

Public Document Pack

North Yorkshire Council Children and Young People's Service - Executive Members & Corporate Director Meetings

Tuesday, 18 June 2024 / 1.00 pm

A G E N D A

1 **Apologies for Absence**

2 **Declarations of Interest**

Items for Executive Member decision

- 3 Boroughbridge High School, Boroughbridge – Proposal to remove Sixth Form Provision (Pages 3 - 74) (Pages 3 - 74)

The following proposals be determined: to change the age range at Boroughbridge High School, effective from 31 August 2024, by ceasing the Sixth Form Provision.

- 4 Targeted Mainstream Provisions – Change of designation (Pages 75 - 98) (Pages 75 - 98)

To consult publicly on school organisation proposals to add provision for Special Educational Needs by providing Special Resourced provision in the form of Targeted Provision at Norton Community Primary School and Dishforth Airfield Primary.

Items for Corporate Director decision

Any Other Business

- 5 Date of future formal meetings

Circulation:

Executive Members

Janet Sanderson
Annabel Wilkinson

Officer attendees

Stuart Carlton
Howard Emmett

Presenting Officers

John Lee
Chris Reynolds

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NORTH YORKSHIRE COUNCIL

CHILDREN AND YOUNG PEOPLE'S SERVICE

CORPORATE DIRECTOR MEETING WITH EXECUTIVE MEMBERS

18 June 2024

Boroughbridge High School, Boroughbridge – Proposal to cease Sixth Form Provision

1.0 PURPOSE OF REPORT

- 1.1 To provide the Executive Member with information upon which to make a decision on proposals published by North Yorkshire Council to change the age range at Boroughbridge High School, effective from 31 August 2024, by ceasing the Sixth Form Provision.

2 EXECUTIVE SUMMARY

- 2.1 On 9 January 2024 the Executive Member for Education, Learning and Skills gave approval for consultation on proposals to change the age range at Boroughbridge High School, effective from 31 August 2024, by ceasing the Sixth Form Provision. The consultation commenced on 19 January 2024 and closed on 1 March 2024.
- 2.2 The Executive met on 19 March 2024 and considered the outcome of the consultation. They agreed to publish statutory proposals on 4 April giving 4 weeks until 2 May for representations to be made.

3 BACKGROUND

- 3.1 The Education and Inspections Act 2006 sets out the procedures for making changes to a maintained school. These are detailed in School Organisation regulations and guidance. The regulations and guidance apply to Local Authorities and governing bodies proposing to make changes, and to Local Authorities (including the Council's Executive and Executive Members) acting as decision-makers.
- 3.2 The federated Governing Board of Boroughbridge High School and King James's School, Knaresborough asked North Yorkshire Council to consult on the permanent closure of the Sixth Form at Boroughbridge High School. The sixth form has been temporarily suspended since September 2022.

4 PROPOSALS

- 4.2 North Yorkshire Council proposes:

- to change the age range at Boroughbridge High School, effective from 31 August 2024, by ceasing the Sixth Form Provision.

5 RESPONSES TO STATUTORY PROPOSALS

- 5.1 The Statutory Proposals were published on 4 April 2024 with a representation period of 4 weeks (Appendix 1). The public notice, placed on the school gates and in the Harrogate Advertiser series newspaper, invited written objections or comments to be submitted by 2 May 2024. No responses to the statutory proposals were received.

6 FINANCIAL IMPLICATIONS

6.1 School funding

Under Local Management of Schools, schools are responsible for their own budgets. It is for heads and governors to determine at school or federation level how to optimise the use of resources and maximise value for money.

6.2 Capital implications

There are no capital implications as a result of this proposal.

6.3 Transport costs

As there are currently no pupils in the sixth form at Boroughbridge High School there would be no immediate transportation costs. Any pupils living in the current Boroughbridge High catchment area applying for post 16 places would be assessed under the Council's Post 16 Transport Policy Statement at the appropriate time. As such future transport costs cannot be estimated.

LEGAL IMPLICATIONS

REGULATIONS AND GUIDANCE

- 7.1 The consideration and determination of school organisation proposals by the Local Authority is set out in regulations and in guidance (Appendix 2) produced by the Department for Education. Careful regard has been had to these provisions.

PRELIMINARY CHECKS

- 7.2 The guidance requires that the Decision Maker must consider, on receipt of each proposal, whether any information is missing; whether the published notice of the proposal complies with statutory requirements; whether the statutory consultation has been carried out prior to the publication of the notice; and whether the proposal is related to other published proposals.

- 7.3 Having undertaken an audit of these preliminary checks, the Assistant Chief Executive (Legal and Democratic Services) advises that:
- all information required has been supplied;
 - the published notice complies with statutory requirements;
 - statutory consultation has been carried out prior to publication of the notice;
 - and that the preliminary points for consideration have been dealt with sufficiently to permit the Executive to proceed to determine this proposal.

TYPES OF DECISION THAT CAN BE MADE

- 7.4 In considering proposals for making changes to school provision, the Executive, as Decision Maker can decide to:
- reject the proposals;
 - approve the proposals;
 - approve the proposals with a modification;
 - approve the proposals subject to them meeting a specific condition (these conditions are specified in the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, and are not considered applicable to this proposal).

8 PROCEDURE FOR THE MEETING

- 8.1 The Executive agreed on 25 September 2007 that in making a decision on school organisation proposals:

(a) The Executive must have regard to decision makers' guidance published by the DfE and to the Executive Procedure Rules laid down in the North Yorkshire County Council Constitution.

(b) All decisions must give reasons for the decision, indicating the main factors/criteria for the decision.

9 REASONS FOR THE RECOMMENDATION

- 9.1 The consultation document, statutory proposals and report to the Executive set out the key issues. Due to the demographics of the area, numbers on roll at Boroughbridge High School have decreased, making it more difficult to maintain viable class sizes at post-16 in terms of quality of experience, subject breadth and financial viability.

10 HUMAN RIGHTS IMPLICATIONS

- 10.1 There are no Human Rights issues in relation to this decision.

11 RECOMMENDATIONS

- 11.1 That having undertaken the required preliminary checks, the Executive Member resolves that the four key issues listed above in paragraph 7.3 have been satisfied and there can be a determination of the proposals.
- 11.2 The following proposals be determined:
- to change the age range at Boroughbridge High School, effective from 31 August 2024, by ceasing the Sixth Form Provision.

Stuart Carlton
Corporate Director – Children and Young People’s Service

Report prepared by John Lee, Strategic Planning Team.

List of Appendices

Appendix 1: Statutory Notice and Statutory Proposal

Appendix 2: Making significant changes (‘prescribed alterations’) to maintained schools: Statutory guidance for proposers and decision makers

Background documents

Report to Executive, 19 March 2024

Report, Corporate Director’s Meeting with Executive Members, 9 January 2024

APPENDIX 1: STATUTORY PROPOSAL AND STATUTORY NOTICE

Statutory Proposal by North Yorkshire Council to change the age range at Boroughbridge High School by ceasing the Sixth Form Provision

Full Proposal Document

Name and contact details of the Local Authority or governing body publishing the proposal

North Yorkshire Council, County Hall, Northallerton, North Yorkshire, DL7 8AE

Name, address and category of the school proposed for alteration

Boroughbridge High School (Community secondary school), Wetherby Road, Boroughbridge, York, North Yorkshire, YO51 9JX

Proposed implementation date

31 August 2024

Description of alteration and evidence of demand

To lower the age range of Boroughbridge High School by ceasing sixth form provision at the request of the Federated Governing Board.

Objectives educational standards and parental choice

In response to falling numbers of sixth form pupils, and following consultation in Autumn 2021, the decision was made in Spring 2022 by the federated Governing Board to temporarily suspend entries to the Sixth Form at Boroughbridge High School for two years to take effect from September 2022.

Due to the demographics of the area, numbers on roll at Boroughbridge High School have decreased, making it more difficult to maintain viable class sizes at post-16 in terms of quality of experience, subject breadth and financial viability.

Alternative post 16 provision is available and is being accessed by pupils who have attended Boroughbridge High School. In September 2023, out of 62 students who had attended Boroughbridge High School in Year 11, 84% chose to remain in education, with 65% of these following vocational courses. Those studying Level 3 courses (A Level/BTEC) went to York College (12), Harrogate Grammar (5), St. Aidan's (<5), King James (<5) and Thirsk (<5).

If they choose to stay within the Federation, Year 11 students at Boroughbridge High School have opportunities during the year to meet with the King James's School post-16 team, in order to secure a smooth transition from Year 11 to Year 12. King James's School, Knaresborough was last inspected by Ofsted in January 2023 (section 8 inspection) which judged the school as continuing to be a good school. The report

states 'Students in the sixth form flourish. There is a broad range of subjects available. Pastoral support for sixth-form students is also highly effective.' The Sixth Form is based in a new purpose-built centre, opened in September 2019.

Effect on other schools, academies and educational institutions within the area

As noted above, pupils who attended Boroughbridge High School in Year 11 are accessing post 16 provision in a range of educational settings. The sixth form at King James's School is not oversubscribed and has the ability to take on more students.

Project Costs

There are no capital implications as a result of this proposal as the school would continue to run their 11-16 education provision across the whole of the existing site and its buildings.

As there are currently no pupils in the sixth form at Boroughbridge High School there would be no immediate transportation costs. Any pupils living in the current Boroughbridge High catchment area applying for post 16 places would be assessed under the Council's Post 16 Transport Policy Statement at the appropriate time. As such future transport costs cannot be estimated.

Implementation

Following a formal decision to approve the lowering of age range, the sixth form would close from 31 August 2024.

Procedure for making representations (objections and comments)

Within four weeks from the date of publication of this proposal, any person may object to or make comments on the proposal by sending them to Corporate Director- Children and Young People's Service, North Yorkshire Council, County Hall, Northallerton, DL7 8AE or by email to schoolorganisation@northyorks.gov.uk by 5pm on 2 May 2024.

NORTH YORKSHIRE COUNCIL

Change of age range at Boroughbridge High School by closing the Sixth Form Provision

Notice is hereby given in accordance with the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 that North Yorkshire Council, County Hall, Northallerton, DL7 8AD is proposing to make a prescribed alteration to Boroughbridge High School (community secondary school), Wetherby Road, Boroughbridge, York, North Yorkshire, YO51 9JX by lowering its age range from 11-18 to 11-16, by closing the sixth form provision, with effect from 31 August 2024.

The notice is an extract from the complete proposal. A copy of the complete proposal can be viewed at: <https://www.northyorks.gov.uk/your-council/consultations-and-engagement/current-consultations>

Copies of the complete proposal can be obtained from: Strategic Planning - Children and Young People's Service, North Yorkshire Council, County Hall, Northallerton, DL7 8AD and are available on the Council's website at <https://www.northyorks.gov.uk/your-council/consultations-and-engagement/current-consultations>

Within four weeks from the date of publication of this proposal, any person may object to or make comments on the proposal by sending them to Strategic Planning - Children and Young People's Service, North Yorkshire Council, County Hall, Northallerton, DL7 8AD, or by email to schoolorganisation@northyorks.gov.uk by 5pm on 2 May 2024.

Signed

B. Khan
Assistant Chief Executive
(Legal and Democratic Services)

Publication Date:

4 April 2024



Department
for Education

Making significant changes (‘prescribed alterations’) to maintained schools

**Statutory guidance for proposers and
decision makers**

January 2023

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Summary

About this guidance

This is from the Department for Education. It only relates to schools in England.

This means that local authorities, governing bodies and the Schools Adjudicator must have regard to this guidance¹ when exercising functions under the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, referred to in this guidance as the Prescribed Alterations Regulations². This means that they must follow this guidance unless there is a good reason not to. It applies to all categories of maintained schools unless explicitly stated. A maintained school means a community, foundation or voluntary school; a community or foundation special school; or a maintained nursery school. This guidance is not relevant to [pupil referral units](#)³. Separate advice on [making significant changes to an academy](#)⁴ and [opening and closing a maintained school](#)⁵ is available.

The purpose of this guidance is to ensure that good quality school places can be provided quickly where they are needed; local authorities and governing bodies do not take decisions that will have a negative impact on other schools in the area; and that changes can be implemented effectively where there is a strong case for doing so. It is expected that, where possible, additional new places will only be provided at schools that have an overall Ofsted rating of 'good' or 'outstanding'. Schools which do not fall within the above categories should only be expanded where there are no other viable options.

Local authorities and governing bodies need to consider how the Prescribed Alterations Regulations apply in conjunction with this guidance. It is the responsibility of local authorities and governing bodies to ensure that they act in accordance with the [relevant legislation](#). If they are unsure of how the legislation applies to the individual circumstances of their case, they should consider seeking independent legal advice as the department cannot advise on individual cases.

¹ [Regulation 7 of the Prescribed Alterations Regulations](#)

² <https://www.legislation.gov.uk/ukxi/2013/3110/contents/made>.

³ <https://www.gov.uk/government/publications/alternative-provision>.

⁴ <https://www.gov.uk/government/publications/making-significant-changes-to-an-existing-academy>.

⁵ <https://www.gov.uk/government/publications/school-organisation-maintained-schools>.

Expiry or review date

This guidance supersedes all previous versions. It will be kept under review and updated versions will be published if necessary.

What legislation does this guidance refer to?

This guidance primarily relates to:

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

For a full list please see the [relevant departmental advice and statutory guidance](#) section.

Who is this guidance for?

This guidance is for:

- Proposers and decision makers (local authorities, governing bodies and the Schools Adjudicator)
- For information purposes for those affected by a proposal (trustees of the school, diocese or relevant diocesan board, any other relevant faith body, parents etc.).

Terminology

Definitions of common terms used in this guidance:

- **Schools with a religious character** – All schools designated as having a religious character in accordance with the [School Standards and Framework Act 1998](#)⁶ ('SSFA').
- **Foundation trust** – For the purpose of this guidance the term 'foundation trust' refers to a foundation complying with the requirements set out in section 23A of the SSFA.
- **Parent(s)** – A parent should be considered to be whoever has parental responsibility, including parents, carers and legal guardians.

⁶ <https://www.legislation.gov.uk/ukpga/1998/31/contents>.

Main points

Where a local authority proposes to expand a school that is eligible for intervention⁷, they should copy the proposal to the relevant Department for Education [Regional Director](#)⁸ (RD) at the point of publication.

To enable the department to monitor potentially contentious proposals, the proposer should copy any proposal, which falls within the definitions set out in the [contentious proposals](#) section below, to the School Organisation mailbox as soon as it is published schoolorganisation.notifications@education.gov.uk.

Local authorities and governing bodies proposing to make significant changes to a school which has been designated as having a religious character should engage any trustees of the school⁹, and in the case of Church schools the diocese or relevant diocesan board, or any other relevant faith body where appropriate, at the earliest opportunity.

Where the school occupies land held by a charitable trust, trustees should always be consulted on whether any proposed alterations to a school are compatible with the terms of the trust.

Where a local authority is the decision maker, it must make a decision within a period of 2 months of the end of the representation period. Where a decision is not made within this time frame, the local authority must refer the proposal to the Schools Adjudicator for a decision.

