

department for
children, schools and families

Duty to Respond to Parental Representations about the Provision of Schools

A Guide for Local Authorities

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DUTY TO RESPOND TO PARENTAL REPRESENTATIONS ABOUT THE PROVISION OF SCHOOLS: GUIDANCE TO LOCAL AUTHORITIES

Introduction

1. This is guidance to local authorities (LAs) in England on how they should carry out their duty under Section 14A of the Education Act 1996 ("the 1996 Act") to consider parental representations about the exercise of their functions in relation to the provision of primary and secondary education under Section 14 of the 1996 Act. Section 14A was inserted by Section 3 of the Education and Inspections Act 2006, which came into force on 25 May 2007.

2. Paragraphs 4-20 below set the duty in the context of LAs' modernised role as the commissioners of education and other relevant legal provisions. They include general guidance on parental involvement in, and consultation on, LAs' strategic planning duties which is non-statutory. Paragraphs 21-51 contain statutory guidance to which LAs are required to have regard by virtue of Section 14A(4) of the Education Act 1996.

3. The duty to consider parental representations follows on from the commitment in the Schools White Paper to give parents the right to ask for new school and applies only to representations about the conduct of LAs' duties under Section 14 of the Education Act 1996. This guidance does not, therefore, apply to the handling of parental representations about the conduct of other LA duties, where the existing arrangements for making complaints remain in place.

Background

4. The Schools White Paper set out the Government's plans to put parents and their children at the heart of their schools system, so the system as a whole is increasingly driven by parents and choice. Specifically it went on to say: "Parents may feel that what is needed is an entirely new school or new provision within an existing school. We want to make it easier for them to express their views and to trigger action. We will give parents the right to ask for a new primary or secondary school. They may do so in order to improve standards of local education, to meet a lack of faith provision, to tackle entrenched inequalities or to promote innovative teaching methods. LAs will be under a duty to be responsive to parental interests. Where these demands have support, they will be expected to provide dedicated consultancy support to help parents develop a concrete proposal."

5. Accordingly the Education and Inspections Act 2006 ("the Act") places new duties on LAs to promote diversity and increase parental choice in planning and securing the provision of school places. The Act also places an explicit duty on LAs for the first time to respond formally to parents seeking changes to the provision of schools in their area, including new schools.

6. As the champion of parents and pupils, LAs will support new schools

and new provision where there is a real local sustainable demand from parents or where existing provision is poor. Improving the range and quality of choice for parents will also mean LAs spearheading action to challenge low standards in their schools and improve provision for children through every means at their disposal. The new powers on swift and decisive action to tackle school failure, improved measures on school discipline and increased opportunity for parental engagements in their child's education – together with the new duties on choice, diversity and fair access – are the drivers to ensure that every child achieves their potential and every family has a choice amongst good schools for their child.

7. Section 13 of the Education Act 1996 establishes the high-level functions of the LA in securing education for the area, which it should undertake with a view to promoting high standards and (as amended by the Education and Inspections Act 2006) the fulfilment of educational potential for every child and with a view to ensuring fair access to educational opportunity. Section 14 of the Education Act 1996 places LAs under a general duty to secure sufficient schools to provide primary and secondary education in their area. They should also have particular regard to securing special education provision. The Education and Inspections Act 2006 amends the 1996 Act to place additional duties on LAs in relation to Section 14. It inserts a new Section 14(3A) which places LAs under a duty to promote choice for parents and secure diversity in the provision of schools.

8. It also inserts a new Section 14A which places LAs under a specific duty to consider and respond to parental representations when carrying out their duties under Section 14. There are also duties on LAs under Section 315 of the 1996 Act to review the arrangements made by them for special educational needs.

9. LAs should consider cross-border movements of pupils and provision in neighbouring authorities, where relevant, when carrying out their duties to secure diversity and increase opportunities for parental choice. LAs should also explore the scope for collaborating with neighbouring authorities when planning the provision of schools. In particular, LAs might work together to consider how to meet the needs of parents seeking a particular type of school for their children in cases where there is insufficient demand for such a school within the area of an individual LA.

10. Under Section 12 of the Childcare Act 2006 LAs will be under a duty to establish and maintain a service to provide information, advice and assistance for parents and prospective parents – this includes information about education services and schools. This service will need to be able to inform parents of their new rights, the authority's current plans for provision, the ways in which they can make their voice heard, what they can expect of the authority and where to go if they are not satisfied with the result. LAs will need to ensure that the information is available to people who might otherwise have difficulty in accessing the services they need. Guidance in relation to this duty will be issued as part of the statutory guidance to support the Childcare Act.

