
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe various matters relating to prescribed alterations to maintained schools pursuant to provisions contained in Part 2 of the Education and Inspections Act 2006.

Regulation 3 with Schedule 1 provides that governing bodies of maintained schools can publish and determine their own ‘foundation proposals’ with rights of referral to the adjudicator in certain circumstances. Foundation proposals are defined in regulation 3 as a change of category from a community school, voluntary aided or voluntary controlled school to a foundation school, or from a community special school to a foundation special school; for foundation and foundation special schools only the acquisition of a foundation, and a change in the instrument of government so that the majority of governors may be foundation governors.

Regulation 4 with Schedule 2 prescribes other alterations capable of being published by the governing body of a maintained school.

Regulation 5 with Schedule 2 prescribes the alterations capable of being published by a local authority to maintained schools.

Regulation 6(1)-(3) with Schedules 1 and 3 provides for the information to be provided in relation to published proposals and prescribes the manner of their publication, determination and implementation.

Regulation 6(4) and Schedule 4 prescribe certain provisions relating to foundation proposals and other changes of category.

Regulation 6(5) and Schedule 5 provide for land transfers when a school changes category or acquires a foundation.