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## SCHEDULES

### <sup>F1</sup>SCHEDULE 7

#### [<sup>F1</sup>SIXTH FORMS REQUIRING SIGNIFICANT IMPROVEMENT]

##### Textual Amendments

- F1** Sch. 7 heading substituted (1.9.2005 for E., 1.9.2006 for W.) by [Education Act 2005 \(c. 18\), s. 125\(4\), Sch. 5 para. 3\(2\)](#); S.I. 2005/2034, art. 4; S.I. 2006/1338, art. 3, Sch. 1

### <sup>F1</sup> PART I

#### POWER TO PUBLISH PROPOSALS

##### Modifications etc. (not altering text)

- C1** Sch. 7 Pt. 1: functions transferred (E.) (1.4.2002) by [Contracting Out \(Local Education Authority Functions\) \(England\) Order 2002 \(S.I. 2002/928\)](#), **art. 3, Sch. 3 para. (p)**

#### *Secondary schools*

- 1 (1) Paragraphs 2 to 7 apply to a maintained school (within the meaning given by section 20(7) of the <sup>M1</sup>School Standards and Framework Act 1998) which—
- (a) provides full-time education suitable to the requirements of pupils over compulsory school age, and
  - (b) provides full-time education suitable to the requirements of pupils of compulsory school age.
- [<sup>F1</sup>(2) For the purposes of those paragraphs a school requires significant improvement in relation to its sixth form if—
- (a) the school is failing to give its pupils over compulsory school age an acceptable standard of education, or
  - (b) in relation to its provision for pupils over compulsory school age, the school is performing significantly less well than it might in all the circumstances reasonably be expected to perform. ]

##### Textual Amendments

- F1** Sch. 7 para. 1(2) substituted (1.9.2005 for E., 1.9.2006 for W.) by [Education Act 2005 \(c. 18\), s. 125\(4\), Sch. 5 para. 3\(3\)](#); S.I. 2005/2034, art. 4; S.I. 2006/1338, art. 3, Sch. 1

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#### Commencement Information

**II** Sch. 7 para. 1 wholly in force at 1.4.2002; Sch. 7 para. 1 not in force at Royal Assent see s. 154; Sch. 7 para. 1 in force (E.) for the purpose of authorising the making of Regulations at 1.10.2000 by [S.I. 2000/2559, art. 2\(1\), Sch. Pt. I](#); Sch. 7 para. 1 wholly in force for E. at 1.4.2001 by [S.I. 2001/654, art. 2, Sch. 2 Pt. II](#); Sch. 7 para. 1 in force for W. at 1.4.2002 by [S.I. 2001/2705, art. 2, Sch. Pt. I](#)

#### Marginal Citations

**M1** 1998 c. 31.

[<sup>F2</sup> If a person who inspects a school—

(a) states in his report an opinion, in accordance with section 13(4), 34(7) or 35 (2) or (5) of the Education Act 2005 (school no longer requiring special measures), that special measures are not required to be taken in relation to the school, but

(b) is of the opinion that the school requires significant improvement in relation to its sixth form,

he shall state that opinion in his report. ]

#### Textual Amendments

**F2** Sch. 7 para. 2 substituted (1.9.2005 for E., 1.9.2006 for W.) by [Education Act 2005 \(c. 18\), s. 125\(4\), Sch. 5 para. 3\(4\)](#); [S.I. 2005/2034, art. 4](#); [S.I. 2006/1338, art. 3, Sch. 1](#)

3 (1) This paragraph applies if in the course of an area inspection under section 65 or 83 the Chief Inspector forms the opinion that a particular school [<sup>F3</sup>requires significant improvement in relation to its sixth form ].

(2) The Chief Inspector shall make a report about the school stating his opinion.

