



Department
for Education

Closing maintained schools

**Statutory guidance for proposers and
decision-makers**

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Summary

This is statutory guidance from the Department for Education ('the department'). Proposers and decision-makers must have regard to it when discontinuing (closing) an existing maintained school.

The purpose of this guidance is to set out the main processes by which maintained schools may be closed. It should be read in conjunction with [Part 2](#) of, and [Schedule 2](#) to, the Education and Inspections Act 2006 ('the EIA 2006') as amended by the [Education Act 2011](#) and the [Children's Wellbeing and Schools Act 2026](#) and [The School Organisation \(Establishment and Discontinuance of Schools\) Regulations 2013](#) ('the establishment and discontinuance regulations') as amended by The School Organisation (Establishment and Discontinuance of Schools) (Amendment) Regulations 2026.

This guidance only relates to schools in England.

Transition from previous guidance and review

This guidance supersedes previous guidance on closure of maintained schools under Part 2 of the EIA 2006 and section 30 of the School Standards and Framework Act 1998 ('the SSFA 1998'). It will be kept under review, and updates published if necessary.

Where a local authority or governing body have published proposals under section 15 of the EIA 2006 prior to 1 September 2026, the previous guidance on [opening and closing maintained schools](#) should be followed.

If a local authority or governing body has consulted on a school closure prior to 1 September 2026, they do not need to repeat the consultation if the proposal is published after 1 September 2026.

What legislation does this guidance refer to?

- [The School Organisation \(Establishment and Discontinuance of Schools\) Regulations 2013](#) as amended by The School Organisation (Establishment and Discontinuance of Schools) (Amendment) Regulations 2026
- [Education and Inspections Act 2006](#)
- [Children's Wellbeing and Schools Act 2026](#)
- See also: [Further Information](#)

Who is this guidance for?

This guidance is relevant to all categories of maintained school¹, unless explicitly stated otherwise, and is for those proposing to close such a school (for example local authorities or governing bodies), decision-makers (local authorities and the [Schools Adjudicator](#)), and for those affected by a proposal (for example dioceses, other relevant religious authorities, trustees of the school² and parents).

Separate advice is available on [opening new schools](#), [making significant changes \('prescribed alterations'\) to maintained schools](#), [making significant changes to an academy](#) and [closure of an academy by mutual agreement](#).

It is the responsibility of local authorities, proposers and governing bodies to ensure that they act in accordance with the relevant legislation and have regard to statutory guidance when seeking to close a maintained school and they are advised to seek independent legal advice where appropriate. Similarly, local authorities and the Schools Adjudicator, when making decisions on such proposals, must act in accordance with the law and must have regard to statutory guidance.

Main points

- In this guidance we use 'other proposers' to indicate proposers that are not the local authority (for example a governing body). References in this guidance to 'proposers' includes both local authorities and other proposers³.
- All decisions on proposals to close a maintained school must be made with regard to the factors outlined in this guidance and must follow the relevant statutory process.
- Local authorities are expected to consider a range of performance indicators and financial data when considering the closure of a maintained school.
- Both the consultation period and the representation period (part of the statutory process) should take place in term time wherever possible, to allow the maximum number of people to see and respond to what is proposed.

¹ Community, foundation, voluntary aided (VA), voluntary controlled (VC), community special, and foundation special.

² By "trustees of the school" we mean the body or individuals that hold land on trust either specifically for the purposes of the school or (less commonly) for wider charitable purposes which can include use by a school. They must agree to any changes to that land. This term is not to be confused with the directors of an academy trust company - who are sometimes called trustees.

³ This is slightly different to how "proposers" is defined in the EIA 2006, where the local authority is identified separately and "proposers" refers to anyone else other than the local authority.

- The decision-maker will need to be satisfied that the consultation and representation processes were appropriate, fair and open, and that the proposer has given full consideration to all the responses to the consultation.
- Proposers should be aware of the [guidance for decision-makers](#) set out in this guidance, and should ensure that their proposals address the considerations that the decision-maker must take into account. The decision-maker should consider the expressed views of all those affected by a proposal or who have an interest in it, including cross-local authority border interests. The decision-maker should not simply take account of the number of people expressing a particular view. Instead, they should give appropriate weight to the range of responses from those stakeholders likely to be most directly affected by a proposal – especially parents⁴ of children at the affected school(s).
- In determining proposals, decision-makers should ensure that the [support and intervention in schools](#) guidance has been considered where necessary.
- The department’s School Organisation Team can make the necessary updates to the [Get Information About Schools](#) (GIAS) system.

