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STATUTORY INSTRUMENTS

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**1998 No. 1759**

**Education (Northern Ireland) Order 1998**

**PART IV**

**PERFORMANCE AND MANAGEMENT OF SCHOOLS**

**School development plans**

**13.**—(1) The scheme of management for each grant-aided school shall provide for it to be the duty of the Board of Governors of the school to prepare, and from time to time revise, a school development plan.

(2) In preparing or revising a school development plan, the Board of Governors shall—

(a) consult the principal of the school;

(b) consider—

(i) any guidance given by the Department, the board for the area in which the school is situated and (in the case of a Catholic maintained school) the Council for Catholic Maintained Schools; and

(ii) the findings of any inspection of the school under Article 102 of the principal Order.

(3) Regulations shall—

(a) prescribe the matters to be dealt with by a school development plan;

(b) prescribe the period for which a plan is to have effect;

(c) prescribe the manner in which a plan is to be published;

(d) provide for the revision of a plan.

**Appointment of additional governors for school not providing acceptable standard of education**

**14.**—(1) Where a report made under Article 102 of the 1986 Order (inspections) in relation to a grant-aided school—

(a) states that—

(i) the school is failing to give its pupils an acceptable standard of education; and

(ii) that failure is due (in whole or in part) to the management of the school by the Board of Governors; and

(b) recommends that the power of the Department under this Article should be exercised in relation to the school, the Department may appoint such number of additional voting members to the Board of Governors of the school as it thinks fit.

(2) Where it appoints any additional voting members to the Board of Governors of a school under this Article, the Department may appoint one of those additional members as chairman of the Board of Governors.

(3) In relation to any appointment made by the Department under this Article to the Board of Governors of a school—

- (a) the scheme of management of the school; and
- (b) any other instrument of government of the school, shall have effect as if, notwithstanding anything in Article 10 or 11 of the 1986 Order or Article 66 of the 1989 Order, the scheme and the instrument authorised the Department—
  - (i) to appoint such number of additional voting members to the Board of Governors as it thinks fit; and
  - (ii) to appoint one of those additional members as chairman of the Board of Governors.

(4) Before making any appointment under this Article in relation to the Board of Governors of a school, the Department shall consult—

- (a) the trustees of the school;
- (b) the board for the area in which the school is situated; and
- (c) (in the case of a Catholic maintained school), the Council for Catholic Maintained Schools.

(5) Any additional voting members or chairman appointed under this Article shall hold and vacate office in accordance with the terms of their appointment.

(6) In this Article “voting members” has the same meaning as in Article 122 of the 1989 Order.

#### **Contents of annual report**

15. In Article 125(2) of the 1989 Order (annual report of Board of Governors) after sub-paragraph (g) there shall be added—

- “(ga) to describe in general terms—
  - (i) the arrangements made for the security of the pupils and staff at the school and the school premises; and
  - (ii) any changes to those arrangements since the last report was prepared;”.

#### **Limits on class sizes in key stage 1**

16.—(1) This Article applies to pupils at a primary school who are in key stage 1.

(2) The Board of Governors of a primary school shall not cause or permit the number of pupils in a class at any time to exceed the statutory limit.

(3) In this Article—

“the statutory limit”, in relation to any description of pupils, means the number for the time being prescribed in relation to pupils of that description;

“class”, in relation to the statutory limit for any description of pupils, means a teaching group in which—

- (a) pupils of that description are regularly taught; and
- (b) the majority of pupils are pupils of that description.

(4) Paragraph (2) shall not apply to a school in such cases or circumstances as the board may direct.

(5) Regulations may require a board in exercising its powers under paragraph (4) to have regard to such matters as may be prescribed.

(6) Before exercising its powers under paragraph (4) in relation to a school, a board shall consult—

- (a) such bodies or persons as may be prescribed; and
- (b) where the school is a Catholic maintained school, the Council for Catholic Maintained Schools.

(7) It shall be the duty of boards to exercise their functions with a view to ensuring that the Boards of Governors of grant-aided schools are in a position to fulfil their duty under this Article.

(8) In Article 12(2) of the Education (Northern Ireland) Order 1997 (determination of admissions number for school) at the end add

“and

- (c) the requirements of Article 16 of the Education (Northern Ireland) Order 1998 (limit on class sizes)”.