

Schools Bill – key elements

Element	Details	Implementation
Academy Trust Standards	<p>Proving the regulatory foundation for “a move towards a multi-academy led school system”</p> <p>Introduction of a new ‘common rulebook’ of statutory trust standards, addressing ‘complex and inconsistent’ framework.</p> <p>New powers of intervention to drive up performance</p> <p>Additional requirements for attendance, local governance and complaints handling</p> <p>Extension of S of State’s power on granting leaves of absence to cover all types of schools including academies</p> <p>New ‘collaborative standard’ requiring trusts to work constructively with other partners</p>	<p>First phase to consolidate and reflect existing requirements.</p> <p>Legislation will set out the standards to which academies must adhere.</p> <p>To come into force 2023 at the earliest</p> <p>No significant operational impact expected</p>
Academy Trust intervention powers	<p>New intervention framework to enable Secretary of State to intervene in relation to Trust management of individual academies and weaknesses at academy trust level.</p> <p>Menu of powers to include:</p> <ul style="list-style-type: none"> • Power to issue notice to improve and impose financial restrictions • Power to issue a compliance direction • Power to direct the appointment of Trustees and replace existing • Statutory powers to terminate funding agreements. 	<p>September 2023 alongside Academy Standards measures</p>
Faith protections	<p>Increased support for faith schools to become academies by removing barriers to conversion:</p> <p>Statutory protection for governance arrangements that apply in the maintained sector</p> <p>Legal protection for academies with religious character relating to RE and collective worship equivalent to maintained sector</p>	<p>Minimal operational impact.</p>
Grammar schools	<p>Ensuring that grammar schools are secure in MATs and that future changes to protection for grammar schools would require primary legislation</p> <p>Increased consistency of regimes for maintained grammar schools</p> <p>Placing academy grammar schools on same legal footing as maintained grammar schools</p>	<p>From start of 23-24 academic year at the earliest.</p>
Local authority academization power	<p>Measure to enable local authorities to play a more active role in enabling schools to become part of strong trust</p> <p>Power to enable local authority to make an application to the Secretary of State to make an academy order in respect of any maintained school in its area. (S of S decision devolved to Regional Schools Commissioners)</p>	<p>From September 2023</p>

	Local authorities need to engage extensively with local partners before taking this step, including obtaining consent of trustees for a foundation or voluntary school.	
Transfer of land by local authorities	Measure relates to academies where land is held on a special trust which limits it being used for a church school. Measure preserves trustees' existing land interest once schools become academies.	Date of implementation unclear
National Funding Formula reforms	Creates duty for Sec of State to determine funding for all mainstream schools (academies and maintained) through single directly applied national funding formula. Schools Forums will no longer determine a local formula for core schools funding. Local authorities will have a local education budget to determine their own education responsibilities and can continue de-delegation (i.e. deducting funding from maintained schools to fund central services). Single national funding formula will be reviewed each year.	Second stage consultation to be published "before Summer 2022"
Children not in school	Places a duty on local authorities to provide support to families who register and education their children at home and to maintained Children Not in School registers. Changes to School Attendance Order legislation to increase efficiency.	
School Attendance	Measures to improve consistency of attendance support and management provided by schools, trusts, governing bodies and local authorities. Four elements: <ul style="list-style-type: none"> • Duties on local authorities to use their existing powers to promote regular attendance. Aim to create clear standards for local authority attendance services. • Requirement for every school to implement policies to promote regular attendance and publish them in attendance policy. Will help set clear expectations for pupils and parents. • Power to allow Sec of State to set circumstances in which issuing of fixed-penalty notices must be considered. (Currently set at local authority level) • Extension of Sec of State power to make regulations in respect of granting leave of absences to cover academies. 	Non statutory guidance for schools and local authorities to be published for academic year 2022-23. Legislation to take effect 1 September 2023.
Teacher misconduct	Three main measures: Broadening scope of current teacher misconduct regime to include persons who commit misconduct when not employed as a teacher, but who have at any time carried out teaching work.	Changes to take effect when the Bill is enacted.

	<p>Broadening scope of existing regime to include a wider range of education settings (e.g. online education providers)</p> <p>To enable Sec of State to consider referrals of serious teacher misconduct “regardless of how the matter comes to his attention”. (Currently can only consider referral of serious misconduct when referral comes from outside of the DFE)</p>	
--	---	--

There are also range of measures relating to independent educational institutions:

[Registration requirements](#)

[Enforcement](#)

[De-registration appeals](#)

[Material change](#)

[Investigatory powers](#)