

SCHEDULE 1

Regulation 3

INFORMATION TO BE CONTAINED IN PUBLISHED PROPOSALS

1. A statement that the proposals are published by the Council.
2. The date on which the proposals are planned to be implemented or, where the proposals are planned to be implemented in stages, the date on which each stage is planned to be implemented.
3. Where the school is a foundation or voluntary school with a religious character details of the religion or religious denomination concerned.
4. Details of the schools or further education colleges which pupils who are at the school and for whom provision is to be discontinued may attend, including any interim arrangements.
5. The proposed arrangements for transport of such pupils to other schools or further education colleges.
6. Details of any other measures proposed to be taken to increase the number of school or further education college places available in consequence of the proposed discontinuance of provision.
7. Where the proposals are to discontinue a sixth form, the number of pupils to be admitted to the school in each relevant age group in the first school year in which the proposals have been implemented or, where it is intended that the proposals should be implemented in stages, the number of pupils to be admitted to the school in the first school year in which each stage has been implemented.
 - (a) (a) Where the proposals are to discontinue a sixth form at a community or community special school, a statement that the duty to implement the proposals is a duty of the local education authority.
 - (b) Where the proposals are to discontinue a sixth form at a voluntary, foundation or foundation special school a statement that the duty to implement the proposals is a duty of the governing body.
 - (a) (a) Where the proposals are to discontinue a 16–19 institution which is a community or community special school a statement that the duty to implement the proposals is a duty of the local education authority.
 - (b) Where the proposals are to discontinue a 16–19 institution which is a voluntary, foundation or foundation special school a statement that the duty to implement the proposals is a shared duty of the governing body and the local education authority.
10. A statement explaining the effect of paragraph 34 of Schedule 7 and regulation 7 including—
 - (a) the date by which objections should be sent to the school organisation committee; and
 - (b) the address of the school organisation committee to whom objections should be sent.

SCHEDULE 2

Regulation 5

INFORMATION TO BE SENT TO THE SCHOOL ORGANISATION COMMITTEE

PART I

INTERPRETATION

- 1.—(1) In this Schedule—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- “the current school year” means the school year in which the proposals are published;
- “GCE 'A' level examinations” and “GCE 'AS' examinations” means General Certificate of Education advanced level examinations and General Certificate of Education advanced supplementary examinations respectively;
- “GCSE” means General Certificate of Secondary Education;
- “GNVQ” means General National Vocational Qualification;
- “NVQ” means National Vocational Qualification;
- “the relevant radius” means a radius of 4.828032 kilometres (three miles);
- “sixth form education” means full-time education suitable to the requirements of pupils over compulsory school age.

(2) For the purposes of this Schedule the capacity of the school shall be determined in accordance to the Schedule to the Education (Information as to Provision of Education) (England) Regulations 1999(1).

PART II

INFORMATION TO BE SENT IN ALL CASES WHERE THE SCHOOL IS A MAINSTREAM SCHOOL

2. The objectives of the proposal.
3. Evidence of the consultation before the proposals were published including—
 - (a) copies of the consultation documents; and
 - (b) the views and responses from the persons consulted.
4. A map showing the location of the school the subject of the proposals and all other community, voluntary and foundation schools within the relevant radius of the school.
5. A list of all secondary schools within the relevant radius of the school the subject of the proposals, stating which of such schools are maintained by a different local education authority, together with the following information in respect of each such school for the current school year, and (except for the information specified in sub-paragraph (d)) the previous school year;
 - (a) the standard number for each relevant age group;
 - (b) the number of year groups;
 - (c) the capacity of the school; and
 - (d) the number of pupils at the schooland a forecast of the matters specified in sub-paragraphs (b) to (d) for each of the subsequent five school years.
6. The following details of the sixth form education currently provided at the school—
 - (a) courses leading to GCE “A” and “AS” examinations,
 - (b) courses leading to advanced vocational qualifications (in particular advanced GNVQs),
 - (c) other courses, and
 - (d) the number of pupils attending each course.

