

Appendix A

CHESHIRE EAST BOROUGH COUNCIL PROCEDURES FOR CONSIDERING STATUTORY SCHOOL REORGANISATION PROPOSALS AND OTHER NON STATUTORY EDUCATION REORGANISATION PROPOSALS

1. DECISIONS TO CONSULT AND PUBLISH STATUTORY NOTICES

**Decisions to be taken by the Individual Portfolio holder for
Children and Families**

2. PROCEDURE FOR CONSIDERING STATUTORY SCHOOL REORGANISATION PROPOSALS AND DECISIONS ON NON STATUTORY EDUCATION REORGANISATION PROPOSALS WHICH ATTRACT OBJECTIONS

**Decisions to be taken by a Cabinet Sub Committee under the
procedures set out below**

CHESHIRE EAST CABINET SCHOOL ORGANISATION SUB COMMITTEE PROCEDURE

The Cabinet has adopted the following procedure when exercising its function as the relevant decision maker under Schedule 2 Education and Inspections Act 2006 to consider school reorganisation proposals which attract statutory objections. The Cabinet has also adopted this procedure for the determination of other non statutory education organisation proposals which have attracted objections.

Decisions will be taken by a Committee comprising of 3 or 5 Cabinet members sitting as a Cabinet Sub Committee who will elect one member as Chair.

Representatives from the Chester(CE) Diocesan Board of Education , the Diocese of Shrewsbury Catholic Education and nominated primary, secondary, special school, nursery and foundation school governors (where appropriate) will be invited to attend and offer advice to the Sub Committee where the proposals impact on their sector of educational provision.

Part 1 of meetings of the Sub Committee will be held in public.

Introduction

- (1) There will be a brief introduction by the Principal Adviser to the Sub Committee to explain the business which is being brought before the Sub Committee, and how it will be considered.

Presentation of the Proposal

- (2) The Chair of the Sub Committee will ask the Proposers' representative(s) to present the proposal.

(No more than three presentations and a maximum 15 minutes in total.)

Local Reaction to the Proposal

- (3) The Principal Adviser will report briefly to the Sub Committee on the level and nature of responses received, together with any other responses, eg: expressions of support for the proposals.
- (4) The Chair will invite a spokesman or spokesmen representing the objectors to make an oral presentation of their objections.

(No more than three presentations and a maximum 15 minutes in total.

Objectors are, therefore, invited to work together to co-ordinate their representations and to nominate no more than three spokesmen.

Objectors are asked to notify the Democratic Services Officer to the Sub Committee of the name(s) of their spokesman or spokesmen in advance of the meeting.)

- (5) Representatives for the Diocesan and Governing Bodies where appropriate may each ask questions of the Proposers and Objectors

Information Seeking

- (6) Sub Committee Members may ask the Proposers' representative(s) any questions about:
 - The case for the proposals.
 - Proposers' comments on the objections received.
- (8) Sub Committee Members may ask the objectors' spokesman or spokesmen any questions about the objections received.

Advice to the Sub Committee

- (9) Governor representatives and representatives from the Chester (CE) Diocesan Board of Education and Diocese of Shrewsbury Education Service where appropriate will be invited to make comments to the Sub Committee.
- (10) Elected Members will be invited to make comments to the Sub Committee.

Part 2 of the meeting will be held in private.

The Sub Committee will then meet in private and everyone else will be asked to leave the meeting at this point, save that elected members of the Borough Council may remain present, in accordance with the Council's Standing Orders relating to Council proceedings.

Review

- (11) The Sub Committee, advised by the Principal Adviser, will consider whether the Sub Committee has sufficient information to come to a decision, or whether more information, not available at the meeting, is needed.

In exceptional circumstances where significant additional information is required which cannot immediately be provided, it may be necessary for the Sub Committee to adjourn whilst the necessary information is obtained.

- (12) When (either at the first meeting to consider the proposal or at a subsequent meeting if need be) the Sub Committee considers that it has sufficient information to reach a decision, the Sub Committee will consider the issues having regard to each element of the relevant statutory Decision Makers guidance which it is required to consider, before reaching its decision.

Part 3 Announcement of the Decision in public session

- (13) The Sub Committee's decision will be made in public following the private review session. It will then be published on the Borough Council's Political Information Network within two working days and the Principal Adviser to the Sub Committee will then prepare and make public a written statement setting out the reasons for the Sub Committee's decision in relation to the relevant Statutory Decision Makers guidance.

Footnotes:

1. Where the Proposer is the Local Authority this will be officers representing the Director of Children & Families. Other Proposers may include the Church of England and Catholic Dioceses and school governing bodies.
2. Nominated school governor representatives shall be sought from the Cheshire Association of Governing Bodies (CAGB) from serving primary, secondary, special, nursery and foundation school governors of Cheshire East schools, save that no person who is a governor, parent of a pupil attending or member of the staff of any school which is the subject of any proposal being considered by the Sub Committee shall participate, but may nominate a substitute in his or her place.
3. Decisions by the Sub Committee remain subject to the Council's call- in procedures under the relevant Standing Order. In the event of such "call-in", the council's Standing Orders shall apply in relation to all subsequent decision-making and the foregoing procedure shall cease to apply.