School Standards and Framework Act 1998

CHAPTER 31

SCHOOL STANDARDS AND FRAMEWORK ACT 1998

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6 The validity of any proceedings of a committee shall not...
7 Subject to any provision made by or under this Schedule,....
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10 Each of sections 496 and 497 of the Education Act...

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1 In this Schedule “adjudicator” means a person appointed under section...

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2 (1) Subject to sub-paragraphs (2) and (3), an adjudicator shall...

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3 (1) The Secretary of State may pay to an adjudicator...
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4 The Secretary of State may— (a) provide an adjudicator with...

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5 (1) Regulations may make provision as to the procedure to...
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7 The Secretary of State shall indemnify an adjudicator against any...

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3 (1) Proposals published under section 28, 29 or 31 require...

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4 (1) Where any proposals have been published by a local...

Requirement to implement proposals

5 (1) Where— (a) any proposals published under section 28, 29...

Part II — PROCEDURE FOR DEALING WITH STATUTORY PROPOSALS: WALES

Application of Part II

6 This Part of this Schedule applies to proposals published under...

Objections

7 (1) Any person may make objections to any proposals published...
Approval of proposals

8  (1) Proposals published under section 28, 29 or 31 require...

Determination whether to implement proposals

9  (1) Where any proposals published under section 28, 29 or...

Requirement to implement proposals

10  (1) Where— (a) any proposals published under section 28, 29...

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12  (1) This paragraph applies to proposals relating to a community...

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13  (1) This paragraph applies to proposals relating to a foundation...

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15  (1) This paragraph applies to proposals relating to—

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17  (1) This paragraph applies where— (a) the governing body of...

Assistance in respect of maintenance and other obligations relating to voluntary aided school

18  A local education authority may give to the governing body...

Assistance for promoters of new voluntary aided school

19  A local education authority may give to persons required by...

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20  (1) Where assistance under paragraph 18 or 19 consists of...

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21 (1) This paragraph applies to proposals for a school in...

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2 (1) This paragraph applies where the Secretary of State is...

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3 (1) This paragraph applies where the Secretary of State is...

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4 (1) Where the Secretary of State makes an order under...

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5 (1) Where— (a) the Secretary of State has, in relation...

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6 This Part of this Schedule applies to proposals published under...

Objections

7 (1) Any person may make objections to, or comments on,...

Approval of proposals

8 (1) Proposals published under paragraph 5 require the approval of...

Local inquiry into proposals

9 (1) Where any proposals are referred to the adjudicator under...

Implementation of proposals

10 Proposals approved by the school organisation committee under paragraph 8...

Part V — PROCEDURE FOR DEALING WITH PROPOSALS UNDER PARAGRAPH 5: WALES

Application of Part V

11 This Part of this Schedule applies to proposals published under...
Objections

12 (1) Any person may make objections to any proposals published...

Local inquiry into proposals

13 (1) This paragraph applies where in relation to the area...

Adoption of proposals

14 (1) Where the Secretary of State has published proposals under...

Implementation of proposals

15 Proposals adopted by the Secretary of State under paragraph 14...

Part VI — TRANSITIONAL EXEMPTION ORDERS FOR PURPOSES OF SEX DISCRIMINATION ACT 1975

Single-sex schools: England

16 (1) This paragraph applies to proposals for a school in...

Single-sex schools: Wales

17 (1) This paragraph applies to proposals for a school in...

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Permitted changes of category

1 (1) A community school may in accordance with this Schedule...

Procedure for changing category of school

2 (1) Where, in the case of any maintained school, the...

Mandatory publication of proposals for voluntary aided school to change category

3 (1) If at any time the governing body of a...

Restrictions on changing category of school

4 (1) Regulations may make provision for preventing a school of...

Implementation of proposals

5 (1) Regulations may make such provision as the Secretary of...

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Part I — CATEGORIES OF GOVERNOR

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1 In this Schedule “ co-opted governor ” means a person...

Foundation governors

2 In this Act “ foundation governor ” means a person...
LEA governors

3 In this Schedule “LEA governor” means a governor...

Parent governors

4 In this Schedule “parent governor” means—

Partnership governors

5 In this Schedule “partnership governor” means a person...

Staff governors

6 In this Schedule “staff governor” means a person—...

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7 In this Schedule “teacher governor” means a person—...

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8 At any time when the head teacher is a governor,...

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Community schools

9 (1) The governing body of a community school shall consist...

Community special schools

10 (1) The governing body of a community special school shall...

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11 (1) The governing body of a foundation school shall consist...

Foundation special schools

12 (1) The governing body of a foundation special school shall...

Voluntary controlled schools

13 (1) The governing body of a voluntary controlled school shall...

Voluntary aided schools

14 (1) The governing body of a voluntary aided school shall...

Additional governors

15 (1) If the governing body of any maintained school so...

Substitutes for ex officio foundation governors

16 Regulations may make provision for, and in connection with, the...

Adjustment in number of governors

17 (1) Where—(a) a maintained school has more governors of...
SCHEDULE 10 — Incorporation and powers of governing bodies

Introductory

1 (1) In the following paragraphs of this Schedule “ the...

Name and seal of governing body

2 (1) The governing body shall be known as “ The...

Powers of governing body

3 (1) The governing body may do anything which appears to...

