

SCHEDULE

Article 10

TRANSITIONAL AND SAVING PROVISIONS

PART 1

Appeals and Reports of School Inspections

1. Despite the coming into force of the repeal of the School Inspections Act 1996 as provided for in article 4 of this Order—

- (a) the repeal of section 9 of and Schedule 2 to that Act shall not have effect in relation to any notice of appeal served on the tribunal before 1st September 2005;
- (b) where the latest report of an inspection of a school was under that Act and identified that special measures were required to be taken in relation to that school, that report shall be treated as the report of an inspection which identified that special measures were required to be taken under Part 1 of the 2005 Act for the purposes of—
 - (i) section 13(4)(a) of the 2005 Act; and
 - (ii) sections 14 to 19 of the School Standards and Framework Act 1998 (intervention in schools causing concern);
- (c) where the latest report of an inspection of the school was under that Act and identified that the school had serious weaknesses, that report shall be treated as the report of an inspection which identified that the school required significant improvement under Part 1 of the 2005 Act for the purposes of—
 - (i) section 13(5)(a) of the 2005 Act; and
 - (ii) sections 14 to 19 of the School Standards and Framework Act 1998;
- (d) where the latest report of an inspection was under that Act and identified that the school has an inadequate sixth form, that report shall be treated as the report of an inspection which identified that the school requires significant improvement in relation to its sixth form for the purpose of section 113 of and Schedule 7 to the 2000 Act, as amended by section 46 of and Schedule 5 to the 2005 Act.

PART 2

Governors' Reports and the School Profile for Maintained Nursery Schools

2. Despite the coming into force, as provided for in article 5 of this Order, of—

- (a) section 103(1);
- (b) section 104;
- (c) in Schedule 18, paragraph 2; and
- (d) in Schedule 19, Part 4, the repeal of—
 - section 14 (2) of, and paragraph 5 of Schedule 8 to, the Special Educational Needs and Disability Act 2001; and
 - paragraph 39(5) of Schedule 21 to the Education Act 2002,those provisions shall not apply to maintained nursery schools in England.

3. For the purposes of paragraph 4, “maintained nursery school” has the meaning given to it in section 39(1) of the 2002 Act.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

PART 3

Funding of Maintained Schools

4. Despite the coming into force of paragraph 6(3)(d) of Schedule 16, as provided for in article 8 of this Order, the previous paragraph (g) of section 47(2) of the School Standards and Framework Act 1998 shall remain in force for the purpose of enabling regulation 28 of the Financing of Maintained Schools (England) Regulations 2004⁽¹⁾ to remain in force until those regulations are revoked.

21st July 2005

Jacqui Smith
Minister of State
Department for Education and Skills

⁽¹⁾ S.I.2004/3130.