
STATUTORY INSTRUMENTS

2026 No. 528

EDUCATION, ENGLAND

**The School Organisation (Establishment and
Discontinuance of Schools) (Amendment) Regulations 2026**

<i>Made</i>	- - - -	<i>14th May 2026</i>
<i>Laid before Parliament</i>		<i>18th May 2026</i>
<i>Coming into force</i>	- -	<i>1st September 2026</i>

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 7(3) (c), (d) and (e), (4)(a) and (6), 10(3) and (5), 15(3) and 181(2) of, and paragraphs 5, 10, 13(2), 20 and 21 of Schedule 2 to, the Education and Inspections Act 2006⁽¹⁾.

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the School Organisation (Establishment and Discontinuance of Schools) (Amendment) Regulations 2026.

(2) These Regulations come into force on 1st September 2026.

(3) These Regulations extend to England and Wales.

(4) These Regulations apply in relation to the establishment and discontinuance of schools in England only.

Amendment of the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013

2. The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013⁽²⁾ are amended in accordance with regulations 3 to 28.

Amendment of regulation 2 (interpretation)

3. In regulation 2—

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- (1) [2006 c. 40](#). Section 7 was amended by section 65 of the Children's Wellbeing and Schools Act [2026 \(c. 21\)](#) ("the 2026 Act"). Section 10 was amended by [S.I. 2010/1158](#) and section 66 of the 2026 Act. Section 15 was amended by [S.I. 2010/1158](#). Paragraph 5 of Schedule 2 was amended by paragraph 10(4) of Schedule 11 to the Education Act [2011 \(c. 21\)](#). Paragraph 10 was amended by paragraph 10(12) of Schedule 11 to that Act and paragraph 12 of Schedule 4 to the 2026 Act. Paragraph 13 was substituted by paragraph 16 of Schedule 4 to the 2026 Act. See section 32 of the Education and Inspections Act 2006 for the definition of "prescribed".
- (2) [S.I. 2013/3109](#), amended by [S.I. 2014/2103](#), [2025/412](#).

- (a) after the definition of “EA 2002”, insert—
 - ““alternative provision school” means a pupil referral unit or an alternative provision Academy;”;
- (b) omit the definitions of—
 - (i) “Accessibility Strategy”;
 - (ii) “competition notice”;
 - (iii) “Early Years Foundation Stage”;
- (c) after the definition of “discontinuance proposals” insert—
 - ““mainstream school” means a community school, foundation school, voluntary school, or an Academy school which meets the requirements of [section 1A\(1\)](#) of the [Academies Act 2010](#)(3);
 - “notice” means a notice under [section 7](#) of the Act (4);”;
- (d) in the definition of “special school”, at the end, insert “, or an Academy school which meets the requirements of [section 1A\(2\)](#) of the [Academies Act 2010](#)”(5).

Amendment of the heading of Part 2 (proposals for establishment of new schools in a competition)

- 4. In the heading of Part 2, for “in a Competition” substitute “Made Pursuant to a Notice”.

Amendment of regulation 4 (prescribed interval after which a competition notice may specify a date for the submission of proposals)

- 5. In regulation 4—
 - (a) in the heading and in the regulation, omit “competition”;
 - (b) for “four”, substitute “six”.

Amendment of regulation 5 (competition notices and manner of publication)

- 6.—(1) Regulation 5 is amended in accordance with the following paragraphs of this regulation.
- (2) In the heading and paragraphs (1), (2), (3), (4) and (5), omit “competition”, in each place it occurs.
- (3) In paragraph (1)—
 - (a) omit the words from “an explanation” to the end;
 - (b) after “include”, insert—
 - “the following—
 - (a) a specification for the new school;
 - (b) a description of the procedure set out in the Act and these Regulations for the establishment of a new school where section 7(1) applies;
 - (c) the deadline for proposals to be submitted; and
 - (d) information on how a copy of the notice can be obtained.”.
- (4) After paragraph (1), insert—

(3) 2010 c. 32. Section 1A(1) was inserted by section 53(7) of the Education Act 2011 (c. 21).

(4) 2006 c. 40. Section 7 was amended by paragraph 3(c), (a), (b) and (d) of Schedule 11 and paragraph 16(2) of Schedule 13 to the Education Act 2011 (c. 21) and S.I. 2010/1158.

(5) 2010 c. 32. Section 1A(2) was inserted by section 53(7) of the Education Act 2011 (c. 21).

