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SCHEDULES

SCHEDULE 7

AMENDMENTS RELATING TO SCHOOLS CAUSING CONCERN

PART 2

MINOR AND CONSEQUENTIAL AMENDMENTS

Education Act 2002 (c. 32)

- 19 In section 25 of EA 2002 (federations: supplementary provisions), in subsection (1)
—
- (a) before paragraph (a) insert—
 - “(za) Part 4 of the Education and Inspections Act 2006 (schools causing concern: England),” and
 - (b) in paragraph (a), for “(intervention in schools causing concern)” substitute “(intervention in schools causing concern: Wales)”.

Annotations:

Commencement Information

- II** Sch. 7 para. 19 in force at 1.4.2007 by S.I. 2007/935, art. 5(cc)

- 20 After section 62 of EA 2002 insert—

“62A Power to require LEA in England to obtain advisory services

- (1) This section applies where—
- (a) one or more schools maintained by a local education authority in England are for the purposes of Part 4 of the Education and Inspections Act 2006 (schools causing concern: England) eligible for intervention by virtue of either of the following provisions of that Act—
 - (i) section 61 (school requiring significant improvement), or
 - (ii) section 62 (school requiring special measures), and
 - (b) it appears to the Secretary of State that the local education authority
—
 - (i) have not been effective or are unlikely to be effective in eliminating deficiencies in the conduct of that school or those schools,
 - (ii) are unlikely to be effective in eliminating deficiencies in the conduct of other schools which may in the future fall within paragraph (a), or

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(iii) maintain a disproportionate number of schools falling within that paragraph.

- (2) The Secretary of State may direct the local education authority to enter into a contract or other arrangement with a person specified in the direction, or a person falling within a class so specified, for the provision to the authority or the governing body of any school maintained by them (or both) of specified services of an advisory nature.
- (3) The direction may require the contract or other arrangement to contain specified terms and conditions.
- (4) In this section “school” means a community, foundation or voluntary school, a community or foundation special school or a maintained nursery school.
- (5) Any direction given under this section shall be enforceable, on an application made on behalf of the Secretary of State, by a mandatory order.”

Annotations:

Commencement Information

I2 [Sch. 7 para. 20](#) in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(cc\)](#)

- 21 (1) Section 63 of EA 2002 (power to require LEA to obtain advisory services) is amended as follows.
- (2) In subsection (1)—
 - (a) in paragraph (a), after “by a local education authority” insert “ in Wales ”, and
 - (b) in paragraph (b), for the words from “Secretary” to “Wales)” substitute “ National Assembly for Wales ”.
 - (3) In subsection (2), for the words from the beginning to “Wales)” substitute “ The National Assembly for Wales ”.
 - (4) In subsection (5), omit “of the Secretary of State or, as the case may be,”.
 - (5) In the heading, after “LEA” insert “ in Wales ”

Annotations:

Commencement Information

I3 [Sch. 7 para. 21](#) in force at 1.4.2007 by [S.I. 2007/935](#), [art. 5\(cc\)](#)

- 22 (1) Section 64 (provisions supplementary to section 63) is amended as follows.
- (2) In subsections (1) and (2), for “section 63” substitute “ section 62A or 63 ”.
 - (3) In subsection (7)—
 - (a) in the definition of “the advisory services” for “section 63” substitute “ section 62A or 63 ”, and
 - (b) in the definition of “the relevant person”, in paragraph (a) for “section 63(2)” substitute “ section 62A(2) or 63(2) ”.
 - (4) In the heading, for “section 63” substitute “ sections 62A and 63 ”.

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Annotations:

Commencement Information

I4 [Sch. 7 para. 22](#) 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 :

- Schs. 1-10 words substituted by [S.I. 2010/1158 Sch. 2 para. 14\(2\)](#)
- 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:

- Act words substituted by [S.I. 2010/1158 Sch. 2 para. 14\(3\)](#)

