
STATUTORY INSTRUMENTS

2007 No. 1289

EDUCATION, ENGLAND

**The School Organisation (Prescribed Alterations to
Maintained Schools) (England) Regulations 2007**

Made - - - - - *26th April 2007*
Laid before Parliament *4th May 2007*
Coming into force *25th May 2007*

**THE SCHOOL ORGANISATION (PRESCRIBED ALTERATIONS
TO MAINTAINED SCHOOLS) (ENGLAND) REGULATIONS 2007**

1. Citation, commencement and application
 2. Interpretation
 3. Alterations to maintained schools by governing bodies: foundation proposals
 4. Other alterations to maintained schools by governing bodies
 5. Alterations to maintained schools by local education authorities
 6. Consultation prior to these Regulations
 7. Land transfers
 8. Regard to guidance
 9. Revocation
- Signature

SCHEDULE 1 — FOUNDATION PROPOSALS

PART 1 — Information to be included in or provided in relation to foundation proposals

1. All proposals must include the following information—
2. Where the prescribed alteration is a change of category to...
3. Where the prescribed alteration is the acquisition of a foundation...
4. (1) Subject to sub-paragraph (2) where the prescribed alteration is...

PART 2

5. Consultation on proposals
6. Manner of publication of proposals
7. Where the proposals relate to a special school, the governing...
8. Objections and comments

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9. Governing body as decision maker
10. Referrals to adjudicator for consideration and determination
11. Where the local education authority exercise their right to require...
12. The local education authority may only require that the proposals...
13. Where the governing body is required (under paragraph 10) to...
14. Withdrawal of proposals
15. Consideration and determination by governing body or adjudicator
16. (1) Where proposals have been referred to the adjudicator for...
17. Referral to the adjudicator post determination
18. Provision for notification of decisions
19. Conditional approval
20. Duty to implement proposals
21. Revocation of proposals (after approval)
22. Modification post determination
23. Proposals not falling to be implemented
24. Unimplemented statutory proposals
25. Revision or replacement of the school's instrument of government
26. Reconstitution or replacement of the governing body
27. Current governors continuing in office
28. Surplus governors
29. Transfer of staff for foundation change of category
30. (1) Subject to sub-paragraph (2), paragraph 29 applies to any...
31. Any person who before the implementation date has been appointed...
32. Paragraphs 29 to 31 are without prejudice to any right...

SCHEDULE 2 — ALTERATIONS OTHER THAN FOUNDATION PROPOSALS
WHICH MAY BE PUBLISHED BY A GOVERNING BODY

PART 1 — Prescribed alterations proposed by the governing body of a
foundation or voluntary school.

1. Enlargement to premises
2. Increase in number of pupils
3. Alteration of upper age limit
4. Alteration of lower age limit
5. Special educational needs
6. Admissions arrangements
7. Sex of pupils
8. Boarding
9. Transfer to new site
10. Discontinuance of use of site
11. Changes of category

PART 2 — Prescribed alterations proposed by the governing body of a
community school.

12. Enlargement to premises
13. Increase in number of pupils
14. Alteration of upper age limit
15. Admission arrangements
16. Changes of category

PART 3 — Prescribed alterations proposed by the governing body of a
foundation special or community special school

17. Special education needs
18. Transfer to new site
19. Increase in number of pupils
20. Decrease in numbers

21. Boarding
22. Alteration of upper or lower age limits
23. Sex of pupils

SCHEDULE 3 — GOVERNING BODY PROPOSALS FOR ALTERATIONS OTHER THAN FOUNDATION PROPOSALS

PART 1 — Information to be included in or provided in relation to proposals

1. School and governing body's details
2. Implementation and any proposed stages for implementation
3. Objections and comments
4. Alteration description
5. School capacity
6. Implementation
7. Additional Site
8. Changes in boarding arrangements
9. Transfer to new site
10. Objectives
11. Consultation
12. Project costs
13. A copy of confirmation from the Secretary of State, local...
14. Age range
15. Early years provision
16. Changes to sixth form provision
17. Where the proposals are to alter the upper age limit...
18. Special educational needs
19. Where the proposals are to discontinue provision for special educational...
20. Where the proposals will lead to alternative provision for children...
21. Sex of pupils
22. Where the proposals are to make an alteration to a...
23. Extended services
24. If the proposals involve adding places— (a) a statement and...
25. If the proposals involve removing places— (a) a statement and...
26. Additional information in the case of special schools

PART 2 — Publication, determination and implementation of proposals

27. Consultation on proposals
28. Manner of publication of proposals
29. Objections and comments
30. Local education authority as decision maker
31. Consideration and determination of proposals by the local education authority or adjudicator
32. (1) Where any proposals have been referred to the adjudicator...
33. Referral to adjudicator post determination
34. Provision for notification of decisions
35. Related proposals
36. Determination of proposals where the school is transferring to a different local education authority
37. Transitional exemption orders under the Sex Discrimination Act 1975
38. Conditional approvals
39. Withdrawal of proposals
40. Duty to implement proposals
41. Revocation of proposals (after approval)
42. Modification post determination
43. Proposals not falling to be implemented

