to implement proposals*

- 9 (1) Where any proposals published under section 28, 29 or...

### *Requirement to implement proposals*

- 10 (1) Where— (a) any proposals published under section 28, 29...  
Part III — MANNER OF IMPLEMENTATION OF STATUTORY PROPOSALS

### *Introductory*

- 11 In this Part of this Schedule “proposals” means proposals falling...

### *Proposals relating to community or maintained nursery schools*

- 12 (1) This paragraph applies to proposals relating to a community...

### *Proposals relating to foundation or voluntary controlled schools*

- 13 (1) This paragraph applies to proposals relating to a foundation...

### *Proposals relating to voluntary aided schools*

- 14 (1) This paragraph applies to proposals relating to a voluntary...

### *Proposals relating to community or foundation special schools*

- 15 (1) This paragraph applies to proposals relating to—  
Part IV — PROVISION OF PREMISES AND OTHER ASSISTANCE



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*Provision of site and buildings for foundation,  
voluntary controlled or foundation special school*

- 16 (1) This paragraph applies where a local education authority are...

*Grants in respect of certain expenditure relating  
to existing or proposed voluntary aided school*

- 17 (1) This paragraph applies where— (a) the governing body of...

*Assistance in respect of maintenance and other obligations relating to voluntary aided school*

- 18 A local education authority may give to the governing body...

*Assistance for promoters of new voluntary aided school*

- 19 A local education authority may give to persons required by...

*Duty to transfer interest in premises provided under paragraph 18 or 19*

- 20 (1) Where assistance under paragraph 18 or 19 consists of...  
Part V — TRANSITIONAL EXEMPTION ORDERS FOR PURPOSES OF SEX  
DISCRIMINATION ACT 1975

...

- 21 (1) This paragraph applies to proposals for a school in...

*Single-sex schools*

- 22 (1) This paragraph applies to proposals for a school in...

SCHEDULE 7 — RATIONALISATION OF SCHOOL PLACES IN WALES

Part I — INTRODUCTORY

- 1 In this Schedule— (a) “powers to make proposals for the...  
1A In this Schedule “the Assembly” means the National Assembly for...

Part II — DIRECTIONS TO BRING FORWARD PROPOSALS

*Directions to bring forward proposals to remedy excessive provision*

- 2 (1) This paragraph applies where the Assembly is of the...

*Directions to bring forward proposals to remedy insufficient provision*

- 3 (1) This paragraph applies where the Assembly is of the...

*Supplementary provisions*

- 4 (1) Where the Secretary of State makes an order under...  
Part III — PROPOSALS BY NATIONAL ASSEMBLY FOR WALES

*Publication of proposals*

- 5 (1) Where— (a) the Assembly has, in relation to the...  
Part IV — PROCEDURE FOR DEALING WITH PROPOSALS UNDER PARAGRAPH  
5: ENGLAND

*Status: Point in time view as at 31/01/2009.*

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*Application of Part IV*

6 This Part of this Schedule applies to proposals published under...

*Objections*

7 (1) Any person may make objections to, or comments on,...

*Approval of proposals*

8 (1) Proposals published under paragraph 5 require the approval of...

*Local inquiry into proposals*

9 (1) Where any proposals are referred to the adjudicator under...

*Implementation of proposals*

10 Proposals approved by the school organisation committee under paragraph 8...

Part V — PROCEDURE FOR DEALING WITH PROPOSALS UNDER PARAGRAPH 5: WALES

*Application of Part V*

11 This Part of this Schedule applies to proposals published under...

*Objections*

12 (1) Any person may make objections to any proposals published...

*Local inquiry into proposals*

13 (1) This paragraph applies where in relation to the area...

*Adoption of proposals*

14 (1) Where the Assembly has published proposals under paragraph 5...

*Implementation of proposals*

15 Proposals adopted by the Assembly under paragraph 14 shall have...

Part VI — TRANSITIONAL EXEMPTION ORDERS FOR PURPOSES OF SEX DISCRIMINATION ACT 1975

*Single-sex schools: England*

16 (1) . . . . .

*Single-sex schools: Wales*

17 (1) This paragraph applies to proposals for a school in...

SCHEDULE 8 — Changes of category of school

*Permitted changes of category*

1 (1) A community school may in accordance with this Schedule...

*Status: Point in time view as at 31/01/2009.*

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*Procedure for changing category of school*

- 2 (1) Where, in the case of any maintained school, the...

*Mandatory publication of proposals for voluntary aided school to change category*

- 3 (1) If at any time the governing body of a...

