
STATUTORY INSTRUMENTS

1994 No. 1041

The Education (Groups of Grant-maintained Schools) Regulations 1994

PART II

PROCEDURES FOR FORMING OR RE-FORMING GROUPS

Initiating procedure for schools to acquire grant-maintained status as newly formed groups

3.—(1) Subject to paragraph (2) below, where within a period of 28 days each of the governing bodies of the participating schools decide by resolution passed at a meeting of the governing body to hold a ballot of parents on the question whether grant-maintained status should be sought for their school as a member of a group of participating schools they shall in respect of their school—

- (a) secure that a ballot is held in accordance with regulation 6 within the period of 10 weeks beginning with the last resolution date;
- (b) give notice in writing that the ballot is to be held to the local education authority and, where a participating school is a voluntary school, to any person holding property on trust for the purposes of that school.

(2) Where a participating school is a hospital special school paragraph (1) above shall be read, in the case of that school, as if for the words “to hold a ballot of parents on the question whether” there were substituted the word “that” and for items (a) and (b) there were substituted the words “give notice in writing of their decision to the local education authority”; and in this regulation references to paragraph (1) include that paragraph as modified by this paragraph.

(3) Notice under paragraph (1) above must be given within the period of five days beginning with the last resolution date but in determining that period no account shall be taken of—

- (a) Saturday, Sunday, Good Friday and Christmas Day; or
- (b) any day which is a bank holiday in England and Wales.

(4) This regulation does not apply if in the case of the participating schools a ballot on the question whether grant-maintained status should be sought for those schools as a group has been held in accordance with regulation 6 within the period of 12 months ending with the date immediately preceding the last resolution date unless the Secretary of State gives consent in writing for a new ballot to be held.

(5) In this regulation “the last resolution date” means the latest date on which a governing body of a participating school passes the resolution referred to in paragraph (1) above.