

STATUTORY NOTICE

TO CHANGE THE CATEGORY OF A MAINTAINED SCHOOL

BEDGROVE INFANT SCHOOL GOVERNING BODY

Notice is hereby given in accordance with paragraph 2 of Schedule 8 to the School Standards and Framework Act 1998 that Bedgrove Infant School Governing Body propose that Bedgrove Infant School shall change category and have made the following proposals for that purpose:

That with effect from 1st September 2003 the school shall become a Foundation school.

It is proposed that the school should change category because:

The Government is on record as stating that good schools should be able to 'earn autonomy' over the National Curriculum and teachers' pay and conditions, and would mean the school will:-

- Have the flexibility to direct resources to suit their particular needs
- Have the freedom to take informed professional judgements and decisions
- Receive direct funding through a transparent national formula
- Develop their own ethos
- Act as their own admissions authorities
- Find and making effective partnerships

The current admission authority for the school is Buckinghamshire Local Education Authority. After the change in category is implemented this will become Bedgrove Infant School Governing Body.

The school will not have a foundation; this means that the land will be vested in the Governors who will also employ staff and become the admissions authority for the school.

Within two months after the date of publication of these proposals, any person may object to the proposals by sending their objection to c/o Mr Raj Potat, Secretary of School Organisation Committee, County Hall, Exchange Street, Aylesbury, Bucks, HP20 1UA.

Signed



for the Governing Body

Nem Shah
Chairman of Governors

Date 3rd April 2003

STATUTORY NOTICE

TO CHANGE THE CATEGORY OF A MAINTAINED SCHOOL

BEDGROVE JUNIOR SCHOOL GOVERNING BODY

Notice is hereby given in accordance with paragraph 2 of Schedule 8 to the School Standards and Framework Act 1998 that Bedgrove Junior School Governing Body propose that Bedgrove Junior School shall change category and have made the following proposals for that purpose:

That with effect from 1st September 2003 the school shall become a Foundation school.

It is proposed that the school should change category because:

The Government is on record as stating that good schools should be able to 'earn autonomy' over the National Curriculum and teachers' pay and conditions, and would mean the school will:-

- Have the flexibility to direct resources to suit their particular needs
- Have the freedom to take informed professional judgements and decisions
- Receive direct funding through a transparent national formula
- Develop their own ethos
- Act as their own admissions authorities
- Find and making effective partnerships

The current admission authority for the school is Buckinghamshire Local Education Authority. After the change in category is implemented this will become Bedgrove Junior School Governing Body.

The school will not have a foundation; this means that the land will be vested in the Governors who will also employ staff and become the admissions authority for the school.

Within two months after the date of publication of these proposals, any person may object to the proposals by sending their objection to c/o Mr Raj Potat, Secretary of School Organisation Committee, County Hall, Exchange Street, Aylesbury, Bucks, HP20 1UA.

Signed

A. G. Benbow

for the Governing Body

A.G.Benbow
Chairman of Governors

Date

2nd April 2003

RESPONSIBILITY FOR PUBLISHING PROPOSALS

[5505]

8. The Local Education Authority, governing bodies or promoters as appropriate remain responsible for publishing proposals. The Annex shows who is responsible for publishing the different types of proposals for different schools. Where the governing body of a foundation or voluntary school plan to consult on the possibility of making a statutory proposal, and subsequently to publish a proposal, a resolution of the full governing body will be needed at each stage. (Regulation 40 of the draft Education (School Government) Regulations 1999, which issued for consultation on 14 May 1999.)

CONSULTATION REQUIREMENTS

[5506]

9. Those who are considering bringing forward statutory proposals must consult interested parties, and in doing so must have regard to the Secretary of State's guidance. This paragraph, and paragraph 10, contain the Secretary of State's guidance. The Secretary of State considers that those bringing forward proposals should consult all interested parties. In doing so they should allow adequate time, and provide sufficient information, for those being consulted to form a considered view on the matters on which they are being consulted, and should make clear how their views can be made known. Those bringing forward proposals should be able to demonstrate how they have taken into account the views expressed during consultation in reaching any subsequent decision as to the publication of proposals. Where, in the course of consultation, a new option emerges which the proposers wish to consider, it will probably be appropriate to consult afresh on this option before proceeding to publish proposals.

