
STATUTORY INSTRUMENTS

1994 No. 652

The Education (Special Schools) Regulations 1994

PART IV

WITHDRAWAL OF APPROVAL AS A SPECIAL SCHOOL

7.—(1) Subject to paragraph (2), the Secretary of State may withdraw his approval from a school on the ground that, in the case of that school, there has been a failure to comply with any requirement applicable to the school and contained in—

- (a) these Regulations;
- (b) the Regulations from time to time in force under section 218 of the Education Reform Act 1988(1);
- (c) the Regulations made under section 27 of the Education Act 1980(2) to the extent that they continue to have effect on the repeal of that section and the coming into force of section 218 of the Act of 1988 on 1st April 1989, or
- (d) the Regulations(3) from time to time in force under section 10 of the Education Act of 1944.

(2) Unless the Secretary of State is of the opinion that it is necessary or expedient so to do in the interests of the health, safety or welfare of pupils at a school, he shall not withdraw his approval of the school in pursuance of paragraph (1) without—

- (a) consulting the local education authority by whom the school is maintained or, in the case of a non-maintained special school or grant-maintained special school, the governing body thereof, and
- (b) if that authority or governing body so request, affording the school a period specified by him within which to comply with the requirement which has not been complied with;

but, if he so directs, pending compliance with that requirement, the arrangements as respects the matter to which it relates shall be such as are temporarily approved by him.

(3) The Secretary of State shall withdraw his approval of a school if the proprietor thereof in writing requests him so to do.

(1) 1988 c. 40. The relevant Regulations currently in force are the Education (Schools and Further and Higher Education) Regulations 1989, S.I.1989/351, and the Education (Teachers) Regulations 1993, S.I.1993/543, amended by S.I.1994/222.

(2) 1980 c. 20. See the Education (Schools and Further Education) Regulations 1981, S.I.1981/1086, amended by S.I.1983/262, 1987/879, 1989/351, 1990/2259 and 1993/559.

(3) The Regulations currently in force are the Education (School Premises) Regulations 1981, amended by S.I.1989/1277, 1990/2351 and 1993/559.