

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—
 - (a) **School Details**

The name, address and category of the school for which the governing body are publishing the proposals;
 - (b) **Dates**

The proposed implementation date (“implementation date”);
 - (c) **Objections and comments**

A statement explaining the procedure for making representations, including—
 - (i) the date pursuant to paragraph 8 by which objections or comments should be sent to the governing body; and
 - (ii) the address to which objections or comments should be sent;
 - (d) **Consultation**

Evidence of the consultation before the proposals were published including—
 - (i) a list of persons who were consulted;
 - (ii) minutes of all public consultation meetings;
 - (iii) the views of the persons consulted;
 - (iv) a statement to the effect that all applicable statutory requirements in relation to the proposal to consult were complied with; and
 - (v) copies of all consultation documents and a statement on how these documents were made available;
 - (e) **Alteration description**

A statement of which one of, or combinations of, the alterations prescribed in regulation 3 comprise the proposals.
2. Where the prescribed alteration is a change of category to foundation, the proposals must contain the following information—
 - (a) the rationale for the proposals;
 - (b) a statement that the school will—
 - (i) have a foundation established otherwise than under SSFA 1998; or
 - (ii) belong to a group of schools for which a foundation body acts; or
 - (iii) be a foundation school not falling within either of sub-paragraphs (i) or (ii); and
 - (c) where it is a change of category to foundation from a voluntary aided school or voluntary controlled school, a statement that in accordance with section 20, the consent of the trustees and the persons by whom the foundation governors are appointed has been obtained.
3. Where the prescribed alteration is the acquisition of a foundation established otherwise than under SSFA 1998, the proposals must contain the following information—

Status: This is the original version (as it was originally made).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

- (a) the name or proposed name of the foundation;
- (b) the rationale for acquiring the foundation and the ethos that it will bring to the school;
- (c) the details of membership of the foundation, including the names of the members;
- (d) where the majority of governors are to be foundation governors, a statement that a parent council will be established in accordance with section 23A of EA 2002(1);
- (e) the entitlement to appoint charity trustees and the number of trustees to be appointed;
- (f) the proposed constitution of the school's governing body;
- (g) details of the foundation's charitable objects;
- (h) whether the foundation already acts as a foundation for any foundation or voluntary schools;
- (i) except where the alteration consists of a voluntary aided or voluntary controlled school changing category to a foundation school and it is intended that the foundation should appoint a minority of foundation governors, a statement that the requirements set out in the Foundation Regulations will be met;
- (j) a statement and supporting evidence as to how the foundation will contribute to the advancement of education at the school and in particular how it will help to raise standards; and
- (k) a statement of how the foundation will contribute to the promotion of community cohesion and the impact the foundation will have on the diversity of school provision in the area.

4.—(1) Subject to sub-paragraph (2) where the prescribed alteration is a relevant change at a school for which a foundation already acts, the proposals must include the following information—

- (a) the name of the foundation;
- (b) the rationale for the change and how it will contribute to the advancement of education at the school and in particular how it will help to raise standards;
- (c) the details of membership of the foundation, including the names of the members;
- (d) details of the foundation's charitable objects;
- (e) a statement that the requirements set out in the Foundation Regulations will be met;
- (f) a statement that a parent council will be established in accordance with section 23A of EA 2002;
- (g) the proposed constitution of the school's governing body; and
- (h) the entitlement to appoint charity trustees and the number of trustees to be appointed.

(2) In addition where the relevant change relates to—

- (a) a foundation school which immediately before the 25th May 2007, was a foundation school having a foundations; or
- (b) a foundation school which having been a voluntary school immediately before the 25th May 2007, changed category to a foundation school on or after that date

a statement that in accordance with section 20 the consent of the trustees and the persons by whom the foundation governors are appointed has been obtained.

(1) Section 23A was inserted by section 34 of the Act.