

## **The Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999 (the Modification Order)**

### **The effect of the Modification Order**

Essentially, the primary significance of the Order is in relation to redundancy.

Under the Employment Rights Act 1996 (ERA), an employee can count service with an 'associated employer' towards the service requirement for a redundancy payment (i.e. two years) and, if appropriate, for calculating that payment.

Local authorities are not associated employers under the definition in the Act.

However, the effect of the Order is to make local authorities associated employers for the purposes of the redundancy provisions of the ERA.

### **Assessing eligibility for a redundancy payment and calculating its amount**

Under s.155 ERA, an employee must have at least two years' continuous service with the employer in order to qualify for a redundancy payment. The effect of the Order is that continuous service with bodies on the Order will also count.

Section 162 ERA provides that a redundancy payment will be calculated on the basis of the period of continuous employment. The effect of the Order is that this will include continuous employment with bodies on the Order.

In both cases the usual rules of continuity apply so that if there is a break of more than a week (running from Sunday to Saturday) between two contracts continuity will be broken (except where there is a redundancy and a new job is taken up within 4 weeks).

### **Where a new job offer is made by another Modification Order body**

If an employee who is under notice of redundancy receives an offer of a job from another Modification Order body before the termination of his or her employment and takes it up within 4 weeks of the end of the old employment, there will be no dismissal for redundancy payment purposes.

This may lead to difficulties for an employer if they are unaware of a job offer that has been made to an employee under notice of redundancy. It is advisable, therefore, before making the redundancy payment to ask the employee if he or she has been offered another job with a Modification Order body and, if so, whether he or she intends to take it up within 4 weeks of finishing his or her current job.

If an employee does take on a new job with a Modification Order body in these circumstances, the provisions relating to a trial period in the ERA will apply. Therefore, if the employee decides not to continue with the job during the first 4 weeks he or she will be able to terminate the contract (whether with or without notice) and receive a redundancy payment from the old employer.

### **Where an employee unreasonably refuses a suitable alternative offer of employment**

The provisions of s.141 ERA also apply. If an employee unreasonably refuses an offer of suitable alternative employment from a Modification Order body, then he or she will not be entitled to a redundancy payment.

In practice this is unlikely to happen as it is likely that the employee would have actually applied for the job with another body and already made an assessment before interview as to whether the job was suitable for him or her. In any case, the employer may not be aware that the employee is applying for other jobs and that one which was potentially suitable was turned down.



Below we provide guidance on some of the areas which appear to cause most problems.

#### **Police officers and support staff**

Police officers are not covered by the Order because they are servants of the crown and therefore not employees.

Until recently, support staff in the Metropolitan police were not covered by the Order, because they were employed by the Secretary of State. However, the Metropolitan Police Authority was placed on the Order after the Greater London Authority took over its control. Therefore, all employment as a member of support staff in a police authority is now covered.

#### **Housing**

Housing Associations are not on the Order but Housing Action Trusts are. Where authorities have transferred their housing stock to an Arms Length Management Organisation (ALMO) it is the DTI's advice that such an organisation is covered by the Modification Order (under paragraph 6 of Schedule 1).

#### **Universities**

The basic rule is that universities which used to be polytechnics are included whereas those that were always universities are not e.g. Leeds Metropolitan University (formerly Leeds Polytechnic) is covered but Leeds University is not.

#### **Further education colleges**

Colleges which were funded by the local authority before 1992 are included whereas those which have always been independent are not.

#### **The Civil Service**

Central government bodies are not included.

#### **Audit Commission**

The Audit Commission is not on the Order.

#### **The NHS**

NHS bodies are not included, except for Care Trusts set up under the s.45 of the Health and Social Care Act 2001.

Care Trusts are different from Primary Care Trusts which are not included. There are only 5 Care Trusts in existence at the time of writing, although more will be set up in the near future.

Further information about [Care Trusts](#)

It is also worth noting that NHS service can be counted for the purposes of working out an enhanced (not statutory) redundancy payment under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000. This may be why it is sometimes thought that service with the NHS counts for the purposes of the Modification Order.

#### **Water authorities**

One of the generic categories of body included in the Modification Order covers bodies 'established by or under any enactment for the purpose of exercising the functions of' a local government authority.

