



# School Standards and Framework Act 1998

## 1998 CHAPTER 31

### PART II

#### NEW FRAMEWORK FOR MAINTAINED SCHOOLS

### CHAPTER I

#### INTRODUCTORY

#### *New arrangements for organisation of schools*

#### **24 School organisation committees**

- (1) Each local education authority in England shall establish a school organisation committee for their area.
- (2) A school organisation committee shall be constituted in accordance with regulations made by the Secretary of State.
- (3) Those regulations must be so framed as to secure that every school organisation committee includes at least one person within each of the following categories—
  - (a) a member of the local education authority;
  - (b) a person nominated by the Diocesan Board of Education for any diocese of the Church of England any part of which is comprised in the authority's area; and
  - (c) a person nominated by the bishop of any Roman Catholic Church diocese any part of which is comprised in the authority's area.
- (4) In this Act any reference to "the school organisation committee" in relation to—
  - (a) a local education authority in England,

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(b) a school maintained or proposed to be maintained by such a local education authority, or

(c) any proposals relating to such a school,

is a reference to the school organisation committee established for the local education authority's area.

(5) Schedule 4 has effect in relation to school organisation committees.

## 25 Adjudicators

(1) The Secretary of State shall appoint for England such number of persons to act as adjudicators for the purposes of this Act as he considers appropriate.

(2) Any matter which by virtue of this Act is required to be referred to "the adjudicator" shall be referred to such person appointed under this section as may be determined in accordance with regulations under Schedule 5.

(3) Accordingly in this Act "the adjudicator", in relation to any such matter, means the person mentioned in subsection (2).

(4) Schedule 5 has effect in relation to adjudicators.

## 26 School organisation plans

(1) Every local education authority shall prepare a school organisation plan for their area, and shall prepare further such plans at such times as may be prescribed.

(2) A school organisation plan is a statement which sets out—

(a) how the authority propose to exercise their functions during the prescribed period with a view to securing the provision of primary and secondary education that will meet the needs of the population of their area during that period; and

(b) any facilities which the authority expect to be available outside their area for providing such education.

(3) A school organisation plan must deal with such matters, and take such form, as may be prescribed.

(4) The matters prescribed for the purposes of subsection (3) shall include the provision which the authority propose to make during the period in question for children with special educational needs.

(5) A school organisation plan prepared by a local education authority in England requires the approval of the school organisation committee or the adjudicator; and regulations may make provision with regard to the procedure to be followed in connection with the preparation and approval of such plans.

(6) Regulations under subsection (5) may, in particular, make provision—

(a) requiring a local education authority in England to publish a draft school organisation plan prepared by them, and enabling objections to be made to it;

(b) requiring—

(i) the draft plan (whether as published by the authority or as revised by them in the light of any such objections), and

(ii) all such objections,

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- to be submitted to the school organisation committee;
  - (c) authorising the matters so submitted to be also submitted, in any prescribed circumstances, to the adjudicator;
  - (d) for the functions of the school organisation committee in relation to the matters submitted to them by the authority, or in relation to any proposals made by the adjudicator, including power for the committee—
    - (i) to approve a draft plan with or without modifications, or
    - (ii) to prepare a school organisation plan for publication by the authority as their approved plan;
  - (e) for the functions of the adjudicator in relation to any matters submitted to him by virtue of paragraph (c), or referred to him by the committee in the exercise of any function conferred by virtue of paragraph (d), including power for the adjudicator—
    - (i) to approve a draft plan either with modifications proposed by the committee or without modifications, or
    - (ii) to make proposals to the committee for modifications to be made to the draft plan;
  - (f) requiring the publication of the plan as approved;
  - (g) requiring anything falling to be done under the regulations to be done within such period as may be specified in or determined in accordance with the regulations.
- (7) A school organisation plan prepared by a local education authority in Wales requires adoption by the authority; and regulations may make provision with regard to the procedure to be followed in connection with the preparation and adoption of such plans.
- (8) Regulations under subsection (7) may, in particular, make provision—
- (a) requiring a local education authority in Wales to publish a draft school organisation plan prepared by them, and to consult such bodies or persons in connection with the draft plan as may be prescribed;
  - (b) requiring the authority, in the light of such consultation, either—
    - (i) to adopt the draft plan with or without modifications, or
    - (ii) to prepare a further draft school organisation plan for publication and consultation in accordance with any provision made by virtue of paragraph (a);
  - (c) requiring the publication of the plan as adopted by the authority;
  - (d) requiring anything falling to be done under the regulations to be done within such period as may be specified in or determined in accordance with the regulations.

## **27 Power to require committees or adjudicators for Wales**

- (1) Regulations may make provision—
- (a) for the establishment by local education authorities in Wales of school organisation committees; and
  - (b) for the appointment by the Secretary of State of adjudicators, or panels of adjudicators, for Wales;

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and the regulations may provide for any of the provisions of sections 24 and 25 and Schedules 4 and 5 to apply for the purposes of the regulations with or without modifications.

(2) In connection with any provision made by virtue of subsection (1), regulations may make provision—

- (a) for applying in relation to Wales any provision of section 26, Chapter II of this Part or Chapter I of Part III which would otherwise apply in relation to England only;
- (b) for disapplying in relation to Wales any such provision which would otherwise apply in relation to Wales only;
- (c) for any statutory provision to have effect with such modifications as appear to the Secretary of State to be appropriate.