[<sup>F4</sup>(3) The report shall be treated for all purposes of this Schedule and Part 1 of the Education Act 2005 (inspections) as if it were a report of an inspection of a school under section 5 or 28 of that Act. ]

#### Textual Amendments

**F3** Words in Sch. 7 para. 3(1) substituted (1.9.2005 for E., 1.9.2006 for W.) by [Education Act 2005 \(c. 18\), s. 125\(4\), Sch. 5 para. 3\(5\)\(a\)](#); [S.I. 2005/2034, art. 4](#); [S.I. 2006/1338, art. 3, Sch. 1](#)

**F4** Sch. 7 para. 3(3) substituted (1.9.2005 for E., 1.9.2006 for W.) by [Education Act 2005 \(c. 18\), s. 125\(4\), Sch. 5 para. 3\(5\)\(b\)](#); [S.I. 2005/2034, art. 4](#); [S.I. 2006/1338, art. 3, Sch. 1](#)

#### Commencement Information

**I2** Sch. 7 para. 3 wholly in force at 1.4.2002; Sch. 7 para. 3 not in force at Royal Assent see s. 154; Sch. 7 para. 3 in force (E.) for the purpose of authorising the making of Regulations at 1.10.2000 by [S.I. 2000/2559, art. 2\(1\), Sch. Pt. I](#); Sch. 7 para. 3 wholly in force for E. at 1.4.2001 by [S.I. 2001/654, art. 2, Sch. Pt. II](#); Sch. 7 para. 3 in force for W. at 1.4.2002 by [S.I. 2001/2705, art. 2, Sch. Pt. I](#)

4 (1) Parts II and III of this Schedule shall apply in relation to a school if—

(a) an opinion that it [<sup>F5</sup>requires significant improvement in relation to its sixth form] is stated in a report in accordance with paragraph 2, and

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- (b) where [<sup>F6</sup>the report relates to a school in Wales and] the person making the report is not a member of the Inspectorate, the report also states that the Chief Inspector agrees with his opinion.
- (2) Parts II and III of this Schedule shall also apply in relation to a school if—
- [<sup>F7</sup>(a) a report of an inspection under Chapter 1 or 3 of Part 1 of the Education Act 2005 states the opinion that the school requires significant improvement in relation to its sixth form,]
- (b) the next report of a kind mentioned in paragraph (a) also states that opinion,
- (c) [<sup>F8</sup>in the case of a school in Wales] each report either results from an inspection by a member of the Inspectorate or states that the Chief Inspector agrees with the opinion mentioned in paragraph (a) or (b), and
- (d) neither report states the opinion that special measures are required to be taken in relation to the school.

#### Textual Amendments

- F5** Words in Sch. 7 para. 4(1)(a) substituted (1.9.2005 for E., 1.9.2006 for W.) by [Education Act 2005 \(c. 18\)](#), s. 125(4), [Sch. 5 para. 3\(6\)\(a\)\(i\)](#); [S.I. 2005/2034](#), art. 4; [S.I. 2006/1338](#), art. 3, Sch. 1
- F6** Words in Sch. 7 para. 4(1)(b) inserted (1.9.2005 for E., 1.9.2006 for W.) by [Education Act 2005 \(c. 18\)](#), s. 125(4), [Sch. 5 para. 3\(6\)\(a\)\(ii\)](#); [S.I. 2005/2034](#), art. 4; [S.I. 2006/1338](#), art. 3, Sch. 1
- F7** Sch. 7 para. 4(2)(a) substituted (1.9.2005 for E., 1.9.2006 for W.) by [Education Act 2005 \(c. 18\)](#), s. 125(4), [Sch. 5 para. 3\(6\)\(b\)\(i\)](#); [S.I. 2005/2034](#), art. 4; [S.I. 2006/1338](#), art. 3, Sch. 1
- F8** Words in Sch. 7 para. 4(2)(c) inserted (1.9.2005 for E., 1.9.2006 for W.) by [Education Act 2005 \(c. 18\)](#), s. 125(4), [Sch. 5 para. 3\(6\)\(b\)\(ii\)](#); [S.I. 2005/2034](#), art. 4; [S.I. 2006/1338](#), art. 3, Sch. 1