*Restrictions on changing category of school*

- 4 (1) Regulations may make provision for preventing a school of...

*Implementation of proposals*

- 5 (1) Regulations may make such provision as the Assembly considers...  
6 A school's change of category under this Schedule shall not...

SCHEDULE 9 — Constitution of governing bodies

SCHEDULE 10 — Incorporation and powers of governing bodies

SCHEDULE 11 — Membership and proceedings etc. of governing bodies

SCHEDULE 12 — Instruments of government

SCHEDULE 13 — Control of school premises by governing bodies

SCHEDULE 14 — REVISION OF LOCAL EDUCATION AUTHORITY  
SCHEMES

*Publication of schemes*

- 1 (1) A scheme prepared by a local education authority under...

*Revision of schemes*

- 2 (1) A local education authority may, in accordance with this...  
2A (1) A local education authority may, in accordance with this...  
2B (1) Regulations may make provision preventing schemes as revised  
from...

SCHEDULE 15 — Suspension of financial delegation

*Suspension of financial delegation for mismanagement, etc.*

- 1 (1) This paragraph applies where it appears to the local...

*Review of suspension*

- 2 (1) The local education authority concerned— (a) shall review before...

*Appeal against suspension or refusal to revoke it*

- 3 (1) A governing body may appeal to the Secretary of...

*Effect of suspension of right to delegated budget*

- 4 (1) During any period when a governing body's right to...

*Status: Point in time view as at 31/01/2009.*

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Schedule 16 —

*Staffing of community, voluntary controlled and community special schools*

(1) In this Schedule “ the school ” means a...

SCHEDULE 17 — Staffing of foundation, voluntary aided and foundation special schools

SCHEDULE 18 — Appeals against exclusion of pupils

SCHEDULE 19 — Required provision for religious education

*Introductory*

1 (1) In this Schedule “the required provision for religious education”,...

*Community schools and foundation and voluntary schools without a religious character*

2 (1) This paragraph applies to— (a) any community school; and...

*Foundation and voluntary controlled schools with a religious character*

3 (1) This paragraph applies to any foundation or voluntary controlled...

*Voluntary aided schools with a religious character*

4 (1) This paragraph applies to any voluntary aided school which...

SCHEDULE 20 — Collective worship

*Introductory*

1 In this Schedule “the required collective worship”, in relation to...

*General provisions as to collective worship*

2 (1) This paragraph applies to any community, foundation or voluntary...

*Nature of collective worship in community schools and foundation schools without a religious character*

3 (1) This paragraph applies to— (a) any community school; and...

*Disapplication of requirement under paragraph 3(2)*

4 (1) This paragraph applies where a standing advisory council on...

*Nature of collective worship in foundation schools with a religious character and voluntary schools*

5 In the case of a foundation school which has a...

SCHEDULE 21 — Transfers of land on appointed day

Part I — GENERAL PROVISIONS

*Status: Point in time view as at 31/01/2009.*

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### *Introductory*

- 1 In this Schedule any reference to a grant-maintained or grant-maintained...

### *Effect of transfers under this Schedule*

- 2 (1) Where any land is transferred to and vests in...  
Part II — RULES RELATING TO TRANSFERS

### *Application of Part II*

- 3 (1) This Part of this Schedule applies to schools which,...

### *Transfers for purposes of community schools*

- 4 (1) This paragraph applies where a grant-maintained school (an “existing...

### *Transfers for purposes of foundation schools*

- 5 (1) This paragraph applies where— (a) a grant-maintained school (an...

### *Transfers for purposes of voluntary schools*

- 6 (1) This paragraph applies where— (a) a grant-maintained school (an...

### *Transfers for purposes of community special schools*

- 7 (1) This paragraph applies where a grant-maintained special school (an...

### *Outstanding transfers to existing school*

- 8 Where immediately before the appointed day— (a) any land vested...

### *Transfer of rights to use land*

- 9 (1) Where paragraph 4, 5, 6 or 7 applies to...  
Part III — PROPERTY EXCLUDED FROM TRANSFERS  
10 (1) Nothing in Part II of this Schedule has the...

