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SCHEDULES

SCHEDULE 30

MINOR AND CONSEQUENTIAL AMENDMENTS

School Inspections Act 1996 (c.57)

- 190 The School Inspections Act 1996 shall be amended as follows.
- 191 (1) Section 10 (inspection of certain schools by registered inspectors) shall be amended as follows.
- (2) In subsection (3)—
- (a) omit “(4) or”;
 - (b) for paragraph (a) substitute—
“ (a) community, foundation and voluntary schools;”;
 - (c) omit paragraph (b);
 - (d) for paragraph (c) substitute—
“ (c) community and foundation special schools;”;
 - (e) for paragraph (d) substitute—
“ (d) special schools which are not community or foundation special schools but are for the time being approved by the Secretary of State under section 342 of the ^{M1}Education Act 1996 (approval of special schools);”.
- (3) Omit subsection (4).
- (4) For subsection (4B) substitute—
- “ (4B) In subsection (4A) a “closing school” means—
- (a) a community, foundation or voluntary or community or foundation special school in respect of which proposals to discontinue the school have been approved, adopted or determined under Schedule 6 or 7 to the School Standards and Framework Act 1998;
 - (b) a foundation or voluntary school in respect of which the governing body have given notice of discontinuance under section 30 of that Act;
 - (c) a community, foundation or voluntary or community or foundation special school in respect of which the Secretary of State has given a direction to discontinue the school under section 19 or 32 of that Act;
 - (d) a city technology college or city college for the technology of the arts in respect of which notice of termination of an agreement made under section 482 of the ^{M2}Education Act 1996 has been given;
 - (e) a special school which is not a community or foundation special school but which is for the time being approved by the Secretary of

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- State under section 342 of the Education Act 1996 and which the proprietor has decided to close; or
- (f) an independent school falling within subsection (3)(e) which the proprietor has decided to close.”

Marginal Citations

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

- 192 (1) Section 11 (application of provisions for inspections) shall be amended as follows.
- (2) In subsection (2), for the words from “county” onwards substitute “ community, foundation or voluntary or community or foundation special schools. ”
- (3) In subsection (4)—
- (a) in the definition of “appropriate appointing authority”, for “aided or special agreement school” substitute “ voluntary aided ”; and
- (b) for the definition of “appropriate authority” substitute—
- ““appropriate authority” means in relation to a community, foundation or voluntary or community or foundation special school, the school’s governing body or, if the school does not have a delegated budget within the meaning of section 49 of the School Standards and Framework Act 1998, the local education authority.”
- (4) In subsection (5)—
- (a) in paragraph (a), for “paragraph (e),” substitute “ paragraph (d), (e), ”; and
- (b) in paragraph (b), omit “whose governing body does not have a delegated budget”.

Commencement Information

- II** Sch. 30 para. 192 wholly in force at 1.9.1999; Sch. 30 para. 192 not in force at Royal Assent see s. 145(3); Sch. 30 para. 192(4)(b) in force at 1.4.1999 by [S.I. 1999/1016](#), [art. 2\(1\)](#), [Sch. 1](#) (with [arts. 3-6](#), [Sch. 4](#)); Sch. 30 para. 192 wholly in force at 1.9.1999 by [S.I. 1999/2323](#), [art. 2\(1\)](#), [Sch. 1](#) (with [arts. 3-5](#), [Schs. 5-7](#)).

- 193 In section 15(3)(b) (timing of inspections), for “a county, voluntary or maintained special school” substitute “ a community, foundation or voluntary or community or foundation special school ”.
- 194 (1) Section 16 (destination of reports) shall be amended as follows.
- (2) In subsection (1)—
- (a) in paragraph (a), omit the words from “and, if” to “of State”; and
- (b) in paragraph (b), for “a county, voluntary or maintained special school” substitute “ a community, foundation or voluntary or community or foundation special school ”.
- (3) In subsection (3)—
- (a) in paragraph (c)—

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- (i) for “a county, voluntary or maintained special school” substitute “a community, foundation or voluntary or community or foundation special school”, and
 - (ii) at the end insert “ and ”; and
 - (b) omit paragraphs (e) and (f).
- 195 (1) Section 17 (special measures by appropriate authority) shall be amended as follows.
 - (2) In subsection (3)—
 - (a) in paragraph (b)—
 - (i) for “a county, voluntary or maintained special school” substitute “a community, foundation or voluntary or community or foundation special school”, and
 - (ii) at the end add “and”; and
 - (b) omit paragraph (c).
 - (3) In subsection (4), for “a county, voluntary or maintained special school” substitute “a community, foundation or voluntary or community or foundation special school”.
 - (4) Omit subsection (5)(b) and (c).
 - (5) In subsection (7), for the words from “referred to” to “the case may be,” substitute “under section 42 of the School Standards and Framework Act 1998 (governors’ reports),”.
- 196 (1) Section 18 (additional special measures by local education authority) shall be amended as follows.
 - (2) In subsection (1)(a), for “a county, voluntary or maintained special school” substitute “a community, foundation or voluntary or community or foundation special school”.
 - (3) In subsection (2)(b), for “an aided or special agreement school” substitute “a voluntary aided school”.
- 197 In section 20(3) (destination of reports)—
 - (a) in paragraph (a), for “a maintained or grant-maintained special school” substitute “a community or foundation special school”; and
 - (b) omit “the funding authority, or”.