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PART 3 — Provisions relating to change of category only

44. Unimplemented statutory proposals
45. Revision or replacement of the school's instrument of government
46. Reconstitution or replacement of the governing body
47. Current governors continuing in office
48. Surplus governors
49. Transfer of staff
50. (1) Subject to sub-paragraph (2), paragraph 49 applies to any...
51. Any person who before the implementation date has been appointed...
52. Where a voluntary controlled school changes category to a voluntary...
53. (1) Subject to sub-paragraph (2), paragraph 52 applies to any...
54. Any person who before the implementation date has been appointed...
55. (1) This paragraph applies where a voluntary controlled school with...

SCHEDULE 4 — ALTERATIONS WHICH MAY BE PUBLISHED BY A LOCAL EDUCATION AUTHORITY

PART 1 — Prescribed alterations proposed by a local education authority in respect of community schools

1. Enlargement to premises
2. Increase in number of pupils
3. Alteration of upper age limit
4. Alteration of lower age limit
5. Special education needs
6. Sex of pupils
7. Boarding
8. Transfer to new site
9. Discontinuance of use of site

PART 2 — Prescribed alterations proposed by a local education authority in respect of community special schools.

10. Special educational needs
11. Transfer to new site
12. Increase in number of pupils
13. Decrease in numbers
14. Boarding
15. Alteration of upper or lower age limits
16. Sex of pupils

PART 3 — Prescribed alterations proposed by a local education authority in respect of maintained nursery schools

17. Transfer to new site

PART 4 — Prescribed alterations proposed by a local education authority in respect of foundation or voluntary schools.

18. Enlargement to premises
19. Increase in number of pupils
20. Special educational needs
21. Alteration of upper age limit

PART 5 — Prescribed alterations proposed by a local education authority in respect of foundation special schools

22. Increase in number of pupils
23. Special educational needs

SCHEDULE 5 — LOCAL EDUCATION AUTHORITY PROPOSALS FOR PRESCRIBED ALTERATIONS

PART 1 — Information to be included in or provided in relation to proposals

1. School and local education authority details
 2. Implementation and any proposed stages for implementation
 3. Objections and comments
 4. Alteration description
 5. School capacity
 6. Implementation
 7. Additional Site
 8. Changes in boarding arrangements
 9. Transfer to new site
 10. Objectives
 11. Consultation
 12. Project costs
 13. A copy of confirmation from the Secretary of State, local...
 14. Age range
 15. Early years provision
 16. Changes to sixth form provision
 17. Where the proposals are to alter the upper age limit...
 18. Special educational needs
 19. Where the proposals are to discontinue provision for special educational...
 20. Where the proposals will lead to alternative provision for children...
 21. Sex of pupils
 22. Where the proposals are to make an alteration to a...
 23. Extended services
 24. If the proposals involve adding places— (a) a statement and...
 25. If the proposals involve removing places— (a) a statement and...
 26. Additional information in the case of special schools
- PART 2 — Publication, determination and implementation of proposals
27. Consultation on proposals
 28. Manner of publication of proposals
 29. Objections and comments
 30. Local education authority as decision maker
 31. Consideration and determination of proposals by the local education authority or adjudicator
 32. (1) Where any proposals have been referred to the adjudicator...
 33. Referral to adjudicator post determination
 34. Provision for notification of decisions
 35. Related Proposals
 36. Determination of proposals where the school is transferring to a different local education authority
 37. Transitional exemption orders under the Sex Discrimination Act 1975
 38. Conditional approvals
 39. Withdrawal of proposals
 40. Duty to implement proposals
 41. Revocation of proposals (after approval)
 42. Modification post determination
 43. Proposals not falling to be implemented

SCHEDULE 6 — LAND TRANSFERS WHEN A SCHOOL CHANGES CATEGORY

1. Where any land is transferred to and vests in any...
2. Rules relating to transfer
3. (1) This paragraph applies where any proposals that a community...
4. (1) This paragraph applies where any proposals that a community...
5. (1) This paragraph applies where any proposals that a voluntary...

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6. (1) This paragraph applies where any proposals that a voluntary...
7. (1) This paragraph applies where any proposals that a community...
8. Outstanding transfers
9. Transfers of right to use land
10. Land excluded from transfers
11. Restrictions on disposal of land when proposals are pending
12. (1) During any period when the procedure for becoming a...
13. (1) During any period when the procedure for becoming a...
14. Provision of information
15. Division and apportionment of property
16. Identification of property, rights and liabilities
17. Resolution of disputes
18. Right to production of documents of title
19. Proof of title by certificate
20. Construction of agreements
21. (1) Without prejudice to the generality of paragraph 20 ,...
22. Third parties affected by vesting provisions
23. In this Schedule— “relevant purposes” means— in relation to a...

SCHEDULE 7 — REVOCATION

Explanatory Note