



# School Standards and Framework Act 1998

## 1998 CHAPTER 31

### PART I

#### MEASURES TO RAISE STANDARDS OF SCHOOL EDUCATION

#### CHAPTER IV

#### INTERVENTION IN SCHOOLS [F<sup>1</sup>IN WALES] CAUSING CONCERN

#### *Intervention by [F<sup>1</sup>local authorities]*

#### 15 Cases where [F<sup>1</sup>local authority] may exercise powers of intervention.

- (1) This section applies to a maintained school by virtue of this subsection if—
  - (a) the [F<sup>1</sup>local authority] have—
    - (i) given the governing body a warning notice in accordance with subsection (2), and
    - (ii) given the head teacher of the school a copy of the notice at the same time as the notice was given to the governing body;
  - (b) the governing body have failed to comply, or secure compliance, with the notice to the authority's satisfaction within the compliance period; and
  - (c) the authority have given reasonable notice in writing to the governing body that they propose to exercise their powers under [F<sup>2</sup>any one or more of sections 16, 16A and 17] (whether or not the notice is combined with a notice under section 62(3)(c)).
- (2) A [F<sup>1</sup>local authority] may give a warning notice to the governing body of a maintained school where—
  - (a) the authority are satisfied—

*Status: Point in time view as at 01/04/2012.*

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- (i) that the standards of performance of pupils at the school are unacceptably low and are likely to remain so unless the authority exercise their powers under [<sup>F3</sup>any one or more of sections 16, 16A and 17], or
  - (ii) that there has been a serious breakdown in the way the school is managed or governed which is prejudicing, or likely to prejudice, such standards of performance, or
  - (iii) that the safety of pupils or staff of the school is threatened (whether by a breakdown of discipline or otherwise) [<sup>F4</sup>, or—
  - (iv) that the governing body have failed to comply with a provision of an order under section 122 of the Education Act 2002 (teachers' pay and conditions) that applies to a teacher at the school, or
  - (v) that the governing body have failed to secure that the head teacher of the school complies with such a provision]; and
  - (b) the authority have previously informed the governing body and the head teacher of the matters on which that conclusion is based; and
  - (c) those matters have not been remedied to the authority’s satisfaction within a reasonable period.
- (3) For the purposes of subsections (1) and (2) a “warning notice” is a notice in writing by the [<sup>F1</sup>local authority] setting out—
- (a) the matters referred to in subsection (2)(b);
  - (b) the action which they require the governing body to take in order to remedy those matters; and
  - (c) the period within which that action is to be taken by the governing body (“the compliance period”).

- [<sup>F5</sup>(3A) For the purposes of subsection (2)(a) the standards of performance of pupils at a school are low if they are low by reference to any one or more of the following—
- (a) the standards that the pupils might in all the circumstances reasonably be expected to attain,
  - (b) where relevant, the standards previously attained by them, or
  - (c) the standards attained by pupils at comparable schools.]

- [<sup>F6</sup>(4) This section applies to a maintained school by virtue of this subsection if—
- (a) following an inspection of the school under Chapter 3 of Part 1 of the Education Act 2005, the Chief Inspector has given the Assembly a notice under subsection (2) of section 37 of that Act in a case falling within subsection (1)(a)(ii) or (b)(ii) of that section (school requiring significant improvement), and
  - (b) where any subsequent inspection of the school has been made under that Chapter, the notice has not been superseded by—
    - (i) the person making the subsequent inspection making a report stating that in his opinion the school no longer requires significant improvement, or
    - (ii) the Chief Inspector giving the Assembly a notice under subsection (2) of section 37 of that Act in case falling within subsection (1)(a)(i) or (1)(b)(i) of that section (school requiring special measures).]

[<sup>F7</sup>(5) .....

[<sup>F8</sup>(6) This section applies to a maintained school by virtue of this subsection if—

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- (a) following an inspection of the school under Chapter 3 of Part 1 of the Education Act 2005, the Chief Inspector has given the Assembly a notice under subsection (2) of section 37 of that Act in a case falling within subsection (1)(a)(i) or (b)(i) of that section (school requiring special measures), and
- (b) where any subsequent inspection of the school has been made under that Chapter, the notice has not been superseded by the person making the subsequent inspection making a report stating that in his opinion the school no longer requires special measures.]

<sup>F9</sup>(7) .....

#### 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), art. 1, **Sch. 2 para. 10(2)** (with Sch. 2 para. 10(4))
- F2** Words in s. 15(1)(c) substituted (30.6.2008) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 17 para. 1(2)**; S.I. 2008/1429, art. 3(2), Sch. Pt. 2
- F3** Words in s. 15(2)(a)(i) substituted (30.6.2008) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 17 para. 1(2)**; S.I. 2008/1429, art. 3(2), Sch. Pt. 2
- F4** S. 15(2)(a)(iv)(v) and word inserted (12.1.2010 for W.) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), s. 269(4), **Sch. 14 para. 3**; S.I. 2009/3341, art. 2
- F5** S. 15(3A) inserted (30.6.2008) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 17 para. 1(3)**; S.I. 2008/1429, art. 3(2), Sch. Pt. 2
- F6** S. 15(4) substituted (1.4.2007) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 7 para. 5(2)**; S.I. 2007/935, art. 5(cc) (with art. 8(1))
- F7** S. 15(5) repealed (1.9.2005 for E., 1.9.2006 for W.) by Education Act 2005 (c. 18), s. 125(4), Sch. 9 para. 15(3), **Sch. 19 Pt. 1**; S.I. 2005/2034, art. 4; S.I. 2006/1338, art. 3, Sch. 1
- F8** S. 15(6) substituted (1.4.2007) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 7 para. 5(3)**; S.I. 2007/935, art. 5(cc) (with art. 8(1))
- F9** S. 15(7) repealed (1.4.2007) by Education and Inspections Act 2006 (c. 40), s. 188(3), Sch. 7 para. 5(4), **Sch. 18 Pt. 4**; S.I. 2007/935, art. 5(cc)(ii) (with art. 8(1))

#### Modifications etc. (not altering text)

- C1** S. 15(4) modified (E.) (2.9.2002) by The Education Act 2002 (Transitional Provisions etc.) (England) Regulations 2002 (S.I. 2002/2113 ), {reg. 4(a)}  
S. 15(4) modified (W.) (19.12.2002) by The Education Act 2002 (Transitional Provisions) (Wales) Regulations 2002 (S.I. 2002/3184), **reg. 3(a)**
- C2** S. 15(6) modified (E.) (2.9.2002) by The Education Act 2002 (Transitional Provisions etc.) (England) Regulations 2002 (S.I. 2002/2113), **reg. 4(a)**  
S. 15(6) modified (W.) (19.12.2002) by The Education Act 2002 (Transitional Provisions) (Wales) Regulations 2002 (S.I. 2002/3184), **reg. 3(a)**

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