



Education and Inspections Act 2006

2006 CHAPTER 40

PART 2

ESTABLISHMENT, DISCONTINUANCE OR ALTERATION OF SCHOOLS

Alterations to schools

18 Alterations that may be made under section 19

- (1) Regulations may prescribe alterations to maintained schools that may be implemented in pursuance of proposals published under section 19.
- (2) The prescribed alterations must include any alteration that involves one or more of the following—
 - (a) in the case of a school falling within any of the categories set out in section 20(1) of SSFA 1998, any change in the category within which the school falls (other than a change prevented by subsection (4)(c) to (f) of this section),
 - (b) the acquisition by a foundation or foundation special school of a foundation established otherwise than under SSFA 1998, and
 - (c) in the case of a school whose instrument of government does not provide for a majority of the governing body to be foundation governors, any change in the instrument of government which results in the majority of governors being foundation governors.
- (3) The prescribed alterations may include other alterations of any nature (other than those prevented by subsection (4)).
- (4) None of the following alterations may be made to a maintained school—
 - (a) any change in the religious character of the school;
 - (b) any change whereby the school would acquire or lose a religious character;
 - (c) any change of category from foundation or voluntary school to community school;

Status: This is the original version (as it was originally enacted).

- (d) any change of category from foundation special school to community special school;
 - (e) any change of category from mainstream school to community or foundation special school or from community or foundation special school to mainstream school;
 - (f) any change from maintained nursery school to any other kind of maintained school, or from any other kind of maintained school to maintained nursery school.
- (5) In subsection (4)(e) “mainstream school” means community, foundation or voluntary school.