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

- s. 6A inserted by [2011 c. 21 Sch. 11 para. 2](#)
- s. 7(6)-(8) applied (with modifications) by [S.I. 2007/2979, Sch. 1 para. 23EA](#) (as inserted) by [S.I. 2012/3158 reg. 3\(7\)](#)
- s. 7A inserted by [2011 c. 21 Sch. 11 para. 4](#)
- s. 11(A1)-(A3) inserted by [2011 c. 21 Sch. 11 para. 7\(2\)](#)
- s. 11(1A) inserted by [2011 c. 21 Sch. 11 para. 7\(3\)](#)
- s. 11(2)(aa) inserted by [2011 c. 21 Sch. 11 para. 7\(4\)\(b\)](#)
- s. 11(2A) inserted by [2011 c. 21 Sch. 11 para. 7\(5\)](#)
- s. 11A inserted by [2010 c. 26 s. 7](#)
- s. 11A(1) words substituted by [2011 c. 21 Sch. 11 para. 8](#)
- s. 24(9) inserted by [S.I. 2010/1158 Sch. 2 para. 14\(4\)](#)
- s. 28(3)(c) and word inserted by [2010 c. 32 Sch. 2 para. 20](#)
- s. 48(5) words substituted by [2013 c. 22 Sch. 9 para. 52](#)
- s. 52(3)(h) words substituted by [2013 c. 22 Sch. 9 para. 52](#)
- s. 60(4A)(4B) inserted by [2016 c. 6 s. 2\(2\)\(e\)](#)
- s. 60(6A)(6B) inserted by [2016 c. 6 s. 2\(2\)\(g\)](#)
- s. 60A(6)(za) inserted by [2016 c. 6 s. 3\(2\)\(d\)](#)
- s. 60B excluded by [S.I. 2017/9 reg. 3\(1\)](#)
- s. 60B inserted by [2016 c. 6 s. 1\(3\)](#)
- s. 62(5) words substituted by [2013 c. 22 Sch. 9 para. 52](#)
- s. 66(3)(h) words substituted by [2013 c. 22 Sch. 9 para. 52](#)
- s. 66A inserted by [2016 c. 6 s. 4](#)
- s. 69(4) inserted by [2010 c. 32 Sch. 2 para. 21](#)
- s. 69A(9)(9A) substituted for s. 69A(9) by [2011 c. 21 s. 44\(3\)\(b\)](#)
- s. 69A(11) inserted by [2011 c. 21 s. 44\(3\)\(d\)](#)
- s. 70A-70C and cross-heading inserted by [2016 c. 6 s. 6\(3\)](#)
- s. 88(A1) inserted by [2015 c. 20 Sch. 16 para. 1\(2\)](#)
- s. 89(4A) inserted by [2011 c. 21 s. 2\(7\)](#)
- 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. 97(8) words substituted by [2013 c. 22 Sch. 9 para. 52](#)
- s. 117(2)(aa) inserted by [2014 c. 6 s. 116\(2\)\(a\)](#)
- s. 119(3)(aa) inserted by [2014 c. 6 s. 116\(2\)\(b\)](#)
- s. 123(1)(ba) inserted by [2011 c. 21 Sch. 13 para. 16\(6\)](#)
- s. 123(1)(ea) inserted by [S.I. 2018/1141 art. 9\(2\)](#)

- s. 123(5) inserted by S.I. 2018/1141 art. 9(3)
- s. 125(1A)(1B) inserted by 2011 c. 21 s. 42(2)(b)
- s. 125(4)(aa) inserted by 2017 c. 19 s. 41(2)
- s. 125(8) inserted by 2017 c. 19 s. 41(3)
- s. 126(1A) inserted by 2011 c. 21 s. 42(4)
- s. 126(2A) inserted by 2011 c. 21 s. 42(5)
- s. 126(5A) inserted by 2011 c. 21 s. 42(8)
- s. 126(8) inserted by 2011 c. 21 s. 42(9)
- s. 135(1)(ea) inserted by S.I. 2016/1257 reg. 43(b)
- s. 162(5A)(aa) inserted by 2010 nawm 1 Sch. 1 para. 20(a)
- s. 182(2)(aa) inserted by 2011 c. 21 s. 42(11)(a)
- s. 182(2A) inserted by 2011 c. 21 s. 42(11)(b)
- s. 182(3)(aza) inserted by 2016 c. 6 s. 1(4)
- s. 182(3)(aa) inserted by 2011 c. 21 s. 42(11)(c)
- Sch. 2 para. 5A inserted by 2011 c. 21 Sch. 11 para. 10(7)
- Sch. 2 para. 7A inserted by 2011 c. 21 Sch. 11 para. 10(9)
- Sch. 2 para. 19(4)(aa) inserted by 2011 c. 21 Sch. 11 para. 10(16)(a)
- Sch. 2 para. 3A inserted and cross-heading by 2011 c. 21 Sch. 11 para. 10(2)
- Sch. 2 para. 9(2)(2A) substituted for Sch. 2 para. 9(2) by 2011 c. 21 Sch. 11 para. 10(11)
- Sch. 2 para. 3A(a) words substituted by 2011 c. 21 Sch. 13 para. 16(8)
- Sch. 6 para. 5A inserted by 2016 c. 6 s. 5
- Sch. 7 para. 3(3)(j) words substituted by 2013 c. 22 Sch. 9 para. 52
- Sch. 13 para. 8(1A) inserted by 2014 c. 2 Sch. 12 para. 69(3)(a)

Commencement Orders yet to be applied to the Education and Inspections Act 2006
Commencement Orders bringing legislation that affects this Act into force:

- S.I. 2011/2750 art. 2 commences (2011 c. 21)