

SCHEDULES

SCHEDULE 3

PROPOSALS FOR SCHOOLS TO BECOME, OR BE ESTABLISHED AS, GRANT-MAINTAINED SCHOOLS

PART I

PROPOSALS FOR ACQUISITION OF GRANT-MAINTAINED STATUS

Publication of proposals and notice

- 1 (1) Where proposals are required to be published under section 32 of this Act, they shall be published by being—
- (a) posted at or near the main entrance to the school, or (if there is more than one main entrance) all of them,
 - (b) posted in at least one conspicuous place within the area served by the school, and
 - (c) made available for inspection at all reasonable times at the school or at any other place within that area to which members of the public may conveniently have access.
- (2) Within the period of ten days beginning with the date of publication of the proposals there shall be published in at least one newspaper circulating in that area a notice in respect of the proposals containing such summary of the proposals as the governing body may think appropriate (including, in particular, the information required by sub-paragraph (3) below).
- (3) The notice shall—
- (a) state that proposals for acquisition of grant-maintained status have been published and submitted to the Secretary of State for approval,
 - (b) specify the proposed date of implementation of the proposals,
 - (c) state that, if the proposals are approved, the school will on that date cease to be maintained by the local education authority,
 - (d) state that, if the proposals are approved, the school will on and after that date be conducted by a governing body incorporated under Part II of this Act and receive annual grants from the funding authority,
 - (e) give the information required to be specified in the proposals by paragraph 4(1)(a) and (2)(a) below,
 - (f) state where the proposals may be inspected, and
 - (g) explain the effect of paragraph 5 below.
- (4) The Secretary of State may by regulations make such provision (whether by way of modification of, or substitution for, the provisions of sub-paragraphs (1) to (3) above) as he considers appropriate in relation to—

- (a) the publication of proposals for acquisition of grant-maintained status, and
- (b) the publication of such notice (if any) in respect of proposals for acquisition of grant-maintained status as may be prescribed.

Statement to be annexed to proposals

- 2 (1) There shall be annexed to any proposals published under section 32 of this Act a statement which shall—
- (a) state the result of the ballot, giving the number of votes cast in favour of seeking grant-maintained status for the school, the percentage of those eligible to vote who voted, and the number of votes cast against,
 - (b) state whether the school is a county, controlled, aided or special agreement school,
 - (c) briefly describe the existing character of the school including, in the case of a school which has a particular religious character, that character and the religion or religious denomination (if any) in accordance with whose tenets religious education is provided,
 - (d) state the number of pupils for whom accommodation can be provided at the school, and
 - (e) give such other information as may be prescribed.
- (2) The statement so annexed shall be treated for the purposes of section 32 of this Act and of paragraph 1 above as forming part of the proposals.

Statement to accompany published proposals

- 3 Any proposals published under section 32 of this Act shall be accompanied by a statement which shall—
- (a) describe the requirements of Part II of this Act as to the membership of the governing body of a grant-maintained school,
 - (b) state that the head teacher will be a governor of the school ex officio if the school becomes a grant-maintained school,
 - (c) explain the circumstances in which a person named in the proposals in accordance with section 71 or 73 of this Act, or regulations made by virtue of section 77 of this Act, as a proposed initial governor may be replaced under section 74 or 75 of this Act or the regulations,
 - (d) explain the procedure applicable under Part II of this Act in each case in which such a replacement is required,
 - (e) if the determination of an initial governor of an elected category is pending on the date of publication of the proposals, explain the requirements applicable under Part II of this Act in any such case,
 - (f) explain the effect of paragraph 5 below, and
 - (g) give such other information as may be prescribed.

Details of proposals

- 4 (1) Any proposals published under section 32 of this Act shall—
- (a) where any person is proposed as a sponsor of the school, state the name of that person and the number of initial sponsor governors to be appointed by him (in accordance with section 66 of this Act),

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- (b) specify the number of initial parent, teacher and first or, as the case may be, foundation governors proposed for the governing body (in accordance with sections 60 to 65 of this Act),
 - (c) give the name of the person who is the head teacher of the school on the date of publication of the proposals,
 - (d) give the relevant particulars in respect of each person required by section 71 or 73 of this Act, or regulations made by virtue of section 77 of this Act, to be named in the proposals as published as a proposed initial governor,
 - (e) where it is proposed that any foundation governorship be held ex officio, specify the relevant office,
 - (f) if the determination of an initial governor of an elected category is pending on the date of publication of the proposals, state that fact and refer to the explanation given in the statement accompanying the proposals in accordance with paragraph 3(e) above,
 - (g) give the name under which it is proposed that the governing body should be incorporated under section 34 of this Act, and
 - (h) specify the proposed date of implementation of the proposals.
- (2) The proposals shall describe the arrangements it is proposed to adopt, if the school becomes a grant-maintained school, in respect of—
- (a) the admission of pupils to the school,
 - (b) the provision to be made at the school for pupils who have special educational needs, and
 - (c) the induction of newly qualified teachers at the school and the in-service training and professional development of teachers at the school.
- (3) In giving the information required by sub-paragraph (2)(a) above, the proposals shall in particular specify the number of pupils proposed to be admitted to the school in each relevant age group in the first school year beginning on or after the proposed date of implementation of the proposals and, if pupils are proposed to be admitted for nursery education, give the prescribed information.

Objections to proposals

- 5 Within the period of two months beginning with the date of publication of any proposals under section 32 of this Act, objections to the proposals may be submitted to the Secretary of State by any of the following—
- (a) any ten or more local government electors for the area,
 - (b) any persons holding property on trust for the purposes of the school,
 - (c) the governing body of any school affected by the proposals, and
 - (d) any local education authority concerned.

Interpretation

- 6 (1) For the purposes of this Part of this Schedule, the determination of an initial governor of an elected category is pending on the date of publication of any proposals under section 32 of this Act if sub-paragraph (2) or (3) below applies.
- (2) This sub-paragraph applies if an election or appointment required by section 71(7) of this Act has not been held or made by the date of publication.
- (3) This sub-paragraph applies if—

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- (a) an election or appointment required for filling an outstanding vacancy for a governor of an elected category on the existing governing body has not been held or made by the date of publication, and
- (b) the vacancy falls to be taken into account in determining whether an election or appointment is required by section 71(7) of this Act.