(1) S.I.1999/1066.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

7. Copies of the reports of the two inspections under Part I of the School Inspections Act 1996(2) as a result of which Parts II and III of Schedule 7 apply in relation to the School.

PART III

INFORMATION TO BE SENT IN ALL CASES WHERE THE SCHOOL IS A SPECIAL SCHOOL

8. The objectives of the proposal.
9. Evidence of the consultation before the proposals were published including—
 - (a) copies of the consultation documents; and
 - (b) the views and responses from the persons consulted.
10. A map showing the location of the school the subject of the proposals.
11. A list of all—
 - (a) special schools which provide education for pupils over compulsory school age; and
 - (b) other schools maintained by a local education authority which provide education for pupils over compulsory school age at which there is provision which is recognised by the local education authority as reserved for children with special educational needs,

in the area of the local education authority who maintain the school.

12. Information as to—
 - (a) the number of pupils over compulsory school age at each school referred to in paragraph 11(a), and
 - (b) the number of pupils over compulsory school age at each school referred to in paragraph 11(b) for whom the provision referred to in that sub-paragraph is made,

in the current school year together with a forecast of that number in each of the subsequent 5 school years.

13. Information as to the numbers of pupils over compulsory school age with special educational needs of each type for whom the local education authority maintain a statement of special educational needs in the current year together with a forecast of such numbers for each of the subsequent 5 school years.

14. Copies of the reports of the two inspections under Part I of the School Inspections Act 1996 as a result of which Parts II and III of Schedule 7 apply in relation to the school.

PART IV

ADDITIONAL INFORMATION TO BE SENT WHERE THE PROPOSALS ARE TO DISCONTINUE A SIXTH FORM

15. Where the school is a mainstream school, the following information relating to the school for the current school year and (except for the information specified in paragraph (c)), the previous school year—

- (a) the number of year groups;
- (b) the capacity of the school; and

(2) 1996 c. 57.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(c) the number of pupils at the school

and a forecast of those matters specified in each of the subsequent 5 school years on the assumption that the proposals are approved.

16. Where the school is a special school, the following information relating to the school for the current school year and the preceding 4 school years—

- (a) the number of pupils at the school;
- (b) the number of pupils of each year group and each sex; and
- (c) the number of pupils with each type of special educational needs for which provision is made at the school;

and a forecast of those numbers for each of the subsequent 5 school years on the assumption that the proposals are approved.

17. Where the proposals relate to a voluntary school, a statement as to whether, as a result of the proposals, premises used for the purposes of the school will no longer be required and if so—

- (a) a statement as to whether those premises will be sold, and, if so, the estimated sale proceeds, and
- (b) if the premises are not to be sold a statement as to the proposed use of the premises

if such information has been made available to the Council.

18. Details of the number of pupils over compulsory school age in each year group remaining at the school the subject of the proposals in the two school years before the current school year;

19. Details of the number of pupils over compulsory school age in each year group who have transferred from the school the subject of the proposals to another institution providing full-time or part-time education during the period referred to in paragraph 18;

20. Details of the institutions to which the pupils referred to in paragraph 19 transferred indicating how many people went to each such institution;

21. The number of pupils referred to in paragraphs 18 and 19 in each year group as a proportion of the total number of pupils in that year group;

22. Where the school is a mainstream school, details of the following examination results for the two school years before the current school year at the school which is the subject of the proposals and at each maintained school, city technology college, city college for the technology of the arts, city academy and further education college named in accordance with paragraph 20—

- (a) results of GCSE examinations limited, in the case of schools other than the school the subject of the proposals and further education colleges, to the results of GCSE examinations taken by pupils over compulsory school age;
- (b) results of GCE “A” and “AS” examinations, and
- (c) NVQs, GNVQs and other vocational qualifications for pupils over compulsory school age.

