

SCHEDULES

SCHEDULE 2

Sections 35(7) and 36(7)

EFFECT ON STAFFING OF SUSPENSION OF DELEGATED BUDGET

PART 1

COMMUNITY, VOLUNTARY CONTROLLED, COMMUNITY SPECIAL AND MAINTAINED NURSERY SCHOOLS

- 1 The arrangements for the staffing of the school shall be determined by the local education authority.
- 2 The authority may appoint, suspend and dismiss teachers and other staff at the school as the authority think fit.
- 3 The authority shall, in connection with the exercise of their functions under paragraph 2, consult the governing body to such extent as the authority think fit.
- 4 In relation to teachers at a voluntary controlled school who are reserved teachers within the meaning of section 58 of the School Standards and Framework Act 1998 (c. 31) (appointment and dismissal of certain teachers at schools with a religious character), paragraph 2 shall have effect subject to the provisions of that section.

PART 2

FOUNDATION, VOLUNTARY AIDED AND FOUNDATION SPECIAL SCHOOLS

- 5 The arrangements for the staffing of the school shall be determined by the local education authority.
- 6 Except with the consent of the authority, the governing body shall not—
 - (a) appoint any teacher to work at the school, or
 - (b) dismiss any teacher at the school.
- 7 The authority may give the governing body directions—
 - (a) as to the educational qualifications of the teachers to be appointed for giving secular education, or
 - (b) requiring them to dismiss any teacher at the school;but the authority shall not give any directions under paragraph (a) except after consulting the governing body.
- 8 The authority may give directions to the governing body as to the number and conditions of service of persons employed at the school for the purposes of the care and maintenance of the school premises.
- 9 Where the trust deed relating to the school provides for a person other than the governing body to be entitled to control the occupation and use of the school

Status: This is the original version (as it was originally enacted).

premises to any extent, then, if and to the extent that (disregarding any transfer of control authorised by regulations under section 31) the use of those premises is or would be under the control of any such person, the reference in paragraph 8 to the governing body shall be read as a reference to that person.

- 10 Paragraphs 6 and 7 have effect subject to section 58 of the School Standards and Framework Act [1998 \(c. 31\)](#).