



Education and Skills Act 2008

2008 CHAPTER 25

PART 4

REGULATION AND INSPECTION OF INDEPENDENT EDUCATIONAL PROVISION IN ENGLAND

CHAPTER 1

INDEPENDENT EDUCATIONAL INSTITUTIONS IN ENGLAND

Prohibition on participation in management of independent educational institutions

128 Prohibition on participation in management

- (1) The appropriate authority may direct that a person—
 - (a) may not take part in the management of an independent educational institution;
 - (b) may take part in the management of such an institution only in circumstances specified in the direction;
 - (c) may take part in the management of such an institution only if conditions specified in the direction are satisfied.
- (2) A direction under this section may be given in respect of a person only on one or more prescribed grounds connected with the suitability of persons to take part in the management of an independent educational institution.
- (3) Regulations may prescribe the procedure for giving a direction under this section (including provision about notification of persons who are subject to directions).
- (4) The appropriate authority may vary or revoke a direction under this section in prescribed cases.
- (5) Regulations may prescribe the grounds on which a person subject to a direction under this section may seek to have it varied or revoked under subsection (4).

Changes to legislation: *Education and Skills Act 2008, Section 128 is up to date with all changes known to be in force on or before 09 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*

- (6) In this section and sections 129 to 131, “the appropriate authority” means—
- (a) the Secretary of State, or
 - (b) such other public authority as may be prescribed.

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Commencement Information

- I1** S. 128 in force at 19.6.2009 for specified purposes by [S.I. 2009/1513](#), **art. 2(2)**
- I2** [S. 128](#) in force at 8.9.2014 in so far as not already in force by [S.I. 2014/2379](#), **art. 2(c)** (with [art. 3\(1\)](#)) (which transitional provisions in art. 3 are revoked (22.12.2014) by [S.I. 2014/3364](#), art. 3(3), Sch.)

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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):

- s. 91(3)(c) inserted by [2022 asc 1 Sch. 4 para. 22\(3\)](#)