



Apprenticeships, Skills, Children and Learning Act 2009

2009 CHAPTER 22

PART 10 **E+W**

SCHOOLS

CHAPTER 1 **E+W**

SCHOOLS CAUSING CONCERN

Schools causing concern: England

204 **Power to require** ^[^{F1}local authorities] **in England to obtain advisory services** **E+W**

(1) Section 62A of the Education Act 2002 (power of Secretary of State to require [^{F1}local authorities] in England to obtain advisory services) is amended as follows.

(2) After subsection (1) insert—

“(1A) This section also applies where it appears to the Secretary of State that—

(a) a [^{F2}local authority] in England maintain a disproportionate number of low-performing schools, and

(b) the authority—

(i) have not been effective or are unlikely to be effective in securing an improvement in the standards of performance of pupils at those schools, or

(ii) are unlikely to be effective in securing an improvement in the standards of performance of pupils at other schools which may in the future be low-performing schools.

Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009, Section 204 is up to date with all changes known to be in force on or before 30 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

(1B) In subsection (1A) “low-performing school” means a school at which the standards of performance of pupils are unacceptably low.

(1C) For the purposes of subsection (1B) the standards of performance of pupils at a school are low if they are low by reference to any one or more of the following—

- (a) the standards that the pupils might in all the circumstances reasonably be expected to attain;
- (b) where relevant, the standards previously attained by them;
- (c) the standards attained by pupils at comparable schools.”

(3) In subsection (4) after “section” insert—
 ““pupil” has the same meaning as in the Education Act 1996 (see sections 3 and 19(5) of that Act);”.

Textual Amendments

- F1** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), **Sch. 2 para. 16(3)**
- F2** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), **Sch. 2 para. 16(2)**
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Commencement Information

- I1** S. 204 in force at 12.1.2010 by [S.I. 2009/3317](#), art. 2, **Sch.**

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[View outstanding changes](#)

Commencement Orders yet to be applied to the Apprenticeships, Skills, Children and Learning Act 2009

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2009/3341 art. 2](#) commences (2009 c. 22)
- [S.I. 2010/2413 art. 2](#) commences (2009 c. 22)
- [S.I. 2011/829 art. 2](#) commences (2009 c. 22)
- [S.I. 2011/882 art. 2](#) amendment to earlier commencing SI 2010/303 art. 7 Sch. 6