



# 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*

### 17 Power of LEA to suspend right to delegated budget.

- (1) If at any time—
- (a) this section applies to a maintained school in accordance with section 14(1), and
  - (b) the school has a delegated budget within the meaning of Part II of this Act,
- then (subject to subsections (2) and (3)) the local education authority may, by giving the governing body of the school notice in writing of the suspension, suspend the governing body's right to a delegated budget with effect from the receipt of the notice by the governing body.
- (2) Where this section so applies in the case of a school falling within section 15(1) (school subject to formal warning), the power conferred by subsection (1) above is only exercisable within the period of two months following the end of the compliance period.
- [<sup>F1</sup>(3) 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)

*Status: Point in time view as at 01/02/2006. This version of this provision has been superseded.*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 17 is up to date with all changes known to be in force on or before 24 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)*

(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 on which the copy was given.]
- (4) The Secretary of State may in respect of any particular school determine that [<sup>F4</sup>subsection (3)(b)] shall have effect as if the reference to ten days were to such shorter period as he may determine.
- (5) A copy of a notice given under subsection (1) shall be given to the head teacher of the school at the same time as the notice is given to the governing body.
- (6) A suspension imposed under this section shall have effect for the purposes of Chapter IV of Part II of this Act as if made under paragraph 1 of Schedule 15 to this Act, but there shall be no right of appeal under paragraph 3 of that Schedule against such a suspension.

#### **Textual Amendments**

- F1** S. 17(3) substituted (2.9.2002 for E. and 19.12.2002 for W.) by [Education Act 2002 \(c. 32\), ss. 56\(3\), 216, Sch. 5 para. 3\(2\)](#) (with ss. 210(8), 214(4)); S.I. 2002/2002, [art. 4](#); S.I. 2002/3185, [art. 4](#), Sch. Pt. 1
- F2** Words in s. 17(3) substituted (1.9.2005 for E., 1.9.2006 for W.) by [Education Act 2005 \(c. 18\), s. 125\(4\), Sch. 9 para. 18\(a\)](#); S.I. 2005/2034, [art. 4](#); S.I. 2006/1338, [art. 3](#), Sch. 1
- F3** S. 17(3)(a) substituted (1.9.2005 for E., 1.9.2006 for W.) by [Education Act 2005 \(c. 18\), s. 125\(4\), Sch. 9 para. 18\(b\)](#); S.I. 2005/2034, [art. 4](#); S.I. 2006/1338, [art. 3](#), Sch. 1
- F4** Words in s. 17(4) substituted (2.9.2002 for E. and 19.12.2002 for W. ) by [Education Act 2002 \(c. 32\), ss. 56\(3\), 216, Sch. 5 para. 3\(3\)](#) (with ss. 210(8), 214(4)); S.I. 2002/2002, [art. 4](#); S.I. 2002/3185, [art. 4](#), Sch. Pt. 1

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

- C1** S. 17 modified (E.) (2.9.2002) by [The Education Act 2002 \(Transitional Provisions etc.\) \(England\) Regulations 2002 \(S.I. 2002/2113\), reg. 4\(c\)](#)
- S. 17 modified (W.) (19.12.2002) by [The Education Act 2002 \(Transitional Provisions\) \(Wales\) Regulations 2002 \(S.I. 2002/3184\), reg. 3\(c\)](#)

**Status:**

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