SCHEDULES

SCHEDULE 11

Section 112

THE OFFICE FOR STANDARDS IN EDUCATION, CHILDREN'S SERVICES AND SKILLS

Membership

1 The Office is to consist of—

(a) a chairman appointed by the Secretary of State;

(b) not less than 5 and not more than 10 other members appointed by the Secretary of State ("the appointed members"); and

(c) the Chief Inspector.

Terms of appointment

2 (1) The chairman and the appointed members hold and vacate office in accordance with the terms of their respective appointments.

(2) Sub-paragraph (1) has effect subject to the following provisions of this Schedule.

(3) Section 113 makes provision for the holding and vacation of office by the Chief Inspector.

3 A person appointed as chairman or appointed member—

(a) must not be appointed for a term of more than five years,

(b) may at any time resign by giving written notice to the Secretary of State, and

(c) may be removed from office by the Secretary of State on the grounds that he is unable or unfit to carry out the duties of his office.

4 The previous appointment of a person as chairman or appointed member does not affect his eligibility for appointment to either office.

Remuneration of members

5 (1) The Office must pay to the chairman and each of the appointed members such remuneration and allowances as may be determined by the Secretary of State.

(2) The Office must, if required to do so by the Secretary of State—

(a) pay such pension, allowances or gratuities as may be determined by the Secretary of State to or in respect of a person who is or has held office as chairman or appointed member; or

(b) make such payments as may be so determined towards provision for the payment of a pension, allowances or gratuities to or in respect of such a person.

(3) If, where a person ceases to hold office as chairman or appointed member, the Secretary of State determines that there are special circumstances which make it right

that he should receive compensation, the Office must pay to him such amount by way of compensation as the Secretary of State may determine.

(4) Paragraph 1 of Schedule 12 makes provision for the payment to the Chief Inspector of remuneration etc.

Staff

6 (1) The Office has power to appoint staff—

(a) for the purposes of the performance of its own functions, and

(b) for the purposes of the performance of functions of the Chief Inspector.

(2) But that power is exercisable only by the Chief Inspector acting on behalf of the Office.

(3) The conditions of service of persons appointed under this paragraph are to be determined by the Chief Inspector, subject to the approval of the Minister for the Civil Service.

(4) The management of the staff of the Office is to be the responsibility of the Chief Inspector.

(5) Nothing in this paragraph is to be read as preventing any delegation by the Chief Inspector under paragraph 9 of Schedule 12.

Committees

7 (1) The Office may establish committees, and any committee so established may establish sub-committees.

(2) The members of a committee of the Office may include persons who are not members of the Office (and the members of a sub-committee may include persons who are not members of the committee or of the Office).

(3) The Office may make arrangements for the payment of such remuneration and allowances as it thinks fit to any person who—

(a) is a member of a committee or sub-committee, but

(b) is not a member of the Office.

Procedure etc.

8 (1) The Office may make such provision as it thinks fit to regulate—

(a) its own proceedings (including quorum), and

(b) the procedure (including quorum) of its committees and sub-committees.

(2) The validity of any proceedings of the Office, or any of its committees or sub-committees, is not affected by—

(a) any vacancy in the office of chairman or in the membership of the Office or (as the case may be) of the committee or sub-committee, or

(b) any defect in the appointment of the chairman or any other member of the Office or (as the case may be) of any member of the committee or sub-committee.

Performance of functions

9 Anything authorised or required to be done by the Office may be done by—

(a) any member of the Office who is authorised for the purpose by the Office, whether generally or specially, or

(b) any committee or sub-committee of the Office which has been so authorised.

Execution of documents

10 The application of the seal of the Office must be authenticated by the signature of—

(a) any member of the Office, or

(b) some other person who has been authorised for that purpose by the Office, whether generally or specially.

Evidence

11 The Documentary Evidence Act 1868 (c. 37) shall have effect in relation to the Office as if—

(a) the Office were included in the first column of the Schedule to that Act,

(b) any member or other person authorised to act on behalf of the Office were mentioned in the second column of that Schedule, and

(c) the regulations referred to in that Act included any document issued by or under the authority of the Office.

Supplementary powers

12 (1) The Office has power—

(a) to enter into contracts,

(b) to acquire, and dispose of, land or other property, and

(c) to arrange for the provision of accommodation,

in connection with the performance of its own functions or in connection with the performance of functions of the Chief Inspector.

(2) But those powers are exercisable only by the Chief Inspector acting on behalf of the Office.

(3) The management of any property or accommodation held or used in connection with the performance of any of the functions mentioned in sub-paragraph (1) is to be the responsibility of the Chief Inspector.

(4) Nothing in this paragraph is to be read as preventing any delegation by the Chief Inspector under paragraph 9 of Schedule 12.

13 (1) The Office may do anything that it considers is necessary or expedient for the purposes of, or in connection with, its functions.

(2) But to the extent that paragraph 6 or 12 makes provision for restricting the exercise of any such power, the power is accordingly exercisable subject to any such restriction.