

# Education and Adoption Bill

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## AMENDMENTS TO BE MOVED ON REPORT

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### Clause 7

LORD WATSON OF INVERGOWRIE  
LORD HUNT OF KINGS HEATH

Leave out Clause 7 and insert the following new Clause –

#### **“Schools with an inadequate Ofsted judgement**

- (1) Where, in a report of a school made under section 5 of the Education Act 2005 (duty to inspect certain schools at prescribed intervals), Her Majesty’s Chief Inspector of Education, Children’s Services and Skills states that in his or her opinion –
  - (a) special measures are required to be taken in relation to the school, or
  - (b) the school requires significant improvement,the following actions shall be taken.
- (2) The Regional Schools Commissioner must consult the local authority, any trustees or persons representing foundations associated with the school and, in the case of an Academy school, the person with whom the Secretary of State has made Academy arrangements, about the school’s governance arrangements.
- (3) If the school is a local authority maintained school, then the Regional Schools Commissioner may determine that section 5 of the Academies Act 2010 (consultation on conversion) applies.
- (4) If the school is an Academy school, then the Regional Schools Commissioner may consult the Secretary of State about whether or not to terminate the school’s Academy arrangements –
  - (a) with a view to the school being established as a local authority maintained school, or
  - (b) by the Secretary of State making Academy arrangements with another person.”

**After Clause 8**

LORD WATSON OF INVERGOWRIE  
LORD HUNT OF KINGS HEATH

Insert the following new Clause –

**“Schools causing concern: involvement of parents**

- (1) The Education and Inspectors Act 2006 is amended as follows.
- (2) In section 59 (meaning of “maintained school” and “eligible for intervention”) –
  - (a) in subsection (1) after paragraph (c) insert –
    - “(d) an Academy school”;
  - (b) after subsection (2) insert –
    - “(3) In this Part, references to the governing body of an Academy school are to be read as references to the proprietor of an Academy school.
    - (4) If an Academy school is found to be eligible for intervention under this Part, the school is to be treated as a maintained school for the purposes of sections 63 to 69, and the proprietor of the Academy is to be treated as the governing body of the school.
    - (5) An intervention under sections 63 to 69 shall take precedence over any provision of the Academy arrangements made between the Secretary of State and the proprietor.”
- (3) After section 59 insert –

**“59A Duties of Secretary of State, local authorities, and proprietors to parents when a school is eligible for intervention**

When a school is eligible for intervention, the Secretary of State, the local authority, school governing body and proprietor must exercise their functions with a view to involving parents of registered pupils in decisions relating to the school under this Part and the Academies Act 2010.”

- (4) In section 60 (performance standards and safety warning notice), in subsection (6) at the end insert –
  - “(e) the parents of registered pupils”.
- (5) In section 60A (teachers’ pay and conditions warning notice), in subsection (6) at the end insert –
  - “(d) the parents of registered pupils”.”



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