

Changes to legislation: Education and Inspections Act 2006, Part 2 is up to date with all changes known to be in force on or before 19 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 **E+W**

AMENDMENTS RELATING TO SCHOOLS CAUSING CONCERN

PART 2 **E+W**

MINOR AND CONSEQUENTIAL AMENDMENTS

School Standards and Framework Act 1998 (c. 31)

F13

Textual Amendments

F1 Sch. 7 paras. 3-14 omitted (20.2.2014) by virtue of [School Standards and Organisation \(Wales\) Act 2013](#) (anaw 1), s. 100(4), [Sch. 5 para. 9\(2\)](#); S.I. 2014/178, art. 2(f) (with art. 3)

F14

Textual Amendments

F1 Sch. 7 paras. 3-14 omitted (20.2.2014) by virtue of [School Standards and Organisation \(Wales\) Act 2013](#) (anaw 1), s. 100(4), [Sch. 5 para. 9\(2\)](#); S.I. 2014/178, art. 2(f) (with art. 3)

F15

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F16

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F17

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F18

Textual Amendments

F1 Sch. 7 paras. 3-14 omitted (20.2.2014) by virtue of [School Standards and Organisation \(Wales\) Act 2013](#) (anaw 1), s. 100(4), **Sch. 5 para. 9(2)**; S.I. 2014/178, art. 2(f) (with art. 3)

F19

Textual Amendments

F1 Sch. 7 paras. 3-14 omitted (20.2.2014) by virtue of [School Standards and Organisation \(Wales\) Act 2013](#) (anaw 1), s. 100(4), **Sch. 5 para. 9(2)**; S.I. 2014/178, art. 2(f) (with art. 3)

F110

Textual Amendments

F1 Sch. 7 paras. 3-14 omitted (20.2.2014) by virtue of [School Standards and Organisation \(Wales\) Act 2013](#) (anaw 1), s. 100(4), **Sch. 5 para. 9(2)**; S.I. 2014/178, art. 2(f) (with art. 3)

F111

Textual Amendments

F1 Sch. 7 paras. 3-14 omitted (20.2.2014) by virtue of [School Standards and Organisation \(Wales\) Act 2013](#) (anaw 1), s. 100(4), **Sch. 5 para. 9(2)**; S.I. 2014/178, art. 2(f) (with art. 3)

F112

Textual Amendments

F1 Sch. 7 paras. 3-14 omitted (20.2.2014) by virtue of [School Standards and Organisation \(Wales\) Act 2013](#) (anaw 1), s. 100(4), **Sch. 5 para. 9(2)**; S.I. 2014/178, art. 2(f) (with art. 3)

F113

Textual Amendments

F1 Sch. 7 paras. 3-14 omitted (20.2.2014) by virtue of [School Standards and Organisation \(Wales\) Act 2013](#) (anaw 1), s. 100(4), **Sch. 5 para. 9(2)**; S.I. 2014/178, art. 2(f) (with art. 3)

F114

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F1 Sch. 7 paras. 3-14 omitted (20.2.2014) by virtue of [School Standards and Organisation \(Wales\) Act 2013 \(anaw 1\)](#), s. 100(4), [Sch. 5 para. 9\(2\)](#); S.I. 2014/178, art. 2(f) (with art. 3)

- 15 In section 142 of SSFA 1998 (interpretation), in subsection (4)—
- (a) after “this Act” insert “ (or Part 4 of the Education and Inspections Act 2006) ”, and
 - (b) in paragraph (b), after “section 16(6) or (8)” insert “ or of section 64(4) or (6) of the Education and Inspections Act 2006 ”.

Commencement Information

I1 Sch. 7 para. 15 in force at 1.4.2007 by [S.I. 2007/935](#), art. 5(cc)

^{F2}16

Textual Amendments

F2 Sch. 7 para. 16 omitted (20.2.2014) by virtue of [School Standards and Organisation \(Wales\) Act 2013 \(anaw 1\)](#), s. 100(4), [Sch. 5 para. 9\(2\)](#); S.I. 2014/178, art. 2(f) (with art. 3)

^{F3}17

Textual Amendments

F3 Sch. 7 para. 17 omitted (20.2.2014) by virtue of [School Standards and Organisation \(Wales\) Act 2013 \(anaw 1\)](#), s. 100(4), [Sch. 5 para. 9\(2\)](#); S.I. 2014/178, art. 2(f) (with art. 3)

