

Status: Point in time view as at 01/04/1999. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation: School Standards and Framework Act 1998, Cross Heading: Diocesan Boards of Education Measure 1991 (1991 No.2) is up to date with all changes known to be in force on or before 04 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

SCHEDULE 30 **U.K.**

MINOR AND CONSEQUENTIAL AMENDMENTS

VALID FROM 01/09/1999

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

- 29 The Diocesan Boards of Education Measure 1991 shall be amended as follows.
- 30 In section 3 (transactions for which advice or consent of Board is required)—
- (a) in subsection (1), for the words from “before making” to the end substitute “before—
 - (a) publishing proposals for any prescribed alteration to the school under section 28(2)(b) of the School Standards and Framework Act 1998;
 - (b) publishing proposals for the discontinuance of the school under section 29(2) of that Act;
 - (c) serving notice of an intention to discontinue the school under section 30(1) of that Act;
 - (d) publishing proposals for changing the category of the school under paragraph 2 or 3 of Schedule 8 to that Act; or
 - (e) making any application to, or entering into any agreement with, any body or person for or in connection with any disposal (whether by sale or otherwise) of the premises of the school or any part of them.”;
 - (b) in subsection (2), for “an aided or special agreement school” substitute “a voluntary aided school”;
 - (c) omit subsections (4) and (5); and
 - (d) in subsection (6)—
 - (i) omit “or (5)”, and
 - (ii) for “the secretary of the governing body” substitute “the clerk to the governing body”.
- 31 In section 7 (powers of Board to give directions to governing bodies)—
- (a) for subsection (1) substitute—

“(1) Where the Board is satisfied that the governing body of a voluntary aided church school in the diocese in discharging, or failing to discharge, its functions so far as relating to—

 - (a) the making of any prescribed alteration to the school under Chapter II of Part II of the School Standards and Framework Act 1998, or

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- (b) the discontinuance of the school under that Chapter, or
- (c) changing the school’s category in accordance with paragraph 2 or 3 of Schedule 8 to that Act,

is acting in a manner which is not in the interests of that school or of church schools generally, the Board may, subject to subsection (1A) below, give directions to the governing body as to the discharge of those functions.

(1A) The Board may not, under subsection (1) above, give directions as to the publication of proposals under paragraph 2 or 3 of Schedule 8 to that Act which would prevent the publication of proposals for the school to become a foundation school.”;

- (b) in subsection (2), for “the secretary of the governing body” substitute “the clerk to the governing body”;
- (c) in subsection (3), for the words from the beginning of paragraph (a) onwards substitute—
 - “(a) publication of proposals for any prescribed alteration to the school under section 28(2)(b) of the School Standards and Framework Act 1998; or
 - (b) publication of proposals under paragraph 2 or 3 of Schedule 8 to that Act,

the Board may itself publish those proposals, and the provisions of that Act shall apply to anything done by the Board by virtue of this subsection as if it had been done by the governing body of the school.”;

- (d) omit subsection (5); and
- (e) for the sidenote substitute “ Powers of Board to give directions to governing bodies of voluntary aided church schools. ”

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

(2) In subsection (1)—

- (a) omit the definition of “Church of England voluntary school”, and
- (b) for the definition of “church school” substitute—

““church school” means a foundation or voluntary school which is a Church of England school as defined by section 142(1) of the School Standards and Framework Act 1998;”.

(3) Omit subsection (2).

(4) For subsection (3) substitute—

“(3) Expressions used in this Measure which are also used in the School Standards and Framework Act 1998 shall, unless the context otherwise requires, have the same meaning as in that Act.”

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