
STATUTORY INSTRUMENTS

2015 No. 728

The Non-Maintained Special
Schools (England) Regulations 2015

Appeals

- 6.—(1) An appeal lies to the First-tier Tribunal⁽¹⁾ against—
- (a) any decision by the Secretary of State to withdraw approval from the school under regulation 4(1),
 - (b) any decision by the Secretary of State not to approve, or not to approve a change to, or to withdraw approval from relevant arrangements⁽²⁾ in relation to the school, or
 - (c) the making of an order under regulation 5.
- (2) An appeal must be brought by the proprietor of the school.
- (3) On an appeal under paragraph (1)(a) or (b), the First-tier Tribunal may uphold the decision of the Secretary of State, or direct that it is of no effect.
- (4) On an appeal under paragraph (1)(c), the First-tier Tribunal may confirm the order or direct that it shall cease to have effect.
- (5) If, on an appeal under paragraph (1)(a) or (b), the First-tier Tribunal upholds a decision of the Secretary of State to withdraw approval, the school ceases to be approved under section 342 of the 1996 Act from such date as the First-tier Tribunal may specify or, if it does not specify a date, from such date as the Secretary of State may determine.

(1) The First-Tier Tribunal is established under section 3 of the Tribunals, Courts and Enforcement Act 2007 (c. 15).

(2) For the meaning of “relevant arrangements” see section 342B of the 1996 Act.