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**Changes to legislation:** Education and Inspections Act 2006, Cross Heading: Statement to be prepared by local authority following adverse report on maintained school is up to date with all changes known to be in force on or before 17 April 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) View outstanding changes

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## SCHEDULES

### SCHEDULE 7

#### AMENDMENTS RELATING TO SCHOOLS CAUSING CONCERN

##### PART 1

##### PRINCIPAL AMENDMENTS

*Statement to be prepared by [F1 local authority] following adverse report on maintained school*

##### Textual Amendments

**F1** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), [Sch. 2 para. 14\(3\)](#)

- 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.

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(2A) Subsection (2B) applies where—

- (a) the local education authority have prepared a statement under subsection (2) in relation to a 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.

(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.”

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**Commencement Information**

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

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing SI 2006/2990 art. 4 by [S.I. 2008/54 art. 2](#)
- specified provision(s) amendment to earlier commencing SI 2007/935 art. 7(n) by [S.I. 2007/1271 art. 4](#)
- specified provision(s) transitional provisions for earlier commencing SI 2007/935 by [S.I. 2007/1271 art. 5](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 11A inserted by [2010 c. 26 s. 7](#)
- s. 88(A1) inserted by [2015 c. 20 Sch. 16 para. 1\(2\)](#)
- s. 93A inserted by [2009 c. 22 s. 246](#)
- s. 93A(7) words inserted by [S.I. 2016/413 reg. 235](#) (This amendment comes into force on the day that section 93A of the Education and Inspections Act 2006 (c. 40) comes into force. That provision is still prospective)
- s. 162(5A)(aa) inserted by [2010 nawm 1 Sch. 1 para. 20\(a\)](#)