Where neighbouring local authority areas are likely to be impacted by proposals, the proposer should ensure they are included in the process. Where a governing body is the proposer, they should ensure the home local authority has been involved in the process at an early stage.

It is not possible for any school to gain, lose or change a religious character through a change of category. Information on the process to be followed is available in the [opening and closing maintained schools guidance](#)¹⁰.

⁷ [Section 59\(2\) of the Education and Inspections Act 2006](#).

⁸ <https://www.gov.uk/government/organisations/regional-department-for-education-dfe-directors/about>.

⁹ Although the term trustee is usually used in the department's documents to refer to those who sit on the board of directors of an academy trust, trustees in this document means any person (other than the governing body) holding property on trust for the purpose of the school. In the case of schools designated as having a religious character, this could be the Church of England, the Catholic Church or any other religious body.

¹⁰ <https://www.gov.uk/government/publications/school-organisation-maintained-schools>.

Once a decision has been made the proposer (governing body or local authority) must make changes to the school's record in the department's system [Get Information About Schools](#)¹¹ (GIAS) within one week of the change being implemented.

Where a school wishes to change their name, the governing body will need to amend the instrument of government in line with regulation 30 of [The School Governance \(Constitution\) \(England\) Regulations 2012](#)¹². Once that is done, either the school or the local authority will need to update the school record in the department's GIAS system.

Smaller changes that do not meet the thresholds set out in the relevant sections below do not need to follow the [prescribed alterations' statutory process](#). Nevertheless, proposers should adhere to the usual principles of public law, see the [changes that can be made outside of the statutory process](#) section.

¹¹ <https://get-information-schools.service.gov.uk>.

¹² <http://www.legislation.gov.uk/uksi/2012/1034/contents/made>.

Prescribed alteration changes

Enlargement of premises (expansion)

This section applies to mainstream schools. Details of how [special schools can increase their intake](#)¹³ are covered below.

Under section 14 of the [Education Act 1996](#)¹⁴, local authorities have a statutory duty to ensure that there are sufficient schools for primary and secondary education in their areas. The department expects local authorities to manage the school estate efficiently and to reduce or find alternative uses for surplus capacity (for example, increasing the provision of early education and childcare) to avoid detriment to schools' educational offer or financial position. Local authorities are encouraged to consider the use of modular construction solutions for any physical building expansion and to consider all options for the reutilisation of space including via remodelling, amalgamations, or closure where this would be the best course of action.

Where additional places are needed, including where there is a local demand for a particular category of places (for example in schools designated as having a religious character), the local authority can propose an enlargement of the capacity¹⁵ of premises.

The [prescribed alterations' statutory process](#) must be followed to enlarge premises as set out in the [Prescribed Alterations Regulations](#)¹⁶ if:

- the proposed enlargement is permanent (longer than 3 years) and **would increase the capacity of the school** by:
 - more than 30 pupils; **and**
 - 25% or 200 pupils (whichever is the lesser).
- the proposal involves making permanent any temporary enlargement (which was intended to be in place for no more than 3 years) that meets the above threshold.

Small scale expansions that do not meet the thresholds above do not need to follow the formal statutory process [below](#). Furthermore, in many cases, small increases in the

¹³ The number of pupils admitted into the school at a particular time.

¹⁴ <https://www.legislation.gov.uk/ukpga/1996/56/contents>.

¹⁵ Net capacity as calculated using the department's Guidance Assessing the Net Capacity of Schools which can be found [assessing the net capacity of schools.pdf \(nationalarchives.gov.uk\)](#), and read in conjunction with the [School capacity survey: guide for local authorities - GOV.UK \(www.gov.uk\)](#).

¹⁶ <https://www.legislation.gov.uk/uksi/2014/3110/contents/made>.

number of places can be achieved solely by increasing the school's published admissions number¹⁷ (PAN); please see the [School Admissions Code](#)¹⁸.

Examples of when you would/would not need to publish 'enlargement' proposals

A secondary school with a capacity of 750 (5 form of entry – 30 pupils per class, 5 year groups) **could** enlarge its premises to bring the capacity to 900 pupils, creating space that would allow the addition of one form of entry (30 extra pupils x 5 year groups = increase of 150 pupils), **without** having to publish statutory proposals. Although the increase would be by 'more than 30' pupils, it is less than '200', and also less than '25%' of the current capacity (i.e. less than 187).

A small primary school with a capacity of 50 **could** enlarge its premises to increase its capacity by up to 29 pupils **without** having to publish statutory proposals, because although it would be more than '25%', it is less than 30.

A school of any size enlarging its premises to enable it to add 300 places **would** need to follow the statutory process as the increase would be **both** 'more than 30' and '200' (it may or may not be more than '25%' but that is irrelevant as the 200 threshold would be met).

A primary school with a capacity of 210 enlarging its premises to enable it to add 105 places (1.5 forms of entry $45 \times 7 = 315$), **would** need to follow the statutory process as the increase would be 'more than 30' and **more than** '25%' (it would be less than 200 but this is irrelevant as the 25% threshold would be met).

The quality of new places created through expansion

We expect local authorities to consider a range of performance indicators and financial data before deciding whether a school should be expanded. Where schools are underperforming, we would not expect them to expand, unless there is a strong case that this would help to raise standards. We expect local authorities to create new places in schools that have an overall Ofsted rating of 'good' or 'outstanding'. If, however, there are no other feasible ways to create new places in the area, the local authority should notify their Pupil Place Planning adviser¹⁹. In cases where there is a proposal to expand a

¹⁷ All admission authorities must set a published admission number (PAN) for each 'relevant age group' when they determine their admission arrangements. So, if a school has an admissions number of 120 pupils for Year 7, that is its PAN for Year 7.

¹⁸ <https://www.gov.uk/government/publications/school-admissions-code--2>.

¹⁹ Advisers.PPP@education.gov.uk

school that is rated inadequate, the local authority should also send a copy of the proposal to the relevant RD so that they can ensure appropriate intervention strategies are in place.

The table below sets out who can propose an enlargement of premises and what process must be followed:

Proposer	Type of proposal	Process	Decision maker	Right of referral to the adjudicator
Local authority for community	Enlargement of premises that meets the threshold	Statutory process	Local authority	Church of England (CofE) diocese, Roman Catholic (RC) diocese
Local authority for voluntary or foundation	Enlargement of premises that meets the threshold	Statutory process	Local authority	CofE diocese, RC diocese, Governing body/Trustees

Table 1: Enlargement of premises process

Expansion onto an additional site ('or satellite sites')

Where proposers seek to expand onto an additional site they will need to ensure that the new provision is genuinely a change to an existing school and not in reality the establishment of a new school. Where a local authority decides that a new school is needed to meet basic need, they should refer to the guidance for opening new schools²⁰.

Judgements about whether a proposal represents a genuine expansion will need to be taken on a case-by-case basis, but proposers and decision makers will need to consider this non-exhaustive list of factors which are intended to expose the extent to which the new site is integrated with the existing site, and the extent to which it will serve the same community as the existing site. The more integration, the more likely the change is an expansion:

- **The reasons for the expansion**

²⁰ <https://www.gov.uk/government/publications/school-organisation-maintained-schools>.

- What is the rationale for this approach and this particular site?
- **Admission and curriculum arrangements**
 - How will the new site be used (e.g. which age groups/pupils will it serve)?
 - What will the admission arrangements be?
 - Will there be movement of pupils between sites?
- **Governance and administration**
 - How will whole school activities be managed?
 - Will staff be employed on contracts to work on both sites? How frequently will they do so?
 - What governance, leadership and management arrangements will be put in place to oversee the new site (e.g. will the new site be governed by the same governing body and the same school leadership team)?
- **Physical characteristics of the school**
 - How will facilities across the 2 sites be used (e.g. sharing of the facilities and resources available at the 2 sites, such as playing fields)?
 - Is the new site in an area that is easily accessible to the community that the current school serves?

Where proposers seek to establish an additional site within another local authority area, they should consult with the local authority for that area with regards to the details of the proposal and any subsequent objections and comments on the proposed site.

Where changes are likely to impact on a neighbouring local authority's ability to effectively manage the school estate in its area, the department expects that the proposer will involve that local authority during the decision making process. An example of where another local authority area may be affected is where pupils regularly cross between the local authorities' areas to go to school.

Local authorities should copy any proposal to expand a school onto a satellite site to schoolorganisation.notifications@education.gov.uk for monitoring purposes.

Expansion of existing grammar schools

Legislation prohibits the establishment of new grammar schools²¹. Expansion of any existing grammar school onto a satellite site can only happen if the new site is genuinely

²¹ Except where a grammar school is replacing one or more existing grammar schools.

part of the existing school. Decision makers must consider the factors listed above when deciding if an expansion is a legitimate enlargement of an existing school.

Changes to the published admissions number (PAN) where an enlargement of premises has not taken place

Admission authorities²² must set a PAN for each 'relevant age group' when determining their admission arrangements. If an admission authority of a mainstream school wishes to increase or decrease PAN, without increasing the overall physical capacity of the buildings, this would be classed as an admissions change, not a prescribed alteration. The statutory process described in this guidance would not need to be followed (please see the [School Admissions Code](#)²³ for further details of the processes admission authorities must follow).

Change of age range

Local authorities and governing bodies can propose the following age range changes. This section is for changes that are expected to be in place for more than 2 years (as these are considered permanent increases). Temporary changes (expected to be in place for no more than 2 years) do not require the statutory process to be followed.

Local authorities can propose a change of age range of one year group or more for community schools (including the adding or removal of sixth form or nursery provision) or an alteration of the upper age limit of a foundation or voluntary school to add sixth form provision by following the [prescribed alterations' statutory process](#).

Governing bodies of foundation and voluntary schools can propose an age range change of 3 year groups or more (including adding or removing a sixth form) by following the [prescribed alterations' statutory process](#).

Before making such a proposal, the governing body should consult with local authorities, and where the school is designated as having a religious character the trustees of the school, dioceses or relevant diocesan boards, or any other relevant faith body, to understand the place management needs of the area. Where the school occupies land held by a charitable trust, the governing body should also consult with the trustees to ensure the terms under which the land is held do not restrict the age-range in any way.

²² The local authority in the case of community and voluntary controlled schools or the governing body in the case of voluntary aided and foundation schools.

²³ <https://www.gov.uk/government/publications/school-admissions-code--2>.

Governing bodies of community schools can propose the alteration of their upper age limit to add sixth form provision following the [prescribed alterations' statutory process](#).

Where a proposed age range change would also require an expansion of the school's premises, the local authority or governing body must also ensure that they act in accordance with the requirements for proposals for the [enlargement of premises](#).

In cases where the age-range of the school has changed, this should be altered on GIAS. For example, if the age-range is changed so that the school no longer caters for pupils below compulsory school age, the lower age range of the school would need to be increased so as not to include that age group.

The table below sets out who can propose a change of age range and what process must be followed:

Proposer	Type of proposal	Process	Decision maker	Right of referral to the adjudicator
Governing body of voluntary and foundation	Alteration of upper or lower age range by 3 years or more	Statutory process	Local authority	CofE diocese, RC diocese, Governing body/Trustees
Local authority for community	Alteration of upper or lower age range by one year or more, including the adding or removal of sixth form or nursery provision	Statutory process	Local authority	CofE diocese, RC diocese
Local authority for voluntary and foundation	Alteration of upper age range so as to add sixth form provision	Statutory process	Local authority	CofE diocese, RC diocese, Governing body/Trustees

Proposer	Type of proposal	Process	Decision maker	Right of referral to the adjudicator
Governing body of voluntary and foundation	Alteration of upper age range so as to add sixth form provision	Statutory process	Local authority	CofE diocese, RC diocese, Governing body/Trustees
Governing body of community	Alteration of upper age range so as to add sixth form provision	Statutory process	Local authority	CofE diocese, RC diocese
Governing body of voluntary and foundation	Alteration of upper age range so as to remove sixth form provision	Statutory process	Local authority	CofE diocese, RC diocese, Governing body/Trustees

Table 2: Change of age range process

Adding a sixth form

This section applies to mainstream schools. Details of [how special schools can add post-16 provision](#) are covered below.

The department wants to ensure that all temporary (which is anticipated will be in place for no more than 2 years) and permanent provision is of the highest quality and provides genuine value for money. There is a departmental expectation that proposals for the addition of sixth form provision will only be put forward for mainstream secondary schools that are rated as 'good' or 'outstanding' by Ofsted. Proposers should also consider the supply of other local post-16 provision in the area and assess if there is a genuine need for the additional provision.

In deciding whether new sixth form provision would be appropriate, proposers and decision makers should consider the following guidelines:

- **Quality:** The quality of pre-16 education should be good or outstanding (as rated by Ofsted) and the school should have a history of positive Progress 8 scores (above 0);
- **Size:** The proposed sixth form should provide at least 200 places;

- **Subject Breadth:** The proposed sixth form should – either directly or through partnership – offer a minimum of 15 A level subjects. Local authorities may wish to consider the benefits of delivering a broader A level curriculum through partnership arrangements with other school sixth forms. Working with others can offer opportunities to:
 - a. Improve choice and attainment for pupils;
 - b. Deliver new, improved or more integrated services;
 - c. Make efficiency savings through sharing costs;
 - d. Develop a stronger, more united voice; and
 - e. Share knowledge and information.

Schools proposing a partnership arrangement should include evidence of how this will operate on a day-to-day basis, including timetabling and the deployment of staff;

- **Demand:** There should be a clear demand for additional post-16 places in the local area (including evidence of a shortage of post-16 places and a consideration of the quality of Level 3 provision in the area). The proposed sixth form should not create excessive surplus places or have a detrimental effect on other high quality post-16 provision in the local area;
- **Financial viability:** The proposed sixth form should be financially viable (there must be evidence of financial resilience should student numbers fall). The average class size should be at least 15, unless there is a clear educational argument to run smaller classes – for example to build the initial credibility of courses with a view to increasing class size in future.

Not all changes in age range to add a sixth form will necessitate a change to the school's admissions arrangements, for example a school may set up sixth form provision solely for its own pupils. However, if the intention is to also admit external applicants to the sixth form, the school will need to adopt a sixth form PAN and may also wish to add academic entry requirements on changing its age-range.

The addition of post-16 provision requires a change of age-range, therefore where a decision maker is considering a proposal to add post-16 provision, they should refer to the section on changing an age range.

Closing an additional site

For schools that are already operating on a satellite site, proposals to close any site of the school must follow the [prescribed alterations' statutory process](#) where the main entrance at any of the school's remaining sites is one mile or more from the main entrance of the site which is to be closed.

The table below sets out who can propose the closure of an additional site and what process must be followed:

Proposer	Type of proposal	Process	Decision maker	Right of referral to the adjudicator
Local authority for community	Closure of one or multiple sites	Statutory process	Local authority	CofE diocese, RC diocese
Governing body for voluntary or foundation	Closure of one or multiple sites	Statutory process	Local authority	CofE diocese, RC diocese, Governing body/Trustees

Table 3: Closure of an additional site process

Transfer to a new site

Where the main entrance of the proposed new site for a school would be more than 2 miles from the main entrance of the current school site, or if the proposed new site is within the area of another local authority:

- Local authorities can propose the transfer to an entirely new site for community schools and maintained nursery schools following the [prescribed alterations' statutory process](#).
- Governing bodies of voluntary and foundation can propose a transfer to a new site following the [prescribed alterations' statutory process](#).

