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| **Consultation Response Form**  **Consultation closing date: 7 November 2013** **Your comments must reach us by that date** |
| The Academy Conversions (Transfer of School Surpluses) Regulations 2010 **Consultation on replacing The Academy Conversions (Transfer of School Surpluses) Regulations 2010 with The Academy Conversions (Transfer of School Surpluses) Regulations 2013** |

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the access to information regimes, primarily the Freedom of Information Act 2000 and the Data Protection Act 1998.

If you want all, or any part, of your response to be treated as confidential, please explain why you consider it to be confidential.

If a request for disclosure of the information you have provided is received, your explanation about why you consider it to be confidential will be taken into account, but no assurance can be given that confidentiality can be maintained. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department will process your personal data (name and address and any other identifying material) in accordance with the Data Protection Act 1998, and in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

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| |  |  | | --- | --- | | Textbox | **Please tick if you want us to keep your response confidential.** | |  |
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| |  |  | | --- | --- | | Textbox | Please tick if you are responding on behalf of your organisation. | |  |
| |  |  | | --- | --- | | TextBox | Name of Organisation (if applicable): | | |
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Please mark the box that best describes you as a respondent.

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1 Regulation 5(1) – Do you think the 4 month timescale is necessary and sufficient? If not, please comment on how long you think the timescale should be and why.

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2 Regulations 5(3) and (4): For Federated School Balances - Do you agree that the local authority and academy should agree on the method of determining the surplus, and if no agreement is reached, there is a split based on pupil numbers?

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3 Regulations 6(2) and (4) – do you agree that the academy should be deemed to have agreed to the determination made by the local authority if it does not apply to the Secretary of State within one month, unless in the Secretary of State’s view exceptional circumstances, explained in the academy’s late application, apply to the case?

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4 Regulation 6(3) – do you agree that the local authority and academy should be required to use reasonable endeavours to reach agreement before the academy makes an application to the Secretary of State?

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5 Regulation 6(7) – do you agree that the Secretary of State should be able to extend the period for reviewing a determination by such period as he determines?

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6 Do you have any other comments?

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Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

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| |  |  | | --- | --- | | Textbox | **Please acknowledge this reply.** | |  |
| |  |  | | --- | --- | | TextBox | E-mail address for acknowledgement: | | |

**Thank you for taking time to respond to this consultation.**

Completed responses should be sent to the address shown below by 7 November 2013

Adrian Thompson  
Department for Education  
Mowden Hall  
Staindrop Road  
Funding Policy Unit  
2F Area B  
Darlington  
DL3 9BH

Send by e-mail to: [SurplusandDeficits.Academies@education.gsi.gov.uk](mailto:SurplusandDeficits.Academies@education.gsi.gov.uk)