

SCHEDULE 1

Regulation 5

INFORMATION TO BE CONTAINED IN PROPOSALS PUBLISHED UNDER SECTION 113A

1. A statement that the proposals are published by the Council.
2. Details of the relevant objective or objectives set out in section 113A which the proposals are intended to promote and details of how the proposals would promote the stated objective or objectives.
3. The date on which the proposals are planned to be implemented or, where the proposals are planned to be implemented in stages, the date on which each stage is planned to be implemented.
4. Where the proposals are to establish a new 16 to 19 institution or to alter the upper age limit of the school so that the school will provide sixth form education —
 - (a) information on the number of students for whom sixth form education will be provided;
 - (b) the proposed upper age limit of the school; and
 - (c) the proposed arrangements for transport of pupils to the school.
5. An analysis of the long-term impact of the proposals on the school to which the proposals relate.
6. Where the proposals relate to a foundation or voluntary school with a religious character, details of the religion or religious denomination concerned.
7. Where the proposals have the effect that any provision for sixth form education is to be discontinued, details of the schools or further education colleges which pupils who are at the school and for whom provision is to be discontinued may attend, including any interim arrangements.
8. The proposed arrangements for transport of such pupils to other schools or further education colleges.
9. Details of any other measures proposed to be taken to increase the number of school or further education college places available in consequence of a proposed discontinuance of provisions.
10. Except where the proposals —
 - (a) are to discontinue a school;
 - (b) are to make an alteration to the upper age limit of the school so that the school will cease to provide sixth form education; or
 - (c) relate to a special school;the number of pupils to be admitted to the school (or, as the case may be, to the new school) in each relevant sixth form age group in the first school year in which the proposals have been implemented or, where it is intended that the proposals should be implemented in stages, the number of pupils to be so admitted in the first school year in which each stage has been implemented.
11. Where the proposals are to make an alteration to a foundation or voluntary controlled school, a statement as to whether the proposals are to be implemented by the local education authority or the governing body and, if the proposals are to be implemented by both, a statement as to the extent to which they are to be implemented by each body.
12. A statement that the proposal will require the approval of the National Assembly.
13. A statement of the effect of regulation 6 including the address to which objections to the proposals should be sent.

SCHEDULE 2

Regulation 11

INFORMATION TO BE CONTAINED IN PROPOSALS PUBLISHED UNDER SCHEDULE 7

1. A statement that the proposals are published by the Council.
2. The date on which the proposals are planned to be implemented or, where the proposals are planned to be implemented in stages, the date on which each stage is planned to be implemented.
3. Details of the schools or further education colleges which pupils who are at the school and for whom provision is to be discontinued may attend, including any interim arrangements.
4. The proposed arrangements for transport of such pupils to other schools or further education colleges.
5. An analysis of the long-term impact of the proposals on the school to which the proposals relate.
6. Details of any other measures proposed to be taken to increase the number of school or further education college places available in consequence of the proposed discontinuance of provision.
7. Where the proposals are to discontinue a sixth form, the number of pupils to be admitted to the school in each relevant age group in the first school year in which the proposals have been implemented or, where it is intended that the proposals should be implemented in stages, the number of pupils to be admitted to the school in the first school year in which each stage has been implemented.
8. Where proposals are to discontinue a sixth form at —
 - (a) a community or community special school, a statement that the duty to implement the proposals is a duty of the local education authority;
 - (b) a voluntary, foundation or foundation special school, a statement that the duty to implement the proposals is a duty of the governing body.
9. Where the proposals are to discontinue —
 - (a) a 16 to 19 institution which is a community or community special school, a statement that the duty to implement the proposals is a duty of the local education authority;
 - (b) a 16 to 19 institution which is a voluntary or foundation school, a statement that the duty to implement the proposals is a shared duty of the governing body and the local education authority.
10. A statement explaining the effect of paragraph 41 of Schedule 7 and regulation 15, including the date by which objections must be sent to the National Assembly.
11. The address of the National Assembly, to which objections must be sent.

