

SCHEDULE 1

Regulation 3

MATTERS TO BE SPECIFIED IN A NOTICE INVITING PROPOSALS FOR AN ADDITIONAL SECONDARY SCHOOL

1. A statement explaining the reason why an additional secondary school is considered necessary.
2. A statement explaining:
 - (a) the location of the site (including details of whether the school is to occupy a single or split site), including where appropriate the postal address or addresses;
 - (b) the reason for the choice of site;
 - (c) the accessibility of the site (if the school is to occupy a split site the accessibility of the accommodation); and
 - (d) the tenure (freehold or leasehold) on which the site will be held, and if the site is to be held on a lease, details of the proposed lease;
 - (e) the effect of paragraphs 7(4) and 8(4) of Schedule 8 to the Act (that the local education authority must transfer their interest in the site to the school's trustees, foundation body, or governing body).
3. The date by which the school should open.
4. Information on—
 - (a) the number of pupil places the school should provide;
 - (b) the upper and lower age limits of the proposed school (that is to say the highest and lowest ages of pupils for whom it is intended that education is normally provided at the school) and, where it is intended that it should provide sixth form education, the number of pupils for whom it is intended that such education should be provided;
 - (c) the number of pupils to be admitted to the proposed 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 proposed school in the first school year in which each stage has been implemented
 - (d) whether it is proposed that the school should admit pupils of both sexes or boys or girls only and, in the case of a single sex school where it is intended to provide sixth form education, whether both sexes or boys or girls only are to be admitted to the sixth form;
 - (e) whether the new school should make provision which is recognised by the local education authority as reserved for children with special educational needs, and if so the range of special needs and the number of pupils for which provision is proposed, and
 - (f) the estimated capital costs of providing the school (such an estimate to be made in accordance with the guidance provided at pages 17 to 19 of Department for Education and Skills Guidance "Education Building Projects – Information on Costs and Performance Data – Schools Building and Design Unit", (reference DfES/0288/2003) (ISBN 1 84185 950 8) issued in April 2003). The Excel spreadsheet attached to the guidance should be completed and included in this information.
5. A statement explaining that proposals should be in line with requirements set out in paragraph 4 above, but that proposals that do not comply with all of the requirements but meet the need for secondary places in the area will be considered.
6. A statement explaining—
 - (a) the address of the local education authority; and
 - (b) the name of the person to whom proposals should be addressed.

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7. A brief statement explaining the procedure to be followed after the date when proposals must be received by the local education authority (i.e. the procedure outlined in regulations 8 to 14).

8. A statement that any proposals made pursuant to a notice published under section 70(1) must contain the information required by Part 1 of Schedule 2.

SCHEDULE 2

Regulation 6

PART 1

MATTERS TO BE SPECIFIED IN PROPOSALS TO ESTABLISH AN ADDITIONAL SECONDARY SCHOOL MADE BY A PROMOTER OTHER THAN THE LOCAL EDUCATION AUTHORITY

1. The name of the promoter, or promoters, and a contact address.
2. The type of school that the promoters propose to establish (a community school; a foundation school; a voluntary school or an Academy).
3. The proposed ethos of the school and if the school is to have a religious character, information about such religious character.
4. Whether the proposed school will have any specialisms on implementation and whether the promoter intends to apply to the Secretary of State for the school to be a specialist school.
5. A statement indicating how the school would contribute to enhancing the diversity and quality of education in the area.
6. The following information relating to the proposals—
 - (a) a description of what the proposals are intended to deliver in terms of community cohesion;
 - (b) the objectives which the promoters intend to set to further the aims of inclusiveness and partnership working;
 - (c) what activities are planned to achieve the objectives specified in sub-paragraph (b); and
 - (d) measures proposed to be taken to ensure that the governing body, teachers, pupils and parents are aware of their role in contributing to inclusiveness and partnership working.
7. An indication of the admission arrangements and over-subscription criteria which the promoters consider appropriate for the proposed school and where the proposed school is to be a foundation or voluntary school or Academy which it is proposed should have a religious character—
 - (a) an indication of the extent to which the promoters consider it appropriate for priority to be given to children of the school's faith or denomination, and
 - (b) an indication of the extent to which the promoters consider it appropriate for any priority to be given for any places to children or other faiths or denominations or to children in specified groups regardless of their faith or denomination.
8. Information on—
 - (a) the number of pupil places which the school will provide;
 - (b) the upper and lower age limits of the proposed school and, where it is intended that it should provide sixth form education, the number of pupils in each age group for whom it is intended that such education should be provided;

