
STATUTORY INSTRUMENTS

2002 No. 2978

The School Companies Regulations 2002

PART 3

Seeking Consent to Become a Member of a School Company

Grounds on which a local education authority may refuse permission to a school governing body to become a member of a school company

15. Where the governing body of a maintained school seek the consent of the local education authority to form or become a member of a company in exercise of their powers under section 11 of the 2002 Act, the local education authority must give that consent unless—

- (a) the school is subject to special measures;
- (b) the school has serious weaknesses;
- (c) the local education authority considers that the school is likely to become subject to special measures or be assessed as having serious weaknesses within the next year;
- (d) the school has a deficit budget;
- (e) the governing body of the school has, within the last 3 years, been a member of a school company which became insolvent at a time when the governing body was a member; or
- (f) the governing body of the school has been a member of a company which failed to act in accordance with these regulations within the last 3 years.

Duty to provide written reasons for refusal

16. Where the local education authority does not consent to a governing body becoming a member of a school company, it must provide written reasons for its refusal.