

Prescribed Alterations (PA) to Maintained Schools Draft Regulations
Who can do what?

Governing Body¹

Alteration	Community	Community Special	Foundation	Foundation Special	Voluntary Aided	Voluntary Controlled	Reference in PA Regulations
Enlargement of school premises	✓		✓		✓	✓	N/A
Alteration of lower or upper age range – except adding or removing a sixth form This does not allow schools to add an additional phase of education	✓	SP <i>unless temporary (less than two years)</i>	✓	SP <i>unless temporary (less than two years)</i>	✓	✓	Regulation 4 and paragraph 5 of Schedule 2
Adding a sixth form <i>This maintains the status quo, but the statutory process is streamlined</i>	SP		SP		SP	SP	Regulation 4 and paragraph 4(a) of Schedule 2
Removing a sixth form <i>This maintains the status quo, but the statutory process is streamlined</i>			SP		SP	SP	Regulation 4 and paragraph 4(b) of Schedule 2
Adding boarding provision (or increasing by more than 5 pupils)	✓	SP <i>if ≥ 5 pupils</i>	✓	SP <i>if ≥ 5 pupils</i>	✓	✓	Regulation 4 and paragraph 13 of Schedule 2
Ending boarding provision (or decreasing by more than 5 pupils or 50% or 50 pupils, whichever is the greatest) <i>This maintains the status quo, but the statutory process is streamlined</i>		SP <i>if ≥ 5 pupils</i>	SP <i>if ≥ 50% or 50 pupils</i>	SP <i>if ≥ 5 pupils</i>	SP <i>if ≥ 50% or 50 pupils</i>	SP <i>if ≥ 50% or 50 pupils</i>	Regulation 4 and paragraphs 12(2), 12(3) and 13 of Schedule 2

¹ For these alterations, where a statutory process is required , it will be completed by the Governing Body

Key

✓: Can make alteration without following a statutory process

SP: Can propose alteration by following the revised statutory process

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Alteration	Community	Community Special	Foundation	Foundation Special	Voluntary Aided	Voluntary Controlled	Reference in PA Regulations
<p>Adding or removing SEN Units or Resourced Provision</p> <p><i>This maintains the status quo, but the statutory process is streamlined</i></p>			SP		SP	SP	Regulation 4 and paragraph 8 of Schedule 2
<p>Altering SEN Units or Resourced Provision</p> <p><i>This maintains the status quo, but the statutory process is streamlined</i></p>		SP	SP	SP	SP	SP	Regulation 4 and paragraph 8 of Schedule 2
<p>Altering gender composition from single sex to co-educational, or vice versa</p> <p><i>This maintains the status quo, but</i></p> <p>a) <i>the statutory process is streamlined; and</i></p> <p>b) <i>there is a change to the definition of a single sex establishment where the admission of pupils of the opposite sex must be limited to pupils over the compulsory school age and and is 'a comparatively small number' of pupils in the age group normally at the school (previously ≤25%)</i></p>		SP	SP	SP	SP	SP	Regulation 4 and paragraph 11 of Schedule 2
<p>School transfer to a new site</p> <p><i>if beyond two miles from the original site</i></p>		SP	SP	SP	SP	SP	Regulation 4 and paragraph 14 of Schedule 2

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Alteration	Community	Community Special	Foundation	Foundation Special	Voluntary Aided	Voluntary Controlled	Reference in PA Regulations
<i>This maintains the status quo, but the statutory process is streamlined</i>							
Closure of any site where a school occupies more than one site if over one mile from remaining site <i>This maintains the status quo, but the statutory process is streamlined</i>			SP		SP	SP	Regulation 4 and paragraph 15 of Schedule 2
Changes of category of school – other than to foundation <i>This maintains the status quo, but the statutory process is streamlined</i>	SP		SP		SP	SP	Regulation 4 and paragraph 16 of Schedule 2
Change of category to foundation School – for foundation and foundation special schools acquisition of a Trust and/or majority governance arrangements <i>This maintains the status quo, but the statutory process is streamlined</i>	SP	SP	SP	SP	SP	SP	Regulation 3
Altering grammar school admission arrangements to remove selective admissions arrangements <i>This maintains the status quo, but the statutory process is streamlined</i>	SP		SP		SP	SP	Regulation 4 and paragraph 10 of Schedule 2
Increase in number of pupils at a special school (except hospital schools)		SP		SP			Regulation 4 and paragraph 6 of Schedule 2

