



School Standards and Framework Act 1998

1998 CHAPTER 31

PART V

NURSERY EDUCATION

Early years development [^{F1}and childcare] plans

121 Approval, modification and review of statement of proposals.

- [^{F1}(1) Where an early years development [^{F2}and childcare] plan has been prepared in accordance with section 120, the authority shall, by such date as may be determined by or in accordance with regulations, submit the plan to the Secretary of State for him to approve [^{F3} . . . under this section.
- (2) The Secretary of State may in the case of any [^{F4}plan] submitted to him under this section—
- approve the [^{F4}plan] in any of the following ways, namely wholly or in part, for a limited period of time, or subject to conditions;
 - require the authority to make such modifications to the [^{F4}plan] as he may specify; or
 - reject the [^{F4}plan] .
- (3) If the Secretary of State approves the [^{F5}plan]—
- he shall notify the authority of his decision; and
 - the authority shall implement the [^{F5}plan] , so far as approved by the Secretary of State, as from such date as he may determine.
- (4) If the Secretary of State requires the authority to make modifications or rejects the [^{F6}plan]—
- he shall notify the authority of his decision and of his reasons for it; and

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- (b) the authority shall prepare a revised [F⁶plan] and submit it to the Secretary of State for his approval under this section by such date as he may determine.
- (5) Once the Secretary of State has approved an authority's [F⁷plan] under subsection (2), he shall keep under review the authority's [F⁷plan], as approved by him, and [F⁸its] implementation by the authority, and—
- (a) where he is of the opinion that the [F⁹plan] should be modified (or further modified), he may withdraw his approval and require the authority to make such modifications to the [F⁹plan] as he may specify; and
- (b) where he is of the opinion that the authority's [F¹⁰plan] is not being properly implemented by them, he may withdraw his approval for such period as he thinks fit.
- (6) If under subsection (5) the Secretary of State withdraws his approval of a [F¹¹plan]—
- (a) he shall notify the authority of his decision and of his reasons for it; and
- (b) in a case falling within paragraph (a) of that subsection, the authority shall prepare a revised [F¹²plan] and submit it to him for his approval under this section by such date as he may determine.
- (7) Section 120 shall apply to the preparation of a revised [F¹³plan] under subsection (4) (b) or (6)(b), with such modifications (if any) as the Secretary of State may determine.
- (8) At any time after the Secretary of State has approved an authority's [F¹⁴plan] under subsection (2)—
- (a) the authority may, with the agreement of the early years development [F¹⁵and childcare] partnership, submit modifications to the [F¹⁶plan] to the Secretary of State for his approval, and
- (b) the Secretary of State may approve the modifications, whether in whole or in part, for a limited period of time, or subject to conditions, and
- (c) if and to the extent that he approves those modifications, he shall notify the authority of his decision and—
- (i) the [F¹⁷plan] shall have effect with the modifications, and
- (ii) the authority shall implement their [F¹⁷plan] as modified, as from such date as he may determine.
- (9) Once the Secretary of State has approved—
- (a) an authority's [F¹⁸plan] under subsection (2), or
- (b) the modification of an authority's [F¹⁸plan] under subsection (8),
- the authority shall publish their [F¹⁹ . . . plan (or their plan as so modified) in such manner and by such date as may be prescribed, and shall provide such persons as may be prescribed with copies of that plan or of a summary of that plan.]

Textual Amendments

- F1** S. 121 repealed (1.3.2005 for E., 1.9.2006 for W.) by [Children Act 2004 \(c. 31\)](#), [Sch. 5 Pt. 1](#); S.I. 2005/394, [art. 2\(1\)\(I\)](#); S.I. 2006/885, [art. 2\(3\)\(b\)](#)
- F2** Words in s. 121 inserted (1.10.2002 for E. and 31.3.2003 for W.) by [Education Act 2002 \(c. 32\)](#), [ss. 150\(5\)](#), 216 (with [ss. 210\(8\)](#), 214(4)); S.I. 2002/2439, [art. 3](#), (with Sch.); S.I. 2002/3185, [art. 5](#), Sch. Pt. II
- F3** Words in s. 121(1) repealed (1.10.2002 for E. and 31.3.2003 for W.) by [Education Act 2002 \(c. 32\)](#), [ss. 150\(4\)\(a\)](#), 215(2), 216, [Sch. 22 Pt. 3](#) (with [ss. 210\(8\)](#), 214(4)); S.I. 2002/2439, [art. 3](#) (with Sch.); S.I. 2002/3185, [art. 5](#), Sch. Pt. II