This guidance provides information on the following:

Table 1: summary of closing proposals

Legislation	Proposer	Proposal
Section 15(1) of the EIA 2006	Local authority	To close a community, foundation, voluntary, community special, foundation special, or maintained nursery school.
Section 15(2) of the EIA 2006	Governing body	To close a voluntary, foundation, or foundation special school.
Section 17 of the EIA 2006	Secretary of State	To close a community special or foundation special in the interests of the health, safety or welfare of the pupils.
Section 68 of the EIA 2006	Secretary of State	To close a maintained school that is eligible for intervention ⁵ .

⁴ For the purpose of this guidance, a “parent” should be considered to be anyone who has parental responsibility for a child or has care of them.

⁵ This is covered in separate guidance: see [support and intervention in schools](#).

Legislation	Proposer	Proposal
Section 30(1) of the SSFA 1998	Governing body	May give at least two years' notice of its intention to close a foundation or voluntary school to the Secretary of State and the local authority.
Section 30(10) of the SSFA 1998	Trustees of the school ⁶	May give at least two years' notice in accordance with section 30(11) to terminate a foundation or voluntary school's occupation of its land ⁷ .

⁶ See footnote 2.

⁷ This might not necessarily lead to the closure of the school. The school might instead just move sites. Section 30(10) also specifies that the notice requirements at section 30(11) only need to be followed if the land is held for the purposes of the school and the termination of the school's occupation of that land would have the result that it was not reasonably practicable for the school to continue to be conducted at its existing site.

Introduction

Local authorities have a statutory responsibility to ensure there are enough school places available in their area for every pupil of compulsory school age (the 'sufficiency duty'). This is set out in section 14 of the Education Act 1996. Considerations regarding the closure of schools form part of a local authority's place planning function.

Local authorities should ensure they retain some spare capacity in the school system to manage changing demand, allow for parental choice and diversity of provision, and support the effective management of the admissions system. It is important to avoid short-term fixes and ensure capacity is not removed where it may be needed again in the future (for example where pupil numbers are expected to rise). At the same time, the school estate needs to be managed efficiently, and this means reducing or re-purposing high levels of spare capacity, including through the closure of schools where appropriate, where there is no forecast increase in the need for school places over the medium to long term.

As set out in the department's [Education Estates Strategy](#), the department is working with the sector to develop a decision-making framework for the use of mainstream school space through demographic change. This will support strategic planning at a local level. The framework will draw on strong local area approaches and will embed best practice across the system, to ensure the mainstream school estate remains resilient and flexible to changing local demand.

Before proposing to close a maintained school outright, the proposer (where the local authority is not the proposer) and the local authority should consider whether other types of changes, such as an amalgamation, reduction in the Published Admission Number (PAN)⁸, reutilisation of part of the school premises for other purposes, and/or reorganisation of the school estate more broadly, could provide a realistic alternative to outright closure. Further information on these types of change can be found in the [making significant changes \('prescribed alterations'\) to maintained schools](#) guidance and the [School Admissions Code](#) (for reduction in PAN).

⁸ As part of determining their admission arrangements, an admission authority must set an admission number for each 'relevant age group for admission', for example the reception year in a primary school and year 7 in a secondary school. The PAN is the number of pupils the school intends to admit to that age group.

Proposing to close (discontinue) a maintained school

The table below summarises how, under section 15 of EIA 2006, a local authority can propose the closure of a community, foundation, voluntary, community special, foundation special or maintained nursery school, and the governing body of a voluntary, foundation or foundation special school may publish proposals to close its own school. The statutory process is set out in the establishment and discontinuance regulations and described in the [statutory process section](#) of this guidance.

Table 2: proposals to close a school

Proposer	Type of proposal	Decision-maker	Who has the right to refer a decision to the Schools Adjudicator?
Local authority	Close a community, community special or maintained nursery school	Local authority	The Diocesan Board of Education of any Church of England (CofE) diocese any part of which is in the area of the local authority. The bishop of any Roman Catholic diocese any part of which is in the area of the local authority.
Local authority	Close a foundation, foundation special or voluntary (voluntary controlled (VC) or voluntary aided (VA)) school	Local authority	The Diocesan Board of Education of any CofE diocese any part of which is in the area of the local authority. The bishop of any Roman Catholic diocese any part of which is in the area of the local authority. The governing body or trustees of the school.
Governing Body	Close a foundation, foundation special or voluntary (VC or VA) school	Local authority	The Diocesan Board of Education of any CofE diocese any part of which is in the area of the local authority. The bishop of any Roman Catholic diocese any part of which is in the area of the local authority. The governing body or trustees of the school.

Two years' notice of closure – voluntary and foundation schools

In addition to the statutory process for closure in relation to proposals made under section 15 of EIA 2006, the governing body of a voluntary or foundation school may bring about the closure of a school by notifying the Secretary of State and the local authority of

their intention to close the school, providing at least two years' notice and subject to certain provisions⁹.

