

Status: Point in time view as at 01/11/2005.

Changes to legislation: School Standards and Framework Act 1998, Part III is up to date with all changes known to be in force on or before 16 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 6

STATUTORY PROPOSALS: PROCEDURE AND IMPLEMENTATION

Modifications etc. (not altering text)

- C1** Sch. 6 modified (1.9.1999) by S.I. 1999/704, regs. 21, 22, **Sch.**
Sch. 6 continued (1.9.2001) by S.I. 2001/2678, **reg. 2(2)**
- C2** Schs. 6, 7: power to modify conferred (1.4.2003 for E.) by **Education Act 2002 (c. 32), ss. 74(2)(a), 216(4)** (with **ss. 210(8), 214(4)**); S.I. 2003/124, art. 4

PART III

MANNER OF IMPLEMENTATION OF STATUTORY PROPOSALS

Modifications etc. (not altering text)

- C3** Sch. 6 Pt. 3 excluded (19.12.2002) by **Education Act 2002 (c. 32), ss. 193(6), 216** (with **ss. 210(8), 214(4)**); S.I. 2002/3185, **art. 4, Sch. Pt. 1**

Introductory

- 11 In this Part of this Schedule “proposals” means proposals falling to be implemented under paragraph 5 or 10.

Proposals relating to community or maintained nursery schools

- 12 (1) This paragraph applies to proposals relating to a community or ^{F1}maintained nursery school or a proposed such school].
- (2) The proposals shall be implemented by the local education authority by whom they were published under section 28(1) or 29(1) ^{F2}or, in the case of proposals published by the governing body of a community school under section 28(2)(b), by the local education authority who maintain the school].

Textual Amendments

- F1** Words in Sch. 6 para. 12(1) substituted (1.6.2003 for E., 31.3.2004 for W.) by **Education Act 2002 (c. 32), s. 216(4), Sch. 21 para. 115(5)(a)** (with **ss. 210(8), 214(4)**); S.I. 2003/1115, art. 3; S.I. 2004/912, art. 4, Sch. Pt. 1
- F2** Words in Sch. 6 para. 12(2) inserted (1.6.2003 for E.) by **Education Act 2002 (c. 32), s. 216(4), Sch. 21 para. 115(b)** (with **ss. 210(8), 214(4)**); S.I. 2003/1115, art. 3

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Modifications etc. (not altering text)

C4 Sch. 6 para. 12 applied (with modifications) (1.9.1999) by S.I. 1999/2103, reg. 3.

Proposals relating to foundation or voluntary controlled schools

- 13 (1) This paragraph applies to proposals relating to a foundation or voluntary controlled school or a proposed such school.
- (2) Where the proposals were published by a local education authority under section 28(1) or 29(1), they shall be implemented by the authority.
- (3) Where the proposals were published under section 28(2)—
- (a) by promoters, or
 - (b) by the governing body,
- they shall be implemented by the local education authority and by the promoters or (as the case may be) the governing body, respectively, to such extent (if any) as the proposals provide for each of them to do so.
- (4) Where the proposals were published by the governing body under section 29(2), they shall be implemented—
- (a) by the governing body; and
 - (b) by the local education authority as well.

Proposals relating to voluntary aided schools

- 14 (1) This paragraph applies to proposals relating to a voluntary aided school or a proposed such school.
- (2) Where the proposals were published by the governing body under section 28(2) or 29(2), they shall be implemented—
- (a) in the case of proposals published under section 28(2) so far as relating to the provision of any [^{F3}playing fields] for the school, by the local education authority;
 - (b) in the case of proposals published under section 29(2), by the governing body and the authority; and
 - (c) otherwise by the governing body.
- (3) Where the proposals were published under section 28(2) by promoters, they shall be implemented—
- (a) so far as relating to the provision of any [^{F4}playing fields] for the school (but subject to sub-paragraph (5)), by the local education authority; and
 - (b) otherwise by the promoters.
- (4) ^{F5}
- (5) Nothing in sub-paragraph (3) requires a local education authority to provide any [^{F6}such playing fields] where—
- (a) the new voluntary aided school is to be established in place of one or more existing independent, foundation or voluntary schools falling to be discontinued on or before the date of implementation of the proposals; and
 - (b) [^{F7}those playing fields—]

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- (i) were part of the premises of any of the existing schools (whether it was an independent school or a foundation or voluntary school); and
 - (ii) (if it was a foundation or voluntary school) were not provided by the authority.
- (6) Where the proposals were published by a local education authority under section 29(1), they shall be implemented by the authority.

Proposals relating to community or foundation special schools

- 15 (1) This paragraph applies to proposals relating to—
- (a) a community or foundation special school; or
 - (b) a proposed such school.
- (2) Where the proposals were published by a local education authority under section 31(1), they shall be implemented by the authority.
- (3) Where the proposals were published by the governing body under section 31(2)(a), they shall be implemented by the local education authority and by the governing body, respectively, to such extent (if any) as the proposals provide for each of them to do so.
- (4) Where the proposals were published by the governing body under section 31(2)(b), they shall be implemented—
- (a) by the governing body; and
 - (b) by the local education authority as well.

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