



# Education Act 2002

## 2002 CHAPTER 32

### PART 4

#### POWERS OF INTERVENTION

##### *Schools causing concern*

#### **58 Power of Secretary of State to provide for governing body to consist of interim executive members**

After section 18 of the School Standards and Framework Act 1998 (c. 31) there is inserted—

##### **“18A Power of Secretary of State to provide for governing body to consist of interim executive members**

- (1) If at any time section 15 applies to a maintained school by virtue of either of the following provisions of that section, namely—
  - (a) subsection (4) (school with serious weaknesses), or
  - (b) subsection (6) (school requiring special measures),the Secretary of State may give the governing body a notice in writing stating that, as from the date specified in the notice, the governing body are to be constituted in accordance with Schedule 1A (governing bodies consisting of interim executive members).
- (2) Before exercising the power conferred by subsection (1), the Secretary of State shall consult—
  - (a) the local education authority,
  - (b) the governing body of the school,
  - (c) in the case of a foundation or voluntary school which is a Church of England school, a Church in Wales school or a Roman Catholic Church school, the appropriate diocesan authority, and

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*Status: Point in time view as at 19/12/2002. This version of this provision has been superseded.*

*Changes to legislation: Education Act 2002, Section 58 is up to date with all changes known to be in force on or before 11 September 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)*

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- (d) in the case of any other foundation or voluntary school, the person or persons by whom the foundation governors are appointed.
- (3) The Secretary of State is not obliged to consult the persons mentioned in subsection (2)(b), (c) and (d) if the local education authority have consulted them under subsection (4) of section 16A in relation to a proposed notice under subsection (1) of that section.”

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**Commencement Information**

- II** S. 58 partly in force; s. 58 not in force at Royal Assent, see s. 216; s. 58 in force for E. at 2.9.2002 by [S.I. 2002/2002, art. 4](#)

**Status:**

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