The trustees of a foundation or voluntary school may bring about the closure of a school by notifying a governing body that they intend to terminate the school's occupation of its site, providing a reasonable length of time, with at least two years' notice and subject to certain provisions¹⁰.

The minimum two years' notice allows the local authority and/or governing body time to make alternative arrangements for pupils. This might not necessarily lead to the closure of the school. The school might instead just move sites. Section 30(10) of the SSFA 1998 also specifies that the notice requirements at section 30(11) only need to be followed if the land is held for the purposes of the school and the termination of the school's occupation of that land would have the result that it was not reasonably practicable for the school to continue to be conducted at its existing site.

Closure of a community special or foundation special school in the interests of pupils

The Secretary of State may direct¹¹ a local authority to close a community special or foundation special school if they consider it is in the interests of the health, safety or welfare of the pupils. Prior to making the direction, the Secretary of State will consult:

- the local authority;
- any other local authority which would be affected by the closure of the school;
- for a foundation special school with a foundation, the person who appoints the foundation governors;
- any other persons the Secretary of State considers appropriate.

The Secretary of State will give notice of the direction in writing to both the governing body and the headteacher of the school. The school must be closed on the date specified by the Secretary of State.

⁹ The provisions are in section 30 of the SSFA 1998. Please also note the requirements to obtain the Diocesan Board of Education's advice at section 7 of the Diocesan Boards of Education Measure 2021 (the DBE Measure 2021).

¹⁰ The provisions are in section 30 of the SSFA 1998. Please again also note the requirements to obtain advice at section 7 of the DBE Measure 2021.

¹¹ Section 17 of EIA 2006.

Closure of a maintained school eligible for intervention

The Secretary of State may direct¹² a local authority to close a maintained school if it is eligible for intervention¹³ (other than those schools that are eligible for intervention in relation to a teachers' pay and conditions warning notice¹⁴). This guidance does not cover closure of a maintained school eligible for intervention. This is covered in separate guidance: see [support and intervention in schools](#).

'Closures' which do not require the statutory closure process

A proposal to close a school is not required where a school will temporarily cease to operate due to a rebuild (for example, through the [School Rebuilding Programme](#) (SRP)).

A proposal to discontinue the use of a site, where a school is operating over multiple sites and proposes to cease operations on one (or more) of its sites, will be for a [prescribed alteration](#) and not a school closure.

Amalgamations

There are two ways to amalgamate two (or more) existing maintained schools:

- The local authority and/or governing body (depending on the category of the school) can publish proposals to close two, or more, schools and the local authority (or a proposer other than the local authority depending on category) can publish a proposal to open a new school, in line with the processes set out in the [opening new schools](#) guidance. This will result in a new school number being issued.
- 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 of an existing school (following the statutory prescribed alterations process as necessary), to accommodate the displaced pupils. The remaining school would retain its original school number, as it is not a new school, even if its age range has changed. This is sometimes referred to as a 'merger'.

¹² Section 68 of the EIA 2006.

¹³ See [support and intervention in schools](#) guidance.

¹⁴ Section 60A of the EIA 2006.

Schools wishing to acquire, change or lose a religious character

It is not possible to add, change or remove the religious character of an existing maintained school. The school must be closed, following the usual statutory process, and a new school may be established. Schools designated with a religious character that close will automatically have the designation revoked.

Reversion of certain sites

Many Church of England schools occupy sites provided under the School Sites Act 1841 ('the 1841 act'). Section 2 of that act enables a landowner to provide a site for certain educational purposes as listed (typically a school or a school house), with the land being held under a statutory charitable trust with a primary purpose matching those set out in the 1841 act. The 1841 act also sets out that if the land ceases to be used for those purposes at any point, the land reverts to the donor – or their heirs – automatically by operation of law¹⁵.

Section 14 of the 1841 act allows a site to be sold or exchanged, with any proceeds applied for the purposes set out in the trust deed, without triggering reverter. However, where a school occupying a site provided under the 1841 act closes and is not replaced by a new school operating on land held on a charitable trust for the same purposes, the site will revert automatically to the donor or their heirs. This may include circumstances where land ceases to be used for a school at all or is no longer used for a Church of England school. However, close attention will always need to be paid to the detailed wording of the trust deed.

¹⁵ In practice, section 1 of the Reverter of Sites Act 1987 replaced certain aspects of the 1841 act so that land or proceeds of sale would be held on a non-charitable statutory trust set for the donor or heirs.