In *West Midlands Residuary Body v Deebank 1990 ICR 349* it was argued that this covered a regional water authority which had taken over functions previously exercised by Birmingham City Council. The Court of Appeal held that 'functions' meant 'current functions' and therefore it did not apply to a body established to completely take over the functions of a local authority. Therefore, service with a water authority does not count towards continuous service.

#### **Town councils**

The category of parish councils also covers town councils. This is because a town council is simply a parish council that has resolved to have the status of a town.

#### **Geographical locations**

Generally speaking, English, Scottish and Welsh councils (including the Council of the Isles of Scilly) are covered but Northern Ireland, the Channel Islands and the Isle of Man are not.

#### **Training and Enterprise Councils (TECS)**

TECS are not on the Order.

#### **How are bodies added to the Order?**

Sometimes a decision will be made at government level to add a body, or a category of bodies, to the Order. However, additionally, a body can make a request to be included in the Order to the DTI who will consider the request and make a decision after having consulted the Office of the Deputy Prime Minister and LGE. As already explained, there must be some connection with local government. The name and address of the person to write to with a request for inclusion on the Order is set out below:

David Dugmore  
DTI (INSS)  
4th Floor East Wing  
45/46 Stephenson Street  
Birmingham B2 4UZ

Tel: 0121 698 4048

#### What to do to find out whether a body is on the Order

If the body you are looking for is not specifically named on the Order and you are not sure whether it fits into one of the generic categories, the first thing to do is to ring the body itself (if it still exists).

Because they will also have to count continuous Modification Order body service themselves they should know if they are on the Order.

If you are still unsure, local authority employers' queries can be addressed to the LGE's **Employment Relations Unit** 0207 296 6570. Other organisations can contact David Dugmore at the DTI (see above).

## The Statutory Instruments

- [The Redundancy Payments \(Continuity of Employment in Local Government, etc.\) \(Modification\) Order 1999](#)

Amendments:

- [The London Government \(Continuity of Employment\) Order 2000 SI number 1042](#)
- [The Redundancy Payments \(Continuity of Employment in Local Government, etc.\) \(Modification\) \(Amendment\) Order 2001 SI number 866](#)
- [The Redundancy Payments \(Continuity of Employment in Local Government, etc.\) \(Modification\) \(Amendment\) Order 2002 SI 532](#)

Consolidated list of bodies:

- [Bodies on the Modification Order \(Word 130Kb\)](#)
- [Bodies on the Modification Order \(PDF 170Kb\)](#)

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**BODIES LISTED UNDER THE REDUNDANCY PAYMENTS (CONTINUITY OF EMPLOYMENT IN LOCAL GOVERNMENT, ETC) (MODIFICATION) ORDER 1999**

This list is split into two parts. Part I lists bodies which currently exist (as at June 2002) and Part II lists largely bodies which are no longer in existence.

Bodies listed in Part I must take into account continuous service with bodies listed in either Part I or II.

Bodies listed in Part II which still exist are not bound by the Modification Order.

Various acts of parliament are referred to throughout the appendix. These are as follows:

<u>Reference</u>	<u>Meaning</u>
"the 1972 Act"	Local Government Act 1972
"the 1980 Act"	Education (Scotland) Act 1980
"the 1985 Act"	Local Government Act 1985
"the 1988 Act"	Education Reform Act 1988
"the 1992 Act"	Further and Higher Education Act 1992
"the 1994 Act"	Local Government (Scotland) Act 1994
"the 1998 Act"	School Standards and Framework Act 1998
"the Education Act"	Education Act 1996

**PART I**

**Section 1 – Local Government**

1. In relation to England, a county council, a district council, a London borough council, the Common Council of the City of London, the Council of the Isles of Scilly; in relation to Wales, a county council or a county borough council, established under section 20 of the 1972 Act.
2. A council constituted under section 2 of the 1994 Act.
3. In relation to England, a parish council, a common parish council, a parish meeting; in relation to Wales, a community council, a common community council.
4. Any authority established by an order under section 10 of the 1985 Act.
5. A joint board or joint body constituted by or under any enactment for the purposes of exercising the functions of two or more bodies described in any of paragraphs 1 to 4 above.

