

SCHEDULES

SCHEDULE 3

AMENDMENTS RELATING TO SCHOOL ORGANISATION

Diocesan Boards of Education Measure 1991 (No. 2)

- 4 (1) Section 3 of the Diocesan Boards of Education Measure 1991 (transactions for which advice or consent of the Board is required) is amended as follows.
- (2) In subsection (1)—
- (a) for paragraphs (a) and (b) substitute—
 - “(a) publishing proposals for any prescribed alteration to the school—
 - (i) in the case of a school in England, under section 19(3) of the Education and Inspections Act 2006 (“the 2006 Act”), or
 - (ii) in the case of a school in Wales, under section 28(2)(b) of the School Standards and Framework Act 1998 (“the 1998 Act”);
 - (b) publishing proposals for the discontinuance of the school—
 - (i) in the case of a school in England, under section 15(2) of the 2006 Act, or
 - (ii) in the case of a school in Wales, under section 29(2) of the 1998 Act;”,
 - (b) in paragraphs (c) and (cc) for “that Act” substitute “the 1998 Act”, and
 - (c) for paragraph (d) substitute—
 - “(d) in the case of a school in Wales, publishing proposals for changing the category of the school under paragraph 2 or 3 of Schedule 8 to the 1998 Act; or”.
- (3) After subsection (1) insert—
- “(1A) The governing body of a church school in England shall not, unless it has obtained the consent in writing of the Board for the diocese in which the school is situated, publish proposals under section 19 of the 2006 Act—
 - (a) where the school is a voluntary school, for a change of category to foundation school, or
 - (b) where the school is a foundation school, for a change in the instrument of government which results in the majority of governors being foundation governors.
 - (1B) Subsection (1)(a)(i) does not apply in any case where by virtue of subsection (1A) the consent of the Board is required.”
- (4) In subsection (6), for “subsection (2)” substitute “subsection (1A) or (2)”.