The table below sets out who can propose a transfer to a new site and what process must be followed:

Proposer	Type of proposal	Process	Decision maker	Right of referral to the adjudicator
Local authority for community and maintained nursery	Transfer to new site	Statutory process	Local authority	CofE diocese, RC diocese
Governing body of voluntary foundation	Transfer to new site	Statutory process	Local authority	CofE diocese, RC diocese, Governing body/Trustees

Table 4: Transfer to a new site process

Changes of category

Governing bodies of all categories of maintained schools, apart from governing bodies of foundation special and maintained nursery schools, may propose to change category by following the statutory process. The process for the addition or removal of a foundation is described in the [statutory process: foundation proposals](#) section below.

For a proposal to change the category of a school to voluntary aided, the decision maker should be satisfied that the governing body and/or the foundation are able and willing to meet their financial responsibilities for building work. The decision maker may wish to consider whether the governing body has access to sufficient funds to enable it to meet 10% of its capital expenditure for at least 5 years from the date of implementation, taking into account anticipated building projects.

When making a proposal to change category, proposers will need to consider whether the current terms on which the school's land is held on trust allows for the change in category proposed. Further information can be found in [Schedule 5 to the Prescribed Alterations Regulations](#)²⁴.

The table below sets out who can propose a change of category and what process must be followed:

²⁴ <https://www.legislation.gov.uk/uksi/2013/3110/schedule/5/made>.

Proposer	Type of proposal	Process	Decision maker	Right of referral to the adjudicator
Governing body of voluntary	Voluntary controlled to voluntary aided, Voluntary aided to voluntary controlled	Statutory process	Local authority	CofE diocese, RC diocese, Governing body/Trustees
Governing body of voluntary	Voluntary controlled or voluntary aided to foundation school	Statutory process	Governing body	For proposals at a voluntary aided school when decided by the governing body: Local authority, CofE diocese, RC diocese
Governing body of foundation	Foundation school to voluntary controlled or voluntary aided	Statutory process	Local authority	CofE diocese, RC diocese, Governing body/Trustees
Governing body of community	Community to voluntary controlled or voluntary aided ²⁵	Statutory process	Local authority	CofE diocese, RC diocese
Governing body of community	Community to foundation school	Statutory process	Governing body	N/A

Table 5: Changes of category process

²⁵ Where this change would result in a change of religious character, this would not be permitted. Instead the governing body should follow the [opening and closing maintained schools guidance](#).

The following proposals to change the category of a mainstream school are not permitted under section 18 of the [Education and Inspections Act 2006](#)²⁶:

- from foundation or voluntary school to community school;
- from mainstream school to community special or foundation special school;
- from community special or foundation special school to mainstream school;
- from foundation special to community special;
- from maintained nursery school to any other kind of maintained school; and
- from any other kind of maintained school to maintained nursery school.

Single sex school becoming co-educational (or vice versa)

Proposers can seek to change their school from single sex to co-educational (or vice versa) but they should be able to show that this would better serve their local community. A co-educational school cannot change its nursery or post-16 provision to single sex. When making a decision, local authorities will need to consider the demand for and balance of school places for boys and girls in line with the [Equality Act 2010](#)²⁷.

The table below sets out who can change a school from single sex to co-educational (or vice versa) and what process must be followed:

Proposer	Type of proposal	Process	Decision maker	Right of referral to the adjudicator
Local authority for community	To co-ed or single sex provision	Statutory process	Local authority	CofE diocese, RC diocese
Governing body of foundation or voluntary	To co-ed or single sex provision	Statutory process	Local authority	CofE diocese, RC diocese, Governing body/Trustees

Table 6: Single sex school becoming co-educational (or vice versa) process

²⁶ <https://www.legislation.gov.uk/ukpga/2006/40/contents>.

²⁷ <https://www.legislation.gov.uk/ukpga/2010/15/contents>.

Boarding provision

The introduction of boarding provision may require the statutory process to be followed (depending on the type of school in question – see table below).

Local authorities can propose the establishment, removal or decrease by 50 pupils or 50% whichever is the greater of boarding provision for community schools by following the [prescribed alterations' statutory process](#).

Governing bodies of voluntary and foundation schools can propose the removal or decrease by 50 pupils or 50% whichever is the greater of boarding provision by following the [prescribed alterations' statutory process](#).

The table below sets out who can propose to add, remove or decrease boarding provision and what process must be followed:

Proposer	Type of proposal	Process	Decision maker	Right of referral to the adjudicator
Local authority for community	Add, remove or decrease (decrease by 50 pupils or 50% whichever is greater) boarding provision	Statutory process	Local authority	CofE diocese, RC diocese
Governing body of foundation or voluntary	Remove or decrease (decrease by 50 pupils or 50% whichever is greater) boarding provision	Statutory process	Local authority	CofE diocese, RC diocese, Governing body/Trustees

Table 7: Boarding provision process

In making a decision on a proposal to remove or decrease boarding provision from a school, the decision maker should consider whether there is a state funded boarding school within reasonable distance from the school and whether there are satisfactory alternative boarding arrangements for those currently in the school and those who may need boarding places in the foreseeable future, including the children of service families.

Remove selective admission arrangements at a grammar school

The table below sets out who can propose the removal of selective admission arrangements²⁸ and what process must be followed:

Proposer	Type of proposal	Process	Decision maker	Right of referral to the adjudicator
Governing body of voluntary or foundation	Remove selective admission arrangements	Statutory process	Local authority	CofE diocese, RC diocese, Governing body/Trustees
Governing body of community	Remove selective admission arrangements	Statutory process	Local authority	CofE diocese, RC diocese

Table 8: Remove selective admission arrangements at a grammar school process

Amalgamations

The local authority and/or governing body (depending on school category) can publish a proposal to close one school (or more) and enlarge/change the age range/transfer site (following the statutory process as/when necessary) of an existing school, to accommodate the displaced pupils. The remaining school would retain its original school number, as it is not a new school, even if its phase has changed.

Alternatively, local authorities may propose to close all the schools involved and replace them with a new school. For more information, please consult the separate guidance on [opening and closing a maintained school](#)²⁹.

²⁸ In accordance with [s. 109\(1\) of the School Standards and Framework Act 1998](#).

²⁹ <https://www.gov.uk/government/publications/school-organisation-maintained-schools>.

Changes to special schools and special educational needs (SEN) provision

Change of age range at special schools

Where the proposed alteration is a permanent one that is anticipated to be in place for more than 2 years:

- **Local authorities** can propose a change of age range of one year or more for community special schools by following the [prescribed alterations' statutory process](#).
- **Governing bodies** can propose a change of age range of one year or more for foundation special schools and community special schools by following the [prescribed alterations' statutory process](#).

Proposer	Type of proposal	Process	Decision maker	Right of referral to the adjudicator
Local authority for community special	Alteration of upper or lower age range by one year or more	Statutory process	Local authority	CofE diocese, RC diocese
Governing body of foundation special	Alteration of upper or lower age range by one year or more	Statutory process	Local authority	CofE diocese, RC diocese, Governing body/Trustees
Governing body of community special	Alteration of upper or lower age range by one year or more	Statutory process	Local authority	CofE diocese, RC diocese

Table 9: Change of age range at special schools process

Change in number of pupils in a special school

The [School Admissions Code](#)³⁰ does not apply to special schools. For a special school, the 'number of pupils' means the maximum number of pupils the school is set up to provide for (which is not necessarily the same as the number of pupils actually attending the school).

Governing bodies and local authorities may seek to increase the number of places by following the [prescribed alterations' statutory process](#) if the increase is by:

- 10%; or
 - 20 pupils (or 5 pupils if the school is a boarding-only school),
- (whichever is the smaller number).

The exception to this is where a special school is established in a hospital. In such a circumstance, the prescribed alterations process is not applicable.

Governing bodies of both categories of maintained special school, and local authorities for community special schools, may seek to decrease the number of places, by following the [prescribed alterations' statutory process](#). As above, this does not apply to a special school established in a hospital.

The table below sets out who can propose a change in the number of pupils in a special school and what process must be followed:

Proposer	Type of proposal	Process	Decision maker	Right of referral to the adjudicator
Governing body of foundation special	Increase by 10% or 20 pupils (5 for boarding special) or decrease numbers	Statutory process	Local authority	CofE diocese, RC diocese, Governing body/Trustees

³⁰ <https://www.gov.uk/government/publications/school-admissions-code--2>.

Proposer	Type of proposal	Process	Decision maker	Right of referral to the adjudicator
Governing body of community special	Increase by 10% or 20 pupils (5 for boarding special) or decrease numbers	Statutory process	Local authority	CofE diocese, RC diocese
Local authority for community special	Increase by 10% or 20 pupils (5 for boarding special) or decrease numbers	Statutory process	Local authority	CofE diocese, RC diocese
Local authority for foundation special	Increase by 10% or 20 pupils (5 for boarding special)	Statutory process	Local authority	Governing body/Trustees, CofE diocese, RC diocese

Table 10: Change in number of pupils in a special school process

Expansion of a special school into a satellite site

In addition to the factors stated in the [expansions onto a satellite site](#) section above, where the proposal is for a special school to establish a satellite site (particularly where this involves sharing a site with a mainstream school), the decision maker may also want to consider:

- the suitability of a mainstream school, where applicable, to support the proposed provision and the practical implications of sharing a site;
- who is to be responsible for delivering the provision and for the safeguarding of the pupils; and
- how transport arrangements will be made.

Special school transferring to a new site

Where the main entrance of the proposed new site for a school would be more than 2 miles from the main entrance of the current school site, or if the proposed new site is within the area of another local authority:

- **Local authorities** can propose the transfer to an entirely new site for community special schools by following the [prescribed alterations' statutory process](#).
- **Governing bodies** of foundation special and community special schools can propose a transfer to a new site following the [prescribed alterations' statutory process](#).

Proposer	Type of proposal	Process	Decision maker	Right of referral to the adjudicator
Local authority for community special	Transfer to new site	Statutory process	Local authority	CofE diocese, RC diocese
Governing body for foundation special	Transfer to new site	Statutory process	Local authority	CofE diocese, RC diocese, Governing body/Trustees
Governing body for community special	Transfer to new site	Statutory process	Local authority	CofE diocese, RC diocese

Table 11: Special school transferring to a new site process

Removal of foundation and/or reduce majority of foundation in a special school

The process for the addition or removal of a foundation is described [below](#).

Proposer	Type of proposal	Process	Decision maker	Right of referral to the adjudicator
Governing body of foundation special	Remove foundation and/or reduce majority of foundation governors on governing body	Statutory process	Governing body	N/A

Table 12: Removal of foundation and/or reduce majority of foundation in a special school process

Single sex special school becoming co-educational (or vice versa)

As with mainstream schools, proposers can seek to change their school from single sex to co-educational (or vice versa) but they should be able to show that this would better serve their local community. When making a decision, local authorities will need to consider the demand for and balance of school places for boys and girls in line with the [Equality Act 2010](#)³¹.

Proposer	Type of proposal	Process	Decision maker	Right of referral to the adjudicator
Local authorities for community special	To co-ed or single sex provision	Statutory process	Local authority	CofE diocese, RC diocese
Governing body of foundation special	To co-ed or single sex provision	Statutory process	Local authority	CofE diocese, RC diocese, Governing body/Trustees
Governing body of community special	To co-ed or single sex provision	Statutory process	Local authority	CofE diocese, RC diocese

³¹ <https://www.legislation.gov.uk/ukpga/2010/15/contents>.

Table 13: Single sex special school becoming co-educational (or vice versa) process

Boarding provision in special schools

Local authorities can propose the establishment or removal of boarding provision for community special schools or, where the school makes provision for day and boarding pupils, the increase or decrease of boarding provision by 5 pupils or more by following the [prescribed alterations' statutory process](#).

Governing bodies can propose to add or remove boarding provision or, where the school makes provision for day and boarding pupils, to increase or decrease boarding provision by 5 pupils or more following the [prescribed alterations' statutory process](#).

Proposer	Type of proposal	Process	Decision maker	Right of referral to the adjudicator
Local authority for community special	Add, remove or change (increase or decrease by 5 pupils or more) boarding provision	Statutory process	Local authority	CofE diocese, RC diocese
Governing body of foundation special	Add, remove or change (increase or decrease by 5 pupils or more) boarding provision	Statutory process	Local authority	CofE diocese, RC diocese, Governing body/Trustees
Governing body of community special	Add, remove or change (increase or decrease by 5 pupils or more) boarding provision	Statutory process	Local authority	CofE diocese, RC diocese

Table 14: Boarding provision in special schools process

Special schools adding post-16 provision

Where a special school wishes to add 16-19 provision, the guidelines set out for mainstream schools do not apply. The procedure is the same as for any other change of age range (as described above).

Schools wishing to add post-19 provision should consult: [High needs funding: due diligence process for special post-16 institutions](https://www.gov.uk/government/publications/high-needs-funding-due-diligence-process-for-new-special-post-16-providers/high-needs-funding-due-diligence-process-for-special-post-16-institutions-for-academic-year-2018-to-2019)³².

Mainstream school: establish/remove/alter SEN provision

Many mainstream schools include dedicated provision for pupils with SEN, either SEN units or resourced provision:

- SEN units are special provisions within a mainstream school where the pupils with SEN are taught within separate classes for at least half of their time.
- Resourced provision are places that are reserved at a mainstream school for pupils with a specific type of SEN, taught for at least half of their time within mainstream classes, but requiring a base and some specialist facilities around the school.

When considering any reorganisation of provision that the local authority recognises as reserved for pupils with special educational needs, including that which might lead to children being displaced, proposers should demonstrate how the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for those children.

Changes might be made to add or remove a SEN unit or resourced provision or to change the type of special educational provision a SEN unit or resourced provision supports.

The table below sets out who can propose to establish, remove or alter SEN provision and what process must be followed. In this table, 'SEN provision' means provision which is recognised by the local authority as reserved for children with SEN and 'alter' means change the type or types of SEN provision:

³² <https://www.gov.uk/government/publications/high-needs-funding-due-diligence-process-for-new-special-post-16-providers/high-needs-funding-due-diligence-process-for-special-post-16-institutions-for-academic-year-2018-to-2019>.