Dissolution of governing body

4 (1) If the school is discontinued, the governing body are...

SCHEDULE 11 — Membership and proceedings etc. of governing bodies

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Regulations about governing bodies

1 Regulations may make in relation to governing bodies of maintained...

Election or appointment of governors

2 (1) The regulations may make provision— (a) as to the...

Qualifications and tenure of office

3 The regulations may make provision as to—

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4 (1) The regulations may make provision as to the meetings...

Information as to meetings and proceedings

5 (1) The regulations may make provision requiring a governing body—...

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6 (1) A governor shall be entitled to receive such allowances,...

Training and support of governors

7 The local education authority shall— (a) to the extent that...

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Appointment etc. of clerk

8 Regulations may make provision— (a) requiring the appointment of a...

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1  (1) The instrument of government for a maintained school shall...

Making of instruments of government

2  (1) Paragraph 3 shall apply in connection with the making...

Procedure for making instrument

3  (1) The governing body shall prepare a draft of the...

Review of instruments of government

4  (1) The governing body or the local education authority may...

Other requirements relating to instruments of government

5  Regulations may make provision imposing on local education authorities requirements...

Duty to secure making of first instrument of government

6  (1) A local education authority shall secure that, by the...

SCHEDULE 13 — Control of school premises by governing bodies

Community and community special schools: general

1  (1) This paragraph applies to a community or community special...

Transfer of control agreement in case of community or community special school

2  (1) Subject to sub-paragraph (2), the governing body of a...

Foundation and foundation special schools: general

3  (1) This paragraph applies to a foundation or foundation special...

Transfer of control agreement in case of foundation or foundation special school

4  (1) Subject to sub-paragraph (2), the governing body of any...

Voluntary schools: general

5  (1) This paragraph applies to a voluntary school.

Transfer of control agreement in case of voluntary school

6  (1) Subject to sub-paragraph (2), the governing body of any...

Control of use of premises of voluntary school outside school hours

7  (1) The governing body may determine the use to which...

Saving

8  The power of the governing body of a maintained school...
Interpretation

9 In this Schedule—“community use” means the use...

SCHEDULE 14 — Local education authority schemes: approval, imposition and revision

Approval or imposition of schemes by Secretary of State

1 (1) A scheme prepared by a local education authority under...

Revision of schemes

2 (1) A local education authority may, in accordance with this...

SCHEDULE 15 — Suspension of financial delegation

Suspension of financial delegation for mismanagement, etc.

1 (1) This paragraph applies where it appears to the local...

Review of suspension

2 (1) The local education authority concerned—(a) shall review before...

Appeal against suspension or refusal to revoke it

3 (1) A governing body may appeal to the Secretary of...

Effect of suspension of right to delegated budget

4 (1) During any period when a governing body’s right to...

SCHEDULE 16 — Staffing of community, voluntary controlled and community special schools

Introductory

1 (1) In this Schedule “the school” means a...

Appointment of head teacher and deputy head teacher

2 Paragraphs 3 to 7 apply in relation to the filling...
3 The governing body shall notify the local education authority of...
4 (1) Where the vacancy is in the post of head...
5 The governing body shall advertise the vacancy in such publications...
6 (1) The governing body shall appoint a selection panel consisting...
7 (1) Where the governing body approve a recommendation of the...
8 (1) The governing body may, in connection with any absence...

Appointment of other teachers

9 Subject to paragraph 10, paragraphs 11 to 15 apply in...
10 (1) Paragraphs 11 to 15 do not apply in relation...
11 Before taking any of the steps mentioned below, the governing...
12 (1) The local education authority may nominate for consideration for...
13 (1) The governing body may advertise the vacancy at any...
14 (1) Where the governing body advertise the vacancy, they shall—...
15 (1) The local education authority shall appoint the person recommended...
16 (1) The governing body may, in connection with any absence...
17 The governing body may, in relation to a particular vacancy...

Advice of chief education officer on appointments of teachers
18 (1) The chief education officer of the local education authority...

Advice of head teacher on appointments etc. of teachers
19 Except in relation to the appointment of a head teacher—...

Appointment of non-teaching staff
20 (1) Where the governing body desire the appointment of a...
21 (1) The local education authority shall appoint a person recommended...

Discipline
22 (1) The regulation of conduct and discipline in relation to...

LEA report on performance of head teacher
23 (1) Where the authority have any serious concerns about the...

Suspension
24 (1) Both the governing body and the head teacher shall...

Dismissal, etc.
25 (1) Where the governing body determine that any person employed...
26 (1) Where paragraph 25(3) applies, no part of the costs...
27 (1) The governing body shall— (a) make arrangements for giving...
28 (1) The head teacher (except where he is the person...
29 (1) The local education authority shall not dismiss a person...

School meals staff
30 The Secretary of State may by regulations make provision as...

Advisory rights for appropriate diocesan authorities
31 (1) This paragraph applies to a voluntary controlled school which...

SCHEDULE 17 — Staffing of foundation, voluntary aided and foundation special schools

Introductory
1 (1) In this Schedule “the school” means a...

