



# Education and Inspections Act 2006

## 2006 CHAPTER 40

### PART 2

#### ESTABLISHMENT, DISCONTINUANCE OR ALTERATION OF SCHOOLS

##### *Discontinuance of schools*

#### **17 Direction requiring discontinuance of community or foundation special school**

- (1) The Secretary of State may, if he considers it expedient to do so in the interests of the health, safety or welfare of pupils at a community or foundation special school in England, give a direction to the local education authority by whom the school is maintained requiring the school to be discontinued on a date specified in the direction.
- (2) A direction under subsection (1) may require the local education authority to notify any persons or class of persons specified in the direction.
- (3) Before giving a direction under subsection (1), the Secretary of State must consult—
  - (a) the local education authority,
  - (b) any other local education authority who would in his opinion be affected by the discontinuance of the school,
  - (c) in the case of a foundation special school which has a foundation, the person who appoints the foundation governors, and
  - (d) such other persons as the Secretary of State considers appropriate.
- (4) On giving a direction under subsection (1), the Secretary of State must give notice in writing of the direction to the governing body of the school and its head teacher.
- (5) Where a local education authority are given a direction under subsection (1), they must discontinue the school in question on the date specified in the direction; and nothing in section 15 or 28 applies to any such discontinuance of the school under this section.

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*Status: Point in time view as at 25/05/2007. This version of this provision has been superseded.*

*Changes to legislation: Education and Inspections Act 2006, Section 17 is up to date with all changes known to be in force on or before 13 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)*

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**Commencement Information**

**II** S. 17 in force at 25.5.2007 by [S.I. 2007/935](#), **art. 7(b)**

**Status:**

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