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STATUTORY INSTRUMENTS

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**1998 No. 218**

**The Education (Modification of Enactments  
Relating to Employment) Order 1998**

**Applications to Industrial Tribunals**

6.—(1) Without prejudice to anything in articles 3 and 4 and notwithstanding any provision in the Industrial Tribunals Act 1996<sup>(1)</sup> or in any regulations made under section 1(1) of that Act, this article applies in respect of any application to an industrial tribunal, and any proceedings pursuant to such an application, in relation to which by virtue of article 3 or 4 the governing body is to be treated as if it were an employer, person by whom employment is offered, or a principal.

(2) The application shall be made, and the proceedings shall be carried on, against that governing body.

(3) Notwithstanding paragraph (2), any decision, declaration, order, recommendation or award made in the course of such proceedings except in so far as it requires reinstatement or re-engagement shall have effect as if made against the local education authority.

(4) Where any application is made against a governing body pursuant to paragraph (2)—

- (a) the governing body shall notify the local education authority within 14 days of receiving notification thereof; and
- (b) the local education authority shall, on written application to the industrial tribunal, be entitled to be made an additional party to the proceedings and to take part in the proceedings accordingly.