



# Education and Adoption Act 2016

## 2016 CHAPTER 6

### *Maintained schools causing concern: intervention powers*

#### **6 Interaction between intervention powers**

- (1) The Education and Inspections Act 2006 is amended as follows.
- (2) In section 64 (power of local authority etc to appoint additional governors)—
  - (a) in subsection (1), for “subsections (1A) and (2)” substitute “subsection (2)”;
  - (b) omit subsection (1A).
- (3) After section 70 insert—

#### *“Interaction between different intervention powers etc*

#### **70A Duties for local authorities and Secretary of State to notify each other**

- (1) A local authority must notify the Secretary of State before exercising a power under section 63, 64 or 66 in relation to a maintained school.
- (2) The Secretary of State must notify the local authority before exercising a power under any of sections 66A to 69 in relation to a maintained school.

#### **70B Restriction on use of local authority intervention powers**

- (1) This section applies where a local authority are notified that the Secretary of State intends to exercise a power under any of sections 66A to 69 in relation to a maintained school.
- (2) The local authority may not use any of their powers under section 63, 64 or 66 in relation to the school unless or until the Secretary of State notifies them that they may.

**70C Secretary of State's power to take over responsibility for interim executive members**

- (1) This section applies where a local authority have given the governing body of a maintained school a notice under section 65 (governing body to consist of interim executive members).
- (2) The Secretary of State may take over responsibility for arrangements in connection with the interim executive members by giving notice to the local authority and, where the Secretary of State does so—
  - (a) the notice given by the local authority in accordance with section 65 is to be treated as having been given by the Secretary of State in accordance with section 69, and
  - (b) anything done by or in relation to the local authority under Schedule 6 is to be treated as having been done by or in relation to the Secretary of State.”