

Status: Point in time view as at 26/01/2009.

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SCHEDULES

SCHEDULE 7

AMENDMENTS RELATING TO SCHOOLS CAUSING CONCERN

PART 1

PRINCIPAL AMENDMENTS

Statement to be prepared by LEA following adverse report on maintained school

- 1 (1) Section 15 of EA 2005 (measures to be taken by local education authority following inspection report stating that school requires special measures or significant improvement) is amended as follows.
- (2) In subsection (1), for “This section” substitute “ Subsection (2) ”.
- (3) For subsection (2) substitute—
- “(2) The local education 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
 - (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 local education authority have prepared a statement under subsection (2) in relation to a school,

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- (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 local education 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 in respect of which no election under section 9 is made.”
- (4) In subsection (3) for “the statement” substitute “ a statement under subsection (2) or (2B) ”.
- (5) After subsection (3) insert—
- “(4) In performing their functions under subsections (2)(a), (b), (c) and (d) and (2B)(a) and (b), the local education authority must have regard to any guidance given from time to time by the Secretary of State.”

Commencement Information

II Sch. 7 para. 1 in force at 1.4.2007 by S.I. 2007/935, art. 5(cc)

Statement to be prepared by proprietor following adverse report on non-maintained school

- 2 (1) Section 17 of EA 2005 (statement to be prepared by proprietor of school other than maintained school) is amended as follows.
- (2) In subsection (1)—
- (a) at the beginning insert “ Subsection (1A) applies ”, and
 - (b) omit all the words following paragraph (b).
- (3) After subsection (1) insert—
- “(1A) The proprietor must—
- (a) consider what action to take in the light of the report,

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- (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, and
 - (d) prepare a written statement—
 - (i) of the action the proprietor proposes to take, and the period within which he proposes to take that action, or, if he does not propose to take such action, of his reasons for not doing so, and
 - (ii) of the arrangements he proposes to make for the purpose mentioned in paragraph (b).
- (1B) Subsection (1C) applies where—
- (a) the proprietor of a school has prepared a statement under subsection (1A) in relation to the 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.
- (1C) The Secretary of State may by notice require the proprietor 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 (1A)(b), and
 - (b) prepare a written statement—
 - (i) of the action the proprietor proposes to take, and the period within which he proposes to take that action, or, if he does not propose to take such action, of his reasons for not doing so, and
 - (ii) of the arrangements the proprietor proposes to make for the purpose mentioned in subsection (1A)(b)”.
- (1D) For the purposes of subsections (1B) and (1C) an “interim inspection” is an inspection under section 8 in respect of which no election under section 9 is made.”
- (4) In subsection (3)—
- (a) for “such a statement” substitute “a statement under subsection (1A) or (1C)”, and
 - (b) before the word “and” at the end of paragraph (a) insert—
 - “(aa) in the case of a statement under subsection (1C), to the Secretary of State.”.
- (5) After subsection (4) insert—
- “(5) In performing his functions under subsections (1A)(a), (b), (c) and (d) and (1C)(a) and (b), the proprietor must have regard to any guidance given from time to time by the Secretary of State.”

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Commencement Information

I2 Sch. 7 para. 2 in force at 1.4.2007 by S.I. 2007/935, art. 5(cc)

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