
Changes to legislation: School Standards and Organisation (Wales) Act 2013, Cross Heading: Change to community or voluntary controlled school is up to date with all changes known to be in force on or before 11 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

SCHEDULE 4

IMPLEMENTATION OF PROPOSALS TO CHANGE CATEGORY OF SCHOOL

PART 2

TRANSFER OF STAFF

Change to community or voluntary controlled school

- 4 (1) This paragraph applies where a foundation or voluntary aided school changes category to become a community or voluntary controlled school.
- (2) The contract of employment between P and the governing body has effect from the implementation date as if originally made between P and the local authority.
- (3) All the governing body's rights, powers, duties and liabilities under or in connection with the contract of employment are transferred to the local authority on the implementation date.
- (4) Anything done before that date by or in relation to the governing body in connection with that contract or P is to be treated from that date as having been done by or in relation to the local authority.
- (5) In this paragraph, "P" is a person who—
- (a) immediately before the implementation date is employed by the governing body to work at the school in question, or
 - (b) before the implementation date, is appointed by the governing body to work at the school as from the implementation date or a later date.
- (6) But "P" does not include a person whose contract of employment terminates on the day immediately preceding the implementation date.
- (7) This paragraph does not affect any right of an employee to terminate the contract if (apart from the change of employer) a substantial change is made to the employee's detriment in the employee's working conditions.

Commencement Information

II Sch. 4 para. 4 in force at 1.10.2013 by S.I. 2013/1800, art. 3(h)

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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):

- Pt. 3 Ch. 3A inserted by [2022 asc 1 Sch. 4 para. 29\(7\)](#)
- s. 1(9A) inserted by [2022 asc 1 Sch. 4 para. 29\(2\)\(a\)](#)
- s. 38(2)(ca) inserted by [2022 asc 1 Sch. 4 para. 29\(3\)\(a\)](#)
- s. 38(5)(ca) inserted by [2022 asc 1 Sch. 4 para. 29\(3\)\(b\)](#)
- s. 39(1)(ca) inserted by [2022 asc 1 Sch. 4 para. 29\(4\)](#)
- Sch. 2 para. 19(2)(c)(i) word inserted by [2022 asc 1 Sch. 4 para. 29\(12\)\(b\)](#)