SCHEDULE 3

Regulations 7 and 13

INFORMATION TO BE SENT TO THE NATIONAL ASSEMBLY IN CONNECTION WITH PROPOSALS PUBLISHED UNDER SECTION 113A OR SCHEDULE 7

PART I

INTERPRETATION

1. In this Schedule —

“the current school year” (“*y flwyddyn ysgol gyfredol*”) means the school year in which the proposals are published;

“GCE ‘A’ level examinations” (“*arholiadau TAG Safon Uwch*”) and “GCE ‘AS’ examinations” (“*arholiadau TAG Uwch Gyfrannol*”) mean General Certificate of Education advanced level examinations and General Certificate of Education advanced supplementary examinations respectively;

“GCSE” (“*TGAU*”) means General Certificate of Secondary Education;

“GNVQ” (“*GNVQ*”) means General National Vocational Qualification;

“NVQ” (“*NVQ*”) means National Vocational Qualification;

“the relevant radius” (“*y radiws perthnasol*”) means a radius of 4.828032 kilometres (three miles); and

“relevant standard number” (“*rhif safonol perthnasol*”) has the meaning given to it by section 84(6) of the 1998 Act.

PART 2

INFORMATION TO BE SENT IN CONNECTION WITH PROPOSALS UNDER SECTION 113A OR SCHEDULE 7 WHERE THE SCHOOL IS A MAINSTREAM SCHOOL

2. The objectives of the proposal.

3. Details of the consultation which took place before the proposals were published including —

- (a) copies of the consultation documents; and
- (b) the views and responses from the persons consulted.

4. A map showing the location of the school the subject of the proposals and all other community, voluntary and foundation schools within the relevant radius of the school.

5. A list of all secondary schools within the relevant radius of the school the subject of the proposals, stating which of such schools are maintained by a different local education authority, together with the following information in respect of each such school for the current school year, and (except for the information specified in sub-paragraph (d)) the previous school year;

- (a) the relevant standard number for each relevant age group;
- (b) the number of year groups;
- (c) the capacity of the school; and
- (d) the number of pupils at the school,

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and a forecast of the matters specified in sub-paragraphs (b) to (d) for each of the subsequent five school years.

6. Where the proposal involves an alteration to existing sixth form education, the following details of the sixth form education currently provided at the school —

- (a) courses leading to GCE ‘A’ level and ‘AS’ examinations,
- (b) courses leading to advanced vocational qualifications (in particular advanced GNVQs),
- (c) other courses, and
- (d) the number of pupils attending each course.

7. Details of any impact of the proposals on the school in relation to the provision of education through the medium of the Welsh language.

8. Where the proposals are made under Schedule 7, copies of the reports of the two inspections under Part I of the School Inspections Act 1996(1) as a result of which Parts II and III of Schedule 7 apply in relation to the school.

9. Where the proposals are to discontinue provision which is recognised by the local education authority as reserved for children with special educational needs —

- (a) details of alternative provision for pupils for whom such provision is currently made;
- (b) details of the number of pupils for whom such provision was made during each of the four school years preceding the current school year;
- (c) proposals for amendment of the statements of special educational needs of the pupils for whom provision is currently made; and
- (d) details of provision made outside the area of the local education authority for pupils whose needs will not be able to be met in the area of that authority as a result of the discontinuance of the provision.

10. Where the proposals are to establish a provision which is recognised by the local education authority as reserved for children with special educational needs —

- (a) a description of the types of learning difficulties in respect of which education is to be provided;
- (b) details of any additional specialist features to be provided;
- (c) the proposed numbers of pupils for which the provision is to be made;
- (d) details of how the provision is to be funded;
- (e) a statement as to whether the education will be provided for children with special educational needs who are not registered pupils at the school to which the proposals relate;
- (f) a statement as to whether the expenses of the provision would be met from the school’s delegated budget; and
- (g) the location of the provision if it is not to be established on the existing site of the school.