Advisory rights of chief education officer
2 (1) This paragraph applies where— (a) the governing body of...
Appointment of head teacher and deputy head teacher

3 Paragraphs 4 to 8 apply in relation to the filling...
4 The governing body shall notify the local education authority of...
5 (1) Where the vacancy is in the post of head...
6 The governing body shall advertise the vacancy in such publications...
7 (1) The governing body shall appoint a selection panel consisting...
8 Where the governing body approve a recommendation of the selection...
9 (1) The governing body may, in connection with any absence...

Appointment of other teachers

10 Subject to paragraph 11, paragraphs 12 to 15 apply in...
11 (1) Paragraphs 12 to 15 do not apply in relation...
12 Before taking any of the steps mentioned below, the governing...
13 (1) The local education authority may nominate for consideration for...
14 (1) The governing body may advertise the vacancy at any...
15 (1) Where the governing body advertise the vacancy, they shall—...
16 (1) The governing body may, in connection with any absence...
17 The governing body may, in relation to a particular vacancy...

Advice of chief education officer on appointments of teachers

18 (1) The chief education officer shall be entitled to attend,...

Advice of head teacher on appointments etc. of teachers

19 (1) Except in relation to the appointment of a head...

Appointment of non-teaching staff

20 (1) Except in a case where the governing body and...

Conduct and discipline of staff

21 (1) The regulation of conduct and discipline in relation to...

LEA report on performance of head teacher

22 (1) Where the authority have any serious concerns about the...

Suspension

23 (1) Both the governing body and the head teacher shall...

Dismissal

24 (1) Before making a decision that a person employed to...
25 (1) The head teacher (except where he is the person...
26 The governing body are not required to comply with paragraph...

Staff employed by LEA

27 (1) Nothing in paragraph 24 applies in relation to a...

Advisory rights for appropriate diocesan authorities

28 (1) This paragraph applies to a voluntary aided or foundation...
Appointment of head teachers for schools of Roman Catholic religious orders

29 (1) This paragraph applies to a voluntary aided school if...

Selection procedures involving whole governing body

30 (1) If the governing body of a voluntary aided school...

SCHEDULE 18 —

SCHEDULE 19 — Required provision for religious education

Introductory

1 (1) In this Schedule “the required provision for religious education”...

Community schools and foundation and voluntary schools without a religious character

2 (1) This paragraph applies to— (a) any community school; and...

Foundation and voluntary controlled schools with a religious character

3 (1) This paragraph applies to any foundation or voluntary controlled...

Voluntary aided schools with a religious character

4 (1) This paragraph applies to any voluntary aided school which...

SCHEDULE 20 — Collective worship

Introductory

1 In this Schedule “the required collective worship”, in relation to...

General provisions as to collective worship

2 (1) This paragraph applies to any community, foundation or voluntary...

Nature of collective worship in community schools and foundation schools without a religious character

3 (1) This paragraph applies to— (a) any community school; and...

Disapplication of requirement under paragraph 3(2)

4 (1) This paragraph applies where a standing advisory council on...

Nature of collective worship in foundation schools with a religious character and voluntary schools

5 In the case of a foundation school which has a...

SCHEDULE 21 — Transfers of land on appointed day

Part I — GENERAL PROVISIONS

Introductory

1 In this Schedule any reference to a grant-maintained or grant-maintained...
Effect of transfers under this Schedule

2 (1) Where any land is transferred to and vests in...

Part II — RULES RELATING TO TRANSFERS

Application of Part II

3 (1) This Part of this Schedule applies to schools which,...

Transfers for purposes of community schools

4 (1) This paragraph applies where a grant-maintained school (an

“existing...

Transfers for purposes of foundation schools

5 (1) This paragraph applies where— (a) a grant-maintained school (an...

Transfers for purposes of voluntary schools

6 (1) This paragraph applies where— (a) a grant-maintained school (an...

Transfers for purposes of community special schools

7 (1) This paragraph applies where a grant-maintained special school (an...

Outstanding transfers to existing school

8 Where immediately before the appointed day— (a) any land vested...

Transfer of rights to use land

9 (1) Where paragraph 4, 5, 6 or 7 applies to...

Part III — PROPERTY EXCLUDED FROM TRANSFERS

10 (1) Nothing in Part II of this Schedule has the...

SCHEDULE 22 — Disposals of land in case of certain schools and disposals on discontinuance

Part I — FOUNDATION, VOLUNTARY AND FOUNDATION SPECIAL SCHOOLS: DISPOSALS OF LAND

Disposal of land by governing body of foundation, voluntary or foundation special school

1 (1) Subject to sub-paragraph (1A), this paragraph applies to any...

Disposal of land by foundation body

2 (1) This paragraph applies to any disposal by a foundation...

Disposal of land by trustees of foundation school or foundation special school

2A (1) This paragraph applies to any disposal by the trustees...

Disposal of land by trustees of foundation, voluntary or foundation special school

3 (1) Subject to sub-paragraph (2A), this paragraph applies to any...
Land required by local education authority for new school

4  (1) This paragraph applies where, on an application made by...

Part II — MAINTAINED SCHOOLS: DISPOSALS ON DISCONTINUANCE

Discontinuance of foundation, voluntary and foundation special schools: land

5  (1) This paragraph applies where— (a) proposals to discontinue a...

Discontinuance of foundation or voluntary school by notice given by its governing body: land and premises

6  (1) This paragraph applies where the governing body of a...

Disposal of property held by governing body of maintained school on their dissolution

7  (1) This paragraph applies in connection with the dissolution of...

