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STATUTORY INSTRUMENTS

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**2013 No. 3110**

**EDUCATION, ENGLAND**

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

*Made* - - - - - *16th December 2013*  
*Laid before Parliament* *18th December 2013*  
*Coming into force* *28th January 2014*

**THE SCHOOL ORGANISATION (PRESCRIBED ALTERATIONS TO MAINTAINED SCHOOLS) (ENGLAND) REGULATIONS 2013**

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 authorities
  6. Publication, determination and implementation of proposals
  7. Regard to guidance
  8. Revocations and saving provisions
- Signature

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SCHEDULE 1 — FOUNDATION PROPOSALS

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

1. All foundation 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. In addition where the relevant change relates to—

PART 2

5. Manner of publication of proposals
6. Objections and comments
7. Governing body as decision maker
8. Referrals to adjudicator for consideration and determination
9. Where the local authority require a referral to the adjudicator...
10. The local authority may only require that the proposals specified...

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11. Where the governing body are required (under paragraph 8) to...
12. Withdrawal of proposals
13. Consideration and determination of proposals by the governing body or adjudicator
14. (1) Where proposals have been referred to the adjudicator for...
15. Referral to the adjudicator post determination
16. Conditional approvals
17. Provision for notification of determinations
18. Duty to implement proposals and provide information to the Secretary of State
19. Revocation of proposals (after approval)
20. Modification post-determination
21. Proposals not falling to be implemented

SCHEDULE 2 — 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

1. Enlargement of premises
2. Alteration of upper or lower age limit of a community school including the addition or removal of nursery or sixth form provision
3. Alteration of upper or lower age limits of a foundation or voluntary school
4. Alteration of upper age limit so as to add or remove a mainstream school's sixth form
5. Alteration of upper or lower age limit of a special school
6. Increase in number of pupils in a special school
7. Decrease in number of pupils in a special school
8. Special educational needs
9. In relation to provision for special educational needs in a...
10. Grammar school admission arrangements
11. Co-educational or single sex provision
12. Boarding
13. In the case of special schools— (a) the introduction or...
14. Transfer to a new site
15. Discontinuance of use of a site
16. Changes of category

SCHEDULE 3 — PUBLICATION, DETERMINATION AND IMPLEMENTATION OF PROPOSALS OTHER THAN FOUNDATION PROPOSALS

1. Manner of publication of proposals
2. Objections and comments
3. Local authority as decision maker
4. Withdrawal of proposals
5. Consideration and determination of proposals by the local authority or adjudicator
6. (1) Where proposals have been referred to the adjudicator for...
7. Referral to the adjudicator post-determination
8. Conditional approvals
9. Provision for notification of decisions
10. Related proposals
11. Determination of proposals where the school is transferring to a different local authority
12. Transitional exemption orders under the Equality Act 2010

13. Duty to implement proposals and provide information to the Secretary of State
14. Proposals relating to foundation, foundation special or voluntary controlled schools
15. Proposals relating to community, community special or maintained nursery schools
16. Proposals relating to voluntary aided schools
17. Provision of site and buildings for foundation, foundation special or voluntary controlled schools
18. Assistance for voluntary aided schools
19. Duty to transfer interest in premises provided under paragraph 18
20. Revocation of proposals (after approval)
21. Modification post-determination
22. Proposals not falling to be implemented

#### SCHEDULE 4 — PROVISIONS RELATING TO FOUNDATION PROPOSALS AND OTHER CHANGES OF CATEGORY

1. Unimplemented statutory proposals
2. Revision or replacement of the school's instrument of government
3. Reconstitution or replacement of the governing body
4. Current governors continuing in office
5. Surplus governors
6. Transfer of staff
7. (1) Subject to sub-paragraph (2), paragraph 6 applies to any...
8. Any person who before the implementation date has been appointed...
9. Where a voluntary controlled school changes category to a voluntary...
10. (1) Subject to sub-paragraph (2), paragraph 9 applies to any...
11. Any person who before the implementation date has been appointed...
12. Paragraphs 9 to 11 are without prejudice to any right...
13. (1) This paragraph applies where a voluntary controlled school with...
14. Transitional admission arrangements

#### SCHEDULE 5 — LAND TRANSFERS WHEN A SCHOOL CHANGES CATEGORY OR ACQUIRES A FOUNDATION

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 foundation...
4. (1) This paragraph applies where any proposals that a community...
5. (1) This paragraph applies where any proposals that a voluntary...
6. Outstanding transfers
7. Transfers of right to use land
8. Land excluded from transfers
9. Restrictions on disposal of land when proposals are pending
10. (1) During any period when the procedure for becoming a...
11. (1) During any period when the procedure for becoming a...
12. Provision of information
13. Division and apportionment of property
14. Identification of property, rights and liabilities
15. Resolution of disputes
16. Right to production of documents of title
17. Proof of title by certificate
18. Construction of agreements
19. (1) Without prejudice to the generality of paragraph 18, the...

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20. Third parties affected by vesting provisions

Explanatory Note