

Who can publish?	School Category & type of proposal	Decision Maker	Appeal to adjudicator? (Who may appeal)
Local Authority	Community & Community Special Schools:		
	New schools with the agreement of the Secretary of State a) in Competition b) outside Competition (Note: subject to change)	Adjudicator	No
	Proposals to discontinue school	LA	Yes (CE or RC diocese, LSC)
	All other proposals except to remove selection from a grammar school or change category to Foundation, VA or VC; or Community Special to Foundation Special.	LA	Yes (CE or RC diocese, LSC)
	Foundation and Foundation Special Schools:		
	Proposals to establish a new school a) in Competition b) outside Competition with agreement of Secretary of State	Adjudicator	N/A – no appeal possible
Proposals to discontinue a school	LA	Yes (CE or RC diocese, LSC, GB or trustees)	
Proposals for “prescribed alteration” to: enlarge the premises of an existing school; add or remove SEN provision or add provision for children over compulsory school age.	LA	Yes (CE or RC diocese, LSC, GB or trustees)	

	Voluntary Schools:		
	Proposals to discontinue a school	LA	Yes (CE or RC diocese, LSC, GB or trustees)
	Proposals for “prescribed alteration” to: enlarge the premises of an existing school; add or remove SEN provision or add provision for children over compulsory school age.	LA	Yes (CE or RC diocese, LSC, GB or trustees)
	Nursery School:		
	Proposals to establish a new nursery school	Adjudicator	None
	Proposals to discontinue a school	LA	Yes (CE or RC diocese, LSC)
Governors of Foundation & Foundation Special Schools	Proposals to discontinue the school	LA	Yes (CE or RC diocese, LSC, GB or trustees)
	“Prescribed alteration” for relevant change in instrument of government or to acquire a foundation	GB	Yes (LA - see note 3)
	Proposals for other “prescribed alteration” to the school	LA	Yes (CE or RC diocese, LSC, GB)
Governors of Voluntary Schools	Proposals to discontinue the school	LA	Yes (CE or RC diocese, LSC, GB or trustees)

	“Prescribed alteration” to change the category of the school	VC change to foundation – GB VA change to foundation - GB Otherwise - LA	Yes, if proposals include relevant change to instrument of government (LA – see note 3) No Yes (CE or RC diocese, LSC, GB)
	Proposals for other “prescribed alteration” to the school	LA	Yes (CE or RC diocese, LSC, GB)
Governors of Community or Community Special Schools	“Prescribed alteration”:- Community School: to physically enlarge the school, increase the number of pupils in any relevant age-group by 27 or more, add a sixth form or, where the school is a grammar school, to end selection. Community Special: increase in number of pupils by 10% (or 5 pupils where school is just boarding and 20 in any other case whichever is lesser).	LA LA	Yes (CE or RC diocese, LSC, GB) Yes (CE or RC diocese, LSC, GB)
	“Prescribed alteration” to change the category of the school	Change to foundation/ foundation special – GB Otherwise - LA	Yes, if proposals include acquisition of a foundation (LA – see note 3) Yes (CE or RC diocese, LSC, GB)

Proposers	Proposals to establish a new foundation school without a foundation, foundation special or voluntary school: a) in Competition or b) outside Competition (with S/S agreement)	LA	(a) No (b) Yes (CE or RC diocese, LSC, proposer)
	Proposals to establish a foundation school with a foundation where: LA , or their appointee, is member of foundation; LA appointee is trustee; or LA, or their appointee, exercise appointing rights either in Competition or outside Competition (with S/S agreement)	Adjudicator	N/A – no appeal possible
	Other proposals to establish a foundation school with a foundation: a) in Competition or b) outside Competition (with S/S agreement)	LA	(a) No (b) Yes (CE or RC diocese, LSC, proposer)

NOTES:

1. The Secretary of State may, at any time, direct an LA to refer school competition proposals (and any subsequent proposals published by the LA) to the Adjudicator.
2. The LA must forward any proposals that they have not decided within 2months of the end of the representation period
3. The LA can request proposals to be referred to the adjudicator before they are decided by the governing body on grounds of inadequate consultation or concerns that the Trust would have a negative impact on standards.