#### Commencement Information

- I3** Sch. 7 para. 4 wholly in force at 1.4.2002; Sch. 7 para. 4 not in force at Royal Assent see s. 154; Sch. 7 para 4 in force (E.) for the purpose of authorising the making of Regulations at 1.10.2000 by [S.I. 2000/2559](#), art. 2(1), [Sch. Pt. I](#); Sch. 7 para. 4 wholly in force for E. at 1.4.2001 by [S.I. 2001/654](#), art. 2, [Sch. Pt. II](#); Sch. 7 para. 4 in force for W. at 1.4.2002 by [S.I. 2001/2705](#), art. 2, [Sch. Pt. I](#)

- 5 (1) Parts II and III of this Schedule shall cease to apply in relation to a school if a report of an inspection under [<sup>F9</sup>Chapter 1 or 3 of Part 1 of the Education Act 2005 ] or section 65 or 83 of this Act concludes—
- (a) that special measures are required to be taken in relation to the school, or
- (b) that the school does not [<sup>F10</sup>require significant improvement in relation to its sixth form ].
- (2) Where [<sup>F11</sup>, in the case of a school in Wales,] the person making a report is not a member of the Inspectorate, sub-paragraph (1) shall not apply unless the report states that the Chief Inspector agrees with the conclusion mentioned in that sub-paragraph.
- (3) Sub-paragraph (1) shall not prevent the continued application of Parts II and III of this Schedule in a case where proposals have been published under paragraph 16 or 20.

#### Textual Amendments

- F9** Words in Sch. 7 para. 5(1) substituted (1.9.2005 for E., 1.9.2006 for W..) by [Education Act 2005 \(c. 18\)](#), s. 125(4), [Sch. 5 para. 3\(7\)\(a\)\(i\)](#); [S.I. 2005/2034](#), art. 4; [S.I. 2006/1338](#), art. 3, Sch. 1

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- F10** Words in Sch. 7 para. 5(1)(b) substituted (1.9.2005 for E., 1.9.2006 for W.) by [Education Act 2005 \(c. 18\), s. 125\(4\), Sch. 5 para. 3\(7\)\(a\)\(ii\)](#); S.I. 2005/2034, art. 4; S.I. 2006/1338, art. 3, Sch. 1
- F11** Words in Sch. 7 para. 5(2) inserted (1.9.2005 for E., 1.9.2006 for W.) by [Education Act 2005 \(c. 18\), s. 125\(4\), Sch. 5 para. 3\(7\)\(b\)](#); S.I. 2005/2034, art. 4; S.I. 2006/1338, art. 3, Sch. 1

#### Commencement Information

- I4** Sch. 7 para. 5 wholly in force at 1.4.2002; Sch. 7 para. 5 not in force at Royal Assent see s. 154; Sch. 7 para. 5 in force (E.) for the purpose of authorising the making of Regulations at 1.10.2000 by [S.I. 2000/2559, art. 2\(1\), Sch. Pt. I](#); Sch. 7 para. 5 wholly in force for E. at 1.4.2001 by [S.I. 2001/654, art. 2, Sch. Pt. II](#); Sch. 7 para. 5 in force for W. at 1.4.2002 by [S.I. 2001/2705, art. 2, Sch. Pt. I](#)

