



Education and Inspections Act 2006

2006 CHAPTER 40

PART 4

SCHOOLS CAUSING CONCERN: ENGLAND

Intervention by ^[F3]local authority

63 Power of ^[F1]local authority to require governing body to enter into arrangements

- (1) If at any time a maintained school is eligible for intervention ^[F2]other than by virtue of section 60A], then (subject to subsection (3)) the ^[F3]local authority] may, with a view to improving the performance of the school, give the governing body of the school a notice requiring the governing body—
- to enter into a contract or other arrangement with a specified person (who may be the governing body of another school) for the provision to the governing body of specified services of an advisory nature,
 - to make specified arrangements authorised by section 26 of EA 2002 (collaboration between schools) with the governing body of such other school as may be specified,
 - to make specified arrangements authorised by regulations under section 166 of this Act (collaboration arrangements: maintained schools and further education bodies) with a further education body within the meaning of that section, or
 - to take specified steps for the purpose of creating or joining a federation, as defined by section 24(2) of EA 2002.
- (2) Before exercising the power conferred by subsection (1), the ^[F3]local authority] must consult—
- the governing body of the school,
 - in the case of a foundation or voluntary school which is a Church of England school or a Roman Catholic Church school, the appropriate diocesan authority, and

Changes to legislation: Education and Inspections Act 2006, Section 63 is up to date with all changes known to be in force on or before 04 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

- (c) in the case of any other foundation or voluntary school, the person or persons by whom the foundation governors are appointed.
- (3) Where the school is eligible for intervention by virtue of section 60 (school subject to [^{F4}performance standards and safety warning]), the power conferred by subsection (1) is only exercisable within the period of two months following the end of the compliance period (as defined by [^{F5}section 60(1)(b)]).
- (4) A notice under subsection (1)(a) may require the contract or other arrangement to contain specified terms and conditions.

Textual Amendments

- F1** 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)**
- F2** Words in s. 63(1) inserted (12.1.2010) by [Apprenticeships, Skills, Children and Learning Act 2009 \(c. 22\)](#), s. 269(4), **Sch. 13 para. 5(2)**; S.I. 2009/3317, art. 2, Sch.
- F3** Words in Pts. 1-7 substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), art. 1, **Sch. 2 para. 14(2)**
- F4** Words in s. 63(3) substituted (12.1.2010) by [Apprenticeships, Skills, Children and Learning Act 2009 \(c. 22\)](#), s. 269(4), **Sch. 13 para. 5(3)**; S.I. 2009/3317, art. 2, Sch.
- F5** Words in s. 63(3) substituted (18.4.2016) by [Education and Adoption Act 2016 \(c. 6\)](#), **ss. 2(3)**, 19(2); S.I. 2016/466, reg. 2 (with reg. 4(1))

Commencement Information

- I1** S. 63 in force at 1.4.2007 by [S.I. 2007/935](#), **art. 5(j)**

Changes to legislation:

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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\(a\)](#)