
Changes to legislation: Education and Inspections Act 2006, Cross Heading: Statement to be prepared by proprietor following adverse report on non-maintained school is up to date with all changes known to be in force on or before 10 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 7

AMENDMENTS RELATING TO SCHOOLS CAUSING CONCERN

PART 1

PRINCIPAL AMENDMENTS

Statement to be prepared by proprietor following adverse report on non-maintained school

- 2 (1) Section 17 of EA 2005 (statement to be prepared by proprietor of school other than maintained school) is amended as follows.
- (2) In subsection (1)—
- (a) at the beginning insert “ Subsection (1A) applies ”, and
 - (b) omit all the words following paragraph (b).
- (3) After subsection (1) insert—
- “(1A) The proprietor must—
- (a) consider what action to take in the light of the report,
 - (b) consider what arrangements to make for the purpose of informing registered parents of the proposed action, ascertaining their views on the proposed action and taking account of those views,
 - (c) consider whether those arrangements are to include the appointment of a specified person for that purpose, and
 - (d) prepare a written statement—
 - (i) of the action the proprietor proposes to take, and the period within which he proposes to take that action, or, if he does not propose to take such action, of his reasons for not doing so, and
 - (ii) of the arrangements he proposes to make for the purpose mentioned in paragraph (b).
- (1B) Subsection (1C) applies where—
- (a) the proprietor of a school has prepared a statement under subsection (1A) in relation to the school,
 - (b) it appears to the Secretary of State, on the basis of a report of an interim inspection of the school by the Chief Inspector, that the case has become urgent, and
 - (c) no subsequent inspection of the school has been made under section 5.
- (1C) The Secretary of State may by notice require the proprietor to—

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- (a) consider the action to be taken in the light of the report of the interim inspection and the arrangements to be made for the purpose mentioned in subsection (1A)(b), and
- (b) prepare a written statement—
 - (i) of the action the proprietor proposes to take, and the period within which he proposes to take that action, or, if he does not propose to take such action, of his reasons for not doing so, and
 - (ii) of the arrangements the proprietor proposes to make for the purpose mentioned in subsection (1A)(b)."

(1D) For the purposes of subsections (1B) and (1C) an “interim inspection” is an inspection under section 8 in respect of which no election under section 9 is made.”

(4) In subsection (3)—

- (a) for “such a statement” substitute “a statement under subsection (1A) or (1C)”, and
- (b) before the word “and” at the end of paragraph (a) insert—
 - “(aa) in the case of a statement under subsection (1C), to the Secretary of State,”.

(5) After subsection (4) insert—

“(5) In performing his functions under subsections (1A)(a), (b), (c) and (d) and (1C)(a) and (b), the proprietor must have regard to any guidance given from time to time by the Secretary of State.”

Commencement Information

II Sch. 7 para. 2 in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(cc\)](#)

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2006/2990 art. 4 by [S.I. 2008/54 art. 2](#)
- specified provision(s) amendment to earlier commencing SI 2007/935 art. 7(n) by [S.I. 2007/1271 art. 4](#)
- specified provision(s) transitional provisions for earlier commencing SI 2007/935 by [S.I. 2007/1271 art. 5](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 11A inserted by [2010 c. 26 s. 7](#)
- s. 88(A1) inserted by [2015 c. 20 Sch. 16 para. 1\(2\)](#)
- s. 93A inserted by [2009 c. 22 s. 246](#)
- s. 93A(7) words inserted by [S.I. 2016/413 reg. 235](#) (This amendment comes into force on the day that section 93A of the Education and Inspections Act 2006 (c. 40) comes into force. That provision is still prospective)
- s. 162(5A)(aa) inserted by [2010 nawm 1 Sch. 1 para. 20\(a\)](#)