Notice by trustees terminating foundation or voluntary school’s occupation of existing site

8  (1) This paragraph applies where trustees have given a notice...

Part III — GENERAL

9  (1) Where a transfer under paragraph 1(3)(a), 2(3)(a), 4(2), 5(4)(a)...

10 (1) In this Schedule— (a) “the trustees”, in relation to...

PART IV — DISPOSAL OF LAND OF A VOLUNTARY AIDED SCHOOL BY THE LOCAL EDUCATION AUTHORITY

11 (1) In this paragraph— (a) “capital expenditure” has the meaning...

SCHEDULE 23 — Determination, variation and review of standard numbers

Part I — DETERMINATION OF STANDARD NUMBERS

Standard numbers for admission to maintained schools

1  (1) This paragraph applies to any maintained school which immediately...

Standard numbers on establishment or alteration of school

2  (1) If proposals under section 28 or paragraph 5 of...

Part II — VARIATION OF STANDARD NUMBERS: ENGLAND

Application of Part II

3  This Part of this Schedule applies to schools in England....

Variation of standard numbers

4  (1) The Secretary of State may by order applying to...

Procedure for application to vary standard number

5  (1) Where the local education authority or the governing body...

Decision on application to vary standard number

6  (1) Subject to the following provisions of this paragraph, on...
Application of Part III

7 This Part of this Schedule applies to schools in Wales....

Variation of standard numbers

8 (1) The Secretary of State may by order applying to...

Procedure for application to vary standard number

9 (1) Where the local education authority or the governing body...

Decision on application to vary standard number

10 (1) Subject to the following provisions of this paragraph, on...

Part IV — REVIEW OF STANDARD NUMBERS

11 (1) The admission authority for a maintained school shall keep...

SCHEDULE 24 —

SCHEDULE 25 —

SCHEDULE 26 — Inspection of nursery education

Introductory

1 (1) In this Schedule “relevant nursery education” means—

2 (1) In this Schedule “the Chief Inspector” means—...

General functions of the Chief Inspector

3 The Chief Inspector has the general duty of keeping the...

4 When asked to do so by the Secretary of State,...

5 The Chief Inspector may at any time give advice to...

Inspections

6 (1) The Chief Inspector— (a) shall secure that relevant nursery...

7 A person conducting an inspection under paragraph 6 shall report...

Inspections in England

6A (1) The Chief Inspector for England— (a) shall at such...

Inspections in Wales

6B (1) The Chief Inspector for Wales— (a) shall secure that...

Reports of inspections under paragraph 6A or 6B

7 A person conducting an inspection under paragraph 6A or 6B...

Registration of nursery education inspectors for Wales

8 (1) Her Majesty’s Chief Inspector of Schools in England shall...

9 (1) If the Chief Inspector for Wales is satisfied that...

10 (1) Any person who is aggrieved by—
Training of registered Welsh nursery education inspectors

11 (1) A registered Welsh nursery education inspector shall not conduct...

Impartiality

12 A person shall not undertake an inspection under paragraph 6...

Reports of inspections

13 (1) Where a person has conducted an inspection under paragraph...

Reports of inspections: England

13A (1) After an inspection under paragraph 6A, the Chief Inspector...

Reports of inspections: Wales

13B (1) Where a person has conducted an inspection under paragraph...

Annual reports of the Chief Inspector

14 The annual reports of the Chief Inspector required by subsection...

Reserve powers of the Chief Inspector

15 . . . . . . . . . ....
16 If the Chief Inspector elects in the case of an...
17 Where an inspection is being conducted by a registered nursery...

Rights of entry

18 (1) This paragraph applies to— (a) a registered nursery education...

SCHEDULE 27 — Further provision about partnership arrangements in Wales

SCHEDULE 28 — Amendments relating to school and nursery inspections

Part I — SCHOOL INSPECTIONS

Introductory

1 In this Part of this Schedule “the 1996 Act...

Persons who may be registered inspectors

2 In section 7(3) of the 1996 Act (registration of inspectors),...

Decisions of Chief Inspector having immediate effect

3 In section 9(3)(a) of the 1996 Act (circumstances where Chief...

Enrolment of persons to act as team members

4 (1) For paragraph 3(1) of Schedule 3 to the 1996...

Replacement of inspectors

5 After paragraph 8 of Schedule 3 to the 1996 Act...

Part II
SCHEDULE 29 — Amendments relating to functions of Education Transfer Council

Introductory
1 In this Schedule “the 1988 Act” means the Education Reform...

General provisions as to transfers
2 (1) Section 198 of the 1988 Act (transfers under Parts...

Division and apportionment of property etc.
3 For paragraph 1 of Schedule 10 to the 1988 Act...

Identification of property, rights and liabilities
4 For paragraph 2 of Schedule 10 to the 1988 Act...

Resolution of disputes
5 For paragraph 3 of Schedule 10 to the 1988 Act...

Proof of title by certificate
6 In paragraph 5 of Schedule 10 to the 1988 Act,...

Construction of agreements etc.
7 In paragraph 7 of Schedule 10 to the 1988 Act,...

Third parties affected by vesting provisions
8 In paragraph 9 of Schedule 10 to the 1988 Act—...