Proposer	Type of proposal	Process	Decision maker	Right of referral to the adjudicator
Local authority for community	Establish, remove or alter SEN provision	Statutory process	Local authority	CofE diocese, RC diocese
Local authority for voluntary and foundation	Establish or remove SEN provision	Statutory process	Local authority	CofE diocese, RC diocese, Governing body/Trustees
Governing body of foundation and voluntary	Establish, remove or alter SEN provision	Statutory process	Local authority	CofE diocese, RC diocese, Governing body/Trustees

Table 15: Mainstream school: establish/remove/alter SEN provision process

Change the types of need catered for by a special school

The table below sets out who can propose a change to the type of need catered for by a special school and what process must be followed:

Proposer	Type of proposal	Process	Decision maker	Right of referral to the adjudicator
Local authority for community special	Change type of SEN provision	Statutory process	Local authority	CofE diocese, RC diocese
Local authority for foundation special	Change type of SEN provision	Statutory process	Local authority	CofE diocese, RC diocese, Governing body/Trustees
Governing body of community special	Change type of SEN provision	Statutory process	Local authority	CofE diocese, RC diocese

Proposer	Type of proposal	Process	Decision maker	Right of referral to the adjudicator
Governing body of foundation special	Change type of SEN provision	Statutory process	Local authority	CofE diocese, RC diocese, Governing body/Trustees

Table 16: Change the types of need catered for by a special school process

Contentious proposals

When proposing changes, local authorities and governing bodies should act reasonably, and in line with the principles of public law, to ensure that the changes do not have a negative impact on the education of pupils in the area.

To enable the department to monitor potentially controversial proposals, local authorities and governing bodies should notify schoolorganisation.notifications@education.gov.uk of the publication of any proposals which would:

- involve [expansion onto a separate 'satellite' site](#); or
- where objections have been raised that the proposed change could potentially undermine the quality of education in the local area by creating additional places where there is surplus capacity.

Changes that can be made outside of the statutory process

Local authorities and governing bodies of maintained schools can make limited changes to their schools without following the statutory process, including some temporary changes (e.g. enlargement of premises anticipated to be in place for no more than 3 years, or a change of age range anticipated to be in place for no more than 2); local authorities and governing bodies are nevertheless required to adhere to the usual principles of public law. Local authorities and governing bodies MUST:

- act rationally and within their powers;
- take into account all relevant and no irrelevant considerations; and
- follow a fair procedure.

The department expects that in making these changes, local authorities and governing bodies will work together and will:

- liaise with the trustees of the school, and in the case of schools designated as having a religious character, the diocese or relevant diocesan board, or any other relevant faith body, to ensure that a proposal is aligned with wider place planning/organisational arrangements, and that any necessary consents have been gained;
- not undermine the quality of education provided or the financial viability of other 'good' and 'outstanding' schools in the local area;
- not create additional places in a local planning area where there is already surplus capacity in schools, taking the quality and diversity of the provision into account as well as cross boundary impacts; and
- ensure open and fair consultation with parents, any affected educational institutions in the area (e.g. primary, secondary, special schools, sixth form and further education (FE) colleges as required) and other interested parties. The [consultation principles guidance](#)³³ can be referenced for examples of good practice.

Before making any changes, governing bodies should ensure that:

- they have consulted with the local authority to ensure the proposal is aligned with local place planning arrangements;

³³ <https://www.gov.uk/government/publications/consultation-principles-guidance>.

- they have secured any necessary funding;
- they have identified suitable accommodation and sites;
- they have secured planning permission and/or agreement on the transfer of land where necessary³⁴;
- they have the consent of the site trustees or other land owner where the land is not owned by the governing body;
- where a school is designated as having a religious character they have the consent of the trustees of the school, the diocese or relevant diocesan board, or any other relevant faith body, as appropriate; and
- the admission authority is content for the PAN to be changed where this forms part of expansion plans, in accordance with the [School Admissions Code](#)³⁵.

Once a decision on the change has been made, the change should be recorded in the department's [GIAS](#)³⁶ system. These changes should be made within a week of the date of implementation of the change and can be input in advance, once a decision is made.

³⁴ Including, where necessary, approval from the Secretary of State for change to the use of playing field land under [section 77\(1\) of the SSFA 1998](#).

³⁵ <https://www.gov.uk/government/publications/school-admissions-code--2>.

³⁶ <https://get-information-schools.service.gov.uk>.

Statutory process: prescribed alterations

The statutory process for making prescribed alterations to schools (other than alterations arising from foundation proposals, which are covered in [statutory process: foundation proposals](#) section) has 5 stages:

Stage	Description	Timescale	Comments
Stage 1	Publication (statutory proposal/notice)	-	Where the proposed implementation timescale is longer than 3 years, the proposer should demonstrate good reason
Stage 2	Representation (formal consultation)	Must be 4 weeks	As set out in the 'Prescribed Alterations' regulations
Stage 3	Decision	Local authority must decide a proposal within 2 months	
Stage 4	Referral (if applicable)	If a decision has been made, any referral to the adjudicator must be made within 4 weeks of the decision. If the local authority has not decided a proposal within 2 months, it must refer the proposal to the Schools Adjudicator	

Stage	Description	Timescale	Comments
Stage 5	Implementation	No prescribed timescale	It must be as specified in the published statutory notice, subject to any modifications decided by the decision maker

Table 17: Prescribed alterations statutory process

Although there is no longer a statutory ‘pre-publication’ consultation period for prescribed alteration changes, there is a strong expectation that governing bodies and local authorities will consult interested parties in developing their proposal prior to publication, to take into account all relevant considerations. Governing bodies should have the consent of the site trustees and where a school is designated as having a religious character the trustees of the school, the diocese or relevant diocesan board, or any other relevant faith body.

When considering making a prescribed alteration, it is best practice to take timing into account, for example:

- by holding consultations and public meetings (either formal or informal) during term time, rather than school holidays and, where appropriate, extend any pre-publication consultation period if it overlaps school holidays etc;
- by planning where any public and stakeholder meetings are held to maximise response;
- by taking into account the admissions cycle for changes that will impact on the school’s admission arrangements.

A number of changes can impact admissions, necessitating e.g. reductions in PAN, new relevant age groups for admission or the adoption of revised admission criteria. Changes to admission arrangements can be made by the admission authority in one of 2 ways:

- the consultation on changing the admission arrangements (as set out in the [School Admissions Code](#)³⁷) takes place sufficiently in advance of a decision on the prescribed alteration so that the change to admissions can be implemented at the same time as the proposals; or

³⁷ <https://www.gov.uk/government/publications/school-admissions-code--2>.

- a variation is sought, where necessary, in view of a major change in circumstances, from the [Schools Adjudicator](#)³⁸ so that the changes to the admission policy can be implemented at the same time as the prescribed alteration is implemented.

Decision makers should, so far as is possible, co-ordinate with the admission authority, if different, to ensure they avoid taking decisions that will necessitate a reduction in PAN or removal of a relevant age group for admission after parents have submitted an application for the following September (i.e. 31 October for secondary admissions or 15 January for primary admissions).

Publication

A statutory proposal must contain sufficient information for interested parties to make a decision on whether to support or challenge the proposed change. [Annex A](#) sets out the minimum that this should include. The proposal should be accessible to all interested parties and should therefore use 'plain English'.

Where the proposal for one change is linked to another, this should be made clear in any notices published. Where a proposal by a local authority is 'related' to a proposal by other proposers (e.g. where one school is to be enlarged because another is being closed), the 2 notices could be published together and cross-refer to the other.

The full proposal must be published on a website (e.g. the school or local authority's website) along with a statement setting out:

- how copies of the proposal may be obtained;
- that anybody can object to, or comment on, the proposal;
- the date that the representation period ends; and
- the local authority's address to which objections or comments should be submitted.

A brief notice (including the website address) must be published in a local newspaper. If the proposal is published by a governing body, then notification must also be posted in a conspicuous place on the school premises and at or near all of the main entrances to the school.

³⁸ <https://www.gov.uk/government/organisations/office-of-the-schools-adjudicator>.

Within one week of the date of publication on the website, the proposer must send a copy of the proposal and the information set out in the paragraph above to:

- the governing body/local authority (as appropriate);
- the parents of every registered pupil at the school – where the school is a special school;
- if it involves or is likely to affect a school which has been designated as having a religious character:
 - the Diocesan Boards of Education for any diocese of the CofE any part of which is comprised in the area of the local authority;
 - the bishop(s) of a diocese of the RC Church any part of which is comprised in the area of the local authority; or
 - the relevant faith group in relation to the school; and
- any other body or person that the proposer thinks is appropriate e.g. any affected educational institutions in the area, or neighbouring local authorities.

Proposals affecting a special school should go to any local authority that has commissioned a place at the school (i.e. all relevant authorities who have made an out of county/borough placement there).

Within one week of receiving a request for a copy of the proposal, the proposer must send a copy to the person requesting it.

There is no maximum limit on the time between the publication of a proposal and its proposed date of implementation. However, proposers will be expected to show good reason (for example an authority-wide reorganisation) if they propose a timescale longer than 3 years.

Representation (formal consultation)

The representation period must last for 4 weeks from the date of the publication. During this period, any person or organisation can submit comments on the proposal to the local authority to be taken into account by the decision maker. It is also good practice for representations to be forwarded to the proposer to ensure that they are aware of local opinion.

Decision

The local authority will be the decision maker in all cases³⁹ except where a proposal is 'related' to another proposal that must be decided by the [Schools Adjudicator](#)⁴⁰, or where the proposals are referred to the Adjudicator as described below.

Decision makers will need to be satisfied that the appropriate fair and open representation period has been carried out and that the proposer has given full consideration to all the responses received during any pre-publication consultation. Decision makers should not simply take account of the numbers of people expressing a particular view. Instead, they should give the greatest weight to responses from those stakeholders likely to be most affected by a proposal – especially parents of children at the affected school(s). Decisions must be made within a period of 2 months of the end of the representation period, or the proposals must be referred to the Schools Adjudicator.

When issuing a decision, the decision maker can:

- reject the proposal;
- approve the proposal without modification;
- approve the proposal with modifications, having consulted whichever of the local authority and/or governing body that has not proposed the modification; or
- approve the proposal, with or without modification (having consulted on any modifications as mentioned above) subject to certain conditions⁴¹ (such as the granting of planning permission) being met.

³⁹ With the exception of proposals relating to changing category to foundation, acquiring a foundation trust and/or acquiring a foundation majority (see the [statutory process: foundation proposals](#) section below).

⁴⁰ <https://www.gov.uk/government/organisations/office-of-the-schools-adjudicator>.

⁴¹ The condition must be the occurrence of a prescribed event. The prescribed events are those listed in [paragraph 8 of Schedule 3 to the Prescribed Alterations Regulations](#). These are:

- (a) the grant of planning permission under Part 3 of the Town and Country Planning Act 1990;
- (b) the acquisition of any site required for the implementation of the proposals;
- (c) the acquisition of playing fields required for the implementation of the proposals;
- (d) the securing of any necessary access to a site referred to in Paragraph (b) or playing fields referred to in Paragraph (c);
- (e) the entering into an agreement for any necessary building project supported by the Department for Education;
- (f) in the case of mainstream schools, the agreement to any change of the admission arrangements relating to the school or any other school or schools, as specified in the approval;
- (g) the making of any scheme relating to any charity connected with the school;
- (h) the formation of any federation (within the meaning of section 24(2) of the Education Act 2002 of which it is intended that the school should form part, or the fulfilling of any other condition relating to the school forming part of a federation;

A proposal can be withdrawn by the proposer at any point before a decision is taken. When doing so the proposer must send written notice to the local authority or the governing body (as appropriate); or the Schools Adjudicator (if the proposal has been referred to them). A notice must be placed on the website where the original proposal was published.

Within one week of making a decision the local authority must publish their decision and the reasons for it on the website where the original proposal was published and send copies to:

- the local authority (where the Schools Adjudicator is the decision maker);
- the Schools Adjudicator (where the local authority is the decision maker);
- the governing body (as appropriate);
- the trustees of the school (if any);
- the Diocesan Board of Education for any diocese of the CofE any part of which is comprised in the area of the local authority;
- the bishop(s) of a diocese of the RC Church any part of which is comprised in the area of the local authority;
- the parents of every registered pupil at the school – where the school is a special school; and
- any other body that they think is appropriate (e.g. other relevant diocese or diocesan board, faith organisation and any affected educational institutions in the area).

If the [Schools Adjudicator](#)⁴² is the decision maker they must notify the persons above of their decision, together with the reasons, within one week of making the decision. Within one week of receiving this notification the local authority must publish the decision, with reasons, on the website where the original proposal was published.

(i) where the proposals are to alter the upper age limit of the school, the decision of the Secretary of State to establish a new further education institution under section 16 or 33C of the Further and Higher Education Act 1992;

(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 any other school or proposed school, the occurrence of such an event; and

(k) where proposals are related to proposals for the establishment of new schools or discontinuance of schools, and these proposals depend on the occurrence of events specified in regulation 16 of the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 the occurrence of such an event.

⁴² <https://www.gov.uk/government/organisations/office-of-the-schools-adjudicator>.

Related proposals

Where proposals appear to be related to other proposals, the decision maker must consider the related proposals together. A proposal should be regarded as related if its implementation (or non-implementation) would prevent or undermine the effective implementation of another proposal.

Conditional approval

For many types of proposal, decision makers may make their approval conditional on certain prescribed kinds of events⁴³. The decision maker must set a date by which the condition should be met but can modify the date if the governing body that made the proposal asks for this before the date expires, for example because the condition will be met later than originally thought. If the decision maker is the Schools Adjudicator they must consult the local authority before doing this.

The proposer should inform the decision maker when a condition is met. If a condition is not met by the date specified, the proposal should be referred back to the decision maker for fresh consideration.

Education standards and diversity of provision

Decision makers should consider the quality and diversity of schools in the relevant area and whether the proposal will meet or affect the needs of parents, raise local standards and narrow attainment gaps.

Equal opportunities issues

The decision maker must comply with the Public Sector Equality Duty (PSED), which requires them to have 'due regard' to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it; and
- foster good relations between people who share a relevant protected characteristic and people who do not share it.

⁴³ Under [paragraph 8 of Schedule 3 to the Prescribed Alterations Regulations](#). See footnote 41.

Further information on the considerations can be found on the [Equality and Human Rights Commission](#)⁴⁴ website.

Community cohesion

Schools have a key part to play in providing opportunities for young people from different backgrounds to learn with, from and about each other; by encouraging through their teaching, an understanding of, and respect for, other cultures, faiths and communities. When considering a proposal, the decision maker should consider its impact on community cohesion. This will need to be considered on a case-by-case basis, taking account of the community served by the school and the views of different groups within the community.

Travel and accessibility

Decision makers should be satisfied that proposed changes will not adversely impact any particular group, including those with protected characteristics or who are disadvantaged (for example, those who are eligible for free school meals or pupil premium). Decision makers should also consider how the proposal will support the local authorities' duty to promote the use of sustainable travel and transport to school.

The decision maker should consider whether a proposal will result in unreasonably long journey times or increased travel costs for local authorities or families, as well as any increase in the use of motor vehicles which is likely to result from the change, and the likely effects of any such increase.

Decision makers should be satisfied that the proposers have taken into account whether the proposal will result in a significant increase in the number of children who are unable to travel sustainably, for example due to a lack of suitable walking, cycling or public transport routes. Further information is available in the statutory [Home-to-school travel and transport guidance](#)⁴⁵ for local authorities.

Funding

The decision maker should be satisfied that any land, premises or necessary funding required to implement the proposal will be available and that all relevant local parties (e.g. trustees of the school, diocese or relevant diocesan board) have given any agreements required for this. A proposal cannot be approved conditionally upon funding being made available (unless the proposal is conditional on funding for any necessary

⁴⁴ <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty>.