## SCHEDULE 22 — Disposals of land in case of certain schools and disposals on discontinuance

### Part A1 — FOUNDATION, VOLUNTARY AND FOUNDATION SPECIAL SCHOOLS IN ENGLAND: DISPOSALS OF LAND

- A1 Disposal of land by governing body of foundation, voluntary or foundation special school  
A2 (1) This paragraph applies to a disposal of land to...  
A3 (1) Where the authority give the governing body notice of...  
A4 (1) This paragraph applies where the disposal is made.  
A5 (1) This paragraph applies where— (a) the authority gave notice...  
A6 (1) For the purposes of paragraphs A2 to A4, “relevant...  
A7 Disposal of land by foundation body  
A8 (1) This paragraph applies to a disposal of land to...  
A9 (1) Where the authority give the foundation body notice of...  
A10 (1) This paragraph applies where the disposal is made.

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- A11 (1) This paragraph applies where— (a) the authority gave notice...
  - A12 (1) For the purposes of paragraphs A8 to A10, “relevant...
  - A13 Disposal of land by trustees of foundation, voluntary or foundation special school
  - A14 (1) This paragraph applies to a disposal of land to...
  - A15 (1) Where the authority give the trustees notice of their...
  - A16 (1) This paragraph applies where the disposal is made.
  - A17 (1) This paragraph applies where— (a) the authority gave notice...
  - A18 (1) For the purposes of paragraphs A14 to A16, “relevant...
  - A19 Duty to have regard to guidance etc
  - A20 Power to vary or revoke determinations or orders
  - A21 Meaning of “capital expenditure”
  - A22 (1) For the purposes of paragraph A21, “proper accounting practices”,...
  - A23 Land required by local education authority for certain purposes
  - A24 (1) For the purposes of paragraph A23, land held for...
  - A25 (1) For the purposes of paragraph A23, land held by...
  - A26 (1) For the purposes of paragraph A23, land held, or...
  - A27 Notice in relation to grants under paragraph 5 of Schedule 3
- Part I — FOUNDATION, VOLUNTARY AND FOUNDATION SPECIAL SCHOOLS  
IN WALES: DISPOSALS OF LAND

*Disposal of land by governing body of foundation, voluntary or foundation special school*

- 1 (1) Subject to sub-paragraph (1A), this paragraph applies to any...

*Disposal of land by foundation body*

- 2 (1) This paragraph applies to any disposal by a foundation...

*Disposal of land by trustees of foundation school or foundation special school*

- 2A (1) This paragraph applies to any disposal by the trustees...

*Disposal of land by trustees of foundation, voluntary or foundation special school*

- 3 (1) Subject to sub-paragraph (2A), this paragraph applies to any...

*Land required by local education authority for new school*

- 4 (1) This paragraph applies where, on an application made by...
- Part II — MAINTAINED SCHOOLS: DISPOSALS ON DISCONTINUANCE

*Discontinuance of foundation, voluntary and foundation special schools: land*

- 5 (1) This paragraph applies where— (a) proposals to discontinue a...

*Discontinuance of foundation or voluntary school by notice given by its governing body: land and premises*

- 6 (1) This paragraph applies where the governing body of a...

*Disposal of property held by governing body of maintained school on their dissolution*

- 7 (1) This paragraph applies in connection with the dissolution of...

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*Notice by trustees terminating foundation or voluntary school's occupation of existing site*

8 (1) This paragraph applies where trustees have given a notice...

Part 2A — MAINTAINED SCHOOL: TRANSFER OF LAND FROM TRUSTEE TO GOVERNING BODY

8A (1) This paragraph applies where the trustee of one or...

Part III — GENERAL

9 (1) Where a transfer under paragraph A5, A11, A17, A23,...

10 (1) In this Schedule— (a) “the trustees”, in relation to...

PART IV — DISPOSAL OF LAND OF A VOLUNTARY AIDED SCHOOL BY THE LOCAL EDUCATION AUTHORITY

11 (1) In this paragraph— (a) subject to sub-paragraph (7), “...

12 (1) For the purposes of paragraph 11(1)(a), “proper accounting practices”,...

SCHEDULE 23 — Determination, variation and review of standard numbers

Part I — DETERMINATION OF STANDARD NUMBERS

*Standard numbers for admission to maintained schools*

1 (1) This paragraph applies to any maintained school which immediately...

*Standard numbers on establishment or alteration of school*

2 (1) If proposals under section 28 or paragraph 5 of...

Part II — VARIATION OF STANDARD NUMBERS: ENGLAND

*Application of Part II*

3 This Part of this Schedule applies to schools in England....

*Variation of standard numbers*

4 (1) The Secretary of State may by order applying to...

*Procedure for application to vary standard number*

5 (1) Where the local education authority or the governing body...

