
S T A T U T O R Y I N S T R U M E N T S

2001 No. 1405

EDUCATION, ENGLAND

**The Education (School Organisation Proposals) (England)
(Amendment) Regulations 2001**

<i>Made</i> - - - - -	<i>3rd April 2001</i>
<i>Laid before Parliament</i>	<i>9th April 2001</i>
<i>Coming into force</i> - -	<i>1st May 2001</i>

In exercise of the powers conferred on the Secretary of State by sections 28(1), (2), (3) and (6), 29(3) and (5), 33(4) and 138(7) of, and paragraph 5 of Schedule 5, paragraphs 3 and 5 of Schedule 6 and paragraphs 8 and 9 of Schedule 7 to, the School Standards and Framework Act 1998(a) the Secretary of State for Education and Employment hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Education (School Organisation Proposals) (England) (Amendment) Regulations 2001 and shall come into force on 1st May 2001.

Amendment

2. The Education (School Organisation Proposals) (England) Regulations 1999(b) shall be amended as follows.

3. In regulation 9 (Conditional approvals)—

(a) in sub-paragraph (f) the word “and” shall be deleted;

(b) there shall be added at the end the following sub-paragraphs—

“(h) the Secretary of State giving notice under regulation 5(1) of the Education (Foundation Body) (England) Regulations 2000(c) that a foundation body shall become operative and that the school shall form part of a group of schools for which that foundation body is to act;

(i) the Secretary of State making a declaration under regulation 22(3) of the Education (Foundation Body) (England) Regulations 2000 that the school shall form part of an existing group of schools for which a foundation body acts; and

(j) where the proposals in question depend upon any of the events specified in paragraphs (a) to (i) occurring by a specified date in relation to proposals relating to another school or proposed school, the occurrence of such an event.”.

(a) 1998 c. 31; by virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), the powers conferred by these provisions are exercisable by the Secretary of State only in relation to England. For the definition of “prescribed” and “regulations” see section 142(1).

(b) S.I. 1999/2213; amended by S.I. 2000/2198.

(c) S.I. 2000/2872.

4. In paragraph 25 in Part IV of Schedule 3 (Additional information to be sent where the proposals are to alter the upper age limit of the school so that it ceases to provide sixth form education)—
- (a) in sub-paragraph (f)(a) for the words, “including an assessment of the quality of those institutions and any transitional arrangements which will apply” there shall be substituted “and any transitional arrangements which may apply”;
 - (b) for sub-paragraph (g)(b) there shall be substituted—
 - “(g) 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 technology for the arts, city academy and institution within the further education sector named pursuant to sub-paragraph (c)—
 - (i) results of GCSE examinations limited, in the case of schools other than the school which is the subject of the proposals and further education colleges, to the results of GCSE examinations taken by pupils over compulsory school age;
 - (ii) results of GCE A and AS examinations; and
 - (iii) NVQs, GNVQs and other vocational qualifications for pupils over compulsory school age.”;
 - (c) after sub-paragraph (g) there shall be inserted—
 - “(gg) an assessment of the quality of each maintained school, city technology college, city college for the technology of the arts, city academy and further education college named in accordance with sub-paragraph (f), including details of the examination results referred to in sub-paragraph (g);”;
 - (d) for sub-paragraph (h), there shall be substituted—
 - “(h) the number of places available at those institutions named in accordance with sub-paragraph (c) or (f) which are schools; and”;
 - (e) for sub-paragraph (i) (c) there shall be substituted—
 - “(i) details of the distance, measured by the nearest available route, between the school and each of the institutions named in accordance with sub-paragraph (c) or (f) together with details as to the availability of public transport to the institutions named in accordance with sub-paragraph (f) (where such information is not already included in any proposed arrangements for transport contained in published proposals pursuant to paragraph 20 in Part IV of Schedule 2 to these Regulations).”.

Estelle Morris
Minister of State,
Department for Education and Employment

3rd April 2001

(a) Substituted by paragraph 14(b)(i) of S.I. 2000/2198.
(b) Amended by regulation 14(b)(ii) of S.I. 2000/2198.
(c) Substituted by regulation 14(b)(iii) of S.I. 2000/2198.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (School Organisation Proposals) (England) Regulations 1999 (No. 2213) (“the principal Regulations”).

Regulation 3 amends regulation 9 of the principal Regulations, which permits conditional approval to be given to proposals for the establishment, alteration and discontinuance of schools maintained by local education authorities other than special schools. Approval of proposals relating to a school which is the subject of the proposals (“the subject school”) may be made conditional upon a foundation body for a group of schools (of which it is intended the subject school should form part) becoming operative, or the subject school forming part of a group for which an existing foundation body acts. In addition, where proposals relating to the subject school are linked to a prescribed event occurring by a specific date in relation to proposals relating to another school (“a linked school”), approval of the subject school’s proposals may now be made conditional upon a linked school’s approval taking effect.

Regulation 4 amends Part IV of Schedule 3 to the principal Regulations regarding the additional information to be sent to a School Organisation Committee (or, as the case may be, to the Secretary of State) where the proposals are to cease providing sixth form education at a mainstream school. More specific information is now to be provided about examination results at institutions to which pupils at the subject school have transferred in the two school years before the current school year, and at those to which pupils at that school may transfer if the proposals are approved.

S T A T U T O R Y I N S T R U M E N T S

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