- 6 <sup>[F12]</sup>(1) This paragraph applies to a report of an inspection under Chapter 1 or 3 of Part 1 of the Education Act 2005 which—
- (a) states an opinion that a school requires significant improvement in relation to its sixth form, and
  - (b) in the case of a school in Wales, is made by a member of the Inspectorate or states that the Chief Inspector agrees with the opinion mentioned in paragraph (a). ]
- (2) The person making a report to which this paragraph applies shall send a copy (together with a copy of the summary, if there is one)—
- (a) to the Secretary of State or, in the case of a school in Wales, the National Assembly for Wales, and
  - <sup>[F13]</sup>(b) if either—
    - (i) the school is in England, or
    - (ii) the school is in Wales and the person making the report is a member of the Inspectorate,
 to the appropriate authority for the school. ]
- <sup>[F14]</sup>(3) The following provisions of the Education Act 2005 shall apply (with the necessary modifications) in relation to a report to which this paragraph applies—
- (a) in the case of a school in England—
    - (i) section 14(2) (additional copies),
    - (ii) section 14(4) (publication by appropriate authority), and
    - (iii) where the local education authority receives a copy of a report about a school the governing body of which have a delegated budget, section 15(2) and (3) (measures by local education authority), and
  - (b) in the case of a school in Wales—
    - (i) section 38(2) (additional copies),
    - (ii) section 38(4) (publication by appropriate authority),
    - (iii) section 39 (action plan by appropriate authority), and
    - (iv) where the local education authority receives a copy of a report about a school the governing body of which have a delegated budget, section 40(2) and (3) (measures by local education authority). ]
- (4) In the application of those provisions—
- (a) a reference to a report and summary shall be taken as a reference to a report and, if there is one, its summary, and
  - (b) a reference to a summary alone shall be taken, in a case where there is no summary, as a reference to the report.

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#### Textual Amendments

- F12** Sch. 7 para. 6(1) substituted (1.9.2005 for E. for specified purposes, 1.9.2006 for W.) by [Education Act 2005 \(c. 18\)](#), s. 125(4), [Sch. 5 para. 3\(8\)\(a\)](#); [S.I. 2005/2034](#), art. 4; [S.I. 2006/1338](#), art. 3, Sch. 1
- F13** Sch. 7 para. 6(2)(b) substituted (1.9.2005 for E. for specified purposes, 1.9.2006 for W.) by [Education Act 2005 \(c. 18\)](#), s. 125(4), [Sch. 5 para. 3\(8\)\(b\)](#); [S.I. 2005/2034](#), art. 4; [S.I. 2006/1338](#), art. 3, Sch. 1
- F14** Sch. 7 para. 6(3) substituted (1.9.2005 for E. for specified purposes, 1.9.2006 for W.) by [Education Act 2005 \(c. 18\)](#), s. 125(4), [Sch. 5 para. 3\(8\)\(c\)](#); [S.I. 2005/2034](#), art. 4; [S.I. 2006/1338](#), art. 3, Sch. 1

#### Commencement Information

- I5** Sch. 7 para. 6 wholly in force at 1.4.2002; Sch. 7 para. 6 not in force at Royal Assent see s. 154; Sch. 7 para. 6 in force (E.) for the purpose of authorising the making of Regulations at 1.10.2000 by [S.I. 2000/2559](#), art. 2(1), [Sch. Pt. I](#); Sch. 7 para. 6 wholly in force for E. at 1.4.2001 by [S.I. 2001/654](#), art. 2, [Sch. Pt. II](#); Sch. 7 para. 6 in force for W. at 1.4.2002 by [S.I. 2001/2705](#), art. 2, [Sch. Pt. I](#)

- [<sup>F157</sup> (1) Where a person who inspects a school is of the opinion that a school requires significant improvement in relation to its sixth form, the provisions specified in subparagraph (2) shall apply, with the necessary modifications, as they apply where he is of the opinion that special measures are required to be taken in relation to the school.
- (2) Those provisions are—
- (a) in the case of a school in England, section 13(1) to (3) of the Education Act 2005 (duty of Chief Inspector to send draft report to governing body or proprietor, to consider their comments and to state opinion in report),
- (b) in the case of a school in Wales, section 34(1) to (6) of that Act (registered inspectors) or, as the case requires, section 35(1) of that Act (members of the Inspectorate).]

#### Textual Amendments

- F15** Sch. 7 para. 7 substituted (1.9.2005 for E. for specified purposes, 1.9.2006 for W.) by [Education Act 2005 \(c. 18\)](#), s. 125(4), [Sch. 5 para. 3\(9\)](#); [S.I. 2005/2034](#), art. 4; [S.I. 2006/1338](#), art. 3, Sch. 1

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