Parental Involvement and Consultation

11. The best LAs are already strategic leaders of their communities, who work hard at listening to their communities and work with them to articulate their needs. When planning they think creatively about the current and future patterns of demand; and, in commissioning, they look critically at the range of current and potential providers to secure partners who can work with them to provide improved services. Their job is not to second guess or micro-manage providers but to establish a system that allows innovation and creativity in delivery, together with robust challenge on behalf of their citizens when standards of service are not high enough.

12. We believe that all authorities should, as a matter of course, be designing diversity of provision and factoring in parental views and wishes as part of their planning process in order to drive up standards. Consulting with parents, carers and local partners, studying demographics and changes in local populations will be part of the proactive work undertaken by LAs in designing a school system responsive to the local community. Talking with local parents should not wait until there are specific proposals for closing or opening a school in the area but be an ongoing integral part of the planning process. The Building Schools for the Future (BSF) initiative is giving LAs the opportunity to review existing secondary provision, including special school provision, and make creative changes in the pattern of provision.

13. We know that some LAs are already responding to parental demand for new schools. For example, in September 2007 a new secondary school set up by a group of parents, The Elmgreen School, opened in West Norwood as a voluntary controlled school with the parent promoters group forming the school's foundation. The parent promoters came together when Lambeth conducted a public consultation for a new school in West Norwood. Similarly, Southwark Council responded to lobbying from parents living in and around Dulwich for a new 11-18 non-selective co-educational community school and opened the Charter School in September 2000.

14. As part of the preparation of the **Children and Young People's Plan (CYPP)**, LAs are already required to consult, among others, children, young people and families, and the appropriate diocesan authority for any foundation or voluntary school situated in the area. The Children and Young Persons Plan Regulations 2007 extend these consultation requirements to cover the proprietor of each school in the authority's area as well as the schools forums and the admissions forums. The guidance on CYPP makes clear that these groups need to be involved at a formative stage and given enough time and information to make their participation effective. It also cautions that genuine participation for some groups of children, young people, parents, carers and families present particular challenges and LAs should be proactive and creative in their plans to engage these groups.

15. There are two main factors which may spur parents into action:

parental dissatisfaction with the standards of their child's potential schools in the area (poor standards); and

parental dissatisfaction with the current pattern of provision in the area (fit with beliefs and/or educational preferences).

16. **To carry out their new duties effectively, LAs will need to seek evidence about parents' satisfaction and act on evidence of parental dissatisfaction or unmet parental demand.** LAs will need to consider in particular how to gather information about levels of satisfaction amongst 'hard to reach' groups of parents who may not otherwise have their views taken into account.

17. **LAs, along with other public authorities, are already under a statutory duty under the Race Relations Act to promote race equality and eliminate racial discrimination.** This duty applies to all LA functions, and will apply in relation to the new duty to respond to parental representations.

18. These new duties in the 2006 Act are intended to ensure that LAs take account of the needs of all communities when planning the provision of school places and that they seek actively to increase the diversity of provision.

19. All LAs will need to think creatively about capturing the views of the full range of their local residents, including socially and economically disadvantaged parents, fathers, mothers and other carers, those who are not fluent in English and those who are otherwise hard to reach. We expect LAs to make information available to all parents informing them of their new rights, the authority's current plans for provision, the ways in which they can make their voice heard, what they can expect of the authority and where to go if they are not satisfied with the results. LAs should use the full range of communications channels to ensure that this reaches the widest possible range of parents and should stick to plain language.

20. It is important that any action LAs take in carrying out their new duties comply with responsibilities under the Race Relations Act (RRA) and the Gender Equality Duty (GED) when carrying out their education functions. Also, consideration of the Disability Discrimination Act (DDA) including:

- parental rights to access (Pt 3 DDA, 1995); and
- disability equality duty on LAs to promote equality of opportunity (DDA 2005, which amended DDA 1995).

Information on Parental Satisfaction

21. In addition to seeking direct feedback on parental satisfaction, LAs should be alert to trends and to individual expressions of dissatisfaction from

parents that, seen as a whole, indicate a perceived problem amongst parents with the characteristics or standards of local provision. Relevant trends or patterns might include, for example, high levels of cross-border flows, a higher than expected level of concern from parents of children at points of transition, about the lack of provision to meet a particular kind of special educational need¹, or from parents in a particular area over a period of time. Research on parental preferences carried out in 2001 showed that almost 3 in 10 parents (28%) did not apply to their nearest state school². Parents in London were more than two and a half times more likely **not** to apply for the nearest school than parents in Shire LAs.

