

## SCHEDULES

### SCHEDULE 4

#### DISTRIBUTION OF FUNCTIONS WHERE ORDER MADE UNDER SECTION 27

##### PART IV

#### FUNCTIONS WHERE RESPONSIBILITY EITHER SHARED OR TRANSFERRED

##### *Responsibility for providing sufficient school places*

- 16 In relation to any power under section 211 to publish proposals for the establishment of a grant-maintained school—
- (a) references to establishing a school for the purpose of providing primary education include establishing a primary school which also provides secondary education; and
  - (b) references to establishing a school for the purpose of providing secondary education include establishing a secondary school which also provides primary education.
- 17 (1) Where relevant education is only primary education—
- (a) no proposals may be published under section 260 in respect of any grant-maintained school which is a secondary school or if the implementation of the proposals would cause the school to become a secondary school;
  - (b) no proposals may be published under section 268 in respect of any grant-maintained secondary school; and
  - (c) no direction may be given under section 428(2) to the governing body of any grant-maintained secondary school.
- (2) Where relevant education is only secondary education—
- (a) no proposals may be published under section 260 in respect of any grant-maintained school which is a primary school or if the implementation of the proposals would cause the school to become a primary school;
  - (b) no proposals may be published under section 268 in respect of any grant-maintained primary school; and
  - (c) no direction may be given under section 428(2) to the governing body of any grant-maintained primary school.
- 18 The funding authority shall not by virtue of paragraph 3 or 5 be under any duty in respect of junior pupils who have not attained the age of five.