



Education and Adoption Act 2016

2016 CHAPTER 6

Maintained schools causing concern: intervention powers

4 Power to require governing body to enter into arrangements

Before section 67 of the Education and Inspections Act 2006 insert—

“66A Power of Secretary of State to require governing body to enter into arrangements

- (1) If at any time a maintained school is eligible for intervention other than by virtue of section 60A, then (subject to subsection (3)) the Secretary of State may, with a view to improving the performance of the school, give the governing body of the school a notice requiring the governing body—
 - (a) to enter into a contract or other arrangement with a specified person (who may be the governing body of another school) for the provision to the governing body of specified services of an advisory nature,
 - (b) to make specified arrangements authorised by section 26 of EA 2002 (collaboration between schools) with the governing body of such other school as may be specified,
 - (c) to make specified arrangements authorised by regulations under section 166 of this Act (collaboration arrangements: maintained schools and further education bodies) with a further education body within the meaning of that section, or
 - (d) to take specified steps for the purpose of creating or joining a federation, as defined by section 24(2) of EA 2002.
- (2) Before exercising the power conferred by subsection (1), the Secretary of State must consult—
 - (a) the governing body of the school,
 - (b) in the case of a foundation or voluntary school which is a Church of England school or a Roman Catholic Church school, the appropriate diocesan authority, and

- (c) in the case of any other foundation or voluntary school, the person or persons by whom the foundation governors are appointed.
- (3) Where the school is eligible for intervention by virtue of section 60 (school subject to performance standards and safety warning), the power conferred by subsection (1) is only exercisable within the period of two months following the end of the compliance period (as defined by section 60(1)(b)).
- (4) A notice under subsection (1)(a) may require the contract or other arrangement to contain specified terms and conditions.”