

**2004 No.2810**

**EDUCATION, ENGLAND**

**The New Relationship with Schools (Governors' Annual Report)  
(No 2) Order 2004**

<i>Made</i> - - - -	<i>28th October 2004</i>
<i>Laid before Parliament</i>	<i>5th November 2004</i>
<i>Coming into force</i> - -	<i>1st December 2004</i>

Whereas, the governing bodies of the schools (“the schools”) listed in the Schedule are participating in a programme being undertaken by the Department for Education and Skills called “the New Relationship with Schools”;

Whereas, the New Relationship with Schools programme is to include trials for the replacement of the governors’ annual report, as required by section 30(1) of the Education Act 2002(a) (“the Act”), with the publication of information about the schools in the form of an electronic document (“the school profile”);

Whereas the governing body of each of the schools has, in accordance with section 4(2) of the Act, consulted the local education authority which maintains the school and such other persons as appear to it to be appropriate, having regard to guidance given by the Secretary of State;

Whereas it is the opinion of the Secretary of State, having regard to the matters set out in section 1(2) of the Act, that the implementation by the governing bodies of the schools of the provisions of this Order may contribute to the raising of educational standards achieved by children in England;

Whereas it does not appear to the Secretary of State that the provisions of this Order are likely to have a detrimental effect on the education of children with special educational needs;

Now, therefore, in exercise of the powers conferred upon the Secretary of State by section 2 (1) of the Act, the Secretary of State for Education and Skills, on the application of the governing bodies of the schools, hereby makes the following Order:

**Citation, commencement and interpretation**

**1.**—(1) This Order may be cited as The New Relationship with Schools (Governors’ Annual Report) (No 2) Order 2004 and shall come into force on 1<sup>st</sup> December 2004.

(2) In this Order –

“the schools” means the 3 schools listed in the Schedule.

### **Exemption**

2. The following provisions shall not apply to the governing bodies of the schools:
- (a) section 30(1) of the Education Act 2002 (requirement for governing bodies to produce the governors’ annual report);
  - (b) section 17(7) of the School Inspections Act 1996(a) (requirement for governing bodies to include in their annual report a statement as to compliance with special measures action plan);
  - (c) paragraph 3(4) of Schedule 4 to that Act (requirement for governing bodies of voluntary or foundation schools with religious character to include in their annual report a statement as to compliance with special measures action plan); and
  - (d) regulation 6 of and Schedule 2 to the Education (School Performance Targets) (England) Regulations 1998(b) (requirement for governing bodies to include their attainment targets in their annual report).

### **Modification**

3. Section 317 of the Education Act 1996(c) shall, as it applies to the governing bodies of the schools, be modified to the extent provided:

- (a) subsection (5) (information as to the implementation of the governing body’s policy for pupils with special educational needs to be included in the governors’ annual report) as if the words “The governing body shall produce” were substituted for the words “Each governors’ report shall include”(d); and
- (b) subsection (6) (information relating to provision for disabled pupils to be included in the governors’ annual report) as if the words “Once in every school year the governing body shall produce a report containing” were substituted for the words “Each governors’ report shall also include”.

### **Time period**

4. This order shall have effect until 1<sup>st</sup> September 2005.

28th October 2004

*David Miliband*  
Minister of State  
Department for Education and Skills

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(a) 1996 c.57

(b) S.I. 1998/ 1532 as amended by the Education (School Performance Targets) (England) (Amendment) Regulations 2001 (S.I. 2001/827), the Education (School Performance Targets) (England) (Amendment) (No 2) Regulations 2001 (S.I. 2001/2944), the Education (School Performance Targets) (England) (Amendment) Regulations 2002 (S.I. 2002/840), the Education (School Performance Targets) (England) (Amendment) (No 2) Regulations 2002 (S.I. 2002/2105) and the Education (School Performance Targets) (England) (Amendment) Regulations 2003 (S.I. 2003/1970).

(c) 1996 c.56. Part IV of the Education Act 1996 was amended by the School Standards and Framework Act 1998, the Special Educational Needs and Disability Act 2001 and the Education Act 2002.

(d) This modification enables the Education (Special Educational Needs) Information (England) Regulations 1999 (S.I. 1999/2506), enacted under section 317(5), to remain in effect in relation to the governing bodies of the schools.

## SCHEDULE

Article 1

### SCHOOLS TO WHICH THE ORDER APPLIES

**Primary Schools:** The Windmills Junior School  
Dale Avenue  
Hassocks  
West Sussex  
BN6 8LS  
DfES Establishment Number 938 - 2213

**Secondary Schools:** Lister Community School  
St Mary's Road  
Plaistow  
Newham  
London  
E13 9AE  
DfES Establishment Number 316 - 4025

New Heys Comprehensive School  
Health Road  
Liverpool  
Merseyside  
DfES Establishment Number 341 – 4428

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order is made under section 2 of the Education Act 2002. Article 2(a) provides for the suspension of the requirement for the governing bodies of the schools listed in the Schedule to prepare an annual report. Paragraphs (b) to (d) of Article 2 provide for the suspension of certain other provisions consequential upon Article 2(a). Article 3 provides for the modification of certain provisions relating to pupils with special educational needs and disabilities consequential upon Article 2(a).

Article 4 specifies that the Order shall have effect until 1<sup>st</sup> September 2005.

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