Delivery of documents to transferee
9 In paragraph 10 of Schedule 10 to the 1988 Act,...

Amendment of references to Education Assets Board
10 For “the Education Assets Board” or “the Board”, wherever occurring...

SCHEDULE 30 — Minor and consequential amendments

Children and Young Persons Act 1933 (c.12)
1 In section 1(7) of the Children and Young Persons Act...

Local Authorities (Goods and Services) Act 1970 (c.39)
2 (1) Subject to sub-paragraph (2), in the Local Authorities (Goods...

Local Government Act 1972 (c.70)
3 (1) Section 177 of the Local Government Act 1972 (provisions...
Local Government Act 1974 (c.7)

(1) The Local Government Act 1974 shall be amended as...

Sex Discrimination Act 1975 (c.65)

In section 22 of the Sex Discrimination Act 1975 (discrimination...  
In section 27 of that Act (exception for single-sex establishments...  

Race Relations Act 1976 (c.74)

In section 17 of the Race Relations Act 1976 (discrimination...  

National Health Service Act 1977 (c.49)

In Schedule 1 to the National Health Service Act 1977...

Representation of the People Act 1983 (c.2)

9 The Representation of the People Act 1983 shall be amended...  
10 In section 95(2)(a) (schools and rooms for parliamentary election meetings)...  
11 In section 96(2)(a) (schools and rooms for local election meetings)...  
12 In Schedule 5 (use for parliamentary election meetings of rooms...  

Local Government Act 1986 (c.10)

13 In section 2A(4)(a) of the Local Government Act 1986 (prohibition...  

Education (No. 2) Act 1986 (c.61)

14 In section 49(3) of the Education (No. 2) Act...

Local Government Act 1988 (c.9)

15 In Schedule 1 to the Local Government Act 1988 (defined...

Education Reform Act 1988 (c.40)

16 The Education Reform Act 1988 shall be amended as follows....  
17 In section 218 (school and further and higher education regulations),...  
18 In section 221(1)(b) (avoidance of certain contractual terms), for “an...  
19 In section 226(4) (services to schools in member States providing...  
20 In Schedule 8 (provisions relating to the body to be...

Children Act 1989 (c.41)

21 In Schedule 9 to the Children Act 1989 (child minding...

Local Government and Housing Act 1989 (c.42)

22 In section 13(5) of the Local Government and Housing Act...

Environmental Protection Act 1990 (c.43)

23 In section 98(2) of the Environmental Protection Act 1990 (definitions)...
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School Teachers’ Pay and Conditions Act 1991 (c.49)

Diocesan Boards of Education Measure 1991 (1991 No.2)

Further and Higher Education Act 1992 (c.13)

Tribunals and Inquiries Act 1992 (c.53)

Charities Act 1993 (c.10)

Welsh Language Act 1993 (c.38)

Value Added Tax Act 1994 (c.23)

Education Act 1994 (c.30)
### Employment Rights Act 1996 (c.18)

55 In section 134(1) of the Employment Rights Act 1996 (teachers...)

### Nursery Education and Grant-Maintained Schools Act 1996 (c.50)

56 In section 4(1) of the Nursery Education and Grant-Maintained Schools...

### Education Act 1996 (c.56)

57 The Education Act 1996 shall be amended as follows.

58 In section 1(2) (the stages of education), omit paragraph (b)...  

59 In section 5 (primary, secondary and middle schools)—

60 In section 6(2) (nursery schools and special schools), for the...

61 In section 9 (pupils to be educated in accordance with...

62 In section 14 (functions of local education authorities in respect...

63 After section 15 insert— Functions in respect of full-time education...

64 (1) Section 16 (power to establish, maintain and assist primary...

65 In section 17(2) (powers in respect of nursery education), for...

66 Omit sections 20 to 28 (the funding authorities).

67 In section 29 (provision of information by local education authorities)

68 Omit section 30 (provision of information by funding authorities).

69 Part II (schools maintained by local education authorities) shall be...

70 Part III (grant-maintained schools) shall be omitted.

71 In section 312 (definitions for purposes of Part IV)—

72 In section 313(1) (code of practice on special educational needs),...

73 In section 315(2) (review of arrangements for special educational provision),...

74 (1) Section 317 (duties of governing body or local education...

75 (1) Section 318 (provision of goods and services in connection...