“(1A) A specification under paragraph (1)(a) must include the matters specified in Schedule A1, except that—

- (a) where the notice specifies that the school should be a mainstream school, the specification need not contain the matters specified in paragraphs 14, 15 and 19-21 of Schedule A1;
- (b) where the notice specifies that the school should be a special school, the specification need not contain the matters specified in paragraphs 11, 13 and 19-21 of Schedule A1; and
- (c) where the notice specifies that the school should be an alternative provision school, the specification need not contain the matters specified in paragraphs 11 and 13-15 of Schedule A1.”.

(5) In paragraph (2), omit sub-paragraph (b).

Amendment of regulation 6 (proposals made pursuant to a competition notice)

7.—(1) Regulation 6 is amended in accordance with the following paragraphs of this regulation.

(2) In the heading and the opening text, omit “competition”, in each place it occurs.

(3) In the opening text, omit “contain”.

(4) Omit paragraph (a).

(5) In paragraph (b)—

- (a) for “an explanation of”, substitute “confirm that the proposed school will meet each of the requirements set out in the specification which correspond to the matters in Part 2 of Schedule A1 or explain”;
- (b) for “the matters specified in the competition notice”, substitute “those requirements”.

(6) In paragraph (c)—

- (a) at the beginning, insert “include”;
- (b) for the words from “type” to the end, substitute “type and character (including any religious character) of the school and summarising the principal elements of the admission arrangements which the school will have, subject to any contrary admission arrangements which may be determined pursuant to regulations made under section 72 of the SSFA 1998”.

(7) After paragraph (c) insert—

“(d) specify which of the following categories of school it is proposed be established—

- (i) community school;
- (ii) community special school;
- (iii) foundation school;
- (iv) foundation special school;
- (v) voluntary aided school;
- (vi) voluntary controlled school;
- (vii) Academy school which meets the requirements of section 1A(1) of the Academies Act 2010;
- (viii) Academy school which meets the requirements of section 1A(2) of the Academies Act 2010;
- (ix) alternative provision Academy; or
- (x) pupil referral unit.”.

Amendment of regulation 7 (manner in which proposals are to be published)

- 8.—(1) Regulation 7 is amended in accordance with the following paragraphs of this regulation.
- (2) In paragraph (1)—
- (a) at the beginning, for “The”, substitute “Within the period of two weeks beginning with the day after the date by which proposals were to be submitted as specified in the notice, the”;
 - (b) after “section 7 and”, insert “any proposals of their own which the local authority have chosen to publish under section 7(5)(aa).”;
 - (c) the words from “include” to the end become paragraph (1A).
- (3) In paragraph (1A), at the beginning, insert “Any publication mentioned in paragraph (1) must”.
- (4) In paragraph (2)—
- (a) for the opening text, substitute “Any publication mentioned in paragraph (1) must include —”;
 - (b) in paragraph (c), for “sent” substitute “received”.
- (5) In paragraph (3)—
- (a) for “paragraph (2)”, the first time it occurs, substitute “paragraph (1)”;
 - (b) omit “non-Academy”.
- (6) After paragraph (4), insert—
- “(5) In cases where the local authority are to consider the proposals under paragraph 8 of Schedule 2 to the Act, the local authority must send a copy of the proposals to the Secretary of State within the period of two weeks beginning with the day after the day on which the representation period ends.”.

Amendment of the heading of Part 3 (proposals for the establishment of new maintained schools with consent of Secretary of State or in special cases)

9. In the heading of Part 3—
- (a) omit “Maintained”;
 - (b) for the words “with Consent” to the end, substitute “Which are not Made Pursuant to a Notice”.

Amendment of regulation 8 (information to be contained in proposals under section 10)

10. In regulation 8—
- (a) the existing text becomes paragraph (1);
 - (b) in paragraph (1), omit “(1) and 10(2)”;
 - (c) after paragraph (1), insert—
 - “(2) Proposals published under section 10(1) (proposals to establish a new maintained nursery school) need not contain the information specified in paragraphs 3, 9, 10, 17 or 23-25 of Schedule 1.
 - (3) Proposals published under section 10 to establish a school within section 10(2A)
 - (b) (proposals to establish a pupil referral unit) need not contain the information specified in paragraphs 3, 10, 11, 13, 15 or 23-25 of Schedule 1.
 - (4) Proposals published under section 10 to establish a community or community special school need not contain the information specified in paragraph 3 of Schedule 1.