⁴⁵ <https://www.gov.uk/government/publications/home-to-school-travel-and-transport-guidance>.

building project supported by the Department⁴⁶). In such circumstances consideration of the proposal should be deferred until it is clear that the capital necessary to implement the proposal will be provided.

Where proposers are relying on the department as the source of capital funding, there can be no assumption that the approval of a proposal will trigger the release of capital funds from the department, unless the department has previously confirmed in writing that such resources will be available.

In terms of the revenue funding support that schools will receive for taking on additional pupils, schools' core allocations in any given year are based on the number of pupils that they had on roll at the previous autumn census. This means that schools that expand to educate additional pupils could be funded for fewer pupils for a given year. Local authorities can use growth funding to support schools to manage the revenue costs of an increase in pupil numbers before schools receive the corresponding increase in their core funding.

The department provides local authorities growth funding through the National Funding Formula (NFF) within their schools' block. Local authorities' growth funding is allocated based on the actual growth in pupil numbers experienced in the previous year. Local authorities determine criteria for allocating growth funding to schools in their area with the agreement of their schools forum. We expect any additional school places required to meet basic need would be funded in accordance with those local criteria.

Further information is available in the [Schools Operational Guidance](#) on local implementation of the funding system⁴⁷.

Right of referral

For prescribed alterations to maintained schools, the following bodies may refer a decision made by a local authority decision maker to the Schools Adjudicator, within 4 weeks of the decision being made:

- a Diocesan Board of Education for any diocese of the CofE any part of which is comprised in the area of the local authority;

⁴⁶ [Paragraph 8\(e\) of Schedule 3 to the School Organisation \(Prescribed Alterations to Maintained Schools\) \(England\) Regulations 2013.](#)

⁴⁷ <https://www.gov.uk/government/publications/pre-16-schools-funding-local-authority-guidance-for-2023-to-2024/schools-operational-guide-2023-to-2024#growth-funding>.

- a bishop of the RC Church any part of which is comprised in the area of the local authority; and
- the governing body or trustees of a foundation, foundation special or voluntary school that is subject to the proposal.

On receipt of a request for a referral, a local authority decision maker must then send the proposal and representations received to the Schools Adjudicator within one week of receipt. There is no right of appeal on determinations made by the Schools Adjudicator.

Implementation

A proposal must be implemented in the form that it was approved, including any modifications made by the decision maker.

Modification post determination

Governing bodies can seek modifications from the decision maker before the approved implementation date. However, proposals cannot be modified to the extent that new proposals are substituted for those that have been published.

Details of the modification must be published on the website where the original proposals were published.

Revocation of proposals

If the proposer no longer wants to implement an approved proposal, they must publish a revocation proposal. If the decision maker agrees, this removes the duty to implement as set out in the [School Organisation \(Prescribed Alterations to Maintained Schools\) \(England\) Regulations 2013](#)⁴⁸.

Land and buildings

Foundation, foundation special or voluntary controlled schools

Where a local authority is required to provide a site for a foundation, foundation special or voluntary controlled school, the local authority must⁴⁹:

⁴⁸ <http://www.legislation.gov.uk/uksi/2013/3110/contents/made>.

⁴⁹ <http://www.legislation.gov.uk/uksi/2013/3110/schedule/3/paragraph/17/made>.

- transfer their interest in the site and in any buildings on the site which are to form part of the school's premises to the trustees of the school, to be held by them on trust for the purposes of the school; or
- if the school has no trustees, to the governing body, to be held by that body for the purposes of the school.

In the case of a dispute as to the persons to whom the local authority is required to make the transfer, the adjudicator will make a decision.

Voluntary aided schools

Where a local authority is required to provide a site for a voluntary aided school⁵⁰, or where they choose to use their discretionary powers to provide assistance by means of providing a site⁵¹, they must transfer their interest in the land to the trustees of the school or to the school's foundation bodies if the school has no trustees, and must pay to the persons to whom the transfer is made the reasonable costs in connection with the transfer.

School premises and playing fields

Under the School Premises (England) Regulations 2012, all schools maintained by local authorities (except pupil referral units) are required to have suitable outdoor space in order to enable physical education to be provided to pupils in accordance with the school curriculum; and for pupils to play outside safely.

[Guidelines](#)⁵² setting out suggested areas for pitches and games courts are in place although these are non-statutory.

⁵⁰ Paragraph 4 of Schedule 3 to the [School Standards and Framework Act 1998](#).

⁵¹ Paragraph 8 of Schedule 3 to the [School Standards and Framework Act 1998](#).

⁵² <https://www.gov.uk/guidance/school-land-and-property-protection-transfer-and-disposal>.

Statutory process: foundation proposals

Changing category to foundation, acquiring a foundation trust and/or acquiring a foundation majority

The foundation of a foundation trust school is called a 'foundation trust'. A foundation trust must have a charitable purpose of advancing the education of pupils at the school and must promote community cohesion.

The term 'acquire a foundation majority' means acquiring an instrument of government whereby a majority of governors on the governing body must be foundation governors⁵³. Governing bodies can propose:

Proposer	Type of proposal	Process	Decision maker	Right of referral to the adjudicator
Governing body of voluntary	Voluntary controlled or voluntary aided to foundation school and acquire a foundation, Voluntary controlled or voluntary aided to foundation school, acquire a foundation and majority foundation governors on the governing body	Statutory process	Governing body	For proposals at a voluntary aided school when decided by the governing body: Local authority, CofE diocese, RC diocese

⁵³ 'Foundation governor' is defined in regulation 9 of the School Governance (Constitution) (England) Regulations 2012.

Proposer	Type of proposal	Process	Decision maker	Right of referral to the adjudicator
Governing body of foundation	Acquire foundation, Acquire a majority of foundation governors on the governing body	Statutory process	Governing body	N/A
Governing body of community	Community to foundation school, Community to foundation school and acquire foundation, Community to foundation school and acquire majority of foundation governors on governing body	Statutory process	Governing body	N/A

Table 18: Changing category to foundation, acquiring a foundation trust and/or acquiring a foundation majority process

Where a school's governing body considers changing category to foundation and/or acquiring a foundation (including a foundation trust) and/or acquiring a foundation majority, the following 5-stage statutory process must be followed. These 3 types of proposals are collectively called 'foundation proposals'.

Stage	Description	Timescale	Comments
Stage 1	Initiation/consent	-	The governing body must in some cases get consent (as described below) before publishing proposals for a change of category to foundation/acquisition of a foundation trust/acquisition of a foundation majority
Stage 2	Publication	-	Having gained consent where required
Stage 3	Representation (formal consultation)	Must be 4 weeks	As set out in the Prescribed Alterations Regulations
Stage 4	Decision	The governing body must decide within 12 months of the date of publication	Unless the local authority has triggered referral of the proposal to Schools Adjudicator at Stage 3
Stage 5	Implementation	No prescribed timescale	Must be as specified in the statutory notice, subject to any modifications made by the decision maker

Table 19: Foundation proposals statutory process

Initiation/consent

For a proposal to change the category of a school to a foundation school, the governing body should inform the local authority in writing of a proposed motion to consult, at least 7 days in advance of a meeting.

Before the governing body can publish a proposal to change category from a voluntary school to a foundation school, or a proposal for some types of foundation school to acquire a foundation majority, the existing trustees and whoever appoints the foundation governors must give their consent.

Publication

A statutory proposal must contain sufficient information for interested parties to make a decision on whether to support or challenge the proposed change. [Schedule 1 to the Prescribed Alterations Regulations](#)⁵⁴ specifies information that the statutory proposal must contain.

Representation (formal consultation)

The representation period starts on the date of the publication of the proposal and must last 4 weeks. During this period, any person or organisation can submit comments on the proposal to the governing body, to be taken into account when the decision is made.

During the representation period, the local authority has the power to require the referral of a proposal to acquire a foundation majority, or a proposal that would result in the school becoming a foundation school with a foundation or a foundation special school with a foundation, to the [Schools Adjudicator](#)⁵⁵ for decision, if they consider it will have a negative impact on standards at the school. The local authority does not have this power in respect of a proposal solely to change category to foundation⁵⁶.

Where a proposal is referred to the [Schools Adjudicator](#)⁵⁷, the governing body must forward any objections or comments it has received to the Schools Adjudicator within one week of the end of the representation period.

Decision

Unless a proposal has been referred to the Schools Adjudicator (as set out above), the governing body will be the decision maker and must make a decision on the proposal within 12 months of the date of publication of the proposal.

⁵⁴ <https://www.legislation.gov.uk/ukxi/2013/3110/schedule/1/part/1/made>.

⁵⁵ <https://www.gov.uk/government/organisations/office-of-the-schools-adjudicator>.

⁵⁶ However, where such a proposal is related to a proposal to acquire a foundation, then the whole set of proposals will be referred to the Schools Adjudicator.

⁵⁷ <https://www.gov.uk/government/organisations/office-of-the-schools-adjudicator>.

Where a proposal to acquire a foundation or a foundation majority is linked to a proposal to change category to a foundation school, they will be decided together.

When issuing a decision, the decision maker can:

- reject the proposal;
- approve the proposal without modification;
- approve the proposal with modifications, having consulted the local authority (or, if the decision maker is the Schools Adjudicator, the governing body); or
- approve the proposal with or without modifications (consulting as above before deciding on any modifications) but conditional upon:
 - the making of any scheme relating to any charity connected with the school; and
 - the establishment of a foundation⁵⁸.

Where the local authority has required a governing body to refer a proposal to the Schools Adjudicator for decision, any related proposal(s) (including a change of category to foundation) will fall to be decided by the Schools Adjudicator.

Decision makers should consider the impact of changing category to foundation school and acquiring or removing a foundation trust on educational standards at the school. In assessing standards at the school, the decision maker should take account of recent reports from Ofsted and a range of performance data. Recent trends in applications for places at the school (as a measure of popularity) and the local reputation of the school may also be relevant context for a decision.

If a proposal is not considered strong enough to significantly improve standards at a school that requires it, the decision maker should consider rejecting the proposal. Foundation trusts have a duty⁵⁹ to promote community cohesion and decision makers should carefully consider the foundation trust's plans for partnership working with other schools, agencies or voluntary bodies (if the foundation trust is already in existence at the time of the decision).

Foundation schools acquiring a foundation trust

For proposals for schools to become foundation trust schools the decision maker should be satisfied that the following criteria are met for the proposal to be approved:

⁵⁸ As defined in [section 23A of the School Standards and Framework Act 1998](#).

⁵⁹ Under [section 23A of the School Standards and Framework Act 1998](#).

- the proposal is not seeking for a school to alter, acquire, or lose a designated religious character. These alterations cannot be made simply by acquiring a foundation trust;
- the necessary work is underway to establish the foundation trust as a charity and as a corporate body; and
- that none of the proposed foundation trustees are disqualified from exercising the function of foundation trustee, either by virtue of:
 - disqualifications from working with children or young people;
 - not having obtained a criminal record check certificate⁶⁰;
 - the Charities Act 2011⁶¹ which disqualifies certain persons from acting as charity trustees.

Suitability of partners

Decision makers will need to be satisfied of the suitability of foundation trust partners and members. Foundation trust partners are partnership governors that only exist in foundation schools that have no foundation or equivalent body, and they act instead of foundation governors. They are eligible to be appointed if the person nominating them believes that they have the skills needed to contribute to the effective governance and success of the school. Decision makers should use their own discretion and judgement in determining on a case-by-case basis whether the reputation of a foundation trust partner is in keeping with the charitable objectives of a foundation trust, or could bring the school into disrepute. However, the decision maker should make a balanced judgement, considering the suitability and reputation of the current/potential foundation trust.

The following sources may provide information on the history of potential foundation trust partners:

- [The Health and Safety Executive Public Register of Convictions](#)⁶²
- [The Charity Commission's Register of Charities](#)⁶³; and
- [The Companies House web check service](#)⁶⁴.

⁶⁰ Under [section 113A of the Police Act 1997](#).

⁶¹ Section 178: <http://www.legislation.gov.uk/ukpga/2011/25/contents>.

⁶² Appearance on this database should not automatically disqualify a potential trust member; decision makers will wish to consider each case on its merits: <https://www.hse.gov.uk/enforce/convictions.htm>.

⁶³ <https://register-of-charities.charitycommission.gov.uk>.

⁶⁴ <https://wck2.companieshouse.gov.uk/wcframe?name=accessCompanyInfo>.

Within one week of making a decision the governing body must publish a copy of the decision (together with reasons) on the website where the original proposal was published and send copies to:

- the local authority;
- the Diocesan Board of Education for any diocese of the CofE any part of which is comprised in the area of the local authority, if the proposal relates to a change of category from voluntary aided to foundation school; and
- the bishop(s) of a diocese of the RC Church any part of which is comprised in the area of the local authority, if the proposal relates to a change of category from voluntary aided to foundation school.

Where a proposal has been decided by the governing body and relates to changing the category of a voluntary aided school to foundation (with or without the acquisition of a foundation /foundation majority), the following bodies have the right to request referral to the [Schools Adjudicator](#)⁶⁵:

- the local authority;
- the Diocesan Board of Education for any diocese of the CofE any part of which is comprised in the area of the local authority; and
- the bishop(s) of a diocese of the RC Church any part of which is comprised in the area of the local authority.

If one of those bodies requests referral, the governing body must submit the proposals, and any objections or comments received, to the Schools Adjudicator within one week of receiving the request.

Conditional approval

Decision makers may make their approval conditional on certain prescribed kinds of events⁶⁶. The decision maker must set a date by which the condition should be met but a governing body can modify the date before the date expires, for example if the condition will be met later than originally thought. Before changing the date for a condition to be met for a change of category to foundation school and/or the acquisition of a foundation, a governing body must consult the local authority.

⁶⁵ <https://www.gov.uk/government/organisations/office-of-the-schools-adjudicator>. The specific circumstances in which a referral can be made are prescribed under [paragraph 15 of Schedule 1 to the Prescribed Alterations Regulations](#).

⁶⁶ Under [paragraph 16 of Schedule 1 to the Prescribed Alterations Regulations](#).

The proposer should inform the decision maker when a condition is met. If a condition is not met by the date specified, the proposal should be referred back to the decision maker for fresh consideration.

Implementation

The governing body must implement any approved proposal by the approved implementation date, including any modifications made by the decision maker.

Within one week of implementation the governing body must provide information to the Secretary of State⁶⁷ about foundation proposals that have been implemented. Copies of the statutory proposals and decision record should be submitted to schoolorganisation.notifications@education.gov.uk in order for the school record to be updated on GIAS.

Modification post determination

Modifications can be made to a proposal by the governing body after determination but before implementation. The local authority must be consulted before any modification is made to a proposal for a change of category to foundation school or for the acquisition of a foundation. The details of the modification must be published on the website where the original proposal was published.

Revocation

If the proposer no longer wants to implement an approved proposal, they must publish a revocation proposal as set out in the [Prescribed Alterations Regulations](#)⁶⁸. If they decide, following that procedure, that the proposed changes should not be implemented, they will be relieved of the duty to implement.

