

---

**Changes to legislation:** School Standards and Framework Act 1998, Cross Heading: Final decision by governing body as to new category is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

---

## SCHEDULES

### SCHEDULE 2

#### ALLOCATION OF EXISTING SCHOOLS TO NEW CATEGORIES

---

**Modifications etc. (not altering text)**

**C1** Sch. 2 excluded (7.9.1998) (*temp.*) by [S.I. 1998/1969](#), [reg.18](#)

*Final decision by governing body as to new category*

- 5 (1) Where—
- (a) the governing body of a school within paragraph 2 have taken their preliminary decision under sub-paragraph (1) of paragraph 4, and
  - (b) the result of a ballot held by virtue of that paragraph does not accord with that decision,
- the governing body shall reconsider the question set out in that sub-paragraph, having regard to the result of the ballot, and shall then take a further decision on that question.
- (2) Where—
- (a) the governing body of a school within paragraph 2 have taken their preliminary decision under sub-paragraph (1) of paragraph 4, and
  - (b) either—
    - (i) a ballot was held by virtue of that paragraph whose result (if any) was not to disagree with that decision, or
    - (ii) no such ballot was required to be held,
- the governing body shall take a further decision confirming their preliminary decision.
- (3) Regulations may make provision as to the procedure to be followed in connection with the taking by governing bodies of their final decisions (including, in particular, provision as to the time by which governing bodies are to take such decisions).
- (4) In this Schedule any reference to a governing body’s “final decision” is a reference to any such further decision as is required by sub-paragraph (1) or (2).

---

**Modifications etc. (not altering text)**

**C1** Sch. 2 paras. 4-7 excluded (7.9.1998) by [S.I. 1998/1969](#), [reg. 19\(2\)](#)

**Changes to legislation:**

School Standards and Framework Act 1998, Cross Heading: Final decision by governing body as to new category is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 14(3)(aa) inserted by [2011 nawm 7 s. 16\(2\)](#) (Amendment not applied to [legislation.gov.uk](#) - s.16(02) of 2011 nawm007 omitted by 2013 nawm001 s. 100(4), Sch. 5 para. 13(2); S.I. 2014/178, art. 2(f) (with art. 3) prior to commencement)
- s. 18B inserted by [2011 nawm 7 s. 16\(3\)](#) (Amendment not applied to [legislation.gov.uk](#) - s.16(02) of 2011 nawm007 omitted by 2013 nawm001 s. 100(4), Sch. 5 para. 13(2); S.I. 2014/178, art. 2(f) (with art. 3) prior to commencement)
- Sch. 22 para. 5(1B) inserted by [2023 c. 55 s. 235\(4\)](#)