23. Details of the schools or further education colleges to which it is proposed that pupils currently receiving sixth form education may transfer if the proposals are approved, including any transitional arrangements which may apply.

24. An assessment of the quality of the institutions named in accordance with paragraph 23 including, where the school which is the subject of the proposals is a mainstream school, details of the examination results referred to in paragraph 22 at each maintained school, city technology college, city college for the technology of the arts, city academy and further education college named in accordance with paragraph 23.

25. The number of places available at those institutions named in accordance with paragraphs 20 and 23 which are schools.

26. Details of the distance, measured by the nearest available route, between the school and all of the institutions named in accordance with paragraphs 20 and 23 together with details as to the availability of public transport to the institutions named in accordance with paragraph 23 (where such information is not already contained in any proposed arrangements for transport contained in published proposals pursuant to paragraph 5 of Schedule 1).

PART V

ADDITIONAL INFORMATION TO BE SENT IN WHERE THE PROPOSALS TO DISCONTINUE A 16–19 INSTITUTION

27. Where the school is a mainstream school, the following information relating to the school for the current school year and (except for the information specified in sub-paragraph (d)), the previous school year—

- (a) the standard number for each relevant age group;
- (b) the number of year groups;
- (c) the capacity of the school; and
- (d) the number of pupils at the school.

28. Where the school is a special school, the following information relating to the school for the current school year and the preceding 4 school years—

- (a) the number of pupils at the school;
- (b) the number of pupils of each year group and sex;
- (c) the number of pupils with each type of special educational needs for whom provision is made at the school.

29. The following information relating to the accommodation at the school—

- (a) the location of the accommodation;
- (b) whether the school occupies a single or split site; and
- (c) details of general and specialist accommodation.

30. Details of schools and further education colleges which pupils who might otherwise have attended the school may, in the opinion of the Council, reasonably be expected to be able to attend after ceasing to be of compulsory school age if the proposals are approved, including any transitional arrangements which may apply.

31. An assessment of the quality of the institutions named in paragraph 30 including, where the school which is the subject of the proposals is a mainstream school, details of the examination results referred to in sub-paragraphs (a) to (c) of paragraph 22 for the two school years before the current school year at the school in question and at each maintained school, city technology college, city college for the technology of the arts, city academy and further education college named in accordance with paragraph 30.

32. The number of places available at institutions named in accordance with paragraph 30 which are schools.

33. Details of the distance, measured by the nearest available route between the school and all the institutions named in accordance with paragraph 30 together with details as to the availability of public transport to those institutions (where such information is not already contained in any

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

proposed arrangements for transport contained in published proposals pursuant to paragraph 5 of Schedule 1).

SCHEDULE 3

Regulation 15

PROPOSALS UNDER PARAGRAPH 36(4) OF SCHEDULE 7

1. In this Schedule—
 - “the new proposals” means proposals made under paragraph 36(4) of Schedule 7;
 - “the original proposals” means the proposals approved under Part III of Schedule 7 to which the new proposals relate.
2. The new proposals shall—
 - (a) where the school is a mainstream school, be published—
 - (i) by being posted in a conspicuous place in the area served by the school;
 - (ii) in at least one newspaper circulating in that area; and
 - (iii) by being posted at or near the main entrance to the school or, if there is more than one main entrance, all of them;
 - (b) where the school is a special school, be published—
 - (i) in at least one newspaper circulating in the area of the local education authority who maintain the school; and
 - (ii) by being posted at or near the main entrance to the school or, if there is more than one main entrance, all of them.
3. The new proposals shall contain—
 - (a) the information contained in the original proposals, and
 - (b) a statement as to why it is proposed that the original proposals should not be implemented.
4. Before publishing the new proposals the Council shall, having regard to any guidance issued by the Secretary of State, consult such persons as they consider appropriate.
5. The Council shall send—
 - (a) a copy of the published new proposals;
 - (b) a copy of the information sent to the school organisation committee under paragraph 17(1)(b) or 25(1)(b) of Schedule 7 and regulation 5 when the original proposals were published; and
 - (c) the information referred to in regulation 5 which would have been applicable if the original proposals had been published at the time when the new proposals were published;to the school organisation committee.
6. Where the school the subject of the new proposals is a special school the Council shall send a copy of the published new proposals to be bodies or persons to whom a copy of the original proposals was sent under paragraphs 17(2) and 25(2) of Schedule 7 and regulation 6.
7. Any person may send objections to the new proposals to the school organisation committee within one month after the date of publication of the proposals.

