
STATUTORY INSTRUMENTS

2013 No. 3110

The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013

Alterations to maintained schools by governing bodies: foundation proposals

3.—(1) Foundation proposals are [proposals for] the alterations specified in paragraph (2) and are—

- (a) prescribed under section 18 as alterations that may be implemented in respect of a community, foundation, voluntary aided, voluntary controlled or special school in pursuance of proposals published by the governing body; and
- (b) in the case of a community or community special school, are designated under section 19(3) as alterations capable of being proposed by the governing body.

(2) The alterations are—

- (a) a change of category (a “change of category to foundation”)—
 - (i) from a community, voluntary aided or voluntary controlled school to a foundation school;
 - (ii) from a community special school to a foundation special school;
- (b) in relation to foundation and foundation special schools only, the acquisition of a foundation otherwise than under SSFA 1998;
- (c) in relation to foundation and foundation special schools only, where the instrument of government of the school does not provide for a majority of the governing body to be foundation governors⁽¹⁾, any change in the instrument of government which results in the majority of governors being foundation governors (“a relevant change”).

⁽¹⁾ For the meaning of “foundation governor” see section 19(1A)(e) of the Education Act 2002 (c. 32).