*Decision on application to vary standard number*

6 (1) Subject to the following provisions of this paragraph, on...

Part III — VARIATION OF STANDARD NUMBERS: WALES

*Application of Part III*

7 This Part of this Schedule applies to schools in Wales....

*Variation of standard numbers*

8 (1) The Secretary of State may by order applying to...

*Procedure for application to vary standard number*

9 (1) Where the local education authority or the governing body...

*Status: Point in time view as at 31/01/2009.*

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*Decision on application to vary standard number*

- 10 (1) Subject to the following provisions of this paragraph, on...  
Part IV — REVIEW OF STANDARD NUMBERS  
11 (1) The admission authority for a maintained school shall keep...

SCHEDULE 24 — Admission appeals

SCHEDULE 25 — Children to whom section 87 applies: appeals by governing bodies 12.10.01

SCHEDULE 26 — Inspection of nursery education in Wales

*Introductory*

- 1 (1) In this Schedule “relevant nursery education” means—  
2 (1) In this Schedule— (a) . . . . .

*General functions of the Chief Inspector*

- 3 The Chief Inspector has the general duty of keeping the...  
4 When asked to do so by the Assembly, the Chief...  
5 The Chief Inspector may at any time give advice to...

...

6 . . . . .

*Inspections in England*

6A . . . . .

*Inspections in Wales*

6B (1) The Chief Inspector for Wales— (a) shall secure that...

*Reports of inspections under paragraph ... 6B*

- 7 A person conducting an inspection under paragraph ... 6B shall...

*Registration of nursery education inspectors for Wales*

- 8 (1) ... Her Majesty’s Chief Inspector of Education and Training...  
9 (1) If the Chief Inspector for Wales is satisfied that...  
10 (1) Any person who is aggrieved by—

*Training of registered Welsh nursery education inspectors*

- 11 (1) A registered Welsh nursery education inspector shall not conduct...

*Impartiality*

- 12 A person shall not undertake an inspection under paragraph 6B...

*Reports of inspections*

- 13 (1) Where a person has conducted an inspection under paragraph...



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*Reports of inspections: England*

13A . . . . .

*Reports of inspections: Wales*

13B (1) Where a person has conducted an inspection under paragraph...

*Annual reports of the Chief Inspector*

14 (1) . . . . .

*Reserve powers of the Chief Inspector*

15 . . . . .

16 If the Chief Inspector elects in the case of an...

17 Where an inspection in Wales is being conducted by a...

*Rights of entry*

18 (1) This paragraph applies to— (a) . . . . .

SCHEDULE 27 — Further provision about partnership arrangements in Wales

SCHEDULE 28 — Amendments relating to school and nursery inspections

Part I — SCHOOL INSPECTIONS

*Introductory*

1 In this Part of this Schedule “the 1996 Act...

*Persons who may be registered inspectors*

2 In section 7(3) of the 1996 Act (registration of inspectors),...

*Decisions of Chief Inspector having immediate effect*

3 In section 9(3)(a) of the 1996 Act (circumstances where Chief...

*Enrolment of persons to act as team members*

4 (1) For paragraph 3(1) of Schedule 3 to the 1996...

*Replacement of inspectors*

5 After paragraph 8 of Schedule 3 to the 1996 Act...

Part II

SCHEDULE 29 — Amendments relating to functions of Education Transfer Council

*Introductory*

1 In this Schedule “the 1988 Act” means the Education Reform...

*General provisions as to transfers*

2 (1) Section 198 of the 1988 Act (transfers under Parts...

*Status: Point in time view as at 31/01/2009.*

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*Division and apportionment of property etc.*

- 3 For paragraph 1 of Schedule 10 to the 1988 Act...

*Identification of property, rights and liabilities*

- 4 For paragraph 2 of Schedule 10 to the 1988 Act...

*Resolution of disputes*

- 5 For paragraph 3 of Schedule 10 to the 1988 Act...

*Proof of title by certificate*

- 6 In paragraph 5 of Schedule 10 to the 1988 Act,...

*Construction of agreements etc.*

- 7 In paragraph 7 of Schedule 10 to the 1988 Act,...

*Third parties affected by vesting provisions*

- 8 In paragraph 9 of Schedule 10 to the 1988 Act—...

*Delivery of documents to transferee*

- 9 In paragraph 10 of Schedule 10 to the 1988 Act,...

*Amendment of references to Education Assets Board*

- 10 For “the Education Assets Board” or “the Board”, wherever occurring...

