



School Standards and Framework Act 1998

1998 CHAPTER 31

PART II

NEW FRAMEWORK FOR MAINTAINED SCHOOLS

CHAPTER V

STAFFING AND CONDUCT OF SCHOOLS

Staffing of schools

55 Staffing of foundation, voluntary aided and foundation special schools.

- (1) Schedule 17 has effect in relation to the staffing of foundation, voluntary aided and foundation special schools.
- (2) If at any time a foundation, voluntary aided or foundation special school does not have a delegated budget by virtue of any suspension under section 17 or Schedule 15, Schedule 17 shall apply to the school subject to subsections (3) to (7) below.
- (3) The number of teachers and non-teaching staff to be employed at the school shall be determined by the local education authority.
- (4) Except with the consent of the authority, the governing body shall not—
 - (a) appoint any teacher to be employed at the school or engage, or make arrangements for the engagement of, any person to provide his services as a teacher at the school, or
 - (b) dismiss any teacher at the school.
- (5) The authority may give the governing body directions—

Status: Point in time view as at 01/04/2001. This version of this provision has been superseded.

Changes to legislation: School Standards and Framework Act 1998, Section 55 is up to date with all changes known to be in force on or before 09 August 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)

- (a) as to the educational qualifications of the teachers to be employed for giving secular education; or
- (b) requiring them to dismiss any teacher at the school;
- but the authority shall not give any directions under paragraph (a) except after consulting the governing body.
- (6) The authority may give directions to the governing body as to the number and conditions of service of persons employed at the school for the purposes of the care and maintenance of the school premises.
- (7) Where the trust deed relating to the school provides for a person other than the governing body to be entitled to control the occupation and use of the school premises to any extent, then, if and to the extent that (disregarding any transfer of control agreement under Schedule 13) the use of those premises is or would be under the control of any such person, the reference in subsection (6) to the governing body shall be read as a reference to that person.
- (8) Schedule 17 or (as the case may be) subsections (4) and (5) above have effect subject to section 58.

Modifications etc. (not altering text)

- C1** S. 55(3)-(7) applied (1.9.1999) by [S.I. 1999/2243](#), [reg. 52\(2\)](#).
 S. 55(3)-(7) applied (1.9.1999) by [S.I. 1999/2262](#), [regs. 48, 52\(2\)](#).
- C2** S. 55(4)(5) modified (1.9.1999) by [S.I. 1999/2243](#), [reg. 52\(3\)](#).
 S. 55(4)(5) modified (1.9.1999) by [S.I. 1999/2243](#), [reg. 52\(4\)](#).
 S. 55(4)(5) applied (with modifications) (1.9.1999) by [S.I. 1999/2262](#), [regs. 48, 52\(3\)](#).
 S. 55(4)(5) applied (with modifications) (1.9.1999) by [S.I. 1999/2262](#), [regs. 48, 52\(4\)](#).

Commencement Information

- II** S. 55 wholly in force at 1.9.1999; s. 55 not in force at Royal Assent see s. 145(3); s. 55 in force for certain purposes at 1.2.1999 by [S.I. 1999/120](#), [art. 2\(1\)](#), [Sch. 1](#); s. 55 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](#)).

Status:

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