



Education and Inspections Act 2006

2006 CHAPTER 40

PART 2

ESTABLISHMENT, DISCONTINUANCE OR ALTERATION OF SCHOOLS

General

28 Restriction on establishment, alteration or discontinuance of schools

- (1) Except in pursuance of proposals falling to be implemented under this Part or Schedule 7 or 7A to the Learning and Skills Act 2000 (c. 21)—
 - (a) no maintained school may be established or discontinued;
 - (b) no prescribed alteration may be made to a maintained school.
- (2) In subsection (1)(b) “prescribed alteration”, in relation to a maintained school, means an alteration prescribed under section 18.
- (3) Subsection (1) has effect subject to—
 - (a) sections 17(5) and 68(4) (which relate to powers of the Secretary of State to require a maintained school to be discontinued), and
 - (b) section 30(9) of SSFA 1998 (notice by governing body to discontinue foundation or voluntary school).
- (4) Except in pursuance of proposals falling to be implemented under section 27, no alteration falling within section 25(4)(a) or (b) may be made to a foundation or foundation special school.

Commencement Information

II S. 28 in force at 25.5.2007 by [S.I. 2007/935](#), [art. 7\(g\)](#)

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Point in time view as at 25/05/2007. This version of this provision has been superseded.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 28 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.