10. The Secretary of State considers that the interested parties who should be consulted by proposers include:

- any school which is the subject of proposals;
- any Local Education Authority likely to be affected by the proposals, including in particular neighbouring LEAs where there may be significant cross-border movement of pupils;
- other schools in the area, including schools in an adjoining Local Education Authority that may be affected by the proposals, whether community, foundation, voluntary, community special or foundation special schools;
- parents and teachers in the area, who may be affected by the proposals, including those living in, or who have children attending, a school in the area of an adjoining Local Education Authority;
- (if proposals involve, or are likely to affect a school which has a particular religious foundation) the appropriate diocesan authorities, or where there is no diocesan structure, the national faith group which provides the school;
- (if a foundation or voluntary school does not have a religious character), any trust or foundation providing the school;
- (if the proposals affect the provision of full-time 16-19 education) the Further Education Funding Council (FEFC);
- any other interested party, for example, the Early Years Development and Child Care Partnership where proposals affect early years provisions; the local TEC and Learning Partnerships where proposals affecting 16-19 year olds involve a significant vocational element, or those who benefit from a contractual arrangement giving them the use of the premises;
- (in the case of new schools proposed by promoters) parents and teachers of independent schools that may be closed as a result of the proposals; and

- in the case of proposals for a reduction or increase in a school's standard number, the governors of the school (where the proposals are to be made by the local education authority) and the local education authority (where the proposals are to be made by the governing body).

HOW TO PUBLISH

[5507]

11. The existing requirements for publication of proposals are retained. Proposals should be published in a local newspaper, and posted at the main entrances to schools named in the proposals, and at some other conspicuous place in the area served or to be served by the school. Regulations prescribe the information which must be given in the proposals, and specify what information must be submitted to the School Organisation Committee.

OBJECTIONS TO PROPOSALS

[5508]

12. Once proposals are published there will continue to be a statutory two month objection period during which objections must be sent to the Local Education Authority (in the case of its own proposals) or to the School Organisation Committee in other cases. This period is shortened to one month for proposals to close, or make a prescribed alteration to, a school which is subject to special measures, has serious weaknesses, or is subject to a warning notice by the Local Education Authority under section 15 of the Act, or proposals to establish a new school on the site of such a school. Under the new arrangements any person may object to proposals.

DECISIONS ON PROPOSALS

[5509]

13. Proposals that are published by the Local Education Authority (except proposals for a reduction or increase in a school's standard number) may be decided by the Local Education Authority within four months of the date of publication, provided there are no objections and the proposals are not linked to any others that are to be decided by the School Organisation Committee. Those proposals that are not decided by the Local Education Authority will pass to the School Organisation Committee to consider.

14. Where proposals are published by a Local Education Authority and attract objections, the Local Education Authority are required to forward the objections to the Committee, together with their comments on the objections, within one month of the end of the objection period. This is reduced to two weeks where the proposal is to close or make a prescribed alteration to a school which is subject to special measures, has serious weaknesses, or is subject to a warning notice by the Local Education Authority – section 15 of the Act; or proposals to establish a new school on the site of such a school. Where objections have been made to proposals, other than proposals by a Local Education Authority, the Committee will need to seek comments on them from the proposers.

15. The Committee reaches a decision when all groups on the Committee who vote on the proposal – each group has one vote – vote for the decision, and none against. The Committee may decide to:

- reject the proposals;
- approve the proposals without modification;
- approve the proposals with modifications following consultation with the proposers and others; or



Buckinghamshire County Council

Head of Legal and Administrative Services Anne Davies, BA (Hons), Solicitor

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Mrs B Capstick
Headteacher
Bedgrove Infant School
Ingram Avenue
Aylesbury
Bucks
HP21 9DJ

BY FAX: 01296 424846
FIRST CLASS

Contact Mr R Popat
Direct line 01296 383636
Your ref
My ref E 1/1/180 RP
Fax 01296 382988
E-mail rpopat@buckscc.gov.uk
Date 13 June 2003

Dear Mrs Capstick

BEDGROVE INFANT SCHOOL – PROPOSED CHANGE TO FOUNDATION STATUS

I refer to the documentation in this matter that was recently forwarded to me, and to our subsequent telephone conversation.