SCHEDULE 30 — Minor and consequential amendments

*Children and Young Persons Act 1933 (c.12)*

- 1 In section 1(7) of the Children and Young Persons Act...

*Local Authorities (Goods and Services) Act 1970 (c.39)*

- 2 (1) Subject to sub-paragraph (2), in the Local Authorities (Goods...

*Local Government Act 1972 (c.70)*

- 3 (1) Section 177 of the Local Government Act 1972 (provisions...

*Local Government Act 1974 (c.7)*

- 4 (1) The Local Government Act 1974 shall be amended as...

*Sex Discrimination Act 1975 (c.65)*

- 5 In section 22 of the Sex Discrimination Act 1975 (discrimination...

- 6 In section 27 of that Act (exception for single-sex establishments...

*Race Relations Act 1976 (c.74)*

- 7 In section 17 of the Race Relations Act 1976 (discrimination...

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*National Health Service Act 1977 (c.49)*

8 .....

*Representation of the People Act 1983 (c.2)*

- 9 The Representation of the People Act 1983 shall be amended...
- 10 In section 95(2)(a) (schools and rooms for parliamentary election meetings),...
- 11 In section 96(2)(a) (schools and rooms for local election meetings),...
- 12 In Schedule 5 (use for parliamentary election meetings of rooms...

*Local Government Act 1986 (c.10)*

- 13 In section 2A(4)(a) of the Local Government Act 1986 (prohibition...

*Education (No. 2) Act 1986 (c.61)*

- 14 In section 49(3) of the Education ( No. 2) Act...

*Local Government Act 1988 (c.9)*

- 15 In Schedule 1 to the Local Government Act 1988 (defined...

*Education Reform Act 1988 (c.40)*

- 16 The Education Reform Act 1988 shall be amended as follows...
- 17 In section 218 (school and further and higher education regulations),...
- 18 In section 221(1)(b) (avoidance of certain contractual terms), for “an...
- 19 In section 226(4) (services to schools in member States providing...
- 20 In Schedule 8 (provisions relating to the body to be...

*Children Act 1989 (c.41)*

- 21 In Schedule 9 to the Children Act 1989 (child minding...

*Local Government and Housing Act 1989 (c.42)*

- 22 In section 13(5) of the Local Government and Housing Act...

*Environmental Protection Act 1990 (c.43)*

- 23 In section 98(2) of the Environmental Protection Act 1990 (definitions),...

*School Teachers' Pay and Conditions Act 1991 (c.49)*

24 .....  
25 .....  
26 .....  
27 .....  
28 .....

*Diocesan Boards of Education Measure 1991 (1991 No.2)*

- 29 The Diocesan Boards of Education Measure 1991 shall be amended...
- 30 In section 3 (transactions for which advice or consent of...
- 31 In section 7 (powers of Board to give directions to...

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32 (1) Section 10 (interpretation) shall be amended as follows.

*Further and Higher Education Act 1992 (c.13)*

33 The Further and Higher Education Act 1992 shall be amended...

34 In section 5(4) (administration of funds by councils), for “grant-maintained...

35 In section 21 (initial instruments and articles)—

36 For section 25 substitute— Transfer of property, etc. from foundation...

37 In section 26 (transfer of staff to further education corporation)—...

38 In section 28(2)(a) (designation of institutions as eligible for funds)...

39 In section 32 (transfer of property, etc., to designated institutions),...

40 In section 37 (attribution of surpluses and deficits)—

41 .....

42 .....

43 In section 47(2) (transfer of higher education institutions to further...

44 In section 48 (statutory conditions of employment)—

45 In section 58(3) (reorganisations of schools involving establishment of further...

46 In section 90 (interpretation)— (a) after subsection (3) insert—

*Tribunals and Inquiries Act 1992 (c.53)*

47 In paragraph 15 of Schedule 1 to the Tribunals and...

*Charities Act 1993 (c.10)*

48 In section 3 of the Charities Act 1993 (the register...

49 In section 79(9) of that Act (parochial charities), for the...

*Welsh Language Act 1993 (c.38)*

50 In section 6(1) of the Welsh Language Act 1993 (meaning...

*Value Added Tax Act 1994 (c.23)*

51 In Schedule 9 to the Value Added Tax Act 1994...

*Education Act 1994 (c.30)*

52 The Education Act 1994 shall be amended as follows.

53 In section 11A (general duty of Secretary of State with...

54 .....