(5) Proposals published under section 10 to establish a community special or foundation special school need not contain the information specified in paragraph 10 of Schedule 1.”.

Omission of regulation 9 (information to be contained in proposals under section 11)

11. Omit regulation 9.

Amendment of regulation 10 (manner in which proposals under sections 10 and 11 are to be published)

12.—(1) Regulation 10 is amended in accordance with the following paragraphs of this regulation.

(2) In the heading, for “sections 10 and 11” substitute “section 10”.

(3) For paragraph (1) substitute—

“(1) In respect of their own proposals under section 10, the local authority must publish the proposals on their website.”.

(4) In paragraph (2)—

(a) for “sections 10(2), 11(1A) or (2),” substitute “section 10 by persons other than a local authority,”;

(b) after sub-paragraph (a), insert “and”;

(c) omit sub-paragraph (b);

(d) in sub-paragraph (c)—

(i) the words from “submit” to the end become paragraph (i);

(ii) after paragraph (i), insert “; and

“(ii) notify the local authority of the website where the proposals have been published.”.

(5) In paragraph (3)(c), for “sent” substitute “received”.

(6) After paragraph (5), insert—

“(6) The local authority must publish on their website the address of the website of which they have been notified under paragraph (2)(c)(ii) within one week of that notification.”.

Amendment of regulation 12 (publication and submission of discontinuance proposals)

13. In regulation 12—

(a) for paragraph (1) substitute—

“(1) In respect of proposals under section 15(1), the local authority must publish the proposals on their website.”;

(b) after paragraph (1), insert—

“(1A) In respect of proposals published under section 15(2)—

(a) the governing body must publish the proposal on a website and notify the local authority who maintain the school of the address of that website;

(b) no later than two weeks after the local authority have been notified of the address of the website under paragraph (a), the local authority must publish that address on their website.”;

(c) in paragraph (2), after “paragraph (1)(a)” insert “or (1A)(a)”;

- (d) omit paragraph (3).

Amendment of the heading of Part 5 (consideration of proposals by a local authority or by the schools adjudicator)

14. In the heading of Part 5, after “Authority” insert “, by the Secretary of State”.

Insertion of new regulation A13 (referral to the Secretary of State)

15. In Part 5, before regulation 13, insert—

“Referral to the Secretary of State

A13.—(1) In cases where the local authority are required to refer a proposal to the Secretary of State under paragraph 10 of Schedule 2 to the Act, they must make the referral within two weeks of the end of the representation period.

(2) At the time a proposal under section 7 is referred to the Secretary of State, the local authority must notify the Secretary of State of any proposal under section 10 or 15 which appears to the local authority to be related to the proposal under section 7.

(3) In cases where the local authority have referred a proposal under section 7 to the Secretary of State, the local authority must notify the Secretary of State of any proposal under section 10 or 15 which appears to the local authority to be related to the proposal under section 7.

(4) Where a referral to the Secretary of State has been made under paragraphs 10 or 12 of Schedule 2 to the Act, the local authority must notify the following of the referral—

- (a) the proposers;
- (b) the Diocesan Board of Education for any diocese of the Church of England any part of which is comprised in the area of the local authority;
- (c) the bishop of a diocese of the Roman Catholic Church any part of which is comprised in the area of the local authority;
- (d) any other body or person that the local authority think appropriate.”.

Amendment of regulation 13 (objections and comments)

16. In regulation 13—

- (a) in paragraph (1)—

- (i) omit “or”, the first time it occurs;
- (ii) after “Schedule 2”, the second time it occurs, insert “or the Secretary of State is to consider the proposals under paragraphs 10 or 12 of Schedule 2”;
- (iii) omit “11”;
- (iv) omit sub-paragraph (b) and the “or” before it;

- (b) omit paragraphs (2) and (3).

- (c) after paragraph (3), insert—

“(4) Within two weeks of the end of the representation period, the local authority must forward any objections or comments which they have received under paragraph (1)—

- (a) in cases where proposals have been referred to the adjudicator in accordance with paragraph 10 of Schedule 2 to the Act, to the adjudicator;

- (b) in cases where the local authority are to consider the proposals under paragraph 8 of Schedule 2 to the Act or proposals have been referred to the Secretary of State in accordance with paragraphs 10 or 12 of Schedule 2 to the Act, to the Secretary of State.
- (5) Within two weeks of the end of the representation period, the local authority must forward any objections or comments of their own in relation to the proposals—
 - (a) in cases where proposals have been referred to the adjudicator in accordance with paragraph 10 of Schedule 2 to the Act, to the adjudicator;
 - (b) in cases where proposals have been referred to the Secretary of State in accordance with paragraphs 10 or 12 of Schedule 2 to the Act, to the Secretary of State.”.

