

## SCHEDULES

### SCHEDULE 2

#### PROPOSALS FOR ESTABLISHMENT OR DISCONTINUANCE OF SCHOOLS IN ENGLAND

#### PART 2

#### CONSIDERATION OF PROPOSALS BY LOCAL EDUCATION AUTHORITY OR ADJUDICATOR

##### *Duty to refer proposals to adjudicator in pursuance of direction by Secretary of State*

- 12 (1) The Secretary of State may at any time give a direction to a local education authority requiring them to refer to the adjudicator by a specified time—
- (a) any proposals which have been published by the authority under section 7 but which, at the time when the direction is given, have not been determined by the authority, and
  - (b) all subsequent proposals published by the authority under that section until the direction is revoked,
- together with any comments made on any of the proposals by the authority.
- (2) Where a direction under sub-paragraph (1) is given to a local education authority at a time when the authority are considering proposals which consist of or include proposals published under section 7 to establish an Academy, the authority must complete any consultation required by paragraph 18 before referring the proposals to the adjudicator.
- (3) References in this paragraph to the determination of any proposals are references to—
- (a) a determination whether or not to approve the proposals under paragraph 8, or
  - (b) where by virtue of paragraph 7(2) the proposals fall to be dealt with under paragraph 19, a determination under paragraph 19 whether or not to implement the proposals.