(1) 1996 c. 57.

PART 3

INFORMATION TO BE SENT IN CONNECTION WITH PROPOSALS UNDER SECTION 113A OR SCHEDULE 7 WHERE THE SCHOOL IS A SPECIAL SCHOOL

11. The objectives of the proposal.
12. Details of the consultation before the proposals were published including —
 - (a) copies of the consultation documents; and
 - (b) the views and responses from the persons consulted.
13. A map showing the location of the school the subject of the proposals.
14. A list of all —
 - (a) special schools which provide education for pupils over compulsory school age, and
 - (b) other schools maintained by a local education authority which provide education for pupils over compulsory school age at which there is provision which is recognised by the local education authority as reserved for children with special educational needs,

in the area of the local education authority who maintain the school.

15. Information as to —
 - (a) the number of pupils over compulsory school age at each school referred to in paragraph 14(a), and
 - (b) the number of pupils over compulsory school age at each school referred to in paragraph 14(b) for whom the provision referred to in that sub-paragraph is made,

in the current school year together with a forecast of that number in each of the subsequent five school years.

16. Information as to the numbers of pupils over compulsory school age with special educational needs of each type for whom the local education authority maintain a statement of special educational needs in the current school year together with a forecast of such numbers for each of the subsequent five school years.

17. Details of any impact of the proposals on the school in relation to the provision of education through the medium of the Welsh language.

18. Where the proposals are made under Schedule 7, copies of the reports of the two inspections under Part I of the School Inspections Act 1996 as a result of which Parts II and III of Schedule 7 apply in relation to the school.

PART 4

ADDITIONAL INFORMATION TO BE SENT WHERE THE PROPOSALS ARE MADE UNDER SECTION 113A TO DISCONTINUE A SIXTH FORM OR TO ALTER THE UPPER AGE LIMIT OF A SCHOOL OR UNDER SCHEDULE 7 TO DISCONTINUE A SIXTH FORM

19. Where the school is a mainstream school, the following information relating to the school for the current school year and (except for the information specified in paragraph (c)), the previous school year —

- (a) the number of year groups,

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- (b) the capacity of the school, and
- (c) the number of pupils at the school,

and a forecast of those numbers for each of the subsequent five school years, on the assumption that the proposals are approved.

20. Where the school is a special school, the following information relating to the school for the current school year and the preceding four school years —

- (a) the number of pupils at the school,
- (b) the number of pupils of each age group and each sex, and
- (c) the number of pupils with each type of special educational needs for which provision is made at the school,

and a forecast of those numbers for each of the subsequent five school years on the assumption that the proposals are approved.

21. Where the proposals relate to a voluntary school, a statement as to whether, as a result of the proposals, premises used for the purposes of the school will no longer be required and if so —

- (a) a statement as to whether those premises will be sold, and, if so, the estimated sale proceeds, and
- (b) if the premises are not to be sold a statement as to the proposed use of the premises,

if such information has been made available to the Council.

22. Details of the number of pupils over compulsory school age in each year group remaining at the school the subject of the proposals in the two school years before the current school year.

23. Details of the number of pupils over compulsory school age in each age group who have transferred from the school the subject of the proposals to another institution providing full-time or part-time education during the period referred to in paragraph 22.

24. Details of the institutions to which the pupils referred to in paragraph 23 transferred indicating how many pupils went to each such institution.

25. The number of pupils referred to in paragraphs 22 and 23 in each year group as a proportion of the total number of pupils in that year group.

26. Details of the schools or further education colleges to which it is proposed that pupils currently receiving sixth form education may transfer if the proposals are approved, including an assessment of the quality of those institutions and any transitional arrangements which will apply.

