

**Changes to legislation:** Education Act 1996, Cross Heading: Staffing of new aided schools is up to date with all changes known to be in force on or before 22 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### SCHEDULE 19

#### CONDUCT AND STAFFING OF NEW COUNTY, VOLUNTARY AND MAINTAINED SPECIAL SCHOOLS

#### PART II

##### STAFFING OF NEW SCHOOLS: FINANCIAL DELEGATION NOT PROPOSED

###### Modifications etc. (not altering text)

**C1** Sch. 19 Pt. II modified (temp from 1.4.1999) by [S.I. 1999/638](#), [regs. 1, 5](#)

###### *Staffing of new aided schools*

- 13 Subject to paragraph 19(5), paragraphs 14 to 16 apply in relation to a new school which will be an aided school.
- 14 Subject to paragraph 15(1), the [<sup>F1</sup>local authority] and the temporary governing body shall have the same powers, and be under the same duties, for the purposes of the appointment and dismissal of staff at the school as would the authority and the governing body for an aided school whose articles of government provided for—
- (a) staff employed solely in connection with the provision of school meals to be appointed by the authority, and
  - (b) other staff employed at the school to be appointed by the governing body.

###### Textual Amendments

**F1** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), [Sch. 2 para. 7\(2\)](#) (with [Sch. 2 para. 7\(4\)\(5\)](#))

- 15 (1) The first appointment of a clerk to the temporary governing body shall be made by the promoters of the school (that is, the persons making the relevant proposals).
- (2) When the arrangement for the constitution of the temporary governing body comes to an end under section 97, the person who was the clerk to that body shall act as clerk to the governing body who succeed them, pending the appointment of their clerk.

###### Modifications etc. (not altering text)

**C1** Sch. 19 para. 15(2) excluded (1.1.1999) by [S.I. 1998/3097](#), [reg. 8\(f\)](#)

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- 16 (1) The [<sup>F1</sup>local authority] shall, with a view to enabling staff to be appointed in good time, notify the temporary governing body of any determination, prohibition or direction they intend to make or give pursuant to subsection (2)(b), (4)(a) or (b) or (5) of section 134 (staffing of aided schools).
- (2) The authority shall, in discharging their duty under paragraph 21 of Schedule 9 to provide information to the temporary governing body of a new school which will be an aided school, inform the temporary governing body, in particular, of the authority's proposals with regard to the appointment of staff for the school and the timing of appointments.

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**Changes and effects yet to be applied to :**

- [Sch. 17-19](#) repealed by [1998 c. 31 Sch. 30 para. 185](#)[Sch. 31](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- [s. 13\(2\)\(ba\)](#) substituted for [s. 13\(2\)\(aa\)\(b\)](#) by [2022 asc 1 Sch. 4 para. 8\(2\)](#)
- [s. 15A\(3A\)](#) inserted by [2022 asc 1 Sch. 4 para. 8\(3\)](#)
- [s. 15B\(3\)\(c\)](#) inserted by [2022 asc 1 Sch. 4 para. 8\(4\)](#)
- [s. 17A](#) functions made exercisable concurrently by [S.I. 2014/1012 art. 12\(1\)](#)[Sch. 2 para. 3](#)
- [s. 17A](#) functions made exercisable concurrently by [S.I. 2014/863 Sch. 2 para. 4](#)
- [s. 17A](#) functions made exercisable concurrently by [S.I. 2014/865 Sch. 2 para. 3](#)
- [s. 17A](#) functions made exercisable concurrently by [S.I. 2016/653 Sch. 3 para. 3](#)
- [s. 17A-17D](#) inserted by [2009 c. 22 s. 45](#)
- [s. 17B-17D](#) applied by [2009 c. 22 s. 86\(8\)](#)
- [s. 457\(4\)\(i\)-\(iia\)](#) repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- [s. 457\(4\)\(iii\)](#) words repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- [s. 508\(4\)](#) inserted by [2022 asc 1 Sch. 4 para. 8\(7\)](#)
- [s. 537AA](#) inserted by [2008 c. 25 Sch. 1 para. 8](#)
- [s. 548\(7A\)\(7B\)](#) inserted by [2008 c. 25 Sch. 1 para. 9\(5\)](#)
- [s. 578\(1\)](#) words repealed by [2005 c. 18 Sch. 19 Pt. 1](#)