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- (c) the number of pupils to be admitted to the new 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 proposed school in the first school year in which each stage has been implemented.
- 9.** A statement as to whether the promoter is satisfied that accommodation will be adequate to meet the number of pupil places specified in paragraph 16(a).
- 10.** Whether it is proposed that the new admission arrangements for the school will make provision for selection by ability as is mentioned in section 101 of the 1998 Act (pupil banding); and
- 11.** Whether the new school will admit pupils of both sexes or boys only or girls only and, in the case of a single sex school where it is intended to provide sixth form education, whether both sexes or boys or girls only are to be admitted to the sixth form;
- 12.** Whether the promoter wishes to establish the school on the site proposed in the notice published by the local education authority. If the promoter wishes to establish the school on a site that is different from that proposed in the notice published by the local education authority information on—
- (a) the location of the site (including where appropriate the postal address or addresses if the school is to occupy a split site);
 - (b) whether the school will occupy a single or split site;
 - (c) the accessibility of the site (if the school is to occupy a split site the accessibility of the accommodation);
 - (d) the current ownership and tenure (freehold or leasehold) of the site, the estimated cost of providing the site and the proposed use of any buildings already on the site;
 - (e) details of the tenure (freehold or leasehold) on which the site of the school will be held, and if the site is to be held on a lease, details of the proposed lease; and
 - (f) whether the site is currently used for the purposes of another school which will no longer be required for the purposes of that school. If so, provide details as to why the site will no longer be required for the purposes of that school.
- 13.** The date when it is planned that the proposals will be implemented, or where the proposals are to be implemented in stages, the date on which each stage is planned to be implemented.
- 14.** A statement as to whether the promoters consider that the costs of establishing the proposed school can be met within the estimate of capital costs of providing the school outlined in the notice published by the local education authority.
- 15.** Where the proposals are to establish an additional voluntary controlled or foundation school—
- (a) statement as to whether the proposals are to be implemented by the local education authority or by the promoters, and if the proposals are to be implemented by both,
 - (i) a statement as to the extent that they are to be implemented by each body, and
 - (ii) a statement as to the extent to which the capital costs of implementation are to be met by each body.
- 16.** Details of how it is proposed to fund the promoter’s share of the capital costs of implementing the proposals (if any).
- 17.—(1)** Information as to whether the school will have provision which is recognised by the local education authority as reserved for children with special educational needs and, if so, the nature of such provision and the proposed number of pupils for whom such provision is to be made.

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(2) Details of the proposed policy of the school relating to the education of pupils with special educational needs.

18. The proposed arrangements for transport of pupils to the school.

19. Details of any proposals for the school to be federated with one or more schools (by virtue of section 24 and 74(1) of the Act).

20. An outline of the proposed senior staffing at the school.

21. A statement that the school will meet the general requirements in relation to curriculum pursuant to section 78 of the Act and an outline of any provision that will be in addition to the basic curriculum required by section 80 to the Act.

22. Evidence of any relevant experience in education held by the promoter, or promoters. In particular, details of any involvement in the improvement of standards in education.

23. In addition, where the proposed school is to be a voluntary aided school –

- (a) details of the trusts on which the site is to be held together with details of any arrangements to secure that, if the school is discontinued or transfers to a new site, the proceeds of sale of the site will be available for use in connection with another maintained school;
- (b) the amount of grant under paragraph 5 or 6 of Schedule 3 to the 1998 Act for which it is intended that an application should be made; a statement that the governing body will be able and willing to carry out their obligations under Schedule 3 to the 1998 Act;
- (c) a statement that the governing body will be able and willing to carry out their obligations under Schedule 3 to the 1998 Act;
- (d) details of the proposed ownership of the site; and
- (e) a statement as to whether the proceeds of sale of other premises will be available to the trustees.