27. Where the school is a mainstream school, details of the following examination results for the two school years before the current school year at the school which is the subject of the proposals and at each maintained school, city technology college, city college for the technology of the arts and further education college named in accordance with paragraph 24 —

- (a) results of GCSE examinations limited, in the case of schools other than the school the subject of the proposals and further education colleges, to the results of GCSE examinations taken by pupils over compulsory school age;
- (b) results of GCE 'A' level and 'AS' examinations, and
- (c) NVQs, GNVQs and other vocational qualifications attained by pupils over compulsory school age.

28. The number of places available at those institutions named in accordance with paragraphs 24 and 26 which are schools.

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29. Details of the distance, measured by the nearest available route, between the school and all of the institutions named in accordance with paragraph 24 together with details as to the availability of public transport to the institutions named in accordance with paragraph 26 (where such information is not already contained in any proposed arrangements for transport contained in published proposals pursuant to paragraph 7 of Schedule 1 or paragraph 4 of Schedule 2).

30. A development plan for the school setting out the long-term effect of the proposals.

31. Details of any recurrent costs following implementation of the proposals and any savings in expenditure as a result of implementation of the proposals.

PART 5

ADDITIONAL INFORMATION TO BE SENT WHERE THE PROPOSALS ARE MADE UNDER SCHEDULE 7 TO DISCONTINUE A 16 TO 19 INSTITUTION

32. Where the school is a mainstream school, the following information relating to the school for the current school year and (except for the information specified in sub-paragraph (d)), the previous school year —

- (a) the relevant standard number for each relevant age group;
- (b) the number of year groups;
- (c) the capacity of the school; and
- (d) the number of pupils at the school.

33. Where the school is a special school, the following information relating to the school for the current school year and the preceding four school years —

- (a) the number of pupils at the school;
- (b) the number of pupils of each age group and sex; and
- (c) the number of pupils with each type of special educational needs for whom provision is made at the school.

34. The following information relating to the accommodation at the school —

- (a) the location of the accommodation;
- (b) whether the school occupies a single or split site; and
- (c) details of general and specialist accommodation.

35. Details of schools and further education colleges which pupils who might otherwise have attended the school may, in the opinion of the Council, reasonably be expected to be able to attend after ceasing to be of compulsory school age if the proposals are approved, including an assessment of the quality of those institutions and any transitional arrangements which will apply.

36. Where the school is a mainstream school, details of the examination results referred to in sub-paragraphs (a) to (c) of paragraph 27 for the two school years before the current school year at the school which is the subject of the proposals and at each maintained school, city technology college, city college for the technology of the arts and further education college named in accordance with paragraph 35.

37. The number of places available at institutions named in accordance with paragraph 35 which are schools.

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38. Details of the distance, measured by the nearest available route between the school and all the institutions specified in paragraph 35 together with details as to the availability of public transport to those institutions (where such information is not already contained in any proposed arrangements for transport contained in published proposals pursuant to paragraph 4 of Schedule 2).

PART 6

ADDITIONAL INFORMATION TO BE SENT WHERE THE PROPOSALS ARE MADE UNDER SECTION 113A TO ENLARGE THE PREMISES OF AN EXISTING SIXTH FORM OR 16 TO 19 INSTITUTION, TO PROVIDE ADDITIONAL SIXTH FORM EDUCATION, OR TO ESTABLISH A NEW SIXTH FORM

39. Where the proposals are to make an enlargement of the premises of the school or 16 to 19 institution —

- (a) details of how it is intended to fund the implementation of the proposals;
- (b) details of any transport or other recurrent costs or savings arising as a consequence of the proposals.

