



School Standards and Organisation (Wales) Act 2013

2013 anaw 1

PART 2

STANDARDS

CHAPTER 1

INTERVENTION IN CONDUCT OF MAINTAINED SCHOOLS

Intervention by the Welsh Ministers

16 Power of Welsh Ministers to direct closure of school

- (1) This section applies if the Welsh Ministers have the power to intervene in the conduct of a maintained school on the basis of ground 8 (school requiring special measures).
- (2) The Welsh Ministers may give a direction to the local authority requiring the school to be discontinued on a date specified in the direction.
- (3) Before giving a direction under subsection (2), the Welsh Ministers must consult—
 - (a) the local authority that maintains the school,
 - (b) the governing body of the school,
 - (c) in the case of a foundation or voluntary school—
 - (i) the person who appoints the foundation governors, and
 - (ii) if the school has a religious character, the appropriate religious body, and
 - (d) any other persons the Welsh Ministers consider appropriate.

Changes to legislation: School Standards and Organisation (Wales) Act 2013, Section 16 is up to date with all changes known to be in force on or before 05 May 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

- (4) On giving a direction to discontinue the school, the Welsh Ministers must also give notice in writing of the direction to the governing body of the school and its head teacher.
- (5) Where the local authority is given a direction under subsection (2), it must discontinue the school in question on the date specified in the direction; and nothing in Part 3 applies to the discontinuance of the school under this section.
- (6) In this section any reference to the discontinuance of a maintained school is to the local authority ceasing to maintain it.

Modifications etc. (not altering text)

- C1** Pt. 2 Ch. 1 power to modify conferred by 2011 nawm 7 s. 18(1)(a) (as substituted (20.2.2014) by School Standards and Organisation (Wales) Act 2013 (anaw 1), s. 100(4), **Sch. 5 para. 13(3)(a)**; S.I. 2014/178, art. 2(f) (with art. 3))
- C2** Pt. 2 Ch. 1 modified by 2002 c. 32, s. 34(7) (as amended) (20.2.2014) by School Standards and Organisation (Wales) Act 2013 (anaw 1), s. 100(4), **Sch. 5 para. 6(2)**; S.I. 2014/178, art. 2(f) (with art. 3)
- C3** Pt. 2 Ch. 1 excluded by 2010 c. 15, s. 87(4) (as inserted (20.2.2014) by School Standards and Organisation (Wales) Act 2013 (anaw 1), s. 100(4), **Sch. 5 para. 11(3)**; S.I. 2014/178, art. 2(f) (with art. 3))
- C4** Pt. 2 Ch. 1 modified by 1998 c. 30, s. 19(12) (as substituted (20.2.2014) by School Standards and Organisation (Wales) Act 2013 (anaw 1), s. 100(4), **Sch. 5 para. 3**; S.I. 2014/178, art. 2(f) (with art. 3))
- C5** Pt. 2 Ch. 1 applied (with modifications) by 2010 c. 15, s. 87(3)(a) (as inserted (20.2.2014) by School Standards and Organisation (Wales) Act 2013 (anaw 1), s. 100(4), **Sch. 5 para. 11(3)**; S.I. 2014/178, art. 2(f) (with art. 3))
- C6** Pt. 2 Ch. 1 modified by 1988 c. 40, s. 219(3A) (as inserted (W.) (20.2.2014) by School Standards and Organisation (Wales) Act 2013 (anaw 1), s. 100(4), **Sch. 5 para. 1(3)**; S.I. 2014/178, art. 2(f) (with art. 3))

Commencement Information

- I1** S. 16 in force at 20.2.2014 by S.I. 2014/178, **art. 2(a)** (with art. 3)

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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):

- Pt. 3 Ch. 3A inserted by [2022 asc 1 Sch. 4 para. 29\(7\)](#)
- s. 1(9A) inserted by [2022 asc 1 Sch. 4 para. 29\(2\)\(a\)](#)
- s. 38(2)(ca) inserted by [2022 asc 1 Sch. 4 para. 29\(3\)\(a\)](#)
- s. 38(5)(ca) inserted by [2022 asc 1 Sch. 4 para. 29\(3\)\(b\)](#)
- s. 39(1)(ca) inserted by [2022 asc 1 Sch. 4 para. 29\(4\)](#)
- Sch. 2 para. 19(2)(c)(i) word inserted by [2022 asc 1 Sch. 4 para. 29\(12\)\(b\)](#)