
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe various matters relating to proposals published by the Learning and Skills Council for England under Schedule 7 to the Learning and Skills Act 2000. Under this Schedule the Council has power to publish proposals for the alteration of a maintained school so that it no longer provides sixth form education, or for the discontinuance of a maintained school which is a 16-19 institution if, broadly speaking, two successive reports state that the sixth form is inadequate or that a 16-19 institution requires special measures or has significant weaknesses.

Regulation 3 with Schedule 1 prescribes the information which must be contained in published proposals and regulation 4 prescribes the manner in which such proposals must be published.

Regulation 5 with Schedule 2 prescribes additional information which is to be provided to the School Organisation Committee and regulation 6 prescribes other bodies to whom proposals and information must be sent in the case of special schools. Regulation 7 provides for the time limit for objections to proposals.

Regulation 8 prescribes the bodies with whom the school organisation committee or adjudicator must consult before approving proposals with modifications. Regulation 9 prescribes events which can be specified in a conditional approval.

Regulation 10 provides for the period after which, if the school organisation committee has not voted on any matter, they must, if the body by whom the proposals were published so requests, refer the matter to the adjudicator.

Regulation 11 prescribes the bodies with whom the school organisation committee or adjudicator must consult before modifying approved proposals.

Regulation 12 provides for the information which must be provided by the school organisation committee or adjudicator to various persons specified in that regulation in connection with published proposals.

Regulation 13 provides for the voting of the school organisation committee. Provision is made that each group of members is collectively to have a single vote when taking decisions on proposals published by the Council and that all such decisions must be unanimous decisions of those voting.

Regulation 14 provides for the time limit within which matters must be referred to the adjudicator.

Regulation 15 with Schedule 3 make provision for proposals by the Council that previous proposals which have been approved should not be implemented.

Regulation 16 with Schedule 4 sets out modifications to Schedule 7 which apply where the proposals relate to a school situated in an area other than that of the local education authority which maintain it.

Regulation 17 makes special provision for implementation of proposals where a school changes category from being a community or community special school.