6. Any other authority or body, not specified in any of paragraphs 1 to 4 above, established by or under any enactment for the purpose of exercising the functions of, or advising, one or more of the bodies specified in paragraphs 1 to 4 above.
  - 6A. Greater London Authority.
  - 6B. Transport for London.
  - 6C. London Development Agency, Metropolitan Police Authority, London Fire Emergency Planning Authority
  - 6D. London Transport Users Committee.
  - 6E. Cultural Strategy Group for London.
7. Any committee (including a joint committee) established by or under any enactment for the purpose of exercising the functions of, or advising, one or more of the bodies specified in any of paragraphs 1 to 6 above.
8. Any two or more bodies described in any of paragraphs 1 to 7 above acting jointly or as a combined authority.
9. Any association which is representative of any two or more authorities described in any of paragraphs 1 to 4 above.
10. Any committee established by one or more of the associations described in paragraph 9 above for the purpose of exercising the functions of, or advising, one or more of such associations.
11. An association which is representative of one or more of the associations described in paragraph 9 above and of another body or other bodies, and included in whose objects is the assembling and dissemination of information and advising with regard to conditions of service in local government service and generally.
12. An organisation which is representative of an association or associations described in paragraph 9 above and employees' organisations and among whose objects is the negotiation of pay and conditions of service in local government service.
13. A National Park authority established under section 63 of the Environment Act 1995.
14. A residuary body established by section 57(1)(b) of the 1985 Act.
15. The Residuary Body for Wales (Corff Gweddilliol Cymru).

16. The Accounts Commission for Scotland.
17. The Commission for the Local Administration in England.
18. The Commission for the Local Administration in Wales.
19. The Commission for Local Administration in Scotland.
20. The Local Government Management Board.
21. Employers Organisation for Local Government.
22. Improvement and Development Agency for Local Government.

## **Section 2 – Planning and Development**

1. One North East.
2. Yorkshire Forward.
3. North West Development Agency (NWDA).
4. Advantage West Midlands.
- 4A. Dewsbury Partnership Ltd
5. East Midlands Development Agency (EMDA).
6. East of England Development Agency (EEDA).
7. South East of England Development Agency (SEEDA).
- 7A. SEERA Limited
8. South West of England Development Agency (SWERDA).
9. A development corporation within the meaning of the New Towns Act 1981.
10. An Urban Development Corporation established under section 135 of the Local Government Planning and Land Act 1980.
11. A housing action trust established under Part III of the Housing Act 1988.
12. The Broads Authority, established under the Norfolk and Suffolk Broads Act 1988.
13. The Commission for the New Towns.

14. The Countryside Commission for Scotland.
15. The Development Board for Rural Wales.
16. The Edinburgh New Town Conservation Committee.
17. The Housing Corporation.
18. Huddersfield Pride Limited.
19. Scottish Enterprise, established under the Enterprise and New Towns (Scotland) Act 1990.
20. Scottish Homes, established under the Housing (Scotland) Act 1988.
21. Springfield Horseshoe Housing Management Co-operative Limited.
22. Housing for Wales (Tai Cymru).
23. The Welsh Development Agency.
24. Batley Action Limited.
25. Bethnal Green City Challenge Company Limited.
26. The Blackburn City Challenge Partnership Board.
27. Bolton City Challenge Partnership Limited.
28. Bradford City Challenge Limited.
29. Brixton Challenge Company Limited.
30. Community North (Sunderland) Limited.
31. Dalston City Partnership Limited.
32. Deptford City Challenge Limited.
33. Derby Pride Limited.
34. Douglas Valley Partnership Limited.
35. Harlesden City Challenge Limited.
36. Hulme Regeneration Limited.
37. Leicester City Challenge Limited.



- 37A. Manchester Investment and Development Agency Service Ltd (MIDAS)
38. Newcastle West End Partnership Limited.
39. Newtown South Aston City Challenge Limited.
40. North Kensington City Challenge Company Limited.
41. North Tyneside City Challenge Partnership Limited.
42. Stratford Development Partnership Limited.
43. Wolverhampton City Challenge Limited.
44. The Urban Regeneration Agency established under Part III of the Leasehold Reform, Housing and Urban Development Act 1993.
45. Pennine Housing 2000 Limited.
46. Twin Valley Homes Limited.
47. Urban Futures London Limited.
48. Aire-Wharfe Community Housing Trust Limited
49. Bradford Building Services Limited
50. Bradford Community Housing Trust Limited
51. Bradford West City Community Housing Trust Limited
52. Coast & County Housing Limited
53. Dumfries and Galloway Housing Partnership Limited
54. East Bradford Community Housing Trust Ltd
55. Knowsley Housing Trust
56. North Bradford Community Housing Trust Limited
57. Northern Housing Consortium Limited
58. Shipley Community Housing Trust Limited
59. South Bradford Community Housing Trust Limited
60. Sunderland Housing Group

