



# Education Act 2002

## 2002 CHAPTER 32

### PART 3

#### MAINTAINED SCHOOLS

#### CHAPTER 1

##### GOVERNMENT OF MAINTAINED SCHOOLS

#### 24 Federations of schools

- (1) In prescribed cases, the governing bodies—
  - (a) of two or more maintained schools [<sup>F1</sup>in England],
  - (b) of an existing federation and of one or more maintained schools [<sup>F2</sup>in England], or
  - (c) of two or more existing federations,may, after complying with prescribed conditions and in accordance with prescribed procedure, provide for their respective schools to be federated for the purposes of this Chapter.
- (2) In this Chapter “federation” means a group of schools [<sup>F3</sup>in England] that are federated by virtue of this section, and “federated school” means a school forming part of a federation.
- (3) Where any schools are federated by virtue of this section, they shall—
  - (a) have a single governing body constituted under a single instrument of government, and
  - (b) in prescribed cases, be treated as a single school for the purposes of such enactments as may be prescribed, other than any enactment contained in Chapter 2 of Part 2 of the School Standards and Framework Act 1998 (c. 31) (establishment, alteration or discontinuance of schools) or in Part 3 of that Act (school admissions).

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*Changes to legislation: Education Act 2002, Section 24 is up to date with all changes known to be in force on or before 11 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*

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- (4) Regulations may make provision—
- (a) as to the dissolution of governing bodies on the formation of a federation,
  - (b) enabling the governing body of a federation to continue in existence as a body corporate when one or more schools join or leave the federation,
  - (c) as to the circumstances in which and manner in which a federation may be dissolved, or one or more schools may leave a federation,
  - (d) enabling the governing body of a federation that is dissolved to be replaced either by governing bodies for each of the constituent schools or by governing bodies which include the governing body of a new federation,
  - (e) as to the transition from one governing body to another,
  - (f) as to the transfer of property, rights and liabilities between governing bodies, or between [<sup>F4</sup>local authorities] and governing bodies, and
  - (g) as to such other matters relating to federations, federated schools or the formation or dissolution of federations as the Secretary of State<sup>F5</sup>... considers appropriate.
- (5) Regulations made by virtue of subsection (4)(f) in relation to the transfer of property, rights and liabilities may—
- (a) provide for prescribed matters to be determined by the Secretary of State<sup>F6</sup>...,
  - (b) apply with modifications any provision of Schedule 10 to the Education Reform Act 1988 (c. 40) (supplementary provisions with respect to transfers under that Act), or
  - (c) make provision equivalent to that made by any provision of that Schedule.
- (6) In any enactment—
- (a) any reference to the governing body or governors of a school is to be construed, in relation to a federated school, as a reference to the governing body or governors of the federation, and
  - (b) any reference to the instrument of government of a school is to be construed, in relation to a federated school, as a reference to the instrument of government of the federation.

#### Textual Amendments

- F1** Words in s. 24(1)(a) inserted (28.4.2014) by [Education \(Wales\) Measure 2011 \(nawm 7\), ss. 19\(4\)\(a\), 33\(2\); S.I. 2014/1066, art. 2](#)
- F2** Words in s. 24(1)(b) inserted (28.4.2014) by [Education \(Wales\) Measure 2011 \(nawm 7\), ss. 19\(4\)\(b\), 33\(2\); S.I. 2014/1066, art. 2](#)
- F3** Words in s. 24(2) inserted (28.4.2014) by [Education \(Wales\) Measure 2011 \(nawm 7\), ss. 19\(4\)\(c\), 33\(2\); S.I. 2014/1066, art. 2](#)
- F4** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\), art. 1, Sch. 2 para. 11\(3\)](#)
- F5** Words in s. 24(4)(g) omitted (28.4.2014) by virtue of [Education \(Wales\) Measure 2011 \(nawm 7\), ss. 19\(4\)\(d\), 33\(2\); S.I. 2014/1066, art. 2](#)
- F6** Words in s. 24(5)(a) omitted (28.4.2014) by virtue of [Education \(Wales\) Measure 2011 \(nawm 7\), ss. 19\(4\)\(e\), 33\(2\); S.I. 2014/1066, art. 2](#)

#### Commencement Information

- I1** S. 24 in force at 12.4.2010 for W. by [S.I. 2010/707, art. 3\(c\)](#)
- I2** S. 24(1) in force at 1.4.2003 for specified purposes except in relation to W. by [S.I. 2003/124, art. 4](#)

**Changes to legislation:** Education Act 2002, Section 24 is up to date with all changes known to be in force on or before 11 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](#)

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- I3** S. 24(1) in force at 1.9.2003 so far as not already in force except in relation to W. by [S.I. 2003/1667](#), [art. 4](#)
- I4** S. 24(2)-(6) in force at 1.4.2003 except in relation to W. by [S.I. 2003/124](#), [art. 4](#)

**Changes to legislation:**

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

- specified provision(s) amendment to earlier commencing SI 2003/1667 Sch. para. 1 by [S.I. 2004/571 Sch.](#)
- specified provision(s) amendment to earlier commencing SI 2003/1667 Sch. para. 1A and 2 by [S.I. 2005/2570 art. 2](#)

**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. 27(1A) inserted by [2010 c. 26 s. 4\(1\)](#)
- s. 29(2A)-(2D) inserted by [2009 c. 22 s. 260\(4\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 250 omitted (1.9.2012) by virtue of 2011 c. 21, s. 29(9)(d); S.I. 2012/1087, art. 3)
- s. 29B inserted by [2008 c. 25 s. 157](#)
- s. 8585A substituted for s. 85 by [2006 c. 40 s. 74\(1\)](#)
- s. 85A amendment to earlier affecting provision 2006 c. 40 s. 74(1) by [2011 c. 21 s. 31\(2\)](#)
- s. 85A(5) words substituted by [2009 c. 22 Sch. 12 para. 34](#)
- s. 86(1) s. 86 renumbered as s. 86(1) by [2006 c. 40 s. 74\(2\)\(c\)](#)
- s. 86(2) inserted by [2006 c. 40 s. 74\(2\)\(c\)](#)
- s. 88(2)-(7) inserted by [2006 c. 40 s. 74\(3\)](#)
- s. 88(7) repealed by [S.I. 2010/1080 Sch. 1 para. 45Sch. 2 Pt. 1](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of s. 88(2)-(7) by 2006 c. 40, s 74(3) was repealed without ever being brought into force.)
- s. 142(9)(b) words substituted by [S.I. 2010/1158 Sch. 2 para. 11\(10\)\(b\)](#)
- s. 210A inserted by [2008 c. 25 Sch. 1 para. 79](#)