



Education Act 2002

2002 CHAPTER 32

PART 4

POWERS OF INTERVENTION

Local education authorities

63 Power to require LEA to obtain advisory services

- (1) This section applies where—
- (a) in relation to one or more schools maintained by a local education authority, section 15 of the School Standards and Framework Act 1998 (c. 31) (cases where local education authority may exercise powers of intervention) applies by virtue of either of the following provisions of that section—
 - (i) subsection (4) (school with serious weaknesses), or
 - (ii) subsection (6) (school requiring special measures), and
 - (b) it appears to the Secretary of State (in relation to England) or the National Assembly for Wales (in relation to Wales) that the local education authority—
 - (i) have not been effective or are unlikely to be effective in eliminating deficiencies in the conduct of that school or those schools,
 - (ii) are unlikely to be effective in eliminating deficiencies in the conduct of other schools which may in the future fall within paragraph (a), or
 - (iii) maintain a disproportionate number of schools falling within that paragraph.
- (2) The Secretary of State (in relation to England) or the National Assembly for Wales (in relation to Wales) may direct the local education authority to enter into a contract or other arrangement with a person specified in the direction, or a person falling within a class so specified, for the provision to the authority or the governing body of any school maintained by them (or both), of specified services of an advisory nature.
- (3) The direction may require the contract or other arrangement to contain specified terms and conditions.

Status: Point in time view as at 01/08/2003. This version of this provision has been superseded.

Changes to legislation: Education Act 2002, Section 63 is up to date with all changes known to be in force on or before 25 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)

- (4) In this section “school” means a maintained school within the meaning of Chapter 2 of Part 1 of the School Standards and Framework Act 1998 (c. 31).
- (5) Any direction given under this section shall be enforceable, on an application made on behalf of the Secretary of State or, as the case may be, of the National Assembly for Wales, by a mandatory order.

Commencement Information

- I1** S. 63 partly in force; s. 63 not in force at Royal Assent, see s. 216; s. 63 in force for E. at 1.10.2002 by [S.I. 2002/2439, art. 3](#) (with transitional provisions and savings in [art. 4, Sch.](#))
- I2** S. 63 in force at 1.8.2003 for W. by [S.I. 2003/1718, art. 4, Sch. Pt. I](#)

Status:

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