



# Education Act 2011

## 2011 CHAPTER 21

### PART 5

#### EDUCATIONAL INSTITUTIONS: OTHER PROVISIONS

##### *Standards*

#### **44 Schools causing concern: powers of Secretary of State**

- (1) Part 4 of EIA 2006 (schools causing concern: England) is amended as follows.
- (2) In section 68 (power of Secretary of State to direct closure of school), in subsection (1), for “by virtue of section 62 (school requiring special measures)” substitute “ other than by virtue of section 60A ”.
- (3) In section 69A (power of Secretary of State to direct local authority to consider giving performance standards and safety warning notice)—
  - (a) omit subsection (5);
  - (b) for subsection (9) substitute—
    - “(9) If the response states that the authority have decided not to give a warning notice to the governing body in the specified terms—
      - (a) the response must set out the authority's reasons for the decision, and
      - (b) the Secretary of State may direct the authority to give the warning notice to the governing body in those terms (and to withdraw any previous warning notice given to the governing body under section 60).
- (9A) If the Secretary of State directs the authority under subsection (9)(b) to give a warning notice to the governing body in the specified terms, the authority must—

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*Status: Point in time view as at 17/11/2011. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Education Act 2011, Section 44. (See end of Document for details)*

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- (a) comply with the direction under subsection (9)(b) before the end of the period of 5 working days beginning with the day on which that direction is given, and
- (b) on the same day as they do so, give the Secretary of State a copy of the notice.”;
- (c) in subsection (10), for “Subsection (8)(b) applies” substitute “ Subsections (8) (b) and (9A)(b) apply ”;
- (d) after subsection (10) insert—
  - “(11) A direction under this section must be in writing.”;
- (e) for the heading, substitute “ Power of Secretary of State to direct local authority to give performance standards and safety warning notice ”.

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**Commencement Information**

**II** S. 44 in force at 17.11.2011 by S.I. 2011/2750, art. 2

**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the Education Act 2011, Section 44.