*Employment Rights Act 1996 (c.18)*

55 In section 134(1) of the Employment Rights Act 1996 (teachers...

*Nursery Education and Grant-Maintained Schools Act 1996 (c.50)*

56 In section 4(1) of the Nursery Education and Grant-Maintained Schools...

*Education Act 1996 (c.56)*

57 The Education Act 1996 shall be amended as follows.

58 In section 1(2) (the stages of education), omit paragraph (b)...

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- 59 In section 5 (primary, secondary and middle schools)—
- 60 In section 6(2) (nursery schools and special schools), for the...
- 61 In section 9 (pupils to be educated in accordance with...
- 62 In section 14 (functions of local education authorities in respect...
- 63 After section 15 insert— Functions in respect of full-time education...
- 64 (1) Section 16 (power to establish, maintain and assist primary...
- 65 In section 17(2) (powers in respect of nursery education), for...
- 66 Omit sections 20 to 28 (the funding authorities).
- 67 In section 29 (provision of information by local education authorities)  
—...
- 68 Omit section 30 (provision of information by funding authorities).
- 69 Part II (schools maintained by local education authorities) shall be...
- 70 Part III (grant-maintained schools) shall be omitted.
- 71 In section 312 (definitions for purposes of Part IV)—
- 72 In section 313(1) (code of practice on special educational needs),...
- 73 In section 315(2) (review of arrangements for special educational  
provision),...
- 74 (1) Section 317 (duties of governing body or local education...
- 75 (1) Section 318 (provision of goods and services in connection...
- 76 In section 321(3) (general duty of local education authority towards...
- 77 In section 324 (statement of special educational needs)—
- 78 In section 327 (access for local education authority to certain...
- 79 Omit section 330 (assessment of education needs at request of...
- 80 For section 337 substitute— Special schools. (1) A school is a special  
school if it is...
- 81 Omit sections 338 to 341 (establishment of maintained and grant-  
maintained...
- 82 For section 342 substitute— Approval of non-maintained special  
schools Approval...
- 83 Omit sections 343 to 346 (government etc. of special schools)...
- 84 In section 348 (provision of special education at non-maintained  
schools),...
- 85 In section 350 (definitions for purposes of Part V), for...
- 86 In section 352(1)(a) (basic curriculum for maintained schools), for  
“sections...
- 87 In section 356 (establishment of the National Curriculum by order)—...
- 88 In section 357 (implementation of National Curriculum in schools),  
omit...
- 89 In section 362 (National Curriculum: development work and  
experiments)—
- 90 In section 366 (information concerning directions under section 365)—
- 91 Omit sections 370 to 374 (functions of local education authority...
- 92 Omit sections 376 to 389 (religious education and worship).
- 93 In section 390 (constitution of advisory councils), for subsection (2)...
- 94 (1) Section 391 (functions of advisory councils) shall be amended...
- 95 In section 392 (advisory councils: supplementary provisions), omit  
subsection (4)....
- 96 Omit section 393 (duty to constitute new standing advisory council)...
- 97 (1) Section 394 (determination of cases in which requirement for...
- 98 In section 395(1) (review of determinations under section 394), for...
- 99 In section 396(1) (power of Secretary of State to direct...
- 100 In section 399 (determination of question whether religious education  
in...