Governance and staffing issues

[Schedule 4 to the Prescribed Alterations Regulations](#)⁶⁹ provides further information on the requirements about:

- the revision or replacement of the school's instrument of government;
- reconstitution or replacement of the governing body;
- current governors continuing in office;

⁶⁷ <http://www.legislation.gov.uk/uksi/2013/3110/schedule/1/paragraph/18/made>.

⁶⁸ <https://www.legislation.gov.uk/uksi/2013/3110/contents/made>.

⁶⁹ <https://www.legislation.gov.uk/uksi/2007/1289/schedule/4/made>.

- surplus governors;
- transfer of staff; and
- transitional admission arrangements.

Land transfer issues

When making a proposal to acquire a foundation, proposers will need to consider whether the current terms on which the school’s land is held on trust allows for the change in category proposed. Requirements as to land transfers when a school acquires a foundation are prescribed in [Schedule 5 to the Prescribed Alterations Regulations](#)⁷⁰.

If in doubt, or if a variation in the foundation trust is clearly necessary, promoters and the relevant site trustees are advised to make early contact with the Charity Commission to apply for the terms of the trust to be varied under the relevant trust law.

Removing a foundation trust and/or removing a foundation majority

Governing bodies of foundation schools can propose to remove a foundation trust and/or remove a foundation majority by following the statutory process:

Proposer	Type of proposal	Process	Decision maker	Right of referral to the adjudicator
Governing body of foundation	Removal of foundation and/or reduction in majority of foundation governors on governing body	Statutory process	Governing body	N/A

Table 20: Removing a foundation trust and/or removing a foundation majority process

There are 5 or 6 statutory stages (depending on the proposal and circumstances) to remove a foundation and/or to remove a foundation majority. This procedure applies only if the school was established under the Education and Inspections Act 2006 or acquired its foundation under that Act. It does not apply to a foundation that was established under

⁷⁰ <https://www.legislation.gov.uk/ukxi/2013/3110/schedule/5/made>.

the School Standards and Framework Act 1998. It may be triggered in 2 different ways – either by a majority or a minority of the governing body:

Stage	Description	Timescale	Comments
Stage 1	Initiation	-	<p>Majority A meeting of the whole governing body votes to publish a proposal to remove a foundation/remove the foundation majority,</p> <p>or</p> <p>Minority A minority (of not less than a third of the governors) notify the clerk of the governing body of their wish for the governing body to publish a proposal to remove a foundation/remove the foundation majority</p>
Stage 2	Land Issues (applicable only to removal of foundation)	If not resolved within 3 months, disputes must be referred to the Schools Adjudicator	In cases of removing foundation, the governing body, trustees and the local authority must resolve issues related to land and assets before a proposal is published

Stage	Description	Timescale	Comments
Stage 3	Consultation	<p>Majority A minimum of 4 weeks is recommended or</p> <p>Minority No consultation required</p>	<p>Majority It is for the governing body to determine the length of consultation</p>
Stage 4	Publication	<p>Minority Where there are no land or asset issues – publish within 3 months of receipt of notice by governing body clerk</p> <p>Where there are land issues, publish within one month of receipt of School Adjudicator's determination</p>	-
Stage 5	Representation	6 week representation period	-
Stage 6	Decision	Within 3 months of publication	A proposal initiated by a minority of governors may not be rejected unless at least 2/3 of the governing body vote in favour of the rejection

Stage	Description	Timescale	Comments
Stage 7	Implementation	No prescribed timescale	Must be as specified in the statutory notice, subject to any modifications made by the decision maker

Table 21: Remove a foundation and/or foundation majority statutory process

Initiation

A proposal for removing a foundation trust and/or removing a foundation majority can be triggered by:

- the governing body⁷¹ or a committee deciding to publish a proposal. The decision to publish must be confirmed by the whole governing body at a meeting held at least 28 days after the meeting at which the initial decision was made; or
- at least 1/3⁷² of the governors requesting in writing to the clerk of the governing body, that a proposal be published. No vote of the governing body is required as they are obliged to publish a proposal. To prevent on-going challenges there are a number of prescribed circumstances⁷³ in which there is no obligation to follow the wishes of the minority of governors.

Land and assets (when removing a foundation)

Before publishing proposals to remove a foundation, the governing body must reach agreement with the trustees and local authority on prescribed issues relating to the school's land and assets⁷⁴. Where such issues remain unresolved within 3 months of the initial decision (majority) or receipt of notice by the clerk (minority), they must be referred to the [Schools Adjudicator](#)⁷⁵ for determination.

⁷¹ [Regulation 4 of the School Organisation \(Removal of Foundation, Reduction in Number of Foundation Governors and Ability of Foundation to Pay Debts\) \(England\) Regulations 2007.](#)

⁷² [Regulation 5 of the School Organisation \(Removal of Foundation, Reduction in Number of Foundation Governors and Ability of Foundation to Pay Debts\) \(England\) Regulations 2007.](#)

⁷³ [Regulation 5\(4\) of the School Organisation \(Removal of Foundation, Reduction in Number of Foundation Governors and Ability of Foundation to Pay Debts\) \(England\) Regulations 2007.](#)

⁷⁴ The issues on which they must agree are set out in regulation 6(1) of the School Organisation (Removal of Foundation, Reduction in Number of Foundation Governors and Ability of Foundation to Pay Debts) (England) Regulations 2007

⁷⁵ <https://www.gov.uk/government/organisations/office-of-the-schools-adjudicator>.

On the removal of the foundation, all publicly provided land held by the foundation for the purposes of the school will transfer to the governing body⁷⁶. Where the land originated from private sources (for example, where land was gifted on trust), the land will transfer to the governing body in accordance with a transfer agreement, providing for consideration to be paid by the governing body to the trustees where appropriate. This also applies to a transfer of publicly provided land if the trustees sold other land to buy the land or to build buildings on it. However, there may be land which has benefited from investment from public funds which remains with the trustees under the transfer agreement.

Alternatively, there may have been investment by trustees in the publicly provided land or from public funding in the land provided by the trustees. In either of these cases, it may be appropriate for either the trustees or the public purse to be compensated. The possibility of stamp duty land tax may also need to be taken into account.

The Schools Adjudicator will announce its determination in writing to both parties.

Consultation

Where a minority of governors initiated the process, this stage does not apply.

Where a majority of governors initiated the process, before publishing a proposal the governing body must consult:

- families of pupils at the school;
- teachers and other staff at the school;
- the trustees and, if different, whoever appoints foundation governors;
- the local authority;
- the governing bodies of any other foundation or foundation special schools maintained by the same local authority for which the foundation acts as a foundation;
- any trade unions who represent school staff;
- if the school has been designated as having a religious character, the appropriate diocesan authority or other relevant faith group in relation to the school;

⁷⁶ By virtue of [regulation 17\(1\) of the School Organisation \(Removal of Foundation, Reduction in Number of Foundation Governors and Ability of Foundation to Pay Debts\) \(England\) Regulations 2007](#).

- the Secretary of State if the proposals affect the provision of full-time education suitable to children and young people between the beginning of the academic year when they turn 15 and the date they turn 19; and
- any other person the governing body consider appropriate.

Publication

Where the decision to publish a proposal was made by a majority of governors, the governing body at this stage must decide whether to go ahead with publishing the proposal.

Where the decision to publish a proposal was made by a minority of governors and there are no land issues to be determined, the governing body must publish the proposal within 3 months of the receipt of the notice by the clerk. If land issues were referred to the [Schools Adjudicator](#)⁷⁷, the proposal must be published within one month of receipt of its determination.

Proposals to remove a foundation or to alter the instrument of government so that foundation governors cease to be the majority of governors must contain the information set out in [The School Organisation \(Removal of Foundation, Reduction in Number of Foundation Governors and Ability of Foundation to Pay Debts\) \(England\) Regulations 2007](#)⁷⁸.

At the same time as publishing the proposals, the governing body must send copies of the proposals to the trustees, the Secretary of State, and the local authority. The Secretary of State's copy should be emailed to schoolorganisation.notifications@education.gov.uk.

Representation

The representation period starts on the date of the publication of the proposal and must last 6 weeks. During this period, any person or organisation can submit comments on the proposal to the governing body to be taken into account when the decision is made.

Unlike the foundation acquisition process, there is no power for the local authority to refer a proposal to the Schools Adjudicator to remove a school's foundation or to remove a foundation majority. However, governing bodies must bear in mind that failure to follow the requirements of the statutory process could lead to a complaint to the Secretary of

⁷⁷ <https://www.gov.uk/government/organisations/office-of-the-schools-adjudicator>.

⁷⁸ <https://www.legislation.gov.uk/uksi/2007/3475/contents/made>.

State under section 496/497 of the Education Act 1996, and/or ultimately be challenged through judicial review.

Decision

The governing body is the decision maker for a proposal to remove a foundation or a foundation majority and must determine the proposal within 3 months of the date of its publication.

If a proposal was published following a decision of the whole governing body, then it may be determined by a majority vote of those governors present at the meeting to decide the proposals⁷⁹.

If a proposal was initiated by a minority of governors, then the governing body may not reject the proposal unless 2/3 or more of the governors indicate that they are in favour of its rejection⁸⁰.

When deciding a proposal for the removal of a foundation, the governing body should consider the proposal in the context of the original decision to acquire the foundation, and consider whether the foundation has fulfilled its expectations. Where new information has come to light regarding the suitability of foundation trust partners to act as a partnership governor in a foundation school that has no foundation or equivalent body, this should be considered.

All decisions must be taken in accordance with the processes prescribed in the School Governance (Roles, Procedures and Allowances) (England) Regulations 2013⁸¹.

The governing body must notify the relevant local authority, trustees and the Secretary of State of their decision. Notification to the Secretary of State should be sent via schoolorganisation.notifications@education.gov.uk.

Implementation

The governing body is under a statutory duty to implement any approved proposal, as published (and as modified in the final decision), by the approved implementation date.

Removal of a foundation must be implemented in accordance with regulations 14-18, and removal of foundation majority must be implemented as per regulations 14-16 of the

⁷⁹ As per the [School Governance \(Roles, Procedures and Allowances\) \(England\) Regulations 2013](#).

⁸⁰ As per [regulation 11\(2\) of the School Organisation \(Removal of Foundation, Reduction in Number of Foundation Governors and Ability of Foundation to Pay Debts\) \(England\) Regulations 2007](#).

⁸¹ Except as otherwise provided by the [School Organisation \(Removal of Foundation, Reduction in Number of Foundation Governors and Ability of Foundation to Pay Debts\) \(England\) Regulations 2007](#).

School Organisation (Removal of Foundation, Reduction in Number of Foundation Governors and Ability of Foundation to Pay Debts) (England) Regulations 2007.

An implementation period begins when the proposal is decided and ends on the date set out in the proposal (as published or as subsequently modified) as the date by which implementation is to occur. During this period, the local authority and governing body are required to ensure that a new instrument of government is made for the school, so enough time must be built into the timeframe for this to happen. The governing body must then be reconstituted in accordance with the new instrument of government and the [School Governance \(Constitution\) \(England\) Regulations 2012](#)⁸².

When removing a foundation or a foundation majority, a governor may continue as a governor in the corresponding category (e.g. staff governor, parent governor) if that category remains under the new instrument of government. A member of a current governing body who continues as a governor on these grounds holds office for the remainder of the term for which they were originally appointed or elected. Where a school with a religious character has no foundation trust, the governing body must appoint partnership governors with a view to ensuring that the religious character of the school is preserved and developed in accordance with the School Governance (Constitution) (England) Regulations 2012. There is nothing to prevent a former foundation governor being reappointed by the governing body as a partnership governor, if eligible.

Where there are more governors for the category than are provided for by the new instrument of government, it must be decided which governors in that category are best placed to contribute to the effective governance and success of the school. For foundation governors, this decision must be made by those who appointed them. For governors without a foundation, this decision must be made by the governing body. The others must cease to hold office.

The terms of the trust on which land is held for a voluntary or foundation school often include very specific provisions regarding the conduct of the school and the use of any fund held by the foundation for the use of the school and premises.

Modification of proposals

The governing body may approve a proposal subject to modifications. Modifications can only be made to the implementation date and the proposed constitution of the governing body. If the proposal was initiated by a minority of governors, a modification can only be made at a vote of at least 2/3 of the governors.

⁸² <https://www.legislation.gov.uk/uksi/2012/1034/contents/made>.

Further information

Relevant departmental advice and statutory guidance

This guidance primarily relates to:

- [The School Organisation \(Prescribed Alterations to Maintained Schools\) \(England\) Regulations 2013](#)
- [The School Organisation \(Removal of Foundation, Reduction in Number of Foundation Governors and Ability of Foundation to Pay Debts\) \(England\) Regulations 2007](#)
- [The School Organisation \(Requirements as to Foundations\) \(England\) Regulations 2007](#)
- [Education and Inspections Act 2006](#) (especially Parts 2 and 3)
- [School Standards and Framework Act 1998](#)
- [The School Organisation \(Establishment and Discontinuance of Schools\) Regulations 2013](#)

It also relates to:

- [The School Governance \(Constitution\) \(England\) Regulations 2012](#)
- [The School Governance \(Constitution and Federations\) \(England\) \(Amendment\) Regulations 2014](#)
- [The School Governance \(Miscellaneous Amendments\) \(England\) Regulations 2015](#)
- [The School Governance \(New Schools\) \(England\) Regulations 2007](#)
- [The School Governance \(Roles, Procedures and Allowances\) \(England\) Regulations 2013](#)
- [Childcare Act 2006](#)
- [The School Premises \(England\) Regulations 2012](#)
- [Making significant changes to existing academies guidance](#)
- [Closure of an academy by mutual agreement guidance](#)
- [Establishing a new school: free school presumption guidance](#)
- [Opening and closing maintained schools guidance](#)
- [School admissions code](#)

- [Education Act 1996](#)
- [Equality Act 2010](#)
- [Police Act 1997](#)
- [Charities Act 2011](#)
- Guidance from the Equality and Human Rights Commission on the [Public Sector Equality Duty](#)

Other departmental resources

Contact details for Regional Directors offices:

- East Midlands – RG.EM@education.gov.uk
- East of England – RG.EOE@education.gov.uk
- London – RG.LONDON@education.gov.uk
- North West – RG.NW@education.gov.uk
- South East – RG.SE@education.gov.uk
- South West – RG.SW@education.gov.uk
- West Midlands – RG.WM@education.gov.uk
- Yorkshire and Humber – RG.YH@education.gov.uk

Annex A: Information to be included in a prescribed alteration statutory proposal

A statutory proposal for making a prescribed alteration to a school must contain sufficient information for interested parties to make a decision on whether to support the proposed change. A proposal should be accessible to all interested parties and therefore use 'plain English'.

Proposers will need to be mindful of the factors that will inform the decision makers assessment when determining the proposal.

