



# School Standards and Framework Act 1998

## 1998 CHAPTER 31

### PART I

#### MEASURES TO RAISE STANDARDS OF SCHOOL EDUCATION

#### CHAPTER IV

#### INTERVENTION IN SCHOOLS CAUSING CONCERN

##### *Intervention by LEAs*

#### **[<sup>F1</sup>16A Power of LEA to provide for governing body to consist of interim executive members**

- (1) If at any time this section applies to a maintained school in accordance with section 14(1), then (subject to subsections (2) and (3)) the local education authority may, with the consent of the Secretary of State, give the governing body a notice in writing stating that, as from a 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) Where this section so applies in the case of a school falling within section 15(4)(school [<sup>F2</sup>with serious weaknesses][<sup>F2</sup>requiring significant improvement]) or section 15(6) (school requiring special measures), the power conferred by subsection (1) above is exercisable only if the following conditions are satisfied, namely—
  - (a) [<sup>F3</sup>the Chief Inspector has given the local education authority a notice under section 13(3)(a) or 37(2) of the Education Act 2005, and]
  - (b) a period of not less than ten days has elapsed since the date of the notice.

*Status: Point in time view as at 01/02/2006. This version of this provision has been superseded.*

*Changes to legislation: School Standards and Framework Act 1998, Section 16A is up to date with all changes known to be in force on or before 20 June 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)*

- (3) The Secretary of State may in respect of any particular school determine that subsection (2)(b) shall have effect as if the reference to ten days were to such shorter period as he may determine.
- (4) Before exercising the power conferred by subsection (1), the local education authority shall consult—
- (a) the governing body of the school,
  - (b) 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
  - (c) in the case of any other foundation or voluntary school, the person or persons by whom the foundation governors are appointed.]

#### **Textual Amendments**

- F1** S. 16A inserted (2.9.2002 for E. otherwise prosp.) by [Education Act 2002 \(c. 32\)](#), **ss. 57(2)**, 216 (with [ss. 210\(8\)](#), [214\(4\)](#)); [S.I. 2002/2002](#), **art. 4**
- F2** Words in s. 16A(2) substituted (1.9.2005 for E., 1.9.2006 for W.) by [Education Act 2005 \(c. 18\)](#), s. 125(4), **Sch. 9 para. 17(a)**; [S.I. 2005/2034](#), art. 4; [S.I. 2006/1338](#), art. 3, Sch. 1
- F3** S. 16A(2)(a) substituted (1.9.2005 for E., 1.9.2006 for W.) by [Education Act 2005 \(c. 18\)](#), s. 125(4), **Sch. 9 para. 17(b)**; [S.I. 2005/2034](#), art. 4; [S.I. 2006/1338](#), art. 3, Sch. 1

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

- C1** S. 16A modified (E.) (2.9.2002) by [The Education Act 2002 \(Transitional Provisions etc.\) \(England\) Regulations 2002 \(S.I. 2002/2113\)](#), **reg. 4(c)**

**Status:**

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