76 In section 321(3) (general duty of local education authority towards...

77 In section 324 (statement of special educational needs)—

78 In section 327 (access for local education authority to certain...

79 Omit section 330 (assessment of education needs at request of...

80 For section 337 substitute— Special schools. (1) A school is a special school if it is...

81 Omit sections 338 to 341 (establishment of maintained and grant-

82 For section 342 substitute— Approval of non-maintained special schools Approval...

83 Omit sections 343 to 346 (government etc. of special schools)....

84 In section 348 (provision of special education at non-maintained schools),...

85 In section 350 (definitions for purposes of Part V), for...

86 In section 352(1)(a) (basic curriculum for maintained schools), for “sections...

87 In section 356 (establishment of the National Curriculum by order)—...

88 In section 357 (implementation of National Curriculum in schools), omit...

89 In section 362 (National Curriculum: development work and experiments)—

90 In section 366 (information concerning directions under section 365)—
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91 Omit sections 370 to 374 (functions of local education authority...  
92 Omit sections 376 to 389 (religious education and worship).  
93 In section 390 (constitution of advisory councils), for subsection (2)...  
94 (1) Section 391 (functions of advisory councils) shall be amended...  
95 In section 392 (advisory councils: supplementary provisions), omit subsection (4)....  
96 Omit section 393 (duty to constitute new standing advisory council)....  
97 (1) Section 394 (determination of cases in which requirement for...  
98 In section 395(1) (review of determinations under section 394), for...  
99 In section 396(1) (power of Secretary of State to direct...  
100 In section 399 (determination of question whether religious education in...  
101 In section 402(6) (obligation to enter pupils for public examinations),....  
102 In section 403(2) (sex education: manner of provision), for “a...  
103 In section 404 (sex education: statements of policy)—  
104 In section 406(3) (political indoctrination), for “a maintained special school”...  
105 In section 407(2) (duty to secure balanced treatment of political...  
106 In section 408 (provision of information)— (a) omit subsection (1)(b);...  
107 In section 409 (complaints and enforcement: maintained schools)—  
108 For the cross-heading “SCHOOL ADMISSIONS” preceding section 411 substitute— “...  
109 Omit sections 411 to 432 (admission of pupils: general).  
110 Omit section 433(4) (time for admission of pupils: admission for...  
111 In section 434(4)(c) (registration of pupils: returns)—  
112 Omit section 436 (effect of admission for nursery education).  
113 In section 437 (school attendance orders)— (a) in each of...  
114 In section 438 (choice of school: child without statement of...  
115 (1) Section 439 (specification of schools in notices under section...  
116 In section 440 (amendment of order at request of parent:...  
117 In section 444(4)(b) (offence: failure to secure regular attendance at...  
118 Omit section 448 (exemption where child becomes five during term)....  
119 For section 449 and the cross-headings preceding it substitute— Chapter...  
120 In section 451 (prohibition of charges for provision of education)—...  
121 In section 456(1) (regulation of permitted charges), omit the words...  
122 In section 457 (charges and remissions policies)—  
123 In section 458 (charges for board and lodging at boarding...  
124 In section 463 (meaning of “independent school”)—  
125 In section 484 (grants for education support and training)—  
126 In section 489 (conditions as to payment of grants under...  
127 In section 490(1) (grants in respect of special provision for...  
128 For section 494 substitute— Recoupment: excluded pupils. (1) Subsection (2) applies where a pupil is permanently excluded...  
129 In section 496 (power of Secretary of State to prevent...  
130 In section 497 (general default powers of the Secretary of...  
131 In section 498 (powers of Secretary of State where no...  
132 Omit sections 500 to 505 (rationalisation of school places).  
133 In section 509 (provision of transport etc.)—  
134 In section 510 (provision of clothing)— (a) in subsection (1)(a)...  
135 In section 514 (provision of board and lodging otherwise than...  
136 In section 515(2) (provision of teaching services for day nurseries),...  
137 Omit section 516 (supply by LEA of goods and services...
Omit section 517 (payment of fees at schools not maintained). ...
(1) Section 519 (allowances for governors, etc.) shall be amended...
Omit section 520(3) (medical inspection and treatment of pupils: grant-maintained)...
In section 521 (examination of pupils for cleanliness), in subsection...
In section 524 (removal of pupil at direction of medical...
In section 525 (offence of neglecting the cleanliness of a...
In section 527A (local education authority plans for children with...
In section 529 (power to accept gifts on trust for...
In section 530 (compulsory purchase of land)—
In section 531(2) (acquisition of land by agreement) for “voluntary... In section 533 (duties of governing bodies of maintained schools... Omit section 534 (duties of governing bodies of grant-maintained schools... In section 535(1) (provision of teaching services for day nurseries),...
Omit section 536 (medical inspection and treatment of pupils at...
In section 537 (power of Secretary of State to require...
For section 537A substitute— Provision of information about individual pupils...
In section 538 (provision of information to Secretary of State...
Omit section 539 (provision of information by governing body of...
In section 540 (distribution of information about schools providing a...
In section 541 (distribution of information about further education institutions),...
In section 542 (prescribed standards for school premises)—
In section 543 (relaxation of prescribed standards in special cases)—...
In section 544 (approval etc. of school premises and boarding...
In section 545(2) (exemption from building byelaws of approved buildings),...
In section 546(2) (control of potentially harmful materials and apparatus... In section 547 (nuisance or disturbance on school premises)—
Omit sections 549 and 550 (provisions about corporal punishment).
In section 550B(2) (detention), as inserted by section 5 of...
In section 551(2) (regulations as to duration of school day...
Omit section 552 (transitional exemption orders for purposes of Sex...
(1) Section 554 (power to make new provision as to...
In section 556(2) (content of orders under section 554)—
In section 557(9) (adoption of statutory trusts), in the definition...
In section 559 (power of local education authorities to prohibit...
In section 563(3) (educational records)— (a) at the end of...
In section 566(1)(b) (evidence: documents), for “a county or voluntary...
Omit section 567 (stamp duty).
In section 568 (orders)— (a) for subsection (2) substitute—
In section 569 (regulations) — (a) in subsection (2), for “section...
In section 570 (revocation and variation of certain orders and...
In section 573 (meaning of expressions relating to alteration etc.... Omit section 575 (meaning of expressions relating to employment).
In section 576 (meaning of “parent”)— (a) in subsection (1),...
Omit section 577 (minor authorities).
In section 578 (meaning of “the Education Acts”), insert at...
In section 579 (general interpretation) — (a) in subsection (1)—
In Schedule 1 (pupil referral units)— (a) in paragraph 6—...
Schedules 2 to 25A shall be omitted.