Amendment of regulation 14 (period in which proposals are to be determined under paragraph 8(3) and 8(4) of Schedule 2 to the Act)

17. In regulation 14—

- (a) in the heading, omit “8(3) and”;
- (b) at the beginning, for “The” substitute “In cases where paragraph 13(1)(a) and (b) of Schedule 2 to the Act applies, the”;
- (c) for “8(3) or (4)” substitute “8(4)”.

Omission of regulation 16 (conditional approvals)

18. Omit regulation 16.

Amendment of regulation 17 (time limits for local authority referrals to adjudicator prior to determination)

19. In regulation 17—

- (a) in paragraph (1)—
 - (i) for the words from the beginning to “proposals”, substitute “In cases where the local authority are required to refer a proposal to the adjudicator”;
 - (ii) after “the Act”, insert “they must make the referral”;
- (b) In paragraph (2), for “15” substitute “14”.

Amendment of regulation 18 (referrals to the adjudicator at the request of a relevant person)

20. In regulation 18, in paragraph (1), for “of the notification of the determination” substitute “the relevant person was notified of the decision under regulation 20(2)”.

Amendment of regulation 20 (notification of determinations)

21.—(1) Regulation 20 is amended in accordance with the following paragraphs of this regulation.

- (2) In paragraph (1)—
 - (a) for “one week” substitute “two weeks”;
 - (b) omit “and in both cases publish their reasons”.
- (3) After paragraph (1), insert—

“(1A) The local authority must publish on their website a decision of the Secretary of State made under paragraph 8 within two weeks of receipt of the decision from the Secretary of State.”.

(4) In paragraph (2)—

- (a) at the beginning, for “The” substitute “Within one week of publication under paragraph (1), the”;
- (b) omit “together with their reasons”;
- (c) omit sub-paragraph (a).

(5) After paragraph (2), insert—

“(2A) Within one week of the date of publication under paragraph (1A), the local authority must notify the following persons of the decision of the Secretary of State—

- (a) the proposers;
- (b) the Diocesan Board of Education for any diocese of the Church of England any part of which is comprised in the area of the local authority;
- (c) the bishop of a diocese of the Roman Catholic Church any part of which is comprised in the area of the local authority; and
- (d) any other body or person that the local authority think appropriate.”.

(6) In paragraph (4), for “(d)” substitute “(e)”.

(7) In paragraph (5), omit “together with reasons for the decision”.

Amendment of regulation 21 (publication of revocation proposals)

22. In regulation 21—

- (a) in paragraph (1), at the beginning, insert “Subject to paragraph (1A),”;
- (b) after paragraph (1), insert—

“(1A) In relation to revocation proposals which relate to proposals published under section 7—

- (a) paragraph 4 of Schedule 3 does not have effect for the purpose of applying paragraph 13 of Schedule 2 to the Act;
- (b) paragraph 5 of Schedule 3 does not have effect for the purpose of applying paragraph 14 of Schedule 2 to the Act.”;

- (c) in paragraph (2)(a), omit “, 11”;
- (d) in paragraph (3), omit sub-paragraph (b) and the “and” before it;
- (e) after paragraph (8), insert—

“(9) Where the initial decision in relation to the original proposals was made by the Secretary of State, the local authority must refer the revocation proposals, together with any objections or comments in relation to them to the Secretary of State, within two weeks of the end of the period for making objections and comments set out in paragraph 5 of Schedule 2 to the Act as modified by Schedule 3 to these Regulations.”.

Amendment of regulation 22 (modifying proposals or specifying a later date for a conditional approval)

23. In regulation 22, after paragraph (2), insert—

“(3) In relation to paragraph 21(2) of Schedule 2 to the Act, the local authority must refer to the Secretary of State cases—

- (a) where the initial decision in relation to the original proposals was made by the Secretary of State, within two weeks of receipt of the request from the proposers;
- (b) where the original proposal was made by the local authority, within two weeks of the decision that a determination under paragraph 21(2) of Schedule 2 to the Act should be made.

(4) Within the period of one week beginning with the date on which a decision under paragraph 21(2) of Schedule 2 is made by a local authority, the local authority must notify that decision to the Secretary of State and the proposers of the proposal to which that decision relates.