22. LAs will receive proposals for new provision from other bodies and interest groups beside parents. In considering proposals from independent proposers, LAs will evaluate the depth and quality of support from parents cited in the proposals and will consider how it relates to their own intelligence. Even where a proposal falls (for example, lack of suitable site or sufficient funding), the history and pattern of proposals contribute to the information on parental demand in the area.

23. The **Schools Commissioner's role** will include supporting authorities to carry out their new duties on choice and diversity and part of this will include monitoring key local indicators of parental satisfaction. The Schools Commissioner is developing indicators of parental satisfaction which reflect the diversity of local practice and provision. Parents in rural and urban areas, for example, have very different expectations of the choice of school available and there are complexities in meaningfully comparing the experience of parents in different areas. The Schools Commissioner and the Department for Education and Skills will collect examples of good LA practice in seeking and responding to the views of parents and community groups. These will be communicated through the Schools Commissioner's annual report and case studies and supporting guidance on the LA commissioning role. The Office of the Schools Commissioner will also act as a source of information for new providers, parents and parent backed groups including information on setting up Trusts. (See paragraph 52 below for Schools Commissioner's role in parental complaints.)

Information to Parents

24. Many LAs are successfully reaching out to the majority of parents in their area and some are leading the way in innovatively engaging the full range of local residents. In future all LAs will need to think creatively about capturing the views of the full range of their local residents, including socially and economically disadvantaged parents, fathers, mothers and other carers, those who are not fluent in English and those who are otherwise hard to

¹ SEN indicators could include the number of parents of children with SEN requesting out-of-area provision and the number of children the LA considers it cannot accommodate locally.

² DfES Research Report 278 (2001) '*Parents' Experiences of the Process of Choosing a Secondary School*'

reach. LAs should use the full range of communications channels to ensure that information reaches the widest possible range of parents and should stick to plain language.

25. Section 42 of the Education and Inspections Act places a duty on LAs in England to provide advice and assistance to all parents in their area when applying for schools for their children. Funding has been provided to LAs to provide a Choice Advice service as one of the ways of contributing to this duty, specifically targeting advice at those who may find the admissions system hardest to navigate.

Statutory Guidance

26. This guidance relates to the handling of representations from parents, acting individually or jointly, about the exercise of LAs' duties in relation to the provision of primary and secondary education under Section 14 of the Education Act 1996. To qualify under the Act, the parents involved must be parents of a child of school age or under who lives in the authority's area.

27. An informed and engaged parental population will be better able to help LAs in the task of consulting on and planning for school provision in the area. It is important that parents know about their rights to make representation to the LA and the duty on the LA to consider and respond to these representations.

28. Local parents might approach the LA to seek action where they feel there is deficiency in choice and diversity in schools provision or might come forward with their own proposals. In every case the LA should exercise its judgement in considering whether the approach is a representation from parents requiring a response under the new duty. Where there is an existing LA plan for the reorganisation of provision, however, the established routes for parents to make their views known should be followed. This means that representations received in response to consultation by the LA on options, or on specific reorganisation proposals, should be treated as consultation responses and taken into account by the LA when deciding how to proceed. Representations made in response to published proposals should be treated as such, and taken into account by the LA or schools adjudicator when considering the proposals.

29. Given the wide range of circumstances applying in individual LAs, we do not believe it is appropriate to specify a minimum number of parents whose representation would 'trigger' the new duty to respond. As a general rule, we would expect parental representations and LA responses to be monitored by the authority at the highest official and political levels. LAs will be able to use their discretion in determining the weight to give responses.

30. Moreover, an LA should not specify that parents should have to use a required form of words or demand a particular kind of action (for example, the opening of a new school) before the authority will respond. It would not be

enough, for example, for the LA to respond only to formal petitions from groups of parents seeking a new school and explicitly invoking the new duties introduced in the Act. LAs can, however, develop and publicise their own procedures for engaging parents and responding to representations.

31. Where the LA are satisfied that the communication from parents amounts to representation under the new duty, then the LA should investigate and respond in a proportionate way according to the circumstances of the case.

