



School Standards and Framework Act 1998

1998 CHAPTER 31

PART V

NURSERY EDUCATION

Early years development plans

120 Early years development plans

- (1) Every local education authority shall, in conjunction with the early years development partnership for their area—
 - (a) prepare an early years development plan for their area, and
 - (b) prepare further such plans at such intervals as may be determined by or in accordance with regulations.
- (2) An early years development plan shall consist of—
 - (a) a statement of proposals, which sets out the authority's proposals for complying with their duty under section 118, and
 - (b) annexes to that statement.
- (3) The statement of proposals must—
 - (a) deal with such matters, and relate to such period, as may be determined by or in accordance with regulations, and
 - (b) be approved by the Secretary of State under section 121.
- (4) In relation to the form and content of the annexes to the statement the authority shall have regard to any guidance given from time to time by the Secretary of State.

121 Approval, modification and review of statement of proposals

- (1) Where an early years development 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 the authority's statement of proposals under this section.
- (2) The Secretary of State may in the case of any statement submitted to him under this section—
 - (a) approve the statement in any of the following ways, namely wholly or in part, for a limited period of time, or subject to conditions;
 - (b) require the authority to make such modifications to the statement as he may specify; or
 - (c) reject the statement.
- (3) If the Secretary of State approves the statement—
 - (a) he shall notify the authority of his decision; and
 - (b) the authority shall implement the proposals set out in the statement, 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 statement—
 - (a) he shall notify the authority of his decision and of his reasons for it; and
 - (b) the authority shall prepare a revised statement 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 statement of proposals under subsection (2), he shall keep under review the authority's proposals, as approved by him, and their implementation by the authority, and—
 - (a) where he is of the opinion that the statement should be modified (or further modified), he may withdraw his approval and require the authority to make such modifications to the statement as he may specify; and
 - (b) where he is of the opinion that the authority's statement 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 statement of proposals—
 - (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 statement 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 statement 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 statement of proposals under subsection (2)—
 - (a) the authority may, with the agreement of the early years development partnership, submit modifications to the statement 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 statement shall have effect with the modifications, and
 - (ii) the authority shall implement their proposals as modified, as from such date as he may determine.
- (9) Once the Secretary of State has approved—
 - (a) an authority’s statement of proposals under subsection (2), or
 - (b) the modification of an authority’s statement of proposals under subsection (8),the authority shall publish their early years development 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.