



# Education Act 2002

## 2002 CHAPTER 32

### PART 4

#### POWERS OF INTERVENTION

##### *Local education authorities*

#### **64 Provisions supplementary to section 63**

- (1) Where section 63 applies in relation to a local education authority and the Secretary of State or the National Assembly for Wales has notified the authority that he or it is contemplating the giving of a direction under that section, the authority shall give the Secretary of State or the Assembly, and any person authorised by the Secretary of State or the Assembly for the purposes of this subsection, such assistance, in connection with the proposed contract or other arrangement, as the authority are reasonably able to give.
- (2) Where a direction under section 63 is given to a local education authority, the relevant person shall be entitled, for the purposes of providing the advisory services, to exercise the powers conferred by subsections (3) to (6).
- (3) The relevant person shall have at all reasonable times—
  - (a) a right of entry to the premises of the authority, and
  - (b) a right to inspect, and take copies of, any records or other documents kept by the authority, and any other documents containing information relating to the authority, which he considers relevant to the provision of the advisory services.
- (4) Section 497B(3) of the Education Act 1996 (c. 56) (right of access to computers etc) applies in relation to the exercise by the relevant person of the right conferred by subsection (3) as it applies to the exercise by the specified person (within the meaning of that section) of the right conferred by section 497B(2) of that Act.

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*Status: This is the original version (as it was originally enacted).*

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- (5) Without prejudice to subsection (3), the authority shall give the relevant person all assistance in connection with the provision of the advisory services which they are reasonably able to give.
- (6) Subsection (3) applies in relation to any school maintained by the authority as it applies in relation to the authority; and without prejudice to that subsection (as it so applies)—
- (a) the governing body of any such school shall give the relevant person all assistance in connection with the provision of the advisory services which they are reasonably able to give, and
  - (b) the governing body of any such school and the authority shall secure that all such assistance is also given by persons who work at the school.
- (7) In this section—
- “the advisory services” means the services to be provided in pursuance of the direction under section 63;
  - “documents” and “records” each include information recorded in any form;
  - “the relevant person” means—
    - (a) the person specified under section 63(2), or
    - (b) where the direction specifies a class of persons, the person with whom the local education authority enter into the contract or other arrangement required by the direction,
- and includes any person assisting that person in the provision of the advisory services.