As we discussed, I have now considered the documentation against the requirements of the Education (Change of Category of Maintained Schools) (England) Regulations 2000. I would confirm that the published proposals and supporting documentation do conform with the requirements of the said 2000 Regulations.

That said, however, the 2000 Regulations do provide that Governing Bodies bringing these type of proposals must, **prior to publication**, consult all interested parties and in so doing must have regard to the DFES Guidance. The relevant extract from the DFES Guidance (eg DFES 9/99) is attached. You will note that this provides a list of interested parties who should be consulted by proposers. This includes all other schools in the area that may be affected by the proposals. It does not appear that the consultation letter (dated 11 February 2003) was sent to all schools that may be affected by the proposals. The schools that were not consulted include Ashmead Combined, Elmhurst Infant and Junior, Oak Green Combined and St Louis Catholic Combined.

In addition to this, and contrary to the DFES Guidance, it would appear that your school did not consult with staff prior to publication of the notice.

I understand that you will discuss the proposal with the five schools not consulted and they will write to me direct with their comments prior to the School Organisation Committee meeting. Also the staff will write to me with their comments. You also agreed to let me have a copy of the information pack referred to in the minutes of the governing body meeting of 6th February 2003.

Whilst the proposal is, of course, for the School Organisation Committee to determine, my report to them must note the above shortcomings in the consultation requirements.



Lexcel
THE LAW SOCIETY



INVESTOR IN PEOPLE

13 June 2003

I trust that this is satisfactory but if you have further queries then please contact me. I have written in similar terms to Mr Fiske at the Junior School.

Yours sincerely



Raj Popat
Solicitor

Copy to: Strategic Manager, Schools – FAO: Paul Holmes, Acting Head of School
Organisation, Tower Block, Aylesbury
Sue Butt, Democratic Services Officer, Legal and Admin Services, OCO

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Buckinghamshire County Council

Head of Legal and Administrative Services Anne Davies, BA (Hons), Solicitor

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Mr D Fiske
Headteacher
Bedgrove Junior School
Ingram Avenue
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HP21 9DN

BY FAX: 01296 385895
FIRST CLASS

Contact	Mr R Popat
Direct line	01296 383636
Your ref	
My ref	E 1/1/180 RP
Fax	01296 382988
E-mail	rpopat@buckscc.gov.uk
Date	13 June 2003

Dear Mr Fiske

BEDGROVE JUNIOR SCHOOL – PROPOSED CHANGE TO FOUNDATION STATUS

I refer to the documentation in this matter that was recently forwarded to me.

I have now considered the documentation against the requirements of the Education (Change of Category of Maintained Schools) (England) Regulations 2000. I would confirm that the published proposals and supporting documentation do conform with the requirements of the said 2000 Regulations.

That said, however, the 2000 Regulations do provide that Governing Bodies bringing these type of proposals must, **prior to publication**, consult all interested parties and in so doing must have regard to the DFES Guidance. The relevant extract from the DFES Guidance (eg DFES 9/99) is attached. You will note that this provides a list of interested parties who should be consulted by proposers. This includes all other schools in the area that may be affected by the proposals. It does not appear that the consultation letter (dated 10 February 2003) was sent to all schools that may be affected by the proposals. The schools that were not consulted include Ashmead Combined, Elmhurst Infant and Junior, Oak Green Combined and St Louis Catholic Combined.

In addition to this, and contrary to the DFES Guidance, it would appear that your school did not consult with staff prior to publication of the notice.

Whilst the proposal is, of course, for the School Organisation Committee to determine, my report to them must note the above shortcomings in the consultation requirements.

I trust that this is satisfactory but if you have further queries then please contact me. Please see attached a copy of a letter sent to Mrs Capstick at the Junior School. You will note that she is arranging for school's and staff, not consulted, to write to me with their comments on the proposal. You may consider a similar course of action.

Yours sincerely

Raj Popat
Solicitor

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Copy to: Strategic Manager, Schools – FAO: Paul Holmes, Acting Head of School
Organisation, Tower Block, Aylesbury
Sue Butt, Democratic Services Officer, Legal and Admin Services, OCO

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