### **Section 3 – Education**

1. The governing body of a further education establishment for the time being mainly dependent for its maintenance on assistance from local education authorities, or grants under section 485 of the Education Act or on such assistance and grants taken together.
  2. The governing body of an aided school within the meaning of the Education Act.
  3. The governing body of a foundation school, voluntary aided school or foundation special school within the meaning of the 1998 Act.
  4. The managers of a grant-aided school as defined in section 135(1) of the 1980 Act.
  5. The governing body of a central institution as defined in section 135(1) of the 1980 Act other than a college of agriculture.
  6. The governing body of a College of Education as defined in section 135(1) of the 1980 Act.
  7. The managers, other than a local authority, of a school which before any direction made by the Secretary of State under paragraph 2(1) of Schedule 7 to the Social Work (Scotland) Act 1968 was a school which immediately before the commencement of Part III of that Act was approved under section 83 of the Children and Young Persons (Scotland) Act 1937 if the employee was employed by those managers at the date the direction became effective.
  8. A person carrying on a city technology college, a city college for the technology of the arts or an Academy established under an agreement with the Secretary of State under section 482 of the Education Act.
  9. A company formed to manage a college of further education by virtue of section 65(1) of the Self-Governing Schools etc. (Scotland) Act 1989.
  10. The board of management of a self-governing school as defined in section 80(1) of the Self-Governing Schools etc. (Scotland) Act 1989.
  11. A further education corporation established under section 15 or 16 of the 1992 Act or in respect of which an order has been made under section 47 of that Act.
- 11A Careers Enterprise (Futures) Limited.
12. The governing body of an institution which is a designated institution for the purposes of Part 1 of the 1992 Act or, in the case of such an institution conducted by a company, that company.

13. The board of management of a college of further education, established under Part 1 of the Further and Higher Education (Scotland) Act 1992.
14. The governing body of a designated institution within the meaning of section 44(2) of the Further and Higher Education (Scotland) Act 1992.
15. A higher education corporation established under section 121 or 122 of the 1988 Act or in respect of which an order has been made under section 122A of that Act.
16. The governing body of an institution designated under section 129 of the 1988 Act or, in the case of such an institution conducted by a company, that company.
17. An Education Action Forum established under sections 10 and 11 of the 1998 Act.
18. The governing body of a grant-maintained school.
19. The governing body of a grant-maintained special school.
20. The Central Council for Education and Training in Social Work.
21. The Centre for Information on Language Teaching and Research.
- 21A The Centre for Literacy in Primary Education
- 21B Connexions Lancashire Limited
22. Cwmni Cynnal.
23. The General Teaching Council for Scotland, established under the Teaching Council (Scotland) Act 1965.
24. The National Institute of Adult Continuing Education (England and Wales).
25. Newbattle Abbey College.
26. The Scottish Community Education Council.
27. Scottish Consultative Council on the Curriculum.
28. The Scottish Council for Educational Technology.
29. The Scottish Council for Research in Education.
30. The Scottish Examination Board.
31. The Scottish Vocational Education Council.

32. Shetland Arts Trust

33. VT Four S Limited

**Section 4 – Careers guidance**

1. Argyll & Bute Careers Partnership Limited.

2. Calderdale and Kirklees Careers Service Partnership Limited.

3. Cambridgeshire Careers Guidance Limited.

4. Capital Careers Limited.

5. Career Connections Limited.

6. Career Decisions Limited.

7. Career Development Edinburgh and Lothians.

8. Career Path (Northamptonshire) Limited.

9. Careerpaths (Cardiff and Vale) Limited.

10. Careers and Education Business Partnership.

11. Careers Central Limited.

11A. Careers Enterprise (Futures) Limited.