32. Where there is a group of parents already formed with a specific aim of bringing forward a proposal for a new school, the LA will be able to engage with the group immediately. Where local opinion is less organised or developed the LA may need to do more to gauge the level of parental concern, possibly through a public meeting to gauge opinion more generally or other forms of local consultation and then work with parents in articulating the problem and assessing the level of demand for different provision in the area. As the circumstances in each case will be different, the time required to respond fully to representations will vary. If the representations lead to statutory proposals, then the LA will consult more widely with the community as part of that statutory process. See <http://www.dcsf.gov.uk/schoolorg/>

33. Where permission is granted to publish proposals for a new school outside a competition, the normal statutory process will apply, consultation, publication, representations, decision and implementation. See Annex A for further details. Where consent to publish proposals outside a competition is not granted, a competition will not necessarily ensue – it will depend on whether the local authority wishes to invite proposals in a competition.

34. As a minimum, we would expect LAs to respond to any parental representation **within four weeks**, setting out the authority's initial response and, where appropriate, a timetabled plan of future action. This might include, for example, undertakings by the local authority to consult further in writing or hold public meetings about issues raised in the representation. In particular, the local authority should indicate when they intend to produce a final response. **The local authority has the responsibility to keep parents informed about action and progress and update them at key points agreed in advance.**

35. Having taken the steps specified in the initial response (and any further steps that might be necessary), the LA should respond to the original representation or representations by means of a statement or statements. The response might take the form of an undertaking by the LA to take further action. This might include supporting parents or other promoters to develop proposals for a new school in the area, or alternatively, to hold a competition. In other circumstances, it will be appropriate for the LA to put forward to parents another option which does not involve the establishment of a new school, for example, expanding another successful school in the area. This might be the suitable course of action where, for example, parents have complained or are concerned about the standards at a

particular school and their concerns are best addressed through action to improve the quality of provision there.

36. There might be an opportunity for an independent school offering a different ethos to be invited to join the maintained sector as a self-governing school.

37. Alternatively, the response may confirm that the LA intends to take no further action. This might be justified where the authority concluded that a particular course of action advocated by the parents was not feasible in the circumstances (for example, on the grounds of demonstrably poor value for money); or simply that the LA had already taken all reasonable steps to promote diversity and increase parental choice in accordance with their duties under Section 14 of the Education Act 1996.

38. In all cases, the statement would need to set out the LA's justification for arriving at its conclusions in order that the parents or parent group can follow the reasoning involved and, if dissatisfied, complain citing the reasons given. The expectation is that the statement should be published or made widely available, complying with data protection legislation and confidentiality obligations where appropriate.

39. **Once the LA have responded then their duties under Section 14A of the Act will be discharged. Any subsequent statutory proposals will be decided in the normal way.** The arrangements for appeal against decisions on statutory proposals by LAs or the schools adjudicator are also unchanged and the new provisions do not imply additional rights for parents.

40. The case studies below illustrate two potential scenarios and the kind of action open to authorities. Any case study at this stage can only be hypothetical and for illustrative purposes only. LAs will need to consider representations from parents on a case-by-case basis and what constitutes an appropriate response in each case will depend on the specific circumstances (including, for example, the availability of a site for a new school). In many cases action will be primarily on improving standards at existing schools and the range of choice effectively available to parents. Where new provision is proposed as the leading option the outcome will depend on the publication of statutory proposals. This means that even if a local authority supported parents to develop their own proposals for a new school, the school might never be established (because the local authority, taking account of the views of stakeholders including other parents in the area, might reject the parents' proposals and the Schools Adjudicator uphold that decision).

Case Study A

41. Twenty parents in an area write separately to the LA complaining about the quality of provision in their area. They do not explicitly demand a new school of any type. The LA respond by holding a public meeting with the signatories and actively encouraging other parents to join the debate. The LA

also analyse information about patterns of parental preferences in the area. Depending on the circumstances, the LA might decide to follow-through with a less or more radical set of options as follows:

Following the public meeting the LA would need to ensure that all parents who made representations received a statement setting out any actions which the LA proposed to take. (If the LA decided not to take any action they would also need to set out the reasons for this in a statement.)

Where it appears that the situation can be resolved by working within the current pattern of provision in the area, the LA may:

- a. Work with parents to ensure that they know the options open to them, the strengths of schools in the local and wider area and their rights on expressing preferences, free transport and so on; or
- b. Encouraging the governing body of an existing school which is unpopular with parents to strengthen the leadership and ethos of the school by acquiring a Trust; or
- c. Invite the governing body of an existing popular and successful school to expand (and LAs will also have powers to publish their own proposals for the expansion of a maintained school of any category) or federate with a less popular school.

