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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Education (Modification of Enactments Relating to Employment) (England) Order 2003. The Order modifies various provisions relating to employment to take account of the requirement contained in the School Standards and Framework Act 1998 for local education authorities to delegate financial management of schools to their governing bodies. While a school has a delegated budget, the governing body has powers as to the appointment, suspension, conduct and discipline, capability and dismissal of staff at the school, although the authority remains the employer of staff at community, voluntary controlled, community special schools and maintained nursery schools. The authority may also be the employer of certain support staff at foundation, voluntary aided and foundation special schools.

Article 2 amends the Schedule to the 2003 Order to add the provisions of the Employment Act 2002 that relate to statutory dispute resolution procedures for staff dismissal, discipline and grievance.