

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL POLICY ON THE SETTING AND CHANGING OF SCHOOL NAMES

1. This policy relates to the official names of schools meaning the name set out in the Instrument of Government (“IOG”).
2. School names must be consistent with legal requirements the Government of Maintained Schools (Wales) Regulations 2005. Paragraph 35 of the Government of Maintained Schools (Wales) Regulations 2005 is especially relevant: a copy is attached as part of this policy.
3. School names must not be misleading. Therefore, the Council shall expect that:
 - Where a school is a voluntary school and has a religious character, this is clear from the school’s name;
 - Where a school serves all or part of the primary age-range (ages 5-11) and is not a special school, one of the following phrases is used:
 - Infant School
 - Junior School
 - Primary School
 - Where a school has “Primary” in its name it will serve all age-groups in nursery, Key Stage One and Key Stage Two;
 - Any implication or perceived implication in the school’s name is accurate;
 - Where a school is relocated, on a permanent basis, from a location in one electoral ward and/or community to a different electoral ward and/or community, the Council will request that the governing body review the IOG and the name of the school and shall not retain a name linked to its previous location that may mislead or confuse any interested parties. The governing body will have 60 calendar days to complete the review of the IOG.
 - If the governing body determines that there should be no change to the IOG and school name, it is required to inform the Council of the reasons why. Where the Council’s Cabinet has concerns over the proposed name, or if it does not meet the requirements in the Council’s policy, it will refer the matter back to the governing body for reconsideration with an explanation of their decision.
 - If the governing body does not comply with this request, the Council will review the IOG and recommend to the governing body a suitable new name for the school. The Council will notify the governing body of the proposed change to the school name and the reasons for the change. The governing body will have 90 calendar days or at the discretion of the Council “reasonable time” to discuss the proposed changes with the Council in order to come to an agreement on the name. If no agreement can be reached the Council’s Cabinet will determine the change of name of the school;

4. If the governing body decides that the name of the school should be changed it has to consult with pupils, parents and other stakeholders, all consultees shall be informed that the new name must not mislead or confuse anyone as to the schools location. Best practice suggests that pupils of the school should play the lead role in determining a suitable school name. After a period of consultation with pupils, parents and other stakeholders the process for determining a school's name shall be as follows:
 - a) An item shall be placed on the agenda of a meeting of the full governing body making clear that a change of the school's name is proposed and specifying the proposed new name (or options);
 - b) A change to a school name must be decided by the governing body.
 - c) Where the school is a voluntary school, the new name must also be approved by the relevant diocesan authority (for Church of Wales and Roman Catholic Schools);
 - d) If the governing body agrees to the proposed school name, they shall inform the Council so that the Instrument of Government can be changed;
 - e) Where the above stages have been completed satisfactorily, the Council's Cabinet will consider the proposed new name in accordance with the Council's policy and arrange for the school's Instrument of Government to be changed;
 - f) Where the Council's Cabinet has concerns over the proposed new name, or if it does not meet the requirements in the Council's policy, it will refer the matter back to the governing body for reconsideration, with an explanation of their decision.
5. For new schools, the role of the governing body outlined in 4(a) – (f) above shall be undertaken by the temporary governing body until the permanent governing body has been set up.

Extract from the Government of Maintained Schools (Wales) Regulations 2005

Review of instruments of government

35. (1) The governing after it is made.

(2) Where on any body or the local education authority may review the instrument of government at any time review the governing body or the local education authority decides that the instrument of government should be varied, the governing body or (as the case may be) the local education authority must notify the other of its proposed variation together with its reasons for proposing such a variation.

(3) Where the governing body has received notification under paragraph (2), it must inform the local education authority as to whether or not it is content with the proposed variation and, if not content, its reasons.

(4) Where the school has foundation governors, the governing body must not—

(a) give the local education authority any notification under paragraph (2),
or

(b) inform the authority under paragraph (3) that it is content with the authority's proposed variation,

unless the persons listed in regulation 34(2) have approved the proposed variation.

(5) If—

(a) whichever of the governing body and the local education authority is the recipient of a notification under paragraph (2) agrees with the proposed variation, or

(b) there is agreement between the local education authority, the governing body and (if the school has foundation governors) the other persons listed in regulation 34(2) that some other variation should be made instead,

the local education authority must vary the instrument of government accordingly.

(6) If, in the case of a school which has foundation governors, at any time the persons listed in regulation 34(2) disagree with the proposed variation any of those persons may refer it to the National Assembly for Wales; and on such a reference the National Assembly for Wales must give such direction as it thinks fit having regard, in particular, to the category of school to which the school belongs.

(7) If neither sub-paragraphs (a) and (b) of paragraph (5) applies in the case of a school which does not have foundation governors, the local education authority must—

(a) inform the governing body of the reasons—

(i) why it is not content with the governing body's proposed variation, or as the case may be,

(ii) why it wishes to proceed with its own variation, and

(b) give the governing body a reasonable opportunity to reach agreement with it with regard to the variation;

and the instrument of government must be varied by it either in the manner agreed between it and the governing body or (in the absence of such agreement) in such manner as it thinks fit having regard, in particular, to the category of school to which the school belongs.

(8) Nothing in this regulation is to be taken as requiring the local education authority to vary the instrument of government if it does not consider it appropriate to do so.

(9) Where an instrument of government is varied under this regulation—

(a) the instrument must set out the date on which the variation takes effect; and

(b) regulation 33(3) applies in relation to any variation relating to the manner in which the governing body is to be constituted as if it referred to the date when the variation is made rather than the date when the instrument is made.