12. Careers Partnership Limited.

13. Careers Service Lancashire Area West Limited.

14. Central Careers Limited.

15. Cornwall and Devon Careers Limited.

15A Coventry, Solihull and Warwickshire Partnership Limited

16. Derbyshire Careers Service Limited.

17. East Lancashire Careers Services Limited.

18. Education Business Partnership (Wigan) Limited.

19. Essex Careers and Business Partnership Limited.

20. Future Steps Limited.
21. Future Careers Limited.
22. Grampian Careers.
23. Guidance Enterprises Group Limited.
24. *GuideLine Career Services Limited.*
25. Gwent Careers Service Partnership Limited.
26. Hereford and Worcester Careers Service Limited.
27. Hertfordshire Careers Service Limited.
28. Highland Careers Services Limited.
29. The Humberside Partnership.
30. Learning Partnership West.
31. Leeds Careers Guidance.
32. Leicestershire Careers and Guidance Services Limited.
33. *Lifetime Careers Barnsley, Doncaster and Rotherham Limited.*
34. Lifetime Careers Bolton, Bury and Rochdale Limited.
35. Lifetime Careers Brent and Harrow Limited.
36. Lifetime Careers Stockport and High Peak Limited.
37. Lifetime Careers Wiltshire Limited.
38. Lincolnshire Careers and Guidance Services Limited.
- 38A. London South Bank Careers.
39. Mid Glamorgan Careers Limited.
40. Norfolk Careers Services Limited.
41. North East Wales Careers Service Company Limited.
- 41A Oldham Education Business and Guidance Services
42. Orkney Opportunities Centre.

43. Prospects Careers Services Limited.
44. Quality Careers Services Limited.
45. St Helens Careers Service Limited.
46. Sheffield Careers Guidance Services.
47. Shropshire Careers Service Limited.
48. Suffolk Careers Limited.
49. Tayside Careers Limited.
50. West Glamorgan Careers and Education Business Company Limited.

#### **Section 5 – Public transport**

1. A Passenger Transport Executive established under section 9(1) of the Transport Act 1968.
2. A metropolitan county passenger transport authority established by section 28 of the 1985 Act.
3. The Forth Road Bridge Joint Board.
4. The Tay Road Bridge Joint Board.

#### **Section 6 – Police, fire and civil defence**

1. A fire authority constituted by a combination scheme made under the Fire Services Act 1947.
  - 1a. A fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies.
2. A police authority within the meaning of the Police Act 1996.
3. A metropolitan county fire and civil defence authority established by section 26 of the 1985 Act.

#### **Section 7 – Sports Councils**

1. The English Sports Council.
2. The Scottish Sports Council.
3. The Sports Council for Wales.

4. The United Kingdom Sports Council.

### **Section 8 – Social services**

1. Coverage Care Limited.

1A Forfarshire Society for the Blind

1B Harlow Welfare Rights & Advice

2. The Humberside Independent Care Association.

2A. New Charter Building Company Limited.

2B. New Charter Housing Trust Limited.

3. Quantum Care Limited.

4. Sandwell Community Caring Trust Limited.

4ZA The Scottish Commission for the Regulation of Care

4ZB The Scottish Social Services Council

4ZC Shetland Council of Social Services

4A. Shetland Welfare Trust.

4AA. Tynedale Housing Company Limited.

5. Waltham Forest Specialist Housing Consortium Limited.

6. The Wrekin Housing Trust Limited.

### **Section 9 – Museums**

1. The Board of Governors of the Museum of London.

2. The Board of Trustees of The National Museums and Galleries on Merseyside.

3. Coventry Museum of British Road Transport.

4. The Geffrye Museum Trust.

5. The Horniman Public Museum and Public Park Trust.

6. National Coal Mining Museum for England Trust Limited.

7. The Scottish Museums Council.

## **Section 10 – Miscellaneous bodies**

1. A valuation tribunal in Wales established under the Local Government Finance Act 1988.
2. ...
3. An area tourist board established by virtue of an order made under section 172, 173 or 174 of the 1994 Act.
4. A probation committee within the meaning of the Probation Service Act 1993.
- 4A A local probation board within the meaning of the Criminal Justice and Court Services Act 2000.
5. A magistrates' courts committee or the Committee of Magistrates for the Inner London Area, within the meaning of the Justices of the Peace Act 1979.
- 5A. A body designated as a Care Trust under section 45 of the Health and Social Care Act 2001.
6. Blyth Valley Arts and Leisure Limited.
- 6A. The Business Shop – Angus Limited.
- 6B. Care Standards Inspectorate for Wales.
- 6C. The Children and Family Court Advisory and Support Service.
7. C.I.P. (Hounslow) Limited.
- 7A. Clackmannanshire Leisure.
8. Community Initiative Partnerships.
- 8A. Coventry Sports Trust Limited.
- 8B. CV One Limited
9. Derwentside Leisure Limited.
- 9ZA East End Partnership Limited
- 9A. Edinburgh Leisure.



