
STATUTORY INSTRUMENTS

1998 No. 1969

The Education (Allocation of Grant-maintained and Grant-maintained Special Schools to New Categories) Regulations 1998

PART II

PROCEDURE FOR ALLOCATION TO NEW CATEGORIES

Meetings to take preliminary decision

3.—(1) The governing body of a school shall take on or before 20th November 1998 a decision (their “preliminary decision”) under paragraph 4 of Schedule 2 to the Act on the question whether—

- (a) to accept the school’s allocation to a particular category of schools in accordance with the indicative allocation set out in paragraph 3 of Schedule 2 to the Act, or
- (b) to opt for it to be allocated to a different category.

(2) The chairman of the governing body shall direct the clerk to the governing body as to the date for the meeting at which the governing body are to take their preliminary decision and the clerk shall, when convening that meeting, comply with such direction.

(3) Without prejudice to their obligation under paragraph (1), the governing body of a school may not take their preliminary decision at any meeting unless—

- (a) the clerk to the governing body, has given to every member of the governing body at least five school days notice of the meeting and that notice shall be given together with a copy of the agenda for the meeting which shall include the consideration of the governing body’s preliminary decision referred to in paragraph (1) as a specific item of business for the meeting; and
- (b) the clerk to the governing body has given at least twenty school days notice of the meeting—
 - (i) in the case of a Church school, to the appropriate diocesan authority; and
 - (ii) in the case of any school where any person holds land on trust for the purposes of the school, to such a person;

and the notice under sub-paragraph (b) shall state that any representations in response to the notice shall be sent to the clerk to the governing body no later than five school days before the date of the meeting.

(4) The clerk to the governing body shall give to every member of the governing body, at least two school days before the date of the meeting, a copy of any written representations received by him at any time up to five school days before the meeting, in response to the notice given under paragraph (3)(b).

(5) The governing body shall at the meeting to consider their preliminary decision take into account any representations made in response to the notice given under paragraph (3)(b).