Commencement Information

- I2** Sch. 30 para. 197 wholly in force at 1.9.1999; Sch. 30 para. 197 not in force at Royal Assent see s. 145(3); Sch. 30 para. 197(b) in force at 1.4.1999 by [S.I. 1999/1016, art. 2\(1\)](#), [Sch. 1](#) (with arts. 3-6, Sch. 4); Sch. 30 para. 197 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).

- 198 In section 21(4) (special measures by appropriate authority)—
 - (a) in paragraph (a), for “a maintained or grant-maintained special school” substitute “a community or foundation special school”; and
 - (b) omit “the funding authority, or”.

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Commencement Information

- I3** Sch. 30 para. 198 wholly in force at 1.9.1999; Sch. 30 para. 198 not in force at Royal Assent see s. 145(3); Sch. 30 para. 198(b) in force at 1.4.1999 by [S.I. 1999/1016](#), [art. 2\(1\)](#), [Sch. 1](#) (with [arts. 3-6](#), [Sch. 4](#)); Sch. 30 para. 198 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](#)).

- 199 (1) Section 23 (inspection of religious education) shall be amended as follows.
- (2) For subsection (1) substitute—
- “(1) It shall be the duty of the governing body of any voluntary or foundation school, which has been designated under section 69(3) of the School Standards and Framework Act 1998 by the Secretary of State as having a religious character, to secure that—
- (a) denominational education given to any pupils, and
- (b) the content of the school’s collective worship (required by section 70 of that Act),
- are inspected under this section.”
- (3) Omit subsections (2) and (3).
- (4) In subsection (4)(ii), for “section 385 of that Act” substitute “ section 70 of the School Standards and Framework Act 1998 ”.
- (5) In subsection (5)(a), for “a controlled school” substitute “ a voluntary controlled school ”.
- (6) In subsection (8)—
- (a) in paragraph (a), omit “if the inspection is conducted by virtue of subsection (1),”; and
- (b) in paragraph (b), omit “if the inspection is conducted by virtue of subsection (2),”.
- 200 Omit the following sections—
- (a) sections 26 to 30 (miscellaneous powers over schools requiring special measures);
- (b) sections 31 to 41 (education associations); and
- (c) section 44 (stamp duty on transfer under section 38 or 39).
- 201 In section 45 (orders and regulations)—
- (a) in subsection (1), omit the words “(except an order under section 38)”; and
- (b) in subsection (2), omit the words “(except an order under section 31, 33, or 39)”.
- 202 (1) Section 46(1) (interpretation) shall be amended as follows.
- (2) In the definition of “Church in Wales school” etc, for “section 311(1)” onwards substitute “ section 142 of the School Standards and Framework Act 1998; ”.
- (3) In the definition of “delegated budget”, for “section 116” onwards substitute “ section 49 of the School Standards and Framework Act 1998; ”.
- (4) Omit the definition of “the transfer date”.

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Commencement Information

- I4** Sch. 30 para. 202 wholly in force at 1.9.1999; Sch. 30 para. 202 not in force at Royal Assent see s. 145(3); Sch. 30 para. 202(3)(4) in force at 1.4.1999 by S.I. 1999/1016, art. 2(1), **Sch. 1** (with arts. 3-6, Sch. 4); Sch. 30 para. 202 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).

- 203 In paragraph 1 of Schedule 3 (inspections under section 10), for the definition of “appropriate authority” substitute—
- ““appropriate authority” means—
- (a) in relation to a community, foundation or voluntary or community or foundation special school, the school’s governing body or, if the school does not have a delegated budget within the meaning of section 49 of the School Standards and Framework Act 1998, the local education authority;
 - (b) in relation to a maintained nursery school, the local education authority;
 - (c) in the case of a school falling within paragraph (d), (e), (f) or (g) of section 10(3), the proprietor of the school;”.
- 204 In paragraph 3 of Schedule 4 (inspections of denominational education)—
- (a) in sub-paragraph (2), for the words from “governors and” to “and to such” substitute “governors, to the local education authority and to such”, and
 - (b) in sub-paragraph (5), for the words from “means” onwards substitute “means the governors’ report under section 42 of the School Standards and Framework Act 1998.”
- 205 Schedule 5 (education associations) shall be omitted.
- 206 In Schedule 6 (consequential amendments), omit paragraph 7.

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