(1) Schedule 27 (making and maintenance of statements under section...)

Schedule 28 (government and conduct of grant-maintained special schools) shall...

In Schedule 31 (agreed syllabuses of religious education), omit paragraphs...

The following provisions shall be omitted— (a) Schedule 32 (reduction...

School Inspections Act 1996 (c.57)

The School Inspections Act 1996 shall be amended as follows....

(1) Section 10 (inspection of certain schools by registered inspectors)...

(1) Section 11 (application of provisions for inspections) shall be...

In section 15(3)(b) (timing of inspections), for “a county, voluntary...

(1) Section 16 (destination of reports) shall be amended as...

(1) Section 17 (special measures by appropriate authority) shall be...

(1) Section 18 (additional special measures by local education authority)...

In section 20(3) (destination of reports)— (a) in paragraph (a),...

In section 21(4) (special measures by appropriate authority)—

(1) Section 23 (inspection of religious education) shall be amended...

Omit the following sections— (a) sections 26 to 30 (miscellaneous...

In section 45 (orders and regulations)— (a) in subsection (1),...

(1) Section 46(1) (interpretation) shall be amended as follows.

In paragraph 1 of Schedule 3 (inspections under section 10),...

In paragraph 3 of Schedule 4 (inspections of denominational education)...

Schedule 5 (education associations) shall be omitted.

In Schedule 6 (consequential amendments), omit paragraph 7.

Education Act 1997 (c.44)

The Education Act 1997 shall be amended as follows.

Omit the following provisions— (a) sections 2 and 3 (school...

In section 15 (baseline assessments: interpretation), in the definition of...

In section 16(5) (adoption of baseline assessment schemes), for “a...

In section 17 (assessment of pupils)— (a) in subsection (5),...

In section 18 (regulations for Chapter I of Part IV)—...

In section 19 (school performance targets), for subsection (3) substitute...

In section 23 (functions of Qualifications and Curriculum Authority)—

In section 29(3) (functions of Qualifications, Curriculum and Assessment Authority...

In section 42 (miscellaneous amendments relating to school inspections), omit...

In section 43(2) (provision of careers education)—

Omit section 50 (recoupment by local education authority of costs...

In section 52 (commencement of compulsory school age), omit subsections...

In section 57 (minor and consequential amendments, repeals etc), omit...

In section 58(4) (commencement) omit “section 50,”.

Omit the following provisions— (a) Schedules 1 to 3;
223 In Schedule 7 (minor and consequential amendments), omit paragraphs 15...

Education (Schools) Act 1997 (c.59)

224 In section 2 of the Education (Schools) Act 1997 (transitional...

Audit Commission Act 1998 (c.18)

225 In section 36(3) of the Audit Commission Act 1998 (studies...

SCHEDULE 31 — Repeals

SCHEDULE 32 — Transitional provisions and savings
  Part I — FUNDING

Interpretation

1 In this Part of this Schedule— “the 1996 Act” means...

Continued operation of GMS grants provisions

2 (1) Subject to the provisions of this paragraph, the GMS...

Existing loans

3 (1) Any loan made under section 255 of the 1996...

Grants by Secretary of State in respect of planned expenditure

4 (1) Regulations may provide for the payment by the Secretary...

Deferment of governing body’s right to delegated budget

5 (1) A maintained school falling within section 49(1) shall not...
  Part II — OTHER PROVISIONS

Limit on class sizes

6 (1) The transitional provision which may be made for the...

School Teachers’ Pay and Conditions Act 1991

7 The amendment made by section 13 of this Act shall...

Orders for purposes of section 20(5)

8 The Secretary of State may only make an order under...

Notice by trustees to terminate former voluntary school’s occupation of land

9 (1) This paragraph applies where— (a) at any time before...