24. Where the school is to be a foundation school

- (a) details of any trusts on which the site is to be held together with details of any arrangements to secure that, if the school is discontinued or transfers to a new site, the proceeds of sale of the site will be available for use in connection with another maintained school; and
- (b) a statement as to whether the school –
 - (i) will have a foundation established otherwise than under the 1998 Act;
 - (ii) will belong to a group of schools for which a foundation body acts under section 21 of the 1998 Act; or
 - (iii) will not fall within sub-paragraph (i) or (ii).

25. Where the school is to be a foundation or voluntary school or an Academy, which it is proposed should have a religious character, an estimate of the demand in the area for religious education in accordance with the tenets of the religion or religious denomination in question that is not already met in other maintained schools or Academies in the area.

Regulation 7

PART 2

MATTERS TO BE SPECIFIED IN PUBLISHED PROPOSALS TO ESTABLISH AN ADDITIONAL SECONDARY SCHOOL WHERE THE PROPOSER IS THE LOCAL EDUCATION AUTHORITY

26. The name of the local education authority submitting the proposals together with the name and address of the person to whom enquiries should be sent to.

27. Whether the school is to be a community or foundation school.

28. The proposed ethos of the school.

29. Whether the proposed school will have any specialisms on implementation and whether the local education authority intends to apply to the Secretary of State for the school to be a specialist school from implementation.

30. A statement indicating how the school would contribute to enhancing the diversity and quality of education in the area

31. The following information relating to the proposals—

- (a) a description of what the proposals are intended to deliver in terms of community cohesion;
- (b) the objectives which the local authority intend to set to further the aims of inclusiveness and partnership working;
- (c) what activities are planned to achieve the objectives specified in sub-paragraph (b); and
- (d) measures proposed to be taken to ensure that the governing body, teachers, pupils and parents are aware of their role in contributing to inclusiveness and partnership working.

32. An indication of the admission arrangements and over-subscription criteria for the proposed school.

33. Information on—

- (a) the number of pupils for whom the school will provide;
- (b) the upper and lower age limits of the proposed school and, where it is intended that it should provide sixth form education, the number of pupils in each year group for whom it is intended that such education should be provided;
- (c) the number of pupils to be admitted to the proposed 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 proposed school in the first school year in which each stage has been implemented;
- (d) whether it is proposed that the new admission arrangements for the school will make provision for selection by ability as is mentioned in section 101 of the 1998 Act (pupil banding); and
- (e) whether the proposed school will admit pupils of either sexes or boys only or girls only and, in the case of a single sex school where it is intended to provide sixth form education, whether both sexes or boys or girls only are to be admitted to the sixth form.

34. 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.

35.—(1) Information as to whether the school will have provision that is recognised by the local education authority as reserved for children with special educational needs and, if so, the nature of such provision and the proposed number of pupils for whom such provision is to be made.

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(2) Details of the proposed policy of the school relating to the education of pupils with special educational needs.

36. The proposed arrangements for transport of pupils to the school.

37. Details of any proposals for the school to be federated with one or more schools (by virtue of section 24 and 74(1) of the Act).

38. Details of how the proposed curriculum of the school will meet the general requirements in relation to curriculum pursuant to section 78 of the Act and an outline of any provision that will be in addition to the basic curriculum required by section 80 of the Act.

39. An outline of the proposed senior staffing at the school.

40. Where the school is to be a foundation school a statement as to whether the school —

- (a) will have a foundation established otherwise than under the 1998 Act;
- (b) will belong to a group of schools for which a foundation body acts under section 21 of the 1998 Act; or
- (c) will not fall within sub-paragraph (a) or (b).