As a minimum, the department would expect a proposal to include:

- school and local authority details;
- description of alteration and evidence of demand;
- objectives (including how the proposal would increase educational standards and parental choice);
- the effect on other educational institutions within the area;
- project costs and indication of how these will be met, including how long term value for money will be achieved;
- implementation plan; and
- a statement explaining the procedure for responses: support; objections and comments.



Department
for Education

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NORTH YORKSHIRE COUNCIL

CHILDREN AND YOUNG PEOPLE'S SERVICE

CORPORATE DIRECTOR MEETING WITH EXECUTIVE MEMBERS

18 June 2024

Review of Special Educational Needs and Disabilities Provision

1.0 PURPOSE OF REPORT

- 1.1 To seek Member approval to consult publicly on school organisation proposals to add provision for Special Educational Needs by providing Special Resourced provision in the form of Targeted Provisions at Norton Community Primary School, Ryedale and Dishforth Airfield Primary School, Harrogate/Knaresborough/Ripon.

2.0 BACKGROUND

Targeted Mainstream Provision

- 2.1 In 2020 the Local Authority launched the first phase of Targeted Mainstream Provisions that were approved as part of the Strategic Plan for SEND Provision 2018-2023. The next phase of Targeted Mainstream Provisions was approved as part of the Strategic Plan for SEND 2023-2027. The focus for each being either Communication and Interaction (C&I) or Social and Emotional Mental Health (SEMH). This report seeks approval to consult publicly on establishing a new C&I Targeted Mainstream provision Norton Community Primary, Ryedale and SEMH provision at Dishforth Airfield Primary, Harrogate/Knaresborough/Ripon.
- 2.2 The implementation of Targeted Mainstream Provisions is one aspect of the wide-ranging Strategic Plan for SEND Education Provision 2023-2026. The implementation will have an impact upon the identified gap between mainstream and special school provision and provide families with an additional option. This is one aspect of the approved strategic plan that will, once fully implemented, enable the LA to better meet needs across the continuum of SEND provision and the county.
- 2.3 This development will also have impact upon SEND Transport, for those who qualify, as the LA seeks to provide more local options in line with the Strategic Plans principle of Right Support, Right Place, Right Time
- 2.4 The schools will have the flexibility to refine their model of delivery but in general the new provision will:
- Provide 8 full time places for 6 children and young people with an Education, Health and Care Plan and 2 'flexible' places for children needing to access the provision for short term assessment and support.
 - Specialise in meeting the needs of children and young people with Social and Emotional Mental Health needs or Communication and Interaction needs.

- Have access to a range of therapies and training opportunities to ensure children are fully supported.
- Increase the opportunities for children and young people with SEND to access mainstream education together with more specialised small group interventions and support.
- Be funded on a 'place' basis similar to special schools and in line with national guidance.

3.0 FINANCIAL IMPLICATIONS

REVENUE

- 4.1 The financial model for this service has been based on the following assumptions:
- The service will operate with 8 place provisions with each provision attracting planned place funding of £6,000 plus per pupil funding allocations where pupils are on roll in the unit, or £4,000 where places are empty at the point of the October census. This guarantees resources of circa £10,000 per place – in line with Special school funding arrangements
 - Schools will receive “top-up funding” allocations in line with the assessment of need defined in the individual pupils EHCP using the banded funding methodology, introduced in April 2019.
 - It is assumed that the “top-up funding” allocations are expenditure that the authority would have incurred regardless of this development because the EHCPs are already in place.
 - Start-up costs up to a maximum of £10,000 earmarked for each new provision to cover learning resources, IT Revenue costs and a provision for staff learning and development.

CAPITAL

- 4.11 It is anticipated, from the information provided by school, that the two schools need development of existing spaces within the school, no additional builds are required. It is predicted that both will cost under £50,000 per school.
- 4.12 The requirement at Norton is for the development of a sensory room and internal decoration.
- 4.13 At Dishforth Airfield there is the need for fencing to be extended around the section of school to be used and the addition of a room within a classroom. Also, there is the requirement for a canopy at the rear of the classroom and some re-turfing of a small area to the side of the space.
- 4.14 Further work is now being conducted to verify these costs with each school subject to approval from Executive.
- 4.15 The local authority has allocated a proportion of the High Needs Provision Capital to support the roll out of TMPs which is part of the delivery of this aspect of the Strategic Plan. This

resource can be used for both academies and maintained schools.

5.0 LEGAL IMPLICATIONS

- 5.1 Adding provision for Special Educational Needs by providing Special Resourced provision in the form of Targeted Provisions at Norton Community Primary School, Ryedale and Dishforth Airfield Primary, Harrogate/Knaresborough/Ripon constitutes a prescribed alteration to a maintained school.
- 5.2 These proposals are compliant with the legislation and would follow the DfE's statutory guidance for proposers and decision makers.¹

6.0 PROPOSED CONSULTATION PROCESSES AND TIMESCALES

- 6.1 This proposal represents a strand of the SEND Strategic Plan.
- 6.2 Draft consultation documents for the proposal are attached in Appendix 1.
- 6.3 The proposed timescales are set out below:

Consultation opens	21 June 2024
Public meeting	Week beginning 1 July 2024
Consultation closes	19 July 2024
County Council's Executive considers consultation response	17 Sept
Statutory Proposals published (4 weeks for representations to be made)	27 Sept – 25 Oct 2024
Final decision by County Council's Executive (or the Executive Member for Education and Skills, if there are no objections to the statutory proposals)	19 Nov 2024
Implementation	1 Jan 2025

7.0 RECOMMENDATIONS

- 7.1 The Executive Member for Schools is recommended to give approval:
- to consult publicly on school organisation proposals to add provision for Special Educational Needs by providing Special Resourced provision in the form of Targeted Provision at Norton Community Primary School and Dishforth Airfield Primary.

¹ DfE, *Making significant changes ('prescribed alterations') to maintained schools Statutory guidance for proposers and decision-makers* (Oct 2018).

Stuart Carlton
CORPORATE DIRECTOR – CHILDREN AND YOUNG PEOPLE’S SERVICE.

Action AgreedExecutive Member

Date:

Action RequestedCorporate Director

Date:

Appendices

Appendix 1:

- a) Draft consultation document – Norton Community Primary
- b) Draft consultation document – Dishforth Airfield Primary

Appendix 2:

- a) Equalities Impact Assessment – Norton Community Primary
- b) Equalities Impact Assessment – Dishforth Airfield Primary

Consultation on the of Establishment of Targeted Mainstream Provision for Children and Young People with SEND at Dishforth Airfield Primary

June – July 2024

Purpose of this Consultation Document:

This document explains the proposal by North Yorkshire Council to establish an additional Targeted Mainstream Provision (TMP) for Children and Young People with SEND delivered by Dishforth Airfield Primary.

Following discussions with the Governors and Headteacher, Dishforth Airfield Primary has been selected to deliver an additional Targeted Mainstream Provision. North Yorkshire Council is now asking for your views on this proposal as part of the statutory process which is required before alterations of these kind are made to maintained schools.

Public meeting

There will be a public meeting on Wednesday 3rd July 2024 at 3pm at Dishforth Airfield Primary. If you wish to be part of this meeting, could you please let us know by emailing admin@dishforthairfield.n-yorks.sch.uk

What will the Target Mainstream Provision look like?

Schools have the flexibility to refine their model of delivery but in general the new provision will:

- Provide 8 full time places for 6 children and young people with an Education, Health and Care Plan and 2 'flexible' places for children needing to access the provision for short term assessment and support.
- Specialise in meeting the needs of children and young people with Communication and Interaction.
- Have access to a range of therapies and specialist training opportunities to ensure children are fully supported
- Increase the opportunities for children and young people with SEND to access mainstream education together with more specialised small group interventions and support
- Be funded on a 'place' basis similar to special schools and in line with national guidance.

Background to the Proposal

North Yorkshire Council has a duty to keep its special education provision under review and ensure there is the right type of provision and enough places to meet the needs of children and young people with special educational needs and/or disabilities (SEND).

We want all children and young people with SEND in North Yorkshire to;

- have the best educational opportunities so that they achieve the best outcomes;
- be able to attend a school or provision locally, where they can make friends and be part of their local community; and
- make progress with learning, have good social and emotional health and be prepared for a fulfilling adult life.

We know that there are more children and young people being identified as having special educational needs in North Yorkshire and we expect this increase to continue. We need to make sure that we have the right type of education provision in the right place to meet their needs. We know that a number of our children and young people have to go to school outside North Yorkshire, and we want to avoid this wherever possible.

We have developed a strategic plan for educating children with SEND which aims to create a better offer of provision for children and young people, improved communication, enable more local decision making, and reduce costly out of county placements. This plan was approved in September 2018 and the proposal to implement the Targeted Mainstreams Provisions were the approved-on 31 March 2020. We are now implementing the actions within it and one of these actions requires us to alter the designation to include an SEN Unit of those schools involved.

This document explains the proposal that we are consulting on with regard to the individual school in question. The full strategic plan document is here [Local area SEND strategy 2023 to 2026 | North Yorkshire Council](#) so that you can see where this aspect of provision fits within the wide range of provisions established or being developed. We recommend that you read this document before responding to the survey and giving us your views on the individual proposal.

How are we consulting?

We have already carried out a consultation exercise on the SEND Strategic Plan from 18th May 2018 to 28th June 2018 and then subsequently from 6th February 2020 to 15th March 2020 on the specific issue of establishing Targeted Mainstream provisions. This current school organisation proposal is purely about the establishment of a Targeted Provision.

We are asking you to give your views on the school organisation proposals. If you would like a paper copy of the survey or an alternative format, please call our customer service centre on 01609 780 780.

You can either complete and return the attached response sheet, or submit an online response at

#####

What is the timescale?

The closing date for responses is 19 July 2024. All responses to the consultation received by this date will be considered by our Executive on 17 September 2024. If the Council's Executive decides to proceed with the proposal, then statutory notices would be published in the local press on 27 September 2024. These notices provide a further four weeks for representations to be made. A final decision would then be made by the Council's Executive on 19 November 2024.

Information about our equalities impact assessment

We have carried out an equalities impact assessment (EIA) which can be found here ##### We will update this following comments received during the consultation and councillors will consider it again before they make a decision on implementing the proposal. The EIA has identified that there will be an impact on young people with SEND and if changes are made to current SEND education services, we will offer support to families to adapt to those changes.

We anticipate that, if the proposal is implemented, it may bring positive impacts to young people and their families, particularly by enabling more young people with SEND to be educated in their own community and achieve better outcomes. We anticipate that with more local provision children and young people with SEND will have more opportunities to attend a local school that is closer to home and will help them achieve better educational and social outcomes.

Dishforth Airfield Primary

We are consulting on proposals to add provision for Special Educational Needs by providing Special Resourced provision in the form of Targeted Mainstream Provision at Dishforth Airfield Primary, Thirsk.

Observations and/or suggestions:

Please do not disclose any personal data in your response

Interest/Status

e.g. Parent/Governor/Teacher/Community

Name of School

Signed

Date:

Name (Block Capitals)

Address:

.....

.....

Postcode:

To help us assess whether we have provided clear information, please let us know whether you found this consultation easy to understand? YES/NO

Do you have any suggestions for improvement?

.....

Under the provisions of the Freedom of Information Act 2000, responses to the consultation may be published on the County Council’s website where it may be accessed by members of the public. Your personal details will not be published.

Please send this response sheet to the following “FREEPOST” address. You do not need to use a postage stamp.

FREEPOST RTKE-RKAY-CUJS

Dishforth Airfield Primary

Strategic Planning

North Yorkshire Council

County Hall

NORTHALLERTON

DL7 8AE

To be received by no later than 19 July 2024

We are collecting this information for the purpose of gathering views on the proposal. Your personal data will not be published or passed to any other organisation unless a legal obligation compels us to do so. We may contact you to discuss your views further. For more information about how your personal data is handled at North Yorkshire County Council please visit: www.northyorks.gov.uk/privacy-notices

Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

(Form updated October 2023)

Targeted Mainstream Provision – Dishforth Airfield Primary

If you would like this information in another language or format such as Braille, large print or audio, please contact the Communications Unit on 01609 53 2013 or email communications@northyorks.gov.uk.



যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔

Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find completed EIAs we also publish them in the Equality and Diversity section of our website. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.

Name of Directorate and Service Area	CYPS - Inclusion
Lead Officer and contact details	Chris Reynolds, Head of SEND Provision and Resources
Names and roles of other people involved in carrying out the EIA	Wendy Butterfield, Lead SEND Development Officer Chris Reynolds, Head of SEND Provision and Resources
How will you pay due regard? e.g. working group, individual officer	Consultation with stakeholders
When did the due regard process start?	May 2024

Section 1. Please describe briefly what this EIA is about. (e.g. are you starting a new service, changing how you do something, stopping doing something?)

This EIA considers the implications of the addition of a targeted mainstream provision to Dishforth Airfield Primary.

Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it? (e.g. to save money, meet increased demand, do things in a better way.)

The changes being proposed will create more support for children and young people with Education Health & Care Plans (EHC Plans) in a mainstream school in the Harrogate, Knaresborough, Ripon area.

This proposal will allow the creation of an additional 8 supported places in a mainstream school for children and young people with Special Educational Needs & Disability (SEND).

Section 3. What will change? What will be different for customers and/or staff?

Children with SEND will have a greater opportunity to remain in mainstream school in the Harrogate, Knaresborough, Ripon area, as they will have to enhanced support and a resource area when required.

This will provide more choice for parents/carers as to where their child will receive their education. The staff working in the new targeted provision will have access to higher levels of training to ensure that they have the required knowledge and skills to support the children attending their schools via the Targeted Mainstream Provision.

Section 4. Involvement and consultation (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

Consultation with stakeholders will take place for the targeted mainstream provisions at Dishforth Airfield Primary.

Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

The proposals will ensure that more children and young people can have their needs met in the Harrogate, Knaresborough, Ripon area.

This will mean that more children will be able to access mainstream school with additional support for their special educational needs.

The proposal provides more choice for parents if they wish their child to remain in mainstream school.

In turn this should reduce the pressures on special school placements and mean that they have more capacity and places available for children whose assessed needs identify a specialist placement is required.

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Age		✓		Children and young people with EHCPs will have more opportunity to remain in a more local mainstream school.

Disability		✓		Children and young people with Communication & Interaction (C&I) and Social and Emotional Mental Health (SEMH) needs will have greater opportunities to remain in mainstream provision whilst receiving the appropriate levels of support to access the mainstream curriculum and wider opportunities within the school.
Sex	✓			It is anticipated there would be no identifiable impact on SEND pupils due to their sex.
Race	✓			It is anticipated there would be no identifiable impact on SEND pupils due to their race.
Gender reassignment	✓			It is anticipated there would be no identifiable impact on SEND pupils due to their gender reassignment.
Sexual orientation	✓			It is anticipated there would be no identifiable impact on SEND pupils due to sexual orientation
Religion or belief	✓			It is anticipated there would be no identifiable impact on SEND pupils due to religion or beliefs.
Pregnancy or maternity	✓			It is anticipated there would be no identifiable impact on SEND pupils due to pregnancy or maternity.
Marriage or civil partnership	✓			It is anticipated there would be no identifiable impact on SEND pupils due to marriage or civil partnership.