Reasons for closing a school

Reasons for closing a maintained school include, but are not limited to, where:

- there are surplus places elsewhere in the local area which can accommodate displaced pupils and there is no predicted demand for the school in the medium to long term;
- it is to be amalgamated with another school;
- it is no longer considered viable;
- it is being replaced by a new school (for example through section 7 or section 10 of the EIA 2006).

The presumption against the closure of rural schools

Proposers should be aware that the department expects all decision-makers to adopt a presumption against the closure of rural schools. This does not mean that a rural school will never close, but that the case for closure should be strong and clearly in the best interests of educational provision in the area.

The presumption does not apply where a rural infant and junior school on the same site are being closed to establish a new primary school.

Proposers should set out whether the school appears in the [list of designated rural primary schools](#) referred to in the annual Designation of Rural Primary Schools (England) Order that is in force at the time or, where the school is a secondary school, whether the school is identified as rural on the [GIAS](#) database (using the Office for National Statistics' [Rural Urban Area Classification](#)).

In formulating any closure proposals as described in this section of the guidance in relation to a rural primary school¹⁶, proposers must have regard to:

- the likely effect of the closure of the school on the local community;
- the availability, and likely cost to the local authority, of transport to other schools;
- any increase in the use of motor vehicles which is likely to result from the closure of the school, and the likely effects of any such increase; and
- any alternatives to the closure of the school.

Proposers, for all rural closures, in addition to the above, should also provide evidence, as part of their proposal, to show they have carefully considered:

¹⁶ "Rural primary school" means a primary school designated as such for the purposes of this section by an order made by the Secretary of State.

- alternatives to closure including:
 - conversion to academy status and joining a multi-academy trust;
 - federation with another local maintained school;
 - the scope for the school's governing body to provide local community services and facilities (for example childcare facilities, family and adult learning, healthcare) alongside the school offer;
- the availability, and likely cost to parents, of transport to other schools;
- whether the proposal will result in unreasonably long journey times;
- the size of the school and whether it puts the children at an educational disadvantage, for example in terms of breadth of curriculum or resources available;
- the extent to which the school is being used by the local community;
- the overall and long-term impact on local people and the community of the closure of the school and of the loss of the building as a community facility, if applicable;
- educational standards at the school and the likely effect on standards at neighbouring schools;
- whether the school is no longer needed (for example because there are surplus places elsewhere in the local area which can accommodate displaced pupils, and there is no predicted demand for the school in the medium or long term); and
- wider school organisation and the capacity of schools with strong performance records in the area to accommodate displaced pupils.

The presumption against the closure of nursery schools

Proposers should be aware that decision-makers are expected to adopt a presumption against the closure of maintained nursery schools. This does not mean that a maintained nursery school will never close, but that the case for closure should be strong.

Where a proposal relates to the closure of a maintained nursery school, the proposer must include a statement setting out the local authority's assessment of the quality and quantity of the alternative compared to the school proposed to be discontinued and the proposed arrangements to ensure the expertise and specialism continues to be available, and the accessibility and convenience of replacement provision for local parents.

When proposing to close a school which includes early years provision, proposers should set out whether the alternative early years provision will integrate pre-school education with childcare services and/or with other services for young children and their families.

The statutory process

This section sets out the stages of the statutory process. The statutory process described below must be followed for closure of a maintained school under section 15 of the EIA 2006.

Related proposals

A proposal should be regarded as ‘related’ to another proposal for establishing or discontinuing a school if its implementation (or non-implementation) would prevent or undermine the effective implementation of another proposal. Where proposals are related, this should be made clear in consultation and representation periods, in published notices, and proposals.

Stage 1: consultation

It is a statutory requirement to consult any parties the proposer thinks appropriate before publishing proposals under section 15 to close a maintained school.

The proposer may use the consultation to consider a range of options for the future of a school (such as amalgamation, academy conversion, federation or closure). However, the proposer must then publish specific proposals (see [stage two](#) of the statutory process below). It is these specific proposals setting out details of the school to be closed which can be commented on or objected to during the statutory representation period.

It is for the proposer to determine the nature and length of the pre-publication consultation. It is best practice for consultations to be carried out in term time to allow the maximum number of people to respond. Proposers should follow the Cabinet Office [consultation principles: guidance](#) when deciding how to carry out the consultation.

In the case of the closure of rural primary schools and special schools, the act sets out some particular groups who must be consulted. These are set out in [Annex A](#) to this guidance.

Stage 2: publication

If a proposer wishes to proceed with closure, a statutory proposal should be published within 12 months of the initial consultation period ending. This is so that it can be informed by up-to-date feedback. A proposal must contain the information specified in Schedule 2 to the establishment and discontinuance regulations (set out in [Annex B](#) to this guidance).

