



# Education and Inspections Act 2006

## 2006 CHAPTER 40

### PART 4

#### SCHOOLS CAUSING CONCERN: ENGLAND

##### *Intervention by Secretary of State*

#### **69 Power of Secretary of State to provide for governing body to consist of interim executive members**

- (1) If at any time a maintained school is eligible for intervention <sup>F1</sup>... , the Secretary of State may give the governing body a notice in writing stating that, as from the date specified in the notice, the governing body are to be constituted in accordance with Schedule 6 (governing bodies consisting of interim executive members).
- (2) Before exercising the power conferred by subsection (1), the Secretary of State must consult—
  - (a) the [<sup>F2</sup>local authority],
  - (b) the governing body of the school,
  - (c) 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
  - (d) in the case of any other foundation or voluntary school, the person or persons by whom the foundation governors are appointed.
- (3) The Secretary of State need not consult the persons mentioned in subsection (2)(b), (c) and (d) if the [<sup>F2</sup>local authority] have consulted them under subsection (2) of section 65 in relation to a proposed notice under subsection (1) of that section.

[<sup>F3</sup>(4) Subsection (2) does not apply if an Academy order has effect in respect of the school.]

---

**Changes to legislation:** Education and Inspections Act 2006, Section 69 is up to date with all changes known to be in force on or before 05 April 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

---

#### Textual Amendments

- F1** Words in s. 69(1) repealed (12.1.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), s. 269(4), Sch. 13 para. 9, **Sch. 16 Pt. 6**; S.I. 2009/3317, art. 2, Sch.
- F2** Words in Pts. 1-7 substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), art. 1, **Sch. 2 para. 14(2)**
- F3** S. 69(4) inserted (29.7.2010) by Academies Act 2010 (c. 32), s. 19(2), **Sch. 2 para. 21**; S.I. 2010/1937, art. 2, Sch. 1

#### Modifications etc. (not altering text)

- C1** S. 69 applied (with modifications) by S.I. 2007/2978 reg. 24(1) (as inserted (1.9.2012) by The Pupil Referral Units (Miscellaneous Amendments) (England) Regulations 2012 (S.I. 2012/1825), regs. 1(1), **2(10)**)

#### Commencement Information

- I1** S. 69 in force at 1.4.2007 by S.I. 2007/935, **art. 5(j)**

**Changes to legislation:**

Education and Inspections Act 2006, Section 69 is up to date with all changes known to be in force on or before 05 April 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.  
[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- 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:**

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

- s. 11A inserted by [2010 c. 26 s. 7](#)
- s. 88(A1) inserted by [2015 c. 20 Sch. 16 para. 1\(2\)](#)
- 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. 162(5A)(aa) inserted by [2010 nawm 1 Sch. 1 para. 20\(a\)](#)