Alternatively, the LA may decide that there is a good case for a new school. In these circumstances, the LA may:

- d. Bring forward proposals to close an existing school which is unpopular with parents and invite a parents group or other promoters to bring forward proposals for a Trust school on the same site (the consent of the Secretary of State would be necessary for a new school outside a competition) or hold a competition for a replacement maintained school on that site; or
- e. Identify a suitable site and buildings for a brand new school and invite a parents' group to establish a Trust school on that site (as above, the proposers or the LA will need to secure the Secretary of State's consent to publish proposals without holding a completion); or
- f. Identify a suitable site and buildings for a brand new school and invite other proposers to bring forward proposals for a Trust school on that site. Depending on the views expressed by parents, the proposers might be a particular faith organisation – for example, the Church of England – or an education charity – such as Montessori or for a particular ethos, if the parents had expressed a preference for that type of education. Again, the proposers will need to secure the Secretary of State's consent to publish proposals without holding a competition; or

- g. Identify a suitable site and buildings for a brand new school and hold a competition for a new publicly funded school on that site.

In the case of e, f and g, the LA would need to consider how to address any increase in the number of surplus places caused by the new provision.

Case Study B

42. A group of 100 parents in an area petition the LA for a new school with a particular ethos or particular educational philosophy. The LA hold a public meeting with the signatories to find out more about their request. The LA analyse other information about parental preferences – including surveying parents as appropriate – and demographic evidence to assess the demand for such a school. In the light of all the evidence available the LA might decide to:

- a. Support the entry of an existing independent school with the appropriate philosophy into the maintained sector as a self-governing school, with funding for the school to expand the number of pupils it admits (under Section 11 of the Education and Inspections Act 2006, the proposers will no longer need to secure the Secretary of State's consent to publish proposals outside a competition but may simply publish them to be determined according to the local decision making process); or
- b. Identify a suitable site and buildings for a new school and invite an appropriate proposer to bring forward proposals for a brand new Trust school on that site (the proposers or LA will need to secure the Secretary of State's consent to publish proposals without holding a competition); or
- c. Take steps to address the parent's concerns by other means. For example, discussions with the parents might reveal that their request for a new school was prompted by concerns that the school or schools that their children were attending were not responsive to their particular beliefs. The LA might respond by encouraging staff and governors to inform themselves about the particular ethos and brokering meetings between schools and parents to improve understanding.

In the case of a. and b. the LA would need to consider how to address any increase in the number of surplus places caused by the new provision.

Following the public meeting the LA would need to ensure that all parents who made representations received a statement setting out any actions which the LA proposed to take. (If the LA decided not to take any action they would also need to set out the reasons for this in a statement.

43. The case studies above illustrate the range of solutions open to LAs and parents where there is parental dissatisfaction or unmet demands.

Support for parent promoters

In a competition

44. Where the level of parental demand for a new school appears considerable and where a group of parent promoters come forward, the LA will need to consider whether actively raising the profile of the issue may spur other potential proposers into coming forward. A competition may ultimately be the best way of securing the provision desired by the wider parental and community interests and the authority will need to consider this before they or a group of parent promoters seek exemption from competition from the Secretary of State. Where the LA decides to invite proposals for a new school in a competition, it need not provide separate support to parent promoters. DCSF funds dedicated consultancy support to all potential proposers in school competitions, and parent groups would therefore have access to that.

Outside a competition

45. Where the level of parental demand for a new school appears to be considerable and where a group of parent promoters come forward and an exemption from a competition had been secured from the Secretary of State, the LA should provide expert support and guidance to the parent promoters to help them to formulate their proposals. The presumption is that the LA should not respond to parents on the basis that, although a proposal for a new school appeared to have substantial backing from parents, the actual proposals was under-developed, unworkable or in practical respects sub-standard. It is the responsibility of LAs to work with parents to bring viable proposals with parental backing to the point where they can be decided through the normal decision making process.

46. Formulating a proposal for a new school is often a complex and technical process, requiring expertise in a number of areas as well as organisational and management skills. There are sometimes awkward practical problems related, for example, to sites, buildings and regulations. Some parent groups have skills and expertise already in their ranks and have learned more as they go along. But for local parents to have an LA which is committed to offering practical support and finding solutions to awkward problems could make the difference between a live project and one which fails for lack of constructive engagement.

