



Education Reform Act 1988

1988 CHAPTER 40

PART I

SCHOOLS

CHAPTER IV

GRANT-MAINTAINED SCHOOLS

Procedure for acquisition of grant-maintained status

60 Initiation of procedure for acquisition of grant-maintained status

- (1) Subject to subsection (5) below, in the case of any school which is eligible for grant-maintained status, a ballot of parents on the question of whether grant-maintained status should be sought for the school shall be held in accordance with section 61 of this Act if either—
 - (a) the governing body decide by a resolution passed at a meeting of that body (“W”) to hold such a ballot and confirm that decision, after the consultations required by subsection (3) below, by a resolution (“W”) passed at a subsequent meeting of the governing body held not less than twenty-eight days, nor more than forty-two days, after that at which the first resolution was passed; or
 - (b) they receive a written request to hold such a ballot which meets the requirements of subsection (2) below.
- (2) Those requirements are that the request must be signed (or otherwise endorsed in such manner as the governing body may require) by a number of parents of registered pupils at the school equal to at least twenty per cent. of the number of registered pupils at the school on the date on which the request is received.
- (3) Immediately following the passing of the first resolution the governing body shall consult—
 - (a) the local education authority by whom the school is maintained; and

Status: This is the original version (as it was originally enacted).

- (b) if the school is a voluntary school, the trustees of the school;
with respect to their decision to hold a ballot.
- (4) Subject to subsection (5) below, on the passing of the second resolution required for the purposes of subsection (1)(a) above or (as the case may be) on receipt of any such request as is mentioned in subsection (1)(b) above, it shall be the duty of the governing body—
- (a) to secure that a ballot is held in accordance with section 61 of this Act—
- (i) within the period of three months beginning with the date of the second resolution; or
- (ii) within the period of two months beginning with the date immediately following the period of twenty-eight days beginning with the date on which the request was received; and
- (b) to give notice in writing that such a ballot is to be held to the local education authority by whom the school is maintained and also, if the school is a voluntary school, to the trustees of the school.
- (5) Subsections (1) and (4) above shall not apply if in the case of the school in question a ballot has been held in accordance with section 61 of this Act within the period of twelve months ending with the date immediately preceding the date of the second resolution or (as the case may be) the date on which the request is received, unless the Secretary of State gives consent in writing for a new ballot to be held.
- (6) A request such as is mentioned in subsection (1)(b) above shall be taken as having been received by a governing body if given or sent to the chairman of the governing body or to the clerk to the governing body.
- (7) Subject to subsection (8) below, it shall be the duty of the governing body of any school which is eligible for grant-maintained status, at the request of any parent of a registered pupil at the school, to make available to the parent for inspection (at all reasonable times and free of charge) at the school, and to supply the parent with a copy of, a list containing the name and address of every person who is known to the governing body to be such a parent if the request is made—
- (a) in connection with any proposal that a ballot should be held in accordance with section 61 of this Act; or
- (b) where the governing body are under a duty by virtue of this section or section 61(8) of this Act to secure that such a ballot is held, in connection with the holding of the ballot.
- (8) A governing body shall not disclose to a parent under subsection (7) above the name and address of any person who has requested the governing body in writing not to disclose that information under that subsection; and accordingly the name and address of that person shall be excluded from the list there mentioned.
- (9) A governing body who in pursuance of subsection (7) above supply copies of the list there mentioned may charge such fee as they think fit (not exceeding the cost of supply) in respect of each copy so supplied.
- (10) For the purposes of this section, it shall be for the governing body to determine any question whether a person is a parent of a registered pupil at the school.