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- 101 In section 402(6) (obligation to enter pupils for public examinations),...
- 102 In section 403(2) (sex education: manner of provision), for “a...
- 103 In section 404 (sex education: statements of policy)—
- 104 In section 406(3) (political indoctrination), for “a maintained special school”...
- 105 In section 407(2) (duty to secure balanced treatment of political...
- 106 In section 408 (provision of information)— (a) omit subsection (1)(b);...
- 107 In section 409 (complaints and enforcement: maintained schools)—
- 108 For the cross-heading “SCHOOL ADMISSIONS” preceding section 411 substitute— “...
- 109 Omit sections 411 to 432 (admission of pupils: general).
- 110 Omit section 433(4) (time for admission of pupils: admission for...
- 111 In section 434(4)(c) (registration of pupils: returns)—
- 112 Omit section 436 (effect of admission for nursery education).
- 113 In section 437 (school attendance orders)— (a) in each of...
- 114 In section 438 (choice of school: child without statement of...
- 115 (1) Section 439 (specification of schools in notices under section...
- 116 In section 440 (amendment of order at request of parent:...
- 117 In section 444(4)(b) (offence: failure to secure regular attendance at...
- 118 Omit section 448 (exemption where child becomes five during term)...
- 119 For section 449 and the cross-headings preceding it substitute—  
Chapter...
- 120 In section 451 (prohibition of charges for provision of education)—...
- 121 In section 456(1) (regulation of permitted charges), omit the words...
- 122 In section 457 (charges and remissions policies)—
- 123 In section 458 (charges for board and lodging at boarding...
- 124 In section 463 (meaning of “independent school”)—
- 125 In section 484 (grants for education support and training)—
- 126 In section 489 (conditions as to payment of grants under...
- 127 In section 490(1) (grants in respect of special provision for...
- 128 For section 494 substitute— Recoupment: excluded pupils. (1)  
Subsection (2) applies where a pupil is permanently excluded...
- 129 In section 496 (power of Secretary of State to prevent...
- 130 In section 497 (general default powers of the Secretary of...
- 131 In section 498 (powers of Secretary of State where no...
- 132 Omit sections 500 to 505 (rationalisation of school places).
- 133 In section 509 (provision of transport etc.)—
- 134 In section 510 (provision of clothing)— (a) in subsection (1)(a)...
- 135 In section 514 (provision of board and lodging otherwise than...
- 136 In section 515(2) (provision of teaching services for day nurseries),...
- 137 Omit section 516 (supply by LEA of goods and services...
- 138 Omit section 517 (payment of fees at schools not maintained...
- 139 (1) Section 519 (allowances for governors, etc.) shall be amended...
- 140 Omit section 520(3) (medical inspection and treatment of pupils: grant-maintained...
- 141 In section 521 (examination of pupils for cleanliness), in subsection...
- 142 In section 524 (removal of pupil at direction of medical...
- 143 In section 525 (offence of neglecting the cleanliness of a...
- 144 In section 527A (local education authority plans for children with...
- 145 In section 529 (power to accept gifts on trust for...
- 146 In section 530 (compulsory purchase of land)—
- 147 In section 531(2) (acquisition of land by agreement) for “voluntary...
- 148 In section 533 (duties of governing bodies of maintained schools...

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- 149 Omit section 534 (duties of governing bodies of grant-maintained schools...
- 150 In section 535(1) (provision of teaching services for day nurseries),...
- 151 Omit section 536 (medical inspection and treatment of pupils at...
- 152 In section 537 (power of Secretary of State to require...
- 153 For section 537A substitute— Provision of information about individual pupils....
- 154 In section 538 (provision of information to Secretary of State...
- 155 Omit section 539 (provision of information by governing body of...
- 156 In section 540 (distribution of information about schools providing a...
- 157 In section 541 (distribution of information about further education institutions),...
- 158 In section 542 (prescribed standards for school premises)—
- 159 In section 543 (relaxation of prescribed standards in special cases)—...
- 160 In section 544 (approval etc. of school premises and boarding...
- 161 In section 545(2) (exemption from building byelaws of approved buildings),...
- 162 In section 546(2) (control of potentially harmful materials and apparatus...
- 163 In section 547 (nuisance or disturbance on school premises)—
- 164 Omit sections 549 and 550 (provisions about corporal punishment).
- 165 In section 550B(2) (detention), as inserted by section 5 of...
- 166 In section 551(2) (regulations as to duration of school day...
- 167 Omit section 552 (transitional exemption orders for purposes of Sex...
- 168 (1) Section 554 (power to make new provision as to...
- 169 In section 556(2) (content of orders under section 554)—
- 170 In section 557(9) (adoption of statutory trusts), in the definition...
- 171 In section 559 (power of local education authorities to prohibit...
- 172 In section 563(3) (educational records)— (a) at the end of...
- 173 In section 566(1)(b) (evidence: documents), for “a county or voluntary...
- 174 Omit section 567 (stamp duty).
- 175 In section 568 (orders)— (a) for subsection (2) substitute—
- 176 In section 569 (regulations)— (a) in subsection (2), for “section...
- 177 In section 570 (revocation and variation of certain orders and...
- 178 In section 573 (meaning of expressions relating to alteration etc...
- 179 Omit section 575 (meaning of expressions relating to employment).
- 180 In section 576 (meaning of “parent”)— (a) in subsection (1),...
- 181 Omit section 577 (minor authorities).
- 182 In section 578 (meaning of “the Education Acts”), insert at...
- 183 In section 579 (general interpretation)— (a) in subsection (1)—
- 184 In Schedule 1 (pupil referral units)— (a) in paragraph 6—...
- 185 Schedules 2 to 25A shall be omitted.
- 186 (1) Schedule 27 (making and maintenance of statements under section...
- 187 Schedule 28 (government and conduct of grant-maintained special schools) shall...
- 188 In Schedule 31 (agreed syllabuses of religious education), omit paragraphs...
- 189 The following provisions shall be omitted— (a) Schedule 32 (reduction...