Where the local authority is the proposer, the local authority must publish the proposal on their website. Where the proposer is the governing body, the governing body must

publish the proposal on a website and notify the local authority of the website where the proposal has been published. The local authority must then publish this website address on their own website within two weeks of receiving it.

Alongside the proposal, the proposer must include on their website a statement setting out:

- how copies of the proposal may be obtained;
- that anybody can object to, or comment on, the proposal;
- the date by which any objections or comments must be received (which is to be four weeks from publication – the representation period); and
- the address of the local authority to which objections or comments must be sent.

In all cases, within one week of the date of publication of the proposals, the proposer must send a copy of the proposal and the information set out above to:

- the Secretary of State (should be sent via schoolorganisation.notifications@education.gov.uk);
- the Diocesan Board of Education of any Church of England diocese any part of which is comprised in the relevant area;
- the bishop of any Roman Catholic diocese any part of which is comprised in the area of the relevant authority;
- any other body or person that the proposer thinks is appropriate (for example any relevant religious authority); and
- where the proposal is to close a special school, the parents of every registered pupil at the school.

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

Stage 3: representation

The representation period starts on the date of publication of the statutory proposal and must last for four weeks. 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. Local authorities should forward copies of representations to the proposer (subject to any issues of data protection or confidentiality) to ensure that they are aware of local opinion.

The decision-maker will need to be satisfied that the proposer has followed the statutory process and must consider all the comments and objections submitted to the local authority during the representation period.

Stage 4: decision

Related closure and / or opening proposals (other than opening proposals that are to be decided by the Secretary of State) must be considered together and, where applicable, referred to the Schools Adjudicator together. Related 'prescribed alteration' proposals should also be considered and, where possible, determined at the same time.

The local authority will normally be the decision-maker on a school closure proposal, unless the closure proposal is 'related' to another proposal that is to be decided by the Schools Adjudicator.

The Schools Adjudicator will be the decision-maker in any case where the local authority does not make a decision within a period of two months of the end of the representation period. Where this happens, the local authority must, within one week of the end of that two-month period, refer the case to the Schools Adjudicator.

The body or individual that takes the decision must have regard to the statutory decision-makers guidance contained in this document.

When issuing a decision, the decision-maker can:

- reject the proposal;
- approve the proposal without modification;
- approve the proposal with such modifications as they think desirable; or
- approve the proposal, with or without modification, subject to certain conditions being met by a specified date¹⁷.

A proposal can be withdrawn by the proposer at any point before a decision is taken. When revoking a proposal prior to a decision being made, the proposer must send written notice to the local authority and, where the proposal has been referred to the Schools Adjudicator, also to the Schools Adjudicator.

Where the local authority is the decision-maker, within two weeks of making a decision, it must publish its decision on their website. It must arrange for notification of the decision to be sent to¹⁸:

- the Secretary of State (should be sent via schoolorganisation.notifications@education.gov.uk);
- the proposers;

¹⁷ If these conditions are not met by the specified date, the decision-maker must consider the proposals afresh.

¹⁸ Where there are no objections to the proposal, or all objections are withdrawn, the local authority need only notify the governing body of the school that is the subject of the proposals and the Secretary of State.

- the Diocesan Board of Education of any Church of England diocese any part of which is comprised in the area of the relevant authority;
- the bishop of any Roman Catholic diocese any part of which is comprised in the area of the relevant authority; and
- any other body considered appropriate (for example trustees of the school¹⁹).

Where the Schools Adjudicator is the decision-maker they must send notification of the decision to the local authority, the proposers and the Secretary of State (should be sent via schoolorganisation.notifications@education.gov.uk). Ideally this should be within one week of a decision.

Rights to refer local authority decisions to the Schools Adjudicator

When there were objections to a proposal (or a related proposal) and the local authority has made the decision, it must refer the case to the Schools Adjudicator if asked to do so by certain people and bodies. For rights to refer a decision taken by the local authority to the Schools Adjudicator, see [table 2](#) above.

Within one week of receipt of a request for a referral, a local authority must send the proposal, representations received and the minutes and papers for the meeting at which they considered the proposals, along with the reasons for the decision, to the Schools Adjudicator.

There is no right of appeal against determinations made by the Schools Adjudicator. Schools Adjudicator decisions can be challenged only by Judicial Review in the Courts.

Stage 5: implementation

There is no maximum limit on the time between the publication of a proposal and its proposed date of implementation. However, decision-makers should be confident the proposers have good justification (for example an authority-wide reorganisation) if they propose a timescale longer than three years.

The proposal must be implemented in the form approved, including any modifications made by the decision-maker (unless modifying or revoking, as below).

The department's School Organisation Team will make the necessary changes to the school(s) GIAS record(s).

¹⁹ See footnote 2.

Modification post determination

The proposer can propose modifications (for example to amend the implementation date) to the decision-maker before the approved implementation date. This could occur, for example, due to a major change in circumstance, or due to it being unreasonably difficult to implement a proposal as approved. However, proposals cannot be modified to the extent that new proposals are substituted for those that have been approved.

The local authority or the Schools Adjudicator (where the decision in relation to the original proposal was decided by the Schools Adjudicator) will be the decision-maker for any requests for modifications post determination. The decision-maker must notify the Secretary of State (should be sent via schoolorganisation.notifications@education.gov.uk) within one week of decision.

Revocation

If the proposer does not wish to implement an approved proposal because doing so would be unreasonably difficult or circumstances have changed (so that implementation would be inappropriate) the proposer must publish a revocation proposal, to be relieved of the duty to implement. A revocation proposal must contain:

- a description of the original proposal as published;
- the date of the publication of the original proposal;
- details of who published the original proposal; and
- a statement as to why the duty to implement the original proposal should not apply.

The proposer must publish the revocation proposal on a website along with a statement that makes clear:

- how copies of the revocation proposal may be obtained;
- that any person may object to or comment on the revocation proposal and the address of the local authority to which any objections or comments should be submitted; and
- the date by which such objections or comments must be submitted (which must be within four weeks of publication of the proposals).

Within one week of publication, the proposer must send copies of the proposal, along with the statement above, to:

- the local authority (where they are not the proposer);
- the Secretary of State (should be sent via schoolorganisation.notifications@education.gov.uk); and
- any other body or person that the proposer thinks appropriate.

The local authority will be the decision-maker for revocation proposals, with the exception of cases where the initial decision in relation to the original proposal was decided by the Schools Adjudicator. Where the initial decision was made by the Schools Adjudicator, the local authority must refer the revocation proposal (together with any comments or objections) to the Schools Adjudicator within two weeks of the end of the representation period on the revocation proposal.

Guidance for decision-makers

This section sets out the considerations that should be made by the local authority or Schools Adjudicator when deciding proposals to discontinue (close) a school. Decision-makers must have regard to this guidance.

In all cases, the decision-maker should be satisfied that the proposer has carried out the requirements of the statutory process satisfactorily and should have due regard to all comments and objections received during the representation period.

Factors to consider when determining proposals

Demand and need

When determining proposals to discontinue (close) provision, the decision-maker should be satisfied that there is sufficient capacity elsewhere in the local area to accommodate displaced pupils, and that the likely supply of and future demand for places are sustainable in the medium and long term.

As set out in the department's [Education Estates Strategy](#), the department is working with the sector to develop a decision-making framework for the use of mainstream school space through demographic change. This will support strategic planning at a local level. The framework will draw on strong local area approaches and will embed best practice across the system, to ensure the mainstream school estate remains resilient and flexible to changing local demand.

The decision-maker should take into account the overall quality of alternative places in the local area, balanced with the need to reduce excessive surplus capacity in the system. The decision-maker should have regard for the local context in which the proposals are being made, taking into account the nature of the area, the age of the children involved and, where applicable, alternative options considered for reducing excess surplus capacity.

Equal opportunity 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 those who share a relevant protected characteristic and those who do not share it
- foster good relations between those who share a relevant protected characteristic and those who do not share it

The decision-maker must consider the impact of the proposals on people who share the relevant protected characteristics and any issues that may arise from the proposals.

Support and intervention in schools

In determining proposals, decision-makers should ensure that the statutory guidance on [support and intervention in schools](#) has been considered where necessary.

Balance of denominational provision

In deciding a proposal to close a school that has been designated with a religious character, decision-makers should consider the effect that this will have on the balance of denominational provision in the area, as well as taking account of the number of pupils currently on roll, and the medium and long term need for places in the area.

Travel

Decision-makers should be satisfied that the proposal will not adversely impact any particular group, including disproportionately affecting those who share a relevant protected characteristic 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 authority's duty to promote the use of sustainable travel and transport to school.

When closing a school, decision-makers should consider whether the 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 closure of the school, and the likely effects of any such increase.

The decision-maker will need to consider the local context, for example in areas with excessive surplus places, the decision-maker should consider whether the travel implications of the proposal are reasonable compared to those for alternative options for reducing excessive surplus capacity.

Funding

The decision-maker should be satisfied that any funding required to implement the proposal will be available and that all relevant local parties (for example trustees of the school or religious authority) have given their agreement to the funding arrangements.