Section 7. How will this proposal affect people who...	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
..live in a rural area?		✓		Children and young people with EHCPs will have more opportunity to remain in a more local mainstream school. This will reduce travel time and provide more social opportunities for children.
...have a low income?	✓			It is anticipated there would be no identifiable impact on SEND pupils due to their family receiving a low income.
...are carers (unpaid family or friend)?	✓			It is anticipated there would be no identifiable impact on SEND pupils who are carers.
..... are from the Armed Forces Community	✓			It is anticipated there would be no identifiable impact on SEND pupils who are from the Armed Forces Community.

Section 8. Geographic impact – Please detail where the impact will be (please tick all that apply)	
North Yorkshire wide	
Craven	
Hambleton	
Harrogate	✓
Richmondshire	
Ryedale	
Scarborough	

Selby	
If you have ticked one or more areas, will specific town(s)/village(s) be particularly impacted? If so, please specify below.	
The TMPs will provide additional resources bases for those children and young people in their locality.	

Section 9. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.

The proposals may have an impact on children with a combination of protected characteristics. However, this should be a positive impact as more children with EHCPs can have their needs met locally.

Section 10. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)	Tick option chosen
1. No adverse impact - no major change needed to the proposal. There is no potential for discrimination or adverse impact identified.	✓
2. Adverse impact - adjust the proposal - The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.	
3. Adverse impact - continue the proposal - The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services)	
4. Actual or potential unlawful discrimination - stop and remove the proposal – The EIA identifies actual or potential unlawful discrimination. It must be stopped.	
Explanation of why option has been chosen. (Include any advice given by Legal Services.)	
<p>Since the roll out of the targeted mainstream provisions in 2020 there are now eleven TMPs open across NY with another 4 due in the next academic year.</p> <p>These have already shown to have a positive impact on the development of the young people attending.</p> <p>These TMPs will provide much needed provision in the Harrogate, Knaresborough, Ripon area for primary age pupils with SEND.</p>	

Section 11. If the proposal is to be implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)

The local authority will be working closely with the schools to ensure that the targeted provision is set up effectively and the school will receive high levels of advice and guidance. The targeted provision staff will receive support from the SEMH SEND leads within the local authority to ensure that any issues can be shared and resolved and good practice identified.

Termly monitoring visits will take place detailing the progress in development of the provisions.

Parent and children and young people will be asked for feedback on an annual basis as part of the annual review process and an annual report produced by the Head Teacher.

Section 12. Action plan. List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.

Action	Lead	By when	Progress	Monitoring arrangements
Support and guidance to the schools	SEMH lead	October half term		Inclusion Management Team
SLA sign off	LA	October		Contract management by LA
Termly monitoring visits	SEMH lead	Termly from Spring 2025		Inclusion Management Team
HT annual report	HT	Sept 2025		Inclusion Management Team

Section 13. Summary Summarise the findings of your EIA, including impacts, recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

The new targeted provisions will provide an increased opportunity for children and young people with EHCPs to remain in mainstream school in the Harrogate, Knaresborough, Ripon area.

Dishforth Airfield Primary staff and young people will have access to a wider range of specialised training and professionals to meet need including therapists, specialist staff and practitioners.

Section 14. Sign off section

This full EIA was completed by:

Name: Wendy Butterfield

Job title: Lead SEND Development Officer

Directorate: CYPS - Inclusion

Signature: *W Butterfield*

Completion date: 16.5.2024

Authorised by relevant Assistant Director (signature):

Date:

Consultation on the of Establishment of Targeted Mainstream Provision for Children and Young People with SEND at Norton Community Primary

June – July 2024

Purpose of this Consultation Document:

This document explains the proposal by North Yorkshire Council to establish an additional Targeted Mainstream Provision (TMP) for Children and Young People with SEND delivered by Norton Community Primary.

Following discussions with the Governors and Headteacher, Norton Community Primary has been selected to deliver an additional Targeted Mainstream Provision. North Yorkshire Council is now asking for your views on this proposal as part of the statutory process which is required before alterations of these kind are made to maintained schools.

Public meeting

There will be a virtual (on-line) public meeting **week beginning 1 July 2024**. If you wish to be part of this virtual meeting, could you please let us know by emailing schoolorganisation@northyorks.gov.uk and joining instructions will be provided.

What will the Target Mainstream Provision look like?

Schools have the flexibility to refine their model of delivery but in general the new provision will:

- Provide 8 full time places for 6 children and young people with an Education, Health and Care Plan and 2 'flexible' places for children needing to access the provision for short term assessment and support.
- Specialise in meeting the needs of children and young people with Communication and Interaction.
- Have access to a range of therapies and specialist training opportunities to ensure children are fully supported
- Increase the opportunities for children and young people with SEND to access mainstream education together with more specialised small group interventions and support
- Be funded on a 'place' basis similar to special schools and in line with national guidance.

Background to the Proposal

North Yorkshire Council has a duty to keep its special education provision under review and ensure there is the right type of provision and enough places to meet the needs of children and young people with special educational needs and/or disabilities (SEND).

We want all children and young people with SEND in North Yorkshire to;

- have the best educational opportunities so that they achieve the best outcomes;
- be able to attend a school or provision locally, where they can make friends and be part of their local community; and
- make progress with learning, have good social and emotional health and be prepared for a fulfilling adult life.

We know that there are more children and young people being identified as having special educational needs in North Yorkshire and we expect this increase to continue. We need to make sure that we have the right type of education provision in the right place to meet their needs. We know that a number of our children and young people have to go to school outside North Yorkshire, and we want to avoid this wherever possible.

We have developed a strategic plan for educating children with SEND which aims to create a better offer of provision for children and young people, improved communication, enable more local decision making, and reduce costly out of county placements. This plan was approved in September 2018 and the proposal to implement the Targeted Mainstreams Provisions were the approved on 31 March 2020. We are now implementing the actions within it and one of these actions requires us to alter the designation to include an SEN Unit of those schools involved.

This document explains the proposal that we are consulting on with regard to the individual school in question. The full strategic plan document is here [Local area SEND strategy 2023 to 2026 | North Yorkshire Council](#) so that you can see where this aspect of provision fits within the wide range of provisions established or being developed. We recommend that you read this document before responding to the survey and giving us your views on the individual proposal.

How are we consulting?

We have already carried out a consultation exercise on the SEND Strategic Plan from 18th May 2018 to 28th June 2018 and then subsequently from 6th February 2020 to 15th March 2020 on the specific issue of establishing Targeted Mainstream provisions. This current school organisation proposal is purely about the establishment of a Targeted Provision.

We are asking you to give your views on the school organisation proposals. If you would like a paper copy of the survey or an alternative format, please call our customer service centre on 01609 780 780.

You can either complete and return the attached response sheet, or submit an online response at

#####

What is the timescale?

The closing date for responses is 19 July 2024. All responses to the consultation received by this date will be considered by our Executive on 17 September 2024. If the Council's Executive decides to proceed with the proposal, then statutory notices would be published in the local press on 27 September 2024. These notices provide a further four weeks for representations to be made. A final decision would then be made by the Council's Executive on 19 November 2024.

Information about our equalities impact assessment

We have carried out an equalities impact assessment (EIA) which can be found here ##### We will update this following comments received during the consultation and councillors will consider it again before they make a decision on implementing the proposal. The EIA has identified that there will be an impact on young people with SEND and if changes are made to current SEND education services, we will offer support to families to adapt to those changes.

We anticipate that, if the proposal is implemented, it may bring positive impacts to young people and their families, particularly by enabling more young people with SEND to be educated in their own community and achieve better outcomes. We anticipate that with more local provision children and young people with SEND will have more opportunities to attend a local school that is closer to home and will help them achieve better educational and social outcomes.

Norton Community Primary

We are consulting on proposals to add provision for Special Educational Needs by providing Special Resourced provision in the form of Targeted Mainstream Provision at Norton Community Primary, Malton.

Observations and/or suggestions:

Please do not disclose any personal data in your response

Interest/Status

e.g. Parent/Governor/Teacher/Community

Name of School

Signed

Date:

Name (Block Capitals)

Address:

.....

.....

Postcode:

To help us assess whether we have provided clear information, please let us know whether you found this consultation easy to understand? YES/NO

Do you have any suggestions for improvement?

.....

Under the provisions of the Freedom of Information Act 2000, responses to the consultation may be published on the County Council’s website where it may be accessed by members of the public. Your personal details will not be published.

Please send this response sheet to the following “FREEPOST” address. You do not need to use a postage stamp.

FREEPOST RTKE-RKAY-CUJS

Norton Community Primary

Strategic Planning

North Yorkshire Council

County Hall

NORTHALLERTON

DL7 8AE

To be received by no later than 19 July 2024

We are collecting this information for the purpose of gathering views on the proposal. Your personal data will not be published or passed to any other organisation unless a legal obligation compels us to do so. We may contact you to discuss your views further. For more information about how your personal data is handled at North Yorkshire County Council please visit: www.northyorks.gov.uk/privacy-notices

Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

(Form updated October 2023)

Targeted Mainstream Provision – Norton Community Primary

If you would like this information in another language or format such as Braille, large print or audio, please contact the Communications Unit on 01609 53 2013 or email communications@northyorks.gov.uk.



যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔

Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find completed EIAs we also publish them in the Equality and Diversity section of our website. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.

Name of Directorate and Service Area	CYPS - Inclusion
Lead Officer and contact details	Chris Reynolds, Head of SEND Provision and Resources
Names and roles of other people involved in carrying out the EIA	Wendy Butterfield, Lead SEND Development Officer Chris Reynolds, Head of SEND Provision and Resources
How will you pay due regard? e.g. working group, individual officer	Consultation with stakeholders
When did the due regard process start?	May 2024

Section 1. Please describe briefly what this EIA is about. (e.g. are you starting a new service, changing how you do something, stopping doing something?)

This EIA considers the implications of the addition of a targeted mainstream provision to Norton Community Primary, Ryedale.

Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it? (e.g. to save money, meet increased demand, do things in a better way.)

The changes being proposed will create more support for children and young people with Education Health & Care Plans (EHC Plans) in a mainstream school in the Ryedale area.

This proposal will allow the creation of an additional 8 supported places in a mainstream school for children and young people with Special Educational Needs & Disability (SEND).

Section 3. What will change? What will be different for customers and/or staff?

Children with SEND will have a greater opportunity to remain in mainstream school in the Ryedale area, as they will have to enhanced support and a resource area when required.

This will provide more choice for parents/carers as to where their child will receive their education. The staff working in the new targeted provision will have access to higher levels of training to ensure that they have the required knowledge and skills to support the children attending their schools via the Targeted Mainstream Provision.

Section 4. Involvement and consultation (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

Consultation with stakeholders will take place for the targeted mainstream provisions at Norton Community Primary.

Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

The proposals will ensure that more children and young people can have their needs met in the Ryedale area.

This will mean that more children will be able to access mainstream school with additional support for their special educational needs.

The proposal provides more choice for parents if they wish their child to remain in mainstream school.

In turn this should reduce the pressures on special school placements and mean that they have more capacity and places available for children whose assessed needs identify a specialist placement is required.

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Age		✓		Children and young people with EHCPs will have more opportunity to remain in a more local mainstream school.

Disability		✓		Children and young people with Communication & Interaction (C&I) and Social and Emotional Mental Health (SEMH) needs will have greater opportunities to remain in mainstream provision whilst receiving the appropriate levels of support to access the mainstream curriculum and wider opportunities within the school.
Sex	✓			It is anticipated there would be no identifiable impact on SEND pupils due to their sex.
Race	✓			It is anticipated there would be no identifiable impact on SEND pupils due to their race.
Gender reassignment	✓			It is anticipated there would be no identifiable impact on SEND pupils due to their gender reassignment.
Sexual orientation	✓			It is anticipated there would be no identifiable impact on SEND pupils due to sexual orientation
Religion or belief	✓			It is anticipated there would be no identifiable impact on SEND pupils due to religion or beliefs.
Pregnancy or maternity	✓			It is anticipated there would be no identifiable impact on SEND pupils due to pregnancy or maternity.
Marriage or civil partnership	✓			It is anticipated there would be no identifiable impact on SEND pupils due to marriage or civil partnership.

Section 7. How will this proposal affect people who...	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
..live in a rural area?		✓		Children and young people with EHCPs will have more opportunity to remain in a more local mainstream school. This will reduce travel time and provide more social opportunities for children.
...have a low income?	✓			It is anticipated there would be no identifiable impact on SEND pupils due to their family receiving a low income.
...are carers (unpaid family or friend)?	✓			It is anticipated there would be no identifiable impact on SEND pupils who are carers.
..... are from the Armed Forces Community	✓			It is anticipated there would be no identifiable impact on SEND pupils who are from the Armed Forces Community.

Section 8. Geographic impact – Please detail where the impact will be (please tick all that apply)	
North Yorkshire wide	
Craven	
Hambleton	
Harrogate	
Richmondshire	
Ryedale	✓
Scarborough	

Selby	
If you have ticked one or more areas, will specific town(s)/village(s) be particularly impacted? If so, please specify below.	
The TMPs will provide additional resources bases for those children and young people in their locality.	

Section 9. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) **State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.**

The proposals may have an impact on children with a combination of protected characteristics. However, this should be a positive impact as more children with EHCPs can have their needs met locally.

Section 10. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)	Tick option chosen
1. No adverse impact - no major change needed to the proposal. There is no potential for discrimination or adverse impact identified.	✓
2. Adverse impact - adjust the proposal - The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.	
3. Adverse impact - continue the proposal - The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services)	
4. Actual or potential unlawful discrimination - stop and remove the proposal – The EIA identifies actual or potential unlawful discrimination. It must be stopped.	
Explanation of why option has been chosen. (Include any advice given by Legal Services.)	
<p>Since the roll out of the targeted mainstream provisions in 2020 there are now eleven TMPs open across NY with another 4 due in the next academic year.</p> <p>These have already shown to have a positive impact on the development of the young people attending.</p> <p>These TMPs will provide much needed provision in the Ryedale area for primary age pupils with SEND.</p>	

Section 11. If the proposal is to be implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)

The local authority will be working closely with the schools to ensure that the targeted provision is set up effectively and the school will receive high levels of advice and guidance. The targeted provision staff will receive support from the C&I SEND leads within the local authority to ensure that any issues can be shared and resolved and good practice identified.

Termly monitoring visits will take place detailing the progress in development of the provisions.

Parent and children and young people will be asked for feedback on an annual basis as part of the annual review process and an annual report produced by the Head Teacher.

Section 12. Action plan. List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.

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The new targeted provisions will provide an increased opportunity for children and young people with EHCPs to remain in mainstream school in the Ryedale area.

Norton Community Primary staff and young people will have access to a wider range of specialised training and professionals to meet need including therapists, specialist staff and practitioners.

Section 14. Sign off section

This full EIA was completed by:

Name: Wendy Butterfield
Job title: Lead SEND Development Officer
Directorate: CYPS - Inclusion
Signature: *W Butterfield*

Completion date: 16.5.2024

Authorised by relevant Assistant Director (signature):

Date: