



School Standards and Organisation (Wales) Act 2013

2013 anaw 1

PART 2

STANDARDS

CHAPTER 1

INTERVENTION IN CONDUCT OF MAINTAINED SCHOOLS

Intervention by a local authority

4 Power to intervene

- (1) A local authority has the power to intervene in the conduct of one of its maintained schools under this Chapter if subsection (2), (3) or (4) applies.
- (2) This subsection applies if—
 - (a) the local authority has given a warning notice under section 3 to the governing body of the school, and
 - (b) the governing body has failed to comply, or secure compliance, with the notice to the authority's satisfaction within the compliance period.
- (3) This subsection applies if the local authority is satisfied that one or more of grounds 1 to 6 exist in relation to the school and it has reason to believe that there is a related risk to the health or safety of any person that calls for urgent intervention under this Chapter.
- (4) This subsection applies if—
 - (a) ground 7 (school requiring significant improvement) or ground 8 (school requiring special measures) exists in relation to the school, and

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- (b) a period of not less than 10 days has elapsed since the date on which the Chief Inspector gave notice to the local authority under section 37(2) of the Education Act 2005, subject to subsection (5).
- (5) The Welsh Ministers may, in relation to a particular school, determine that subsection (4) (b) has effect as if the reference to 10 days were to a shorter period specified in the determination.
- (6) Where a local authority has the power to intervene, it must keep the circumstances giving rise to the power under review.
- (7) If the authority concludes that the grounds for intervention have been dealt with to its satisfaction or that exercise of its powers under this Chapter would not be appropriate for any other reason, it must notify the governing body of its conclusion in writing.
- (8) If a local authority gives notice under subsection (7), it must at the same time send a copy of the notice to—
- (a) 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
 - (b) the Welsh Ministers.
- (9) A local authority's power to intervene continues in effect until one of the following events takes place—
- (a) the authority gives notice under subsection (7);
 - (b) the Welsh Ministers determine that the power to intervene is no longer in effect and give notice in writing to the local authority and the governing body of their determination;
 - (c) the Welsh Ministers give a warning notice to the governing body of the school under section 10.
- (10) A local authority which has the power to intervene is not limited to taking the action it said it was minded to take in a warning notice.

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))

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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. 4 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\(12\)\(b\)](#)