

SCHEDULES

SCHEDULE 4

NEW SCHOOLS

Staff

- 4 (1) Subject to the following provisions of this paragraph, section 44 or (as the case may be) section 45 of this Act shall apply to a new school which on implementation of the relevant proposal will be a school of a category to which that section applies not only at any time when (by virtue of the preceding provisions of this Schedule) it has a delegated budget but also at any time when it has a temporary governing body and either—
- (a) the delegation requirement under the scheme will apply to the school on or before the implementation of the relevant proposal; or
 - (b) the authority propose to exercise any power under the scheme to delegate the management of the school's budget share for any financial year by making such a delegation—
 - (i) to the temporary governing body before the implementation of that proposal; or
 - (ii) to the governing body of the school on implementation of that proposal.
- (2) The provisions of sections 44 and 45 of and Schedule 3 to this Act shall apply, in the case of a new school, for the purposes only of—
- (a) the appointment of staff at the school; and
 - (b) the taking of such steps with respect to any other matters referred to in those provisions as may be appropriate in preparation for the conduct of the school following implementation of the relevant proposal.
- (3) In the case of a new school which is a proposed county, controlled or aided school, no appointments of staff for the school shall be made by the local education authority before the constitution of a temporary governing body for the school.
- (4) None of the provisions of paragraphs 21 to 25, 26(1) and (2) and 30(2) of Schedule 2 to the 1986 Act (provisions as to appointment of staff at new schools and related information to be given to temporary governing bodies) shall have effect in relation to a new school to which section 44 of this Act for the time being applies.
- (5) Paragraphs 20 and 30(3) of that Schedule shall not have effect in relation to a new school to which section 45 of this Act for the time being applies.
- (6) Neither section 44(4) nor section 45(11) of this Act shall apply in the case of a new school; but it shall be the duty of the local education authority concerned to incorporate—

Status: This is the original version (as it was originally enacted).

- (a) the statement mentioned in section 44(4) in the articles of government for a new school to which section 44 applies which will be a county or controlled school; and
 - (b) the statement mentioned in section 45(11) in the articles of government for a new school to which section 45 applies which will be an aided school.
- (7) Section 46(2) and (5) of this Act shall not apply in relation to a new school.
- (8) Any provision included in a scheme by virtue of section 47(3) of this Act, so far as relates to the appointment of staff at a school to which that section applies, shall apply in relation to a new school which on implementation of the relevant proposal will be a school to which that section applies.