

**Decision Maker:** EDUCATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

**Date:** Tuesday 18 March 2014

**Decision Type:** Non-Urgent Non-Executive Non-Key

**Title:** CHANGES TO THE SYSTEM OF SCHOOL ORGANISATION

**Contact Officer:** Jane Bailey, Interim Assistant Director: Education  
Tel: 020 8313 4146 E-mail: jane.bailey2@bromley.gov.uk

Robert Bollen, Head of Strategic Place Planning  
Tel: 020 8313 4697 E-mail: robert.bollen@bromley.gov.uk

**Chief Officer:** Terry Parkin, Executive Director of Education, Care & Health Services

**Ward:** (All Wards);

---

1. Reason for report

- 1.1 To update the Committee on the new School Organisation regulations that came into force on the 28<sup>th</sup> January 2014 and particularly their impact on the delivery of the Council's programme of school expansions.

---

2. **RECOMMENDATION(S)**

- 1) That the Education PDS Committee note the changes in arrangements with regard to consultation for changes to the organisation of schools.
- 2) That Members note that under the new changes schools can decide to expand without the need for statutory consultation as long as certain requirements are met.
- 3) That Members note the implications these changes will have on the delivery of the school expansion programme.

### Corporate Policy

1. Policy Status: New Policy
  2. BBB Priority: Children and Young People
- 

### Financial

1. Cost of proposal: Not Applicable
  2. Ongoing costs: Not Applicable
  3. Budget head/performance centre:
  4. Total current budget for this head:
  5. Source of funding: Not Applicable
- 

### Staff

1. Number of staff (current and additional): Not applicable
  2. If from existing staff resources, number of staff hours: Not applicable
- 

### Legal

1. Legal Requirement: Statutory Requirement- Regulations and statutory guidance
  2. Call-in: Not Applicable
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Borough wide
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: Not applicable

### **3. COMMENTARY**

- 3.1 The school organisation system provides the legal and policy framework that governs how schools are categorised, the process by which they can make significant changes to their size and characteristics and the process by which new schools can be opened and maintained schools closed.
- 3.2 Following consultation during autumn 2013 the Government has announced new arrangements for undertaking changes to the system of school organisation, the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and (Establishment and Discontinuance of Schools) Regulations 2013, that came into force on 28 January 2014.
- 3.3 The changes significantly reduce the bureaucracy required for making changes to school organisation and give greater freedom to maintained schools to make changes to the size or age range of a school without following a statutory process. It will also assist local authorities by reducing the time required to consult on school expansion.
- 3.4 Local authorities retain their overarching duty to ensure sufficient high quality school places, along with powers to propose changes to maintained schools where they feel it necessary to meet that duty. Retaining a statutory process where a LA makes such proposals will ensure that individual schools are involved in changes that affect them. A table setting out the changed responsibilities for decision making and consultation is set out in Appendix A.
- 3.5 Although schools will not be required to undergo statutory consultation for expansion or altering the upper or lower age limit by up to two years they will be required to ensure before making any changes that:
- suitable options for accommodation has been identified
  - where required, capital funding is secured to support the changes
  - planning permission has been achieved for any capital works
  - any agreement on land transfer and/or consents where the land is not owned by the governing body have been agreed
  - consent has been obtained from the relevant religious authority
  - the admissions authority is content for the published admissions number (PAN) to be changed where this forms part of expansion plans, in accordance with the School Admissions Code.

### **4. POLICY IMPLICATIONS**

- 4.1 The new arrangements will have implications for the local authority, both in its delivery of its school expansion programme and administration of school admissions.
- 4.2 By schools undertaking a streamlined consultation process, there will be considerable time benefits with up to 2 months saved when changing the size and age range compared to previously when the local authority was required to undertake a two stage statutory process.
- 4.3 Where a school is making changes to its organisation as part of the local authority's school expansion programme the local authority will need to confirm capital funding, and where relevant planning permission is in place, before a school can formally commit to the change. This means that consultation will take place later in the process and only after the LA or other relevant body has made a formal commitment to provide resources to support the change.
- 4.4 Schools will need to act in accordance with the School Admissions Code and in partnership with the local authority's school admission team where they wish to increase PAN.

## 5 LEGAL IMPLICATIONS

- 5.1 Relevant legislation is School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and (Establishment and Discontinuance of Schools) Regulations 2013, together with the Statutory guidance, School Organisation Maintained Schools.

<b>Non-Applicable Sections:</b>	[List non-applicable sections here]
Background Documents: (Access via Contact Officer)	[Title of document and date]