

*These notes refer to the Education Act 2002 (c.32)
which received Royal Assent on 24 July 2002*

EDUCATION ACT 2002

EXPLANATORY NOTES

COMMENTARY ON SECTIONS AND SCHEDULES

Part 4 – Powers of Intervention

Schools causing concern

Schedule 5: Amendments consequential on sections 55 and 56

161. This Schedule amends existing legislation resulting from the changes proposed in sections 55 and 56, making changes to sections 14, 16 and 17 of the SSFA.
162. It amends section 14(3), so that LEAs may not use their powers in sections 16 and 17 to appoint additional governors and/or suspend a school's right to a delegated budget if the Secretary of State, or the NAW, has used the powers under sections 18 and 19 to appoint additional governors or direct an LEA to close a school, where a school requires special measures or has serious weaknesses.
163. It amends section 16 to allow an LEA to exercise their power to appoint additional governors for schools requiring special measures or having serious weaknesses: ten calendar days after the Secretary of State, or the NAW, has given notice to the LEA required by section 46.
164. It allows appropriate appointing authorities in voluntary aided schools to appoint additional governors from the same stage where a school is in special measures or has serious weaknesses, provided the Secretary of State, or the NAW, has chosen not to do so and to appoint an equal number of additional governors to those appointed by LEAs when a school has been placed under a formal warning.
165. It amends section 17 to allow an LEA to exercise its power to suspend a school's delegated budget at the same stage when a school requires special measures or has serious weaknesses.