*School Inspections Act 1996 (c.57)*

- 190 The School Inspections Act 1996 shall be amended as follows....

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- 191 (1) Section 10 (inspection of certain schools by registered inspectors)...
- 192 (1) Section 11 (application of provisions for inspections) shall be...
- 193 In section 15(3)(b) (timing of inspections), for “a county, voluntary...
- 194 (1) Section 16 (destination of reports) shall be amended as...
- 195 (1) Section 17 (special measures by appropriate authority) shall be...
- 196 (1) Section 18 (additional special measures by local education authority)...
- 197 In section 20(3) (destination of reports)— (a) in paragraph (a),...
- 198 In section 21(4) (special measures by appropriate authority)—
- 199 (1) Section 23 (inspection of religious education) shall be amended...
- 200 Omit the following sections— (a) sections 26 to 30 (miscellaneous...
- 201 In section 45 (orders and regulations)— (a) in subsection (1),...
- 202 (1) Section 46(1) (interpretation) shall be amended as follows.
- 203 In paragraph 1 of Schedule 3 (inspections under section 10),...
- 204 In paragraph 3 of Schedule 4 (inspections of denominational education)  
—...
- 205 Schedule 5 (education associations) shall be omitted.
- 206 In Schedule 6 (consequential amendments), omit paragraph 7.

*Education Act 1997 (c.44)*

- 207 The Education Act 1997 shall be amended as follows.
- 208 Omit the following provisions— (a) sections 2 and 3 (school...
- 209 In section 15 (baseline assessments: interpretation), in the definition of...
- 210 In section 16(5) (adoption of baseline assessment schemes), for “a...
- 211 In section 17 (assessment of pupils)— (a) in subsection (5),...
- 212 In section 18 (regulations for Chapter I of Part IV)—...
- 213 In section 19 (school performance targets), for subsection (3) substitute  
—...
- 214 In section 23 (functions of Qualifications and Curriculum Authority)—
- 215 In section 29(3) (functions of Qualifications, Curriculum and  
Assessment Authority...
- 216 In section 42 (miscellaneous amendments relating to school  
inspections), omit...
- 217 In section 43(2) (provision of careers education)—
- 218 Omit section 50 (recoupment by local education authority of costs...
- 219 In section 52 (commencement of compulsory school age), omit  
subsections...
- 220 In section 57 (minor and consequential amendments, repeals etc), omit...
- 221 In section 58(4) (commencement) omit “section 50,”.
- 222 Omit the following provisions— (a) Schedules 1 to 3;
- 223 In Schedule 7 (minor and consequential amendments), omit paragraphs  
15...

*Education (Schools) Act 1997 (c.59)*

- 224 In section 2 of the Education (Schools) Act 1997 (transitional...

*Audit Commission Act 1998 (c.18)*

- 225 In section 36(3) of the Audit Commission Act 1998 (studies...

SCHEDULE 31 — Repeals



*Status: Point in time view as at 31/01/2009.*

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SCHEDULE 32 — Transitional provisions and savings  
Part I — FUNDING

*Interpretation*

- 1 In this Part of this Schedule— “the 1996 Act” means...

*Continued operation of GMS grants provisions*

- 2 (1) Subject to the provisions of this paragraph, the GMS...

*Existing loans*

- 3 (1) Any loan made under section 255 of the 1996...

*Grants by Secretary of State in respect of planned expenditure*

- 4 (1) Regulations may provide for the payment by the Secretary...

*Deferment of governing body’s right to delegated budget*

- 5 (1) A maintained school falling within section 49(1) shall not...

Part II — OTHER PROVISIONS

*Limit on class sizes*

- 6 (1) The transitional provision which may be made for the...

*School Teachers’ Pay and Conditions Act 1991*

- 7 The amendment made by section 13 of this Act shall...

*Orders for purposes of section 20(5)*

- 8 The Secretary of State may only make an order under...

*Notice by trustees to terminate former voluntary school’s occupation of land*

- 9 (1) This paragraph applies where— (a) at any time before...

*Transfer of sites provided under sections 60 and 61 of the Education Act 1996*

- 10 (1) This paragraph applies where— (a) before the appointed day...

**Status:**

Point in time view as at 31/01/2009.

**Changes to legislation:**

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