- 9AA. Enfield Leisure Centres Limited.
- 10. The Environment Agency.
- 11. Greenwich Leisure Limited.
- 11A. Herefordshire Community Leisure Trust
- 12. Hounslow Cultural and Community Services.
- 13. Hounslow Sports and Recreation Services.
- 13A The Islesburgh Trust
- 13B Kirklees Active Leisure Trust
- 14. The Land Authority for Wales.
- 15. Leisure Tynedale.
- 16. The Lee Valley Regional Park Authority.
- 17. The London Pensions Fund Authority.
- 17A. The National Care Standards Commission.
- 17B. The Commission for Healthcare Audit and Inspection
- 17C. The Commission for Social Care Inspection
- 18. National Mobility Services Trust Limited.
- 19. New Park Village TMC Limited.
- 19A Oldham Community Leisure Limited.
- 19B Renfrewshire Leisure Ltd
- 19C Salford Community Leisure Limited.
- 19D Sandwell Sport and Leisure Trust
- 20. The Scottish Children's Reporter Administration established under section 128 of the 1994 Act.
- 21. The Scottish Environment Protection Agency.
- 22. Scottish Water.

- 22A Shetland Recreational Trust
- 23. The South Yorkshire Pensions Authority.
- 24. Strathclyde European Partnerships Limited.
- 24A Tameside Sports Trust
- 24B Tees Active Limited.
- 24C The Valuation Tribunal Service
- 24D The Water Industry Commissioner for Scotland.
- 25. West Lothian Leisure Limited.
- 26. Wigan Leisure and Culture Trust.

## **PART II**

### **Section 1 – Local government**

1. The Greater London Council.
2. The London Residuary Body established by section 57(1)(a) of the 1985 Act.
3. The council of an administrative county, county borough (other than one established under section 20 of the 1972 Act), metropolitan borough or county district.
4. A regional council, islands council or district council established by or under the Local Government (Scotland) Act 1973.
5. The council of a county, county of a city, large burgh, small burgh or district ceasing to exist after 15<sup>th</sup> May 1975.
6. Any joint board or joint body constituted by or under any enactment for the purpose of exercising the functions of two or more of the bodies described in any of paragraphs 1 to 5 above, and any special planning board within the meaning of paragraph 3 of Schedule 17 to the 1972 Act.
7. Any other body, not specified in any of paragraphs 1 to 6 above, established by or under any enactment for the purpose of exercising the functions of, or advising, one or more of the bodies specified in any of

paragraphs 1 to 6 above.

8. Any committee (including a joint committee) established by or under any enactment for the purpose of exercising the functions of, or advising, one or more of the bodies described in any of paragraphs 1 to 6 above.
9. Any two or more bodies described in any of paragraphs 1 to 8 above acting jointly or as a combined authority.
10. Any association which was representative of any two or more bodies described in any of paragraphs 1 to 5 above.
11. Any committee established by one or more of the associations described in paragraph 10 above for the purpose of exercising the functions of, or advising, one or more of such associations.
12. Any organisation which was representative of an association or associations described in paragraph 10 above and employees' organisations and among whose objects was to negotiate pay and conditions of service in local government service.
13. The council of a county or district in Wales ceasing to exist after 31<sup>st</sup> March 1996.
14. The Local Government Training Board.

## **Section 2 – Planning and development**

1. A development corporation within the meaning of the New Towns Act 1946 or the New Towns Act 1965.
2. A development corporation established under section 2 of the New Towns (Scotland) Act 1968.
3. The Scottish Development Agency.
4. The Scottish Special Housing Association.
5. The English Industrial Estates Corporation established by the Local Employment Act 1960.

## **Section 3 – Education**

1. The governing body of an aided school within the meaning of the Education Act.
2. The governing body of a grant-maintained school.
3. The governing body of a grant-maintained special school.