40. Where the proposals are to alter the upper age limit of the school so that the school provides sixth form education or additional sixth form education, the following information —

- (a) the proposed numbers of pupils over compulsory school age in the school year in which the proposals are intended to be implemented and the subsequent school year if the proposals are approved;
- (b) details of any full-time sixth form education currently provided;
- (c) details of the number of pupils over compulsory school age in each year group leaving the school and transferring to other institutions providing full-time education together with the names of the institutions in question for the most recent school year ending before that in which the proposals were published;
- (d) the number of pupils referred to in sub-paragraph (c) in each year group as a proportion of the total number of pupils in that year group;
- (e) details of the following examination results, for the two school years before the current school year, at the school the subject of the proposals and at each maintained school, city technology college and institution within the further education sector named in accordance within sub-paragraph (c) —
 - (i) results of GCSE examinations, limited in the case of schools other than the school the subject of the proposals and institutions in the further education sector, to the results of GCSE examinations taken by pupils over compulsory school age,
 - (ii) results of GCE ‘A’ level and ‘AS’ examinations,
 - (iii) NVQs, GNVQs and other vocational qualifications attained by pupils over compulsory school age;
- (f) a development plan for the school setting out the long-term effect of the proposals;
- (g) details of the courses to be offered (if the proposals are approved) leading to GCE ‘A’ level and ‘AS’ examinations and advanced vocational qualifications and the forecast demand for each such course, including details of how the requirement for religious education of pupils over compulsory school age will be met;
- (h) the proposed number of pupils who will be provided with sixth form education if the proposals are approved;

- (i) the capacity of the proposed accommodation for pupils who will be provided with sixth form education if the proposals are approved;
- (j) the number of places available at institutions named in accordance with sub-paragraph (c) which are schools;
- (k) details of any recurrent costs following implementation of the proposals and any savings in expenditure as a result of implementation of the proposals; and
- (l) details of —
 - (i) any additional specialist resources to support the proposed provision,
 - (ii) arrangements to inform pupils and parents about the opportunities for education in the area, suitable to the requirements of pupils over compulsory school age and
 - (iii) the present and proposed arrangements for co-operation and the exchange of information between the school the subject of the proposals, other maintained schools and institutions within the further education sector.

SCHEDULE 4

Regulation 18

PROPOSALS UNDER PARAGRAPH 43(4) OF SCHEDULE 7

1. In this Schedule —
 - “the new proposals” (“*y cynigion newydd*”) means proposals such as are mentioned in paragraph 43(4) of Schedule 7; and
 - “the original proposals” (“*y cynigion gwreiddiol*”) means the proposals approved under Part III of Schedule 7 to which the new proposals relate.
2. The new proposals shall —
 - (a) where the school is a mainstream school be published —
 - (i) by being posted in a conspicuous place in the area served by the school;
 - (ii) in at least one newspaper circulating in that area; and
 - (iii) by being posted at or near the main entrance to the school or, if there is more than one main entrance, all of them.
 - (b) where the school is a special school be published —
 - (i) in at least one newspaper circulating in the area of the local education authority who maintain the school; and
 - (ii) by being posted at or near the main entrance to the school or, if there is more than one main entrance, all of them.
3. The new proposals shall contain —
 - (a) the information contained in the original proposals, and
 - (b) a statement as to why it is proposed that the original proposals should not be implemented.
4. Before publishing the new proposals the Council shall, having regard to any guidance issued by the National Assembly, consult such persons as they consider appropriate.
5. The Council shall send to the National Assembly —
 - (a) a copy of the published new proposals;
 - (b) a copy of the information sent to the National Assembly under paragraph 21(1)(b) or 29(1)(b) of Schedule 7 and regulation 13 when the original proposals were published; and

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- (c) the information referred to in regulation 13 which would have been applicable if the original proposals had been published at the time when the new proposals were published.
- 6. Where the school the subject of the new proposals is a special school the Council shall send a copy of the published new proposals to the bodies or persons to whom a copy of the original proposals was sent under paragraphs 21(2) and 29(2) of Schedule 7 and regulation 14.
- 7. Any person may send objections to the new proposals to the National Assembly within one month after the date of publication of the proposals.