SCHEDULE 4

Regulation 16

SCHOOLS SITUATED OUTSIDE THE AREA OF THE LOCAL EDUCATION AUTHORITY WHO MAINTAIN THEM

1. In relation a community, voluntary or foundation school which is situated in an area other than that of the local education authority who maintain it Parts II and III of Schedule 7 shall have effect with the modifications specified below.

2. Paragraphs 17 and 25 of Schedule 7 shall have effect as if at the end there were added “and to the school organisation committee for the area of the local education authority in which the school is situated”.

3. Paragraph 35 of Schedule 7 shall have effect as if—

(a) for sub-paragraph (1) there were substituted the following sub-paragraph—

“(1) The school organisation committee (“committee A”) shall consider the proposals and shall, after seeking and, unless the school organisation committee for the area of the local education authority in which the school is situated (“committee B”) have failed to reach a decision as what recommendation to give, obtaining the recommendation of committee B—

- (a) reject the proposals;
- (b) approve them without modification; or
- (c) approve them subject to modifications;”

(b) in sub-paragraph (2) for “a school organisation committee” there were substituted “committee A”.

(c) after sub-paragraph (4) there were inserted the following sub-paragraphs—

“(4A) Where under sub-paragraph (1) the recommendation of committee B is sought, that committee, in deciding what recommendation to give, shall have regard to—

- (a) any guidance given from time to time by the Secretary of State; and
- (b) the school organisation plan for the committee’s area.

(4B) Where—

- (a) under sub-paragraph (1) the recommendation of committee B is sought;
- (b) the decision on what recommendation to give to committee A is required to be unanimous by regulations under paragraph 5 of Schedule 4 to the School Standards and Framework Act 1998; and
- (c) committee B have failed to reach a decision on what recommendation to give, committee B shall inform committee A of that fact.”;

(d) for sub-paragraph (5) there were substituted the following sub-paragraph—

“(5) Committee A shall refer proposals to the adjudicator if—

- (a) the committee votes on a decision in relation to the proposals and;
 - (i) the decision is required to be unanimous by regulations under paragraph 5 of Schedule 4 to the School Standards and Framework Act 1998, but
 - (ii) the result of the vote is not unanimous;
- (b) the committee vote not to accept the recommendation of committee B; or
- (c) the committee have been informed by committee B under sub-paragraph (4B) that committee B is unable to reach a decision on what recommendation to give,”

(e) after sub-paragraph (6) there shall be inserted the following sub-paragraph—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- “(6A) Sub-paragraph (6) shall not apply to committee B.”;
- (f) for sub-paragraph (7) there were substituted the following sub-paragraph—
- “(7) Where any proposals are referred to the adjudicator—
- (a) he shall consider the matter afresh;
 - (b) he shall—
 - (i) reject the proposals;
 - (ii) approve them without modification, or
 - (iii) approve them subject to modifications after consulting the Council, the local education authority who maintain the school and the governing body of the school;
 - (c) sub-paragraph (4) shall apply to the adjudicator as it applies to committee A; and
 - (d) in considering proposals the adjudicator shall have regard to—
 - (i) any guidance given from time to time by the Secretary of State; and
 - (ii) the school organisation plans for the areas of committee A and committee B;”