

## **PUBLICATION OF STATUTORY PROPOSALS FOR PRESCRIBED ALTERATIONS TO MAINTAINED SCHOOLS**

### **DELEGATION TO CABINET MEMBER FOR EDUCATION AND SKILLS AND DIRECTOR OF CHILDREN, FAMILIES AND COMMUNITIES**

The Council needs to consider its approach to the publication of statutory or other proposals to making 'prescribed alterations' to maintained schools, and it is expedient to do so through delegated decision-making rather than a meeting of Cabinet.

#### Background

All proposals for prescribed alterations must follow the processes set out in the Statutory guidance as updated from time to time. Prescribed alterations include change of age ranges, enlargement of school premises, changes to SEN provision etc. When a statutory process is required the proposer (such as the Council) must publish a statutory proposal and notice followed by a representation stage (formal consultation) of 4 weeks. The Council will then make the final decision whether to implement the change or not, having regard to any representations. On some more minor alterations, there is no requirement to publish statutory notice of the proposals, but a decision still has to be made.

The guidance states that there is no longer a requirement for pre-consultation on statutory proposals, but there is a strong expectation that schools and Local Authorities will consult interested parties in developing their proposals prior to publication.

There have been a number of general delegations to date. On 18 July 2013, Cabinet resolved that in respect of initial consultations for changes to school organisation, the Director of Children's Services, in consultation with the Cabinet Member for Children and Families be authorised to approve consultations, unless the Director of Children's Services determined exceptional circumstances which require Cabinet consideration.

Cabinet has also delegated the decision-making following the publication of statutory notices for proposed prescribed alterations to schools. On 10 April 2014, Cabinet resolved that in respect of all future decisions on school places or school organisation changes following Public Notice of a proposal:

- (i) the Director of Children's Services be authorised to approve the proposals in respect of which no objections to the Public Notices are received; and



**worcestershire**  
**countycouncil**

(ii) the Cabinet Member with Responsibility for Children and Families be authorised to decide the proposals in respect of which objections to the Public Notices are received.

In 2017 I updated the delegations to reflect changes in titles and also to authorise the relevant Cabinet Member with Responsibility to decide whether to publish statutory notices. **It is now expedient to update these delegations to cover circumstances where statutory public notice is not required. The consolidated delegation is set out below.**

**I therefore authorise:**

- (a) The Director of Children, Families and Communities, in consultation with the Cabinet Member for Education and Skills, to take all decisions on behalf of the Cabinet acting as the Executive in respect of initial consultations for statutory proposals relating to prescribed alterations to maintained schools including school places and organisation changes or publishing such proposals which do not require statutory notice;**
- (b) the Cabinet Member with Responsibility for Education and Skills to take all decisions on behalf of the Cabinet acting as the Executive in relation to the publication of Public Notice of statutory proposals relating to prescribed alterations to maintained schools including school places and organisation changes;**
- (c) the Director of Children, Families and Communities to decide the proposals in respect of which no objection to the Public Notice or other proposal is received; and**
- (d) the Cabinet Member with Responsibility for Education and Skills to decide the proposals in respect of which objection to the Public Notice or other proposal is received.**

Dated

25/4/18

Signed

**S E Geraghty**

**Leader of the Council**

vf