Learning and Skills Act 2000 (c. 21)

^{F4}18

Textual Amendments

F4 Sch. 7 para. 18 omitted (20.2.2014) by virtue of [School Standards and Organisation \(Wales\) Act 2013 \(anaw 1\)](#), s. 100(4), [Sch. 5 para. 9\(2\)](#); S.I. 2014/178, art. 2(f) (with art. 3)

Education Act 2002 (c. 32)

- 19 In section 25 of EA 2002 (federations: supplementary provisions), in subsection (1)—
- (a) before paragraph (a) insert—
 - “(za) Part 4 of the Education and Inspections Act 2006 (schools causing concern: England),”, and
 - ^{F5}(b)

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Textual Amendments

F5 Sch. 7 para. 19(b) omitted (20.2.2014) by virtue of [School Standards and Organisation \(Wales\) Act 2013 \(anaw 1\)](#), s. 100(4), [Sch. 5 para. 9\(2\)](#); S.I. 2014/178, art. 2(f) (with art. 3)

20 After section 62 of EA 2002 insert—

“62A Power to require [^{F6}local authority] in England to obtain advisory services

- (1) This section applies where—
- (a) one or more schools maintained by a local education authority in England are for the purposes of Part 4 of the Education and Inspections Act 2006 (schools causing concern: England) eligible for intervention by virtue of either of the following provisions of that Act—
 - (i) section 61 (school requiring significant improvement), or
 - (ii) section 62 (school requiring special measures), and
 - (b) it appears to the Secretary of State that the local education authority—
 - (i) have not been effective or are unlikely to be effective in eliminating deficiencies in the conduct of that school or those schools,
 - (ii) are unlikely to be effective in eliminating deficiencies in the conduct of other schools which may in the future fall within paragraph (a), or
 - (iii) maintain a disproportionate number of schools falling within that paragraph.
- (2) The Secretary of State may direct the local education authority to enter into a contract or other arrangement with a person specified in the direction, or a person falling within a class so specified, for the provision to the authority or the governing body of any school maintained by them (or both) of specified services of an advisory nature.
- (3) The direction may require the contract or other arrangement to contain specified terms and conditions.
- (4) In this section “school” means a community, foundation or voluntary school, a community or foundation special school or a maintained nursery school.
- (5) Any direction given under this section shall be enforceable, on an application made on behalf of the Secretary of State, by a mandatory order.”

Textual Amendments

F6 Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), [Sch. 2 para. 14\(3\)](#)

Commencement Information

I2 Sch. 7 para. 20 in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(cc\)](#)

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F721

Textual Amendments

F7 Sch. 7 para. 21 omitted (20.2.2014) by virtue of [School Standards and Organisation \(Wales\) Act 2013](#) (anaw 1), s. 100(4), [Sch. 5 para. 9\(2\)](#); S.I. 2014/178, art. 2(f) (with art. 3)

- 22 (1) Section 64 (provisions supplementary to section 63) is amended as follows.
- (2) In subsections (1) and (2), for “section 63” substitute “ section 62A or 63 ”.
- (3) In subsection (7)—
- (a) in the definition of “the advisory services” for “section 63” substitute “ section 62A or 63 ”, and
 - (b) in the definition of “the relevant person”, in paragraph (a) for “section 63(2)” substitute “ section 62A(2) or 63(2) ”.
- (4) In the heading, for “section 63” substitute “ sections 62A and 63 ”.

Commencement Information

I3 Sch. 7 para. 22 in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(cc\)](#)

Education Act 2005 (c. 18)

- 23 In section 5 of EA 2005 (duty to inspect schools at prescribed intervals), in subsection (4)(c), for “section 19 or 32 of that Act” substitute “ section 17 or 68 of the Education and Inspections Act 2006 ”.

Commencement Information

I4 Sch. 7 para. 23 in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(cc\)](#)

- 24 In section 18 of EA 2005 (interpretation of Chapter 2 of Part 1), in paragraph (a) of the definition of “appropriate appointing authority”, omit “, a Church in Wales school”.

Commencement Information

I5 Sch. 7 para. 24 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\(a\)](#)