47. The kinds of material help and support which LAs should offer include dedicated consultancy support to work through the process of arriving at a proposal and steering it through the decision making process, finding and making the most of expertise from different sources.

48. The LA could, as part of this, direct parents to the Schools

Commissioner who has the task of providing information on Trust formation and approaches taken in other localities. The Department also publishes a number of step by step guides on the processes involved and the school organisation website (<http://www.dcsf.gov.uk/schoolorg/>) has model notices for all kinds of proposals.

49. Many school proposals fall at the most basic hurdle – finding suitable site and buildings and, where needed, securing sufficient capital funding. In helping to develop and facilitate proposals, LAs should be flexible in earmarking potential sites and creative in removing capital barriers. As part of this, LAs and backers should explore ways of reducing large scale capital outlay including bringing forward projects which do not need substantial capital investment, for example, taking over existing provision, using redundant sites, leasing premises or bringing formerly independent schools into the maintained sector.

50. **The duty to respond to parental representations exists apart from the LA's decision-making role on school organisation** and it is the LA's responsibility to make these distinctions clear to parents in helping them understand the issues.

51. In future, LAs will need to sustain the capacity for increased responsiveness to parental demand by taking advantage of the full range of powers available to them. These include the power to publish proposals to expand both foundation and voluntary schools and also the power to bring forward proposals to close schools where necessary to reduce the numbers of surplus places.

Complaints

52. **If parents believe that their LA have not taken proper account of its duties under Section 14A of the 1996 Act then they may complain to the Secretary of State.** The Secretary of State might investigate whether the LA are in default of their duties and make a decision on the use of his powers of intervention. Intervention by the Secretary of State might include directing the LA to reconsider their decision and respond to parental representations paying due regard to their duties to promote diversity and increase opportunities for parental choice.

Representations excepted under the Act

53. **Section 14A(3) of the 1996 Act provides that the LA are not under an obligation to respond to representations which appear to it to be frivolous or vexatious**, that is, which are clearly and evidently futile or misconceived or that are brought forward from a mischievous or obstructive motive. **Nor are they obliged to respond to a representation which is the same or substantially the same as one received previously from the same person.** The authority are expected, however, to exercise reasonable judgement in deciding whether to consider a parental representation, if it was submitted again after a period of time, given changes in circumstances. An

LA will be expected to be sensitive to local and parental needs. The authority may need to take steps to determine how representative the representation is of wider concerns, e.g. through a public meeting or other form of consultation, when considering representations from parents. It is nevertheless good practice to acknowledge the receipt of correspondence with a short explanatory reply, even where the LA believes that the representation is excepted under the terms of the Act.

Timetable

54. The relevant provisions in the 2006 Act come into force on 25 May 2007. From that date, LAs will be under the duty to build promotion of parental choice and diversity progressively into planning arrangements and to respond on parental representations.

Monitoring and Evaluation

55. The Schools Commissioner will monitor LAs' performance of their new duties under the Education and Inspections Act 2006 and will advise the Secretary of State on the use of his powers of intervention where it appears that LAs have failed in a statutory duty or acting unreasonably.

Statutory Proposal Process

There are six stages in the competition process:

Stage 1	Consultation (includes consultation on any linked school closures)	Not prescribed – (minimum of 6 weeks recommended)
Stage 2	Invitation to bid (first notice)	1 day
	Proposer engagement	This will fall within the 4 month period of Stage 4 below
	Submission of proposals	Minimum of 4 months from the first notice
Stage 3	Publication of proposals (second notice) & promotion of public awareness	Within 3 weeks of the expiry date for submitting proposals
Stage 4	Representations (to allow for comments and objections to be submitted)	6 weeks (LA holds at least 1 public meeting within the first 2 weeks)
Stage 5	Decision by: LA or Schools adjudicator	Within 2 months of end of Stage 6 No prescribed timescale
Stage 6	Implementation	No prescribed timescale – as specified in published notice subject to any modifications agreed by the Decision Maker

If the Secretary of State approves the request by the LA or parent promoters to publish proposals for a new school without a competition, or if the proposers do not need the Secretary of State's consent to publish their proposals outside a competition, the following statutory process applies:

Stage 1	Consultation	Not prescribed (minimum of 6 weeks recommended)
Stage 2	Publish statutory notice	
Stage 3	Representation period (to allow for comments and objections to be submitted)	6 weeks
Stage 4	Decision by: LA or Schools adjudicator	Within 2 months of end of Stage 5 No prescribed timescale
Stage 5	Implementation	No prescribed timescale