4. The proprietor (within the meaning of section 579(1) of the Education Act) of a school for the time being recognised as a grammar school for the purposes of regulation 4(1) of the Direct Grant Schools Regulations 1959, being a school in relation to which, before 1<sup>st</sup> January 1976, the Secretary of State was satisfied as mentioned in regulation 3(1) of the Direct Grant Grammar Schools (Cessation of Grant) Regulations 1975.
5. The proprietor (within the meaning of section 114(1) of the Education Act 1944 of a school not falling within paragraph 1 of this section which throughout the period of employment was recognised as a grammar school or, as the case may be, as a direct grant grammar school for the purposes of regulation 4(1) of the Direct Grant Schools Regulations 1959, of Part IV of the Schools Grant Regulations 1951 or of Part IV of the Primary and Secondary Schools (Grant Conditions) Regulations 1945.
6. The managers of a school which during the period of employment was approved under section 83 of the Children and Young Persons (Scotland) Act 1937.
7. The managers of a school which during the period of employment was a grant-aided school within the meaning of section 143(1) of the Education (Scotland) Act 1946, section 145(22) of the Education (Scotland) Act 1962 or section 135(1) of the 1980 Act.
8. The managers of a school which during the period of employment was a school which, immediately before the commencement of Part III of the Social Work (Scotland) Act 1968, was approved under section 83 of the Children and Young Persons (Scotland) Act 1937.
9. An institution within the PCFC funding sector, within the meaning of section 132(6) of the 1988 Act.
10. The Further Education Staff College.
11. The Inner London Education Authority, known as the Inner London Interim Education Authority for a period prior to the abolition date as defined in section 1(2) of the 1985 Act.
12. The National Advisory Body for Public Sector Higher Education.
13. The Polytechnics and College Funding Council as established by section 132 of the 1988 Act.
14. The Scottish Association for National Certificates and Diplomas.
15. The Scottish Business Education Council.
16. The Scottish Council for Commercial, Administrative and Professional Education.

17. The Scottish Technical Education Council.
18. The Secretary of State for Defence in relation only to employees in schools administered by the Service Children's Education Authority.
19. The Secretary of State for Education and Employment, in relation only to teachers employed under contract in the European School established under Article 1 of the Statute of the European School and in schools designated as European Schools under Article 1 of the Protocol to that Statute.
20. A person who during the period of employment, performed a function of a local education authority pursuant to a direction given by the Secretary of State under s.497A(4) of the Education Act 1996.

#### **Section 4 – Careers guidance**

1. Black Country Careers Services Limited.
2. Buckinghamshire Careers Services Limited.
3. Kent Careers and Guidance Service Limited.

#### **Section 5 – Police, fire and civil defence**

1. A previous police authority in relation to which Schedule 11 to the Police Act 1964 had effect or which was the police authority for an area or district which was before 1<sup>st</sup> April 1947 or after 31<sup>st</sup> March 1946 a separate police area or, in Scotland, a previous police authority for an area which was before 16<sup>th</sup> May 1975 a separate or combined police area.
2. London Fire and Civil Defence Authority.

#### **Section 6 – Sports Councils**

The Sports Council.

#### **Section 7 – Social services**

A person or body of persons responsible for the management of an assisted community home within the meaning of section 36 of the Children and Young Persons Act 1969 or of an approved institution within the meaning of section 46 of that Act.

#### **Section 8 – Miscellaneous**

1. A regional water board established under section 5 of the Water (Scotland) Act 1967.

2. A river purification board established under section 2 of the Rivers (Prevention of Pollution) (Scotland) Act 1951.
3. A river purification board established under section 135 of the Local Government (Scotland) Act 1973.
4. A local valuation panel constituted under the Local Government Act 1948 or established under the General Rate Act 1967.
- 4A A valuation tribunal in England established under the Local Government Finance Act 1988.
5. The Central Scotland Water Development Board.
6. The Scottish Industrial Estates Corporation (formerly the Industrial Estates Management Corporation for Scotland) established by section 8 of the Local Employment Act 1960.
7. The Small Industries Council for Rural Areas of Scotland, being a company which was dissolved by section 15(5) of the Scottish Development Agency Act 1975 and was until then registered under the Companies Acts from time to time in force.

The Welsh Industrial Estates Corporation (formerly the Industrial Estates Management Corporation for Wales) established by section 8 of the Local Employment Act 1960.