(5) Within the period of one week beginning with the date on which a local authority is notified of the Secretary of State's decision in relation to a case referred to the Secretary of State under paragraph (3), the local authority must notify the proposers of the proposal to which that decision relates of that decision."

Amendment of regulation 24 (schools established outside the area of the relevant local authority)

24. In regulation 24, in paragraph (2)—

- (a) omit "and 11";
- (b) omit "or 11".

Insertion of new Schedule A1 (information to be included in a specification for a new school)

25. Before Schedule 1, insert new Schedule A1 set out in the Schedule to these Regulations.

Amendment of Schedule 1 (information to be included in section 10 and section 11 proposals to establish a new school)

26.—(1) Schedule 1 is amended in accordance with the following paragraphs of this regulation.

(2) In the shoulder note at the head of the Schedule, substitute "Regulation 8".

(3) In the heading, omit "and section 11".

(4) In paragraph 3, for the words from the beginning to "a", the second time it occurs, substitute "A".

(5) In paragraph 5—

- (a) after "voluntary" insert "aided or voluntary controlled";
- (b) after "community special school," insert "a pupil referral unit";
- (c) omit "and, if required" to the end.

(6) In paragraph 6, for the words from "including" to "that", substitute "any religious character which the school is to have and any philosophy".

(7) Omit paragraph 7.

(8) In paragraph 8—

- (a) for "it is proposed that the school", substitute "the statement mentioned in paragraph 6 sets out";
- (b) in sub-paragraph (a), omit "has";
- (c) in sub-paragraph (b), omit "adheres to".

(9) In paragraph 9, after "school", the second time it occurs, insert "and whether the school is to provide sixth form education".

- (10) In paragraph 10, in the opening text—
 - (a) for the words from the beginning to “the”, the first time it occurs, substitute “The”;
 - (b) for “for the new school” substitute “which, subject to any contrary arrangements being determined pursuant to regulations made under section 72 of SSFA 1998, the school will have”.
- (11) In paragraph 11—
 - (a) in the opening text, for “aged two to five”, substitute “below compulsory school age”;
 - (b) omit paragraphs (b) to (e).
- (12) Omit paragraph 12.
- (13) In paragraph 14, for the words from “the proposed” to the end, substitute “how the school will be inclusive of pupils with special educational needs.”.
- (14) In paragraph 15, omit sub-paragraph (b).
- (15) Omit paragraph 19.
- (16) In paragraph 25, omit sub-paragraph (a).

Amendment of Schedule 3 (modification of provisions of Part 1 of Schedule 2 to the Act, applying to revocation proposals published under paragraph 21(4) of that Schedule)

- 27.** In Schedule 3—
- (a) in paragraph 1, in the quoted text, omit “, 11”;
 - (b) in paragraph 2, in sub-paragraph (c)(ii) of the inserted text, omit “, 11”;
 - (c) in paragraph 5, for “it” substitute “sub-paragraph (1)”.

Amendment of Schedule 4 (modification of sections 7, 10 and 11 of and Schedule 2 to the Act, where schools established outside of area of relevant local authority)

- 28.** In Schedule 4—
- (a) in the heading, for “sections 7, 10 and 11” substitute “sections 7 and 10”;
 - (b) in Part 1, in paragraph 4, omit paragraph (3B) of the inserted text;
 - (c) in Part 2—
 - (i) in the heading, omit “or 11”;
 - (ii) in paragraph 1—
 - (aa) omit “or 11”;
 - (bb) for “sections 10 and 11”, substitute “section 10”;
 - (iii) omit paragraph 3;
 - (iv) in paragraph 5, omit paragraph (4B) of the inserted text.

Transitional provision

- 29.—**(1) Regulations 2 to 28 do not apply in relation to those cases where before 1st September 2026—
- (a) a competition notice has been published;
 - (b) proposals have been published by a local authority or by any persons under section 10(1) or (2) (publication of proposals with consent of Secretary of State);

- (c) proposals have been published by a local authority or by any persons under section 11(1) or (2) (publication of proposals to establish maintained schools (special cases)); or
 - (d) proposals have been published by a local authority or by the governing body of a foundation, voluntary or foundation special school under section 15(1) or (2) (publication of proposals to discontinue schools maintained by local authority).
- (2) In paragraph (1)—

“competition notice” means a notice published under section 7 of the Education and Inspections Act 2006, as it had effect immediately before the date on which section 65 to the Children’s Wellbeing and Schools Act 2026 came into force (“the relevant date”), inviting proposals from persons other than local authorities for the establishment of any new school falling within section 7(2), as it had effect immediately before the relevant date.

