



Academies Act 2010

2010 CHAPTER 32

Conversion of schools into Academies

[^{F1} 5 Consultation about conversion: schools not eligible for intervention

- (1) Before a maintained school in England is converted into an Academy, the school's governing body must consult such persons as they think appropriate about whether the conversion should take place.
- (2) But this section does not apply if an Academy order under section 4(A1) or (1)(b) has effect in respect of the school.
- (3) Consultation for the purposes of this section may be carried out before or after an Academy order, or an application for an Academy order, has been made in respect of the school.
- (4) In the case of a federated school, the reference in subsection (1) to the governing body includes a reference to any members of the governing body.]

Textual Amendments

- F1** S. 5 substituted (18.4.2016) by [Education and Adoption Act 2016 \(c. 6\)](#), **ss. 8**, 19(2); S.I. 2016/466, reg. 2

Modifications etc. (not altering text)

- C1** S. 5 applied (with modifications) by S.I. 2007/2979, Sch. 1 para. 23D (as inserted (31.5.2012) by [The Education \(Pupil Referral Units\) \(Application of Enactments\) \(England\) \(Amendment\) Regulations 2012 \(S.I. 2012/1201\)](#), regs. 1(2), 4)
- C2** S. 5 amendment to earlier affecting provision S.I. 2007/2979, Sch. 1 para. 23D (27.6.2016) by [The Education \(Pupil Referral Units\) \(Application of Enactments\) \(England\) \(Amendment\) Regulations 2016 \(S.I. 2016/608\)](#), regs. 1, 4

Commencement Information

- I1** S. 5 in force at 29.7.2010 by S.I. 2010/1937, art. 2, **Sch. 1**

Changes to legislation:

Academies Act 2010, Section 5 is up to date with all changes known to be in force on or before 09 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.

[View outstanding changes](#)

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):

- Sch. 1 para. 9A and cross-heading inserted by [2023 c. 55 s. 235\(1\)](#)