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- F4** Words in s. 121(2) substituted (1.10.2002 for E. and 31.3.2003 for W.) by Education Act 2002 (c. 32), **ss. 150(4)(b)**, 216 (with ss. 210(8), 214(4)); S.I. 2002/2439, **art. 3** (with Sch.); S.I. 2002/3185, **art. 5**, Sch. Pt. II
- F5** Words in s. 121(3) substituted (1.10.2002 for E. and 31.3.2003 for W.) by Education Act 2002 (c. 32), **ss. 150(4)(c)**, 216 (with ss. 210(8), 214(4)); S.I. 2002/2439, **art. 3** (with Sch.); S.I. 2002/3185, **art. 5**, Sch. Pt. II
- F6** Words in s. 121(4) substituted (1.10.2002 for E. and 31.3.2003 for W.) by Education Act 2002 (c. 32), **ss. 150(4)(d)**, 216 (with ss. 210(8), 214(4)); S.I. 2002/2439, **art. 3** (with Sch.); S.I. 2002/3185, **art. 5**, Sch. Pt. II
- F7** Words in s. 121(5) substituted (1.10.2002 for E. and 31.3.2003 for W.) by Education Act 2002 (c. 32), **ss. 150(4)(e)(i)**, 216 (with ss. 210(8), 214(4)); S.I. 2002/2439, **art. 3** (with Sch.); S.I. 2002/3185, **art. 5**, Sch. Pt. II
- F8** Words in s. 121(5) substituted (1.10.2002 for E. and 31.3.2003 for W.) by Education Act 2002 (c. 32), **ss. 150(4)(e)(ii)**, 216 (with ss. 210(8), 214(4)); S.I. 2002/2439, **art. 3** (with Sch.); S.I. 2002/3185, **art. 5**, Sch. Pt. II
- F9** Words in s. 121(5) substituted (1.10.2002 for E. and 31.3.2003 for W.) by Education Act 2002 (c. 32), **ss. 150(4)(e)(iii)**, 216 (with ss. 210(8), 214(4)); S.I. 2002/2439, **art. 3** (with Sch.); S.I. 2002/3185, **art. 5**, Sch. Pt. II
- F10** Words in s. 121(5) substituted (1.10.2002 for E. and 31.3.2003 for W.) by Education Act 2002 (c. 32), **ss. 150(4)(e)(iii)**, 216 (with ss. 210(8), 214(4)); S.I. 2002/2439, **art. 3** (with Sch.); S.I. 2002/3185, **art. 5**, Sch. Pt. II
- F11** Words in s. 121(6) substituted (1.10.2002 for E. and 31.3.2003 for W.) by Education Act 2002 (c. 32), **ss. 150(4)(f)(i)**, 216 (with ss. 210(8), 214(4)); S.I. 2002/2439, **art. 3** (with Sch.); S.I. 2002/3185, **art. 5**, Sch. Pt. II
- F12** Words in s. 121(6)(b) substituted (1.10.2002 for E. and 31.3.2003 for W.) by Education Act 2002 (c. 32), **ss. 150(4)(f)(ii)**, 216 (with ss. 210(8), 214(4)); S.I. 2002/2439, **art. 3** (with Sch.); S.I. 2002/3185, **art. 5**, Sch. Pt. II
- F13** Words in s. 121(7) substituted (1.10.2002 for E. and 31.3.2003 for W.) by Education Act 2002 (c. 32), **ss. 150(4)(g)**, 216 (with ss. 210(8), 214(4)); S.I. 2002/2439, **art. 3** (with Sch.); S.I. 2002/3185, **art. 5**, Sch. Pt. II
- F14** Words in s. 121(8) substituted (1.10.2002 for E. and 31.3.2003 for W.) by Education Act 2002 (c. 32), **ss. 150(4)(h)(i)**, 216 (with ss. 210(8), 214(4)); S.I. 2002/2439, **art. 3** (with Sch.); S.I. 2002/3185, **art. 5**, Sch. Pt. II
- F15** Words in s. 121 inserted (1.10.2002 for E. and 31.3.2003 for W.) by Education Act 2002 (c. 32), **ss. 150(5)**, 216 (with ss. 210(8), 214(4)); S.I. 2002/2439, **art. 3**, (with Sch.); S.I. 2002/3185, **art. 5**, Sch. Pt. II
- F16** Words in s. 121(8)(a) substituted (1.10.2002 for E. and 31.3.2003 for W.) by Education Act 2002 (c. 32), (ss. {150(4)(h)(ii)}), 216 (with ss. 210(8), 214(4)); S.I. 2002/2439, **art. 3** (with Sch.); S.I. 2002/3185, **art. 5**, Sch. Pt. II
- F17** Words in s. 121(8)(c) substituted (1.10.2002 for E. and 31.3.2003 for W.) by Education Act 2002 (c. 32), **ss. 150(4)(h)(iii)**, 216 (with ss. 210(8), 214(4)); S.I. 2002/2439, **art. 3** (with Sch.); S.I. 2002/3185, **art. 5**, Sch. Pt. II
- F18** Words in s. 121(9) substituted (1.10.2002 for E. and 31.3.2003 for W.) by Education Act 2002 (c. 32), **ss. 150(4)(i)**, 216 (with ss. 210(8), 214(4)); S.I. 2002/2439, **art. 3** (with Sch.); S.I. 2002/3185, **art. 5**, Sch. Pt. II
- F19** Words in s. 121(9) repealed (1.10.2002 for E. and 31.3.2003 for W.) by Education Act 2002 (c. 32), ss. 150(4)(a), 215(2), 216, **Sch. 22 Pt. 3** (with ss. 210(8), 214(4)); S.I. 2002/2439, **art. 3** (with Sch.); S.I. 2002/3185, **art. 5**, Sch. Pt. II

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