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Alteration	Community	Community Special	Foundation	Foundation Special	Voluntary Aided	Voluntary Controlled	Reference in PA Regulations
<i>if ≥10% or 20 pupils (5 if only boarding)</i>							
Decrease in number of pupils at a special school (except hospital schools)							Regulation 4 and paragraph 7 of Schedule 2
<i>This maintains the status quo, but the statutory process is streamlined</i>							

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Local Authority²

Alteration	Community	Community Special	Foundation	Foundation Special	Voluntary Aided	Voluntary Controlled	Maintained Nursery School	Reference in PA Regulations
<p>Enlargement of school premises <i>if ≥30 + 25% or 200 pupils – unless temporary (less than 3 years)</i></p> <p><i>This maintains the status quo, but the statutory process is streamlined</i></p>	SP		SP		SP	SP		Regulation 5 and paragraph 1 of Schedule 2
<p>Alteration of lower or upper age range – except adding or removing a sixth form</p> <p>This does not allow for an additional phase of education</p> <p><i>This maintains the status quo, but the statutory process is streamlined</i></p>	SP	SP						Regulation 5 and paragraphs 2 and 5 of Schedule to the PA Regs

² For these alterations, the statutory process will be carried out by the local authority

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Adding a sixth form <i>unless temporary (less than two years)</i>	SP		SP		SP	SP		Regulation 5 and paragraphs 2 and 4 (a) of Schedule 2
Removing a sixth form <i>unless temporary (less than two years)</i> <i>This maintains the status quo, but the statutory process is streamlined</i>								Regulation 5 and paragraph 2 of Schedule 2
Adding (by more than 5 pupils) or removing boarding provision (or decreasing by more than 5 pupils or 50% or 50 pupils, whichever is the greatest) <i>This maintains the status quo, but the statutory process is streamlined</i>	SP <i>If ≥ 50% or 50 pupils</i>	SP <i>if ≥ 5 pupils</i>						Regulation 5 and paragraphs 12 and 13 of Schedule 2
Adding or removing SEN Units or Resourced Provision <i>This maintains the status quo, but the statutory</i>	SP		SP		SP	SP		Regulation 5 and paragraphs 8(a) and 8(c) of Schedule 2

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<i>process is streamlined</i>								
<p>Altering SEN Units or Resourced Provision</p> <p><i>This maintains the status quo, but the statutory process is streamlined</i></p>	SP	SP		SP				Regulation 5 and paragraph 8(b) and 9 of Schedule 2
<p>Altering gender composition from single sex to co-educational, or vice versa</p> <p>This maintains the status quo, but</p> <p>a) the statutory process is streamlined;</p> <p>b) there is a change to the definition of a single sex establishment where admission of pupils of the opposite sex must be limited to pupils over compulsory school age and ‘a comparatively small number’ (previously $\geq 25\%$)</p>	SP	SP						Regulation 5 and paragraph 11 of Schedule 2
<p>School transfer to a new site if beyond two miles from the original site</p>	SP	SP					SP	Regulation 5 and paragraph 14 of Schedule 2

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Alteration	Community	Community Special	Foundation	Foundation Special	Voluntary Aided	Voluntary Controlled	Maintained Nursery School	Reference in PA Regulations
<i>This maintains the status quo, but the statutory process is streamlined</i>								
<p>Closure of any site where a school occupies more than one site if over one mile from remaining site</p> <p><i>This maintains the status quo, but the statutory process is streamlined</i></p>	SP							Regulation 5 and paragraph 15 of Schedule 2
<p>Increase in number of pupils at a special school (except hospital schools) if ≥10% or 20 pupils (5 if only boarding)</p>		SP		SP				Regulation 5 and paragraph 6 of Schedule 2
<p>Decrease in number of pupils at a special school (except hospital schools) if ≥10% or 20 pupils (5 if only boarding)</p> <p><i>This maintains the status quo, but the statutory process is streamlined</i></p>								Regulation 5 and paragraph 7 of Schedule 2

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