Where a school is closing and other local schools need to take on displaced pupils, the following will apply in terms of the revenue funding support 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 take on additional pupils could be funded for more or fewer pupils for a given year. If

a maintained school closes, the local authority should transfer the remaining budget to their growth fund and support the schools admitting the displaced pupils. 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. Growth and falling rolls funding can be used to help meet revenue costs, for mainstream schools, of removing or repurposing surplus places. Further information is available in the [Schools Operational Guidance](#) on local implementation of the funding system in relation to growth and falling rolls funding.

Rural schools and the presumption against closure

Decision-makers should adopt a presumption against the closure of rural schools. This does not mean that a rural school will never close, but the case for closure should be strong and a proposal should be clearly in the best interests of educational provision in the area.

In deciding a proposal to close a rural school, the decision-maker should refer to the section on [rural schools](#) earlier in this guidance.

Nursery schools and the presumption against closure

Decision-makers should adopt a presumption against the closure of maintained nursery schools. This does not mean that a maintained nursery school will never close, but the decision-maker should refer to the section on [nursery schools](#) earlier in this guidance.

Determining revocation proposals

The local authority will be the decision-maker for revocation proposals, with the exception of cases where the initial determination of the original proposal was made by the Schools Adjudicator. In such cases, the local authority must refer the revocation proposal together with any comments or objections within two weeks of the end of the representation period to the Schools Adjudicator. Where the local authority made the initial determination of the original proposals and the proposals were later referred to the Schools Adjudicator, the local authority should determine any revocation proposals made.

The decision-maker should be satisfied that the proposer has carried out the statutory revocation process appropriately (as set out in the [revocation](#) section of this guidance) and should have regard for any comments and objections received during the four-week representation period.

Local authorities must determine a revocation proposal within two months of the end of the representation period. Where the local authority has not determined the proposal by the end of the two-month period, they must refer the decision to the Schools Adjudicator within one week of the end of the two-month period.

Where the following bodies are unsatisfied with the outcome of a decision taken by a local authority on a revocation, they may ask the local authority to refer the case to the Schools Adjudicator (who will take a fresh decision on the proposals) within four weeks of the publication of the decision:

- the Diocesan Board of Education for any diocese in the Church of England that is comprised in the area of the relevant authority;
- the bishop of any Roman Catholic diocese in the area of the relevant authority;
- the governing body or charity trustees²⁰ of any foundation, foundation special or voluntary school which is the subject of the proposals.

Within one week of receiving the request for referral, the local authority must send to the Schools Adjudicator:

- any objections or comments in relation to the proposals;
- minutes of the meeting at which the revocation proposals were considered; and
- any papers considered by the local authority at that meeting and the reasons for their decision.

Determining requests to modify approved proposals

Proposers may request modifications to approved proposals or ask the body which approved the proposals to specify a later date in respect of conditional approval. Where the Schools Adjudicator made the initial decision on the original proposals, the local authority must refer the case to the Schools Adjudicator within two weeks of receipt of the request from the proposers.

The decision-maker should be satisfied that the proposal does not modify the existing proposals to the extent that new proposals are substituted for those that were originally published.

Where approved proposals are modified, the local authority or the Schools Adjudicator (as the case may be) must notify the Secretary of State (should be sent via schoolorganisation.notifications@education.gov.uk) within one week of the date of the proposals being modified.

²⁰ See footnote 2.

Further Information

This guidance primarily relates to:

- [Education and Inspections Act 2006](#), as amended by [Education Act 2011](#) and [Children's Wellbeing and Schools Act 2026](#)
- [The School Standards and Framework Act 1998](#), as amended by [Education Act 2002](#)
- [The School Organisation \(Establishment and Discontinuance of Schools\) Regulations 2013](#) as amended by the 2026 regulations
- [Rural primary schools designation](#)
- [Rural Urban Classification](#)
- [The Religious Character of Schools \(Designation Procedure\) Regulations 1998](#)
- [Religious character designation: guide to applying](#)
- [Office of the Schools Adjudicator](#)
- [School Admissions Code](#)

It also relates to:

- [The School Governance \(Constitution\) \(England\) Regulations 2012](#)
- [The School Governance \(Roles, Procedures and Allowances\) \(England\) Regulations 2013](#)
- [Academy trusts: governance guide](#)
- [Maintained schools: governance guide](#)
- [The School Premises \(England\) Regulations 2012](#)
- [The School Companies Regulations 2002](#) as amended by the [2003 regulations](#) and the [2014 regulations](#)
- [The School Organisation \(Prescribed Alterations to Maintained Schools\) \(England\) Regulations 2013](#) as amended by the [2025 regulations](#)
- [Tell the Charity Commission about a change to your charity](#)
- [Academies Act 2010](#)
- [Opening new schools guidance](#)
- [Making significant changes to an academy](#)
- [Closure of an academy by mutual agreement](#)
- [Regional Department for Education Directors](#)
- [Consultation principles: guidance](#)