Transfer of sites provided under sections 60 and 61 of the Education Act 1996

10 (1) This paragraph applies where— (a) before the appointed day...
Changes to legislation:
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Changes and effects yet to be applied to:
- Pt. 1 Ch. 4 power to modify conferred by 2011 nawm 7 s. 18
- Pt. 1 Ch. 4 repealed by 2013 anaw 1 Sch. 5 para. 4(2)
- Pt. 1 Ch. 4 heading words inserted by 2006 c. 40 Sch. 7 para. 3
- s. 18 cross-heading word substituted by 2006 c. 40 Sch. 7 para. 9
- s. 18 heading word substituted by 2006 c. 40 Sch. 7 para. 10(4)
- s. 122 heading words inserted by 2006 c. 21 Sch. 2 para. 33(2)
- Pt. 3 excluded by S.I. 2013/1793 reg. 11(1)
- s. 92 cross-heading inserted by 2008 c. 25 Sch. 1 para. 65
- s. 85 heading substituted by 2006 c. 40 s. 40(8)(b)
- s. 84 cross-heading words substituted by 2006 c. 40 s. 40(7)
- s. 84 heading words substituted by 2006 c. 40 s. 40(7)
- s. 127 cross-heading words inserted by 2006 c. 40 s. 58(7)
- s. 127 heading words inserted by 2006 c. 40 s. 58(7)
- Pt. 2 Ch. 4 applied by S.I. 2012/1035 reg. 28
- Pt. 2 Ch. 4 applied by S.I. 2014/1132 reg. 77 78
- Pt. 2 Ch. 4 applied (with modifications) by S.I. 2010/638 reg. 74
- s. 30 heading words inserted by 2013 anaw 1 Sch. 5 para. 19(5)(d)
- s. 35 heading words inserted by 2006 c. 40 Sch. 3 para. 26(3)
- s. 33 heading words inserted by 2006 c. 40 Sch. 3 para. 25(6)
- s. 28 heading words inserted by 2006 c. 40 Sch. 3 para. 18(10)
- s. 29 heading words inserted by 2006 c. 40 Sch. 3 para. 20(12)
- s. 31 heading words inserted by 2006 c. 40 Sch. 3 para. 23(9)
- s. 32 heading words inserted by 2006 c. 40 Sch. 3 para. 24(5)
- s. 31 cross-heading words substituted by 2006 c. 40 Sch. 3 para. 22
- s. 110 cross-heading omitted by 2015 c. 20 Sch. 16 para. 2(1)
- s. 1 applied (with modifications) by S.I. 2006/175 reg. 9 Sch.
- s. 1(6) restricted by 2018 anaw 2 s. 48(5)
- s. 5 repealed by 2006 c. 40 Sch. 18 Pt. 6
- s. 14(1) word substituted by 2006 c. 40 Sch. 7 para. 4(2)
- s. 14(3)(a) words substituted by 2006 c. 40 Sch. 7 para. 4(4)(a)
- s. 14(3)(b) words substituted by 2006 c. 40 Sch. 7 para. 4(4)(b)
- s. 14(4)(a) substituted by 2006 c. 40 Sch. 7 para. 4(6)(a)
- s. 14(4)(b) repealed by 2006 c. 40 Sch. 7 para. 4(6)(b) Sch. 18 Pt. 4
- s. 15(1)(c) words substituted by 2006 c. 40 Sch. 17 para. 1(2)
- s. 15(2)(a)(i) words substituted by 2006 c. 40 Sch. 17 para. 1(2)
- s. 15(4) substituted by 2006 c. 40 Sch. 7 para. 5(2)
- s. 15(6) substituted by 2006 c. 40 Sch. 7 para. 5(3)
- s. 15(7) repealed by 2006 c. 40 Sch. 7 para. 5(4) Sch. 18 Pt. 4
- s. 15(7) words substituted by 2006 c. 40 Sch. 17 para. 1(4)
- s. 16(3)(a) words repealed by 2006 c. 40 Sch. 7 para. 6(2) Sch. 18 Pt. 4
- s. 16(9) word substituted by 2006 c. 40 Sch. 7 para. 6(3)(a)
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 Commencement Orders yet to be applied to the School Standards and Framework Act 1998

Commencement Orders bringing legislation that affects this Act into force:

S.I. 2006/172 art. 45Sch. commences (2002 c. 32)
S.I. 2006/879 art. 45Sch. commences (2002 c. 32)
S.I. 2006/885 art. 2 commences (2004 c. 31)
S.I. 2006/1338 art. 3-5Sch. 12 commences (2005 c. 18)
S.I. 2006/2129 art. 34 commences (2005 c. 18)
S.I. 2006/2895 art. 2 commences (2002 c. 32)
S.I. 2006/2990 art. 2 commences (2006 c. 40)
S.I. 2006/3400 art. 2-7 commences (2006 c. 40)
S.I. 2007/309 art. 23Sch. commences (2006 c. 50)
S.I. 2007/935 art. 2-7 commences (2006 c. 40)
S.I. 2007/1019 art. 2-5 commences (2006 c. 21)
S.I. 2007/1801 art. 2-4 commences (2006 c. 40)
S.I. 2007/2717 art. 2 commences (2006 c. 21)
S.I. 2007/3611 art. 4Sch. commences (2002 c. 32)
S.I. 2008/54 art. 2 commences (2006 c. 40)
S.I. 2008/172 art. 2-9 commences (2007 c. 28)
S.I. 2008/1429 art. 3Sch. commences (2006 c. 40)
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– S.I. 2010/707 art. 3 commences (2002 c. 32)
– S.I. 2010/735 art. 2 commences (2005 c. 18)
– S.I. 2010/736 art. 23 commences (2006 c. 40)
– S.I. 2010/1151 art. 2-4 commences (2009 c. 22)
– S.I. 2010/1817 art. 2-4 commences (2010 c. 26)
– S.I. 2010/1937 art. 2-4Sch. 1-3 commences (2010 c. 32)
– S.I. 2010/2317 art. 23 commences (2010 c. 15)
– S.I. 2010/2374 art. 23 commences (2009 c. 22)
– S.I. 2010/2413 art. 2 commences (2009 c. 22)
– S.I. 2010/2543 art. 23 commences (2006 c. 40)
– S.I. 2011/1725 Sch. para. 6 commences ()
– S.I. 2011/1728 art. 2Sch. 1 commences (2006 c. 50)