



Education Act 2005

2005 CHAPTER 18

PART 1

SCHOOL INSPECTIONS AND OTHER INSPECTIONS BY SCHOOL INSPECTORS

CHAPTER 2

PROCEDURE FOR INSPECTIONS UNDER CHAPTER 1

Destination of reports^[F1] and interim statements^[F1] and measures required: maintained schools

15 Measures to be taken by ^[F1]local authority

- (1) ^[F2]Subsection (2) applies where, in a report of a section 5 inspection of a maintained school, the Chief Inspector stated either—
- (a) that in his opinion special measures were required to be taken in relation to the school, or
 - (b) that in his opinion the school required significant improvement.

^[F3](2) The ^[F1]local authority must—

- (a) consider what action to take in the light of the report,
- (b) consider what arrangements to make for the purpose of informing registered parents of the proposed action, ascertaining their views on the proposed action and taking account of those views,
- (c) consider whether those arrangements are to include the appointment of a specified person for that purpose,
- (d) prepare a written statement—
 - (i) of the action they propose to take, and the period within which they propose to take that action, or, if they do not propose to take such action, of their reasons for not doing so, and
 - (ii) of the arrangements they propose to make for the purpose mentioned in paragraph (b), and

Status: Point in time view as at 25/03/2020.

Changes to legislation: There are currently no known outstanding effects for the Education Act 2005, Section 15. (See end of Document for details)

- (e) send a copy of the statement prepared under paragraph (d) to—
- (i) the Chief Inspector,
 - (ii) in the case of a voluntary aided school, the person who appoints the foundation governors and (if different) the appropriate appointing authority, and
 - (iii) such other persons as the Secretary of State may specify.
- (2A) Subsection (2B) applies where—
- (a) the [F1local authority] have prepared a statement under subsection (2) in relation to a school,
 - (b) it appears to the Secretary of State, on the basis of a report of an interim inspection of the school by the Chief Inspector, that the case has become urgent, and
 - (c) no subsequent inspection of the school has been made under section 5.
- (2B) The Secretary of State may by notice require the [F1local authority] to—
- (a) consider the action to be taken in the light of the report of the interim inspection and the arrangements to be made for the purpose mentioned in subsection (2)(b),
 - (b) prepare a written statement—
 - (i) of the action they propose to take, and the period within which they propose to take that action, or, if they do not propose to take such action, of their reasons for not doing so, and
 - (ii) of the arrangements they propose to make for the purpose mentioned in subsection (2)(b), and
 - (c) send a copy of the statement to the Secretary of State and to the persons mentioned in subsection (2)(e)(i) to (iii).
- (2C) For the purposes of subsections (2A) and (2B) an “interim inspection” is an inspection under section 8 [F4which is not treated as a section 5 inspection by virtue of section 9].]
- (3) It is the duty of the [F1local authority] to prepare [F5a statement under subsection (2) or (2B)] within the period allowed by this subsection, that is—
- (a) such period as may be prescribed, or
 - (b) if—
 - (i) the report states that the Chief Inspector is of the opinion that special measures are required to be taken in relation to the school, and
 - (ii) the Secretary of State is of the opinion that the urgency of the case requires a shorter period,
 such shorter period as the Secretary of State may direct;
- but this subsection does not relieve the [F1local authority] of any duty to prepare a statement which has not been performed within that period.
- [F6(4) In performing their functions under subsections (2)(a), (b), (c) and (d) and (2B)(a) and (b), the [F1local authority] must have regard to any guidance given from time to time by the Secretary of State.]

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 \(S.I. 2010/1158\)](#), **Sch. 2 para. 13(2)**

Status: Point in time view as at 25/03/2020.

Changes to legislation: There are currently no known outstanding effects for the Education Act 2005, Section 15. (See end of Document for details)

- F2** Words in s. 15(1) substituted (1.4.2007) by Education and Inspections Act 2006 (c. 40), ss. 71, 188, **Sch. 7 para. 1(2); S.I. 2007/935, art. 5(j)(cc)**
- F3** S. 15(2)-(2C) substituted (1.4.2007) for s. 15(2) by Education and Inspections Act 2006 (c. 40), ss. 71, 188, **Sch. 7 para. 1(3); S.I. 2007/935, art. 5(j)(cc)**
- F4** Words in s. 15(2C) substituted (15.11.2011) by Education Act 2011 (c. 21), **ss. 40(7), 82(1)(b)**
- F5** Words in s. 15(3) substituted (1.4.2007) by Education and Inspections Act 2006 (c. 40), ss. 71, 188, **Sch. 7 para. 1(4); S.I. 2007/935, art. 5(j)(cc)**
- F6** S. 15(4) inserted (1.4.2007) by Education and Inspections Act 2006 (c. 40), ss. 71, 188, **Sch. 7 para. 1(5); S.I. 2007/935, art. 5(j)(cc)**

Modifications etc. (not altering text)

- C1** S. 15: power to modify conferred (temp.) (25.3.2020) by Coronavirus Act 2020 (c. 7), s. 87(1), **Sch. 17 para. 5** (with ss. 88-90)
- C2** S. 15(2)(3) applied (with modifications) (1.9.2005 for E. and 1.9.2006 for W.) by 2000 c. 21, Sch. 7 para. 13(3)(a)(iii) (as substituted by Education Act 2005 (c. 18), ss. 46, 125, **Sch. 5 para. 3(14)(c)**); S.I. 2005/2034, **art. 4**; S.I. 2006/1338, **art. 3**, Sch. 1
- C3** S. 15(2)(3) applied (with modifications) (1.9.2005 for E. and 1.9.2006 for W.) by 2000 c. 21, Sch. 7 para. 6(3)(a)(iii) (as substituted by Education Act 2005 (c. 18), ss. 46, 125, **Sch. 5 para. 3(8)(c)**); S.I. 2005/2034, **art. 4**; S.I. 2006/1338, **art. 3**, Sch. 1
- C4** S. 15(2)(3) applied (with modifications) (1.9.2005 for E. and 1.9.2006 for W.) by 2000 c. 21, Sch. 7 para. 13(3)(a)(iii) (as substituted by Education Act 2005 (c. 18), ss. 46, 125, **Sch. 5 para. 3(14)(c)**); S.I. 2005/2034, **art. 4**; S.I. 2006/1338, **art. 3**, Sch. 1
- C5** S. 15(2)(3) applied (with modifications) (1.9.2005 for E. and 1.9.2006 for W.) by 2000 c. 21, Sch. 7 para. 6(3)(a)(iii) (as substituted by Education Act 2005 (c. 18), ss. 46, 125, **Sch. 5 para. 3(8)(c)**); S.I. 2005/2034, **art. 4**; S.I. 2006/1338, **art. 3**, Sch. 1
- C6** S. 15(3): power to disapply conferred (temp.) (25.3.2020) by Coronavirus Act 2020 (c. 7), s. 87(1), **Sch. 17 para. 5** (with ss. 88-90)

Status:

Point in time view as at 25/03/2020.

Changes to legislation:

There are currently no known outstanding effects for the Education Act 2005, Section 15.