Annex A: Consultations

In the case of the proposed closure of a rural primary school or a community special or foundation special school, prior to publishing a statutory notice and proposal, proposers must²¹ consult:

- the registered parents of registered pupils at the school;
- in the case of a rural primary school:
 - the local authority (where they are not the proposer);
 - where the local authority is a county council, any district council for the area in which the school is situated;
 - any parish council for the area in which the school is situated;
- in the case of a special school, any local authority which maintains an education, health and care plan in respect of a registered pupil at the school;
- any other interested organisation/person that the proposer thinks appropriate.

The Secretary of State considers that these bodies, along with those listed below should be consulted in the case of the proposed closure of all schools:

- the governing body (as appropriate);
- pupils at the school;
- if a proposal involves, or is likely to affect, a school which has a particular religious character, the appropriate diocese or relevant religious authority²²;
- the trustees of the school (if any);
- teachers and other staff at the school;
- any local authority likely to be affected by the proposal, in particular neighbouring authorities where there may be significant cross-border movement of pupils;
- the governing bodies, teachers and other staff of any other school that may be affected;
- parents of any pupils at other schools who may be affected by the proposal including, where appropriate, families of pupils at feeder primary schools;
- any trade unions who represent staff at the school, and representatives of any trade union of staff at other schools who may be affected by the proposal; and
- MPs whose constituencies include the school that is the subject of the proposal or whose constituents are likely to be affected by the proposal.

²¹ Under section 16(1) of EIA 2006.

²² As highlighted by earlier footnotes, under the DBE Measure 2021 church school (as defined by the Measure) governing bodies must seek their Diocesan Board of Education's advice, before making closure proposals under s15(2) and trustees of the school have a duty to do this too.

Annex B: Statutory proposals for school closures

As set out in schedule 2 to the establishment and discontinuance regulations, the information below must be included in a proposal to close a school:

Contact details

The name and contact address of the local authority or governing body publishing the proposals and the name, address and category of the school it is proposed that should be discontinued.

Implementation

The date on which it is proposed to close the school or, where it is proposed that the closure be implemented in stages, the dates of and information about each stage.

Reason for closure

A statement explaining the reason why closure of the school is considered necessary.

Pupil numbers and admissions

The numbers (distinguishing between compulsory and non-compulsory school age pupils), age range, sex, and special educational needs of pupils (distinguishing between boarding and day pupils) for whom provision is currently made at the school.

Displaced pupils

A statement and supporting evidence about the need for school places in the area including whether there is sufficient capacity to accommodate displaced pupils.

Details of the schools or further education colleges at which pupils at the school to be discontinued will be offered places, including:

- any interim arrangements;
- the provision that is to be made for those pupils who receive educational provision recognised by the local authority as reserved for children with special educational needs; and
- in the case of special schools, the alternative provision (meaning alternative suitable schools in the area) made by local authorities other than the local authority which maintain the school.

Details of any other measures proposed to be taken to increase the number of school or further education college places available in consequence of the proposed closure.

Impact on the community

A statement and supporting evidence about the impact on the community of the closure of the school and any measures proposed to mitigate any adverse impact.

Rural primary schools

Where proposals relate to a rural primary school designated as such by an order made for the purposes of section 15, a statement that the local authority or the governing body (as the case may be) considered section 15(4).

Balance of denominational provision

Where the school has a religious character, a statement about the impact of the proposed closure on the balance of denominational provision in the area and the impact on parental choice.

Maintained nursery schools

Where proposals relate to the closure of a maintained nursery school, a statement setting out:

- the local authority's assessment of the quality and quantity of the alternative provision (meaning alternative suitable schools in the area) compared to the school proposed to be discontinued and the proposed arrangements to ensure the expertise and specialism continues to be available; and
- the accessibility and convenience of replacement provision for local parents.

Sixth form provision

Where the school proposed to be discontinued provides sixth form education, the effect for 16 to 19 year olds in the area that the closure will have in respect of:

- their educational or training achievements;
- their participation in education or training; and
- the range of educational or training opportunities available to them.

Special educational needs provision

Where existing provision that is recognised by the local authority as reserved for pupils with special educational needs is being discontinued, a statement as to how the local authority or the governing body (as the case may be) believe the proposals are likely to lead to improvements in the standard, quality and/or range of the educational provision for these children.

Travel

Details of length and journeys to alternative provision (meaning alternative suitable schools in the area).

The proposed arrangements for travel of displaced pupils to other schools including how the proposed arrangements will mitigate against increased car use.



Department
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