14th May 2026

Georgia Gould
Minister of State
Department for Education

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Schedule

Regulation 25

Insertion of Schedule A1

“Schedule A1

Regulation 5

Information to be included in a specification for a new school

Part 1

Information about the new school

Reason for the new school

1. A statement explaining why the new school should be established.

Special educational needs

2. A summary of the local authority’s strategy for children with special educational needs and disabilities and how the establishment of the school is compatible with that strategy.

Geographical area

3. A statement describing the geographical area where the majority of the children who are likely to be admitted to the school reside.

Funding

4. The funding that will be made available for the establishment of the school, including the funding that will be made available prior to the opening of the school.

Part 2

Requirements for the new school

Mainstream, special or alternative provision school

5. Whether the school should be a mainstream school, special school or alternative provision school.

Location

6. The location of the site or sites including, where appropriate, the postal address or addresses.
7. The current ownership and tenure (freehold or leasehold) on which the site will be held, and if the site will be held on a lease, details of the proposed lease.

Ethos and religious character

8. A short statement setting out the ethos which the local authority desire the school to have, any religious character which the local authority desire the school to have and any philosophy the local authority desire the school to adhere to.

Pupil admissions

9. The age range and sex of pupils for whom provision should be made at the school, including whether the school should include provision for pupils below compulsory school age and whether the school should provide sixth form education.

10. The maximum number of pupils for whom provision should be made at the school.

11. The expected admission number for the school year in which the school is to open.

12. The expected annual increase in the number of pupils for whom provision is to be made at the school.

Special educational needs provision: mainstream schools

13. Whether the school should have provision that is recognised by the local authority as reserved for children with special educational needs and if so, the type of special educational needs.

Special educational needs provision: special schools

14. The type or types of special educational needs or disabilities for which the school should make provision.

15. The number of places for pupils with special educational needs which are expected to be commissioned by local authorities and the local authorities by whom places are expected to be commissioned.

Travel

16. The expected arrangements for travel of pupils to the school.

Opening date

17. The date on which the local authority desire that the school will open.

Facilities

18. Whether the local authority desires that the school's facilities be made available for community use.

Alternative provision schools

19. The arrangements which the alternative provision school should have for—

- (a) the referral of pupils to the school; and
- (b) the transition of pupils from the school to a mainstream school or, in the case of pupils who have reached the end of Key Stage 4, to education destinations, apprenticeships, employment or other destinations.

20. The type or types of placements which the alternative provision school should offer, including whether the placements should be full time or part time and whether they should be long term or short term.

21. The support which the management committee of the pupil referral unit or the proprietor of the alternative provision Academy should provide to pupils and staff at mainstream schools.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Part 3

Interpretation of Schedule

22. In this Schedule—

“admission number” means the number of pupils in any relevant age group admitted to a school in a school year;

“Key Stage 4” means the fourth key stage, within the meaning of [section 82](#) of the [Education Act 2002](#)⁽⁶⁾.”.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Schools Organisation (Establishment and Discontinuance of Schools) Regulations 2013 ([S.I. 2013/3109](#)) (“the Principal Regulations”). The Principal Regulations prescribe various matters relating to proposals for the establishment and discontinuance of schools pursuant to the provisions contained in Part 2 of the Education and Inspections Act 2006 ([c. 40](#)) (the “Act”).

The Regulations make amendments to the content, publication and notification requirements in relation to notices for the establishment of new schools. The Regulations also make amendments to the content, publication and notification requirements in relation to proposals for the establishment of new schools, the referral of proposals to the Secretary of State and adjudicator, the consideration of proposals, the arrangements for inviting objections and comments in relation to proposals and the publication and notification requirements in relation to decisions to approve or reject proposals.

The Regulations make amendments in relation to proposals for the discontinuance of schools, including in relation to publication of proposals, referral to the Secretary of State of certain proposals, consideration of proposals and arrangements for inviting objections and comments.

The Regulations also make amendments in relation to the conditional approval of proposals for the establishment and discontinuance of schools, publication and notification of determinations that proposals should not be implemented in the form in which they were approved or determined and the requirement to refer to the Secretary of State requests to modify proposals.

The Regulations also make transitional provision and make further minor amendments to the Principal Regulations, including inserting new definitions and correcting errors.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

(6) [2002 c. 32](#).