

SCHEDULE 2

Regulations 4 and 5

ALTERATIONS OTHER THAN ALTERATIONS PROPOSED IN FOUNDATION PROPOSALS WHICH MAY BE PUBLISHED BY A GOVERNING BODY OR LOCAL AUTHORITY AS SPECIFIED IN REGULATIONS 4 AND 5

Enlargement of premises

1.—(1) An enlargement of the premises of the school which would increase the capacity of the school by—

- (a) more than 30 pupils; and
- (b) by 25% or 200 pupils (whichever is the lesser),

except where the enlargement is a temporary one, which it is anticipated will be in place for no more than three years.

(2) In this paragraph an enlargement of the premises of a school includes—

- (a) the proposed enlargement; and
- (b) the making permanent of any temporary enlargement.

Alteration of upper or lower age limit of a community school including the addition or removal of nursery or sixth form provision

2. The alteration of the upper or lower age limit of a community school including the addition or removal of nursery or sixth form provision by a year or more, except where the alteration is a temporary one, which it is anticipated will be in place for no more than two years.

Alteration of upper or lower age limits of a foundation or voluntary school

3. The alteration of the upper or lower age limit of a foundation or voluntary school by three years or more, except where the alteration is a temporary one, which it is anticipated will be in place for no more than two years.

Alteration of upper age limit so as to add or remove a mainstream school's sixth form

4. Except where the alteration is a temporary one, which it is anticipated will be in place for no more than two years—

- (a) the alteration of the upper age limit of a mainstream school so as to provide sixth form education;
- (b) the alteration of the upper age limit of such a school so as to remove sixth form education.

Alteration of upper or lower age limit of a special school

5. The alteration of the upper or lower age limit of a special school by a year or more, except where the alteration is a temporary one, which it is anticipated will be in place for no more than two years.

Increase in number of pupils in a special school

6.—(1) Except where a special school is established in a hospital, any increase in the number of pupils for whom the school is organised to make provision, which would increase the number of such pupils by 10% or the relevant number of pupils (whichever is the lesser).

Status: This is the original version (as it was originally made).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

(2) The “relevant number of pupils” is five where the school only makes boarding provision and 20 in any other case.

Decrease in number of pupils in a special school

7. Except where a special school is established in a hospital, any decrease in the number of pupils for whom the school is organised to make provision.

Special educational needs

8. In relation to provision for special educational needs in a mainstream school—

- (a) the establishment of a provision that is recognised by the local authority as reserved for children with special educational needs;
- (b) a change in the type, or types of special educational provision that is recognised by the local authority as reserved for children with special educational needs; or
- (c) the discontinuance of provision which is recognised by the local authority as reserved for children with special educational needs.

9. In relation to provision for special educational needs in a special school, a change in the type of special educational needs for which the school is organised to make provision.

Grammar school admission arrangements

10. The revision of admission arrangements of a grammar school as is mentioned in section 109(1) of SSFA 1998.

Co-educational or single sex provision

11.—(1) An alteration to a school to provide that—

- (a) a school which was an establishment which admitted pupils of one sex only becomes an establishment which admits pupils of both sexes; or
- (b) a school which was an establishment which admitted pupils of both sexes becomes an establishment which admits pupils of one sex only.

(2) For the purposes of this paragraph a school is to be treated as an establishment which admits pupils of one sex only if the admission of pupils of the other sex is limited to pupils over compulsory school age and is a comparatively small number of pupils in the age group normally at the school.

Boarding

12. In the case of mainstream schools—

- (a) the introduction of boarding provision;
- (b) the ending of boarding provision; or
- (c) the alteration of boarding provision such that the number of pupils for whom boarding provision is made is decreased by 50 pupils or 50% (whichever is the greater).

13. In the case of special schools—

- (a) the introduction or ending of boarding provision; or
- (b) where the school makes provision for day pupils and boarding pupils, the alteration of boarding provision such that the number of pupils for whom boarding provision is made is increased or decreased by five pupils or more.

Transfer to a new site

14. The transfer of a school to a new site except where the main entrance of the school on the proposed new site would be within two miles of the main entrance of the school on its current site (unless the school is transferring to a site within the area of another local authority).

Discontinuance of use of a site

15. The discontinuance of provision at any site of a school which occupies more than one site, if the main entrance at any of the school's remaining sites is one mile or more from the main entrance of the site use of which is to be discontinued.

Changes of category

16. A change of category—

- (a) from a voluntary controlled school to a voluntary aided school;
- (b) from a voluntary aided school to a voluntary controlled school;
- (c) from a foundation school to a voluntary controlled school;
- (d) from a foundation school to a voluntary aided school;
- (e) from a community school to a voluntary controlled school; or
- (f) from a community school to a voluntary aided school.