



# Academies Act 2010

## 2010 CHAPTER 32

### *Conversion of schools into Academies*

#### **6 Effect of Academy order**

- (1) This section applies if an Academy order has effect in respect of a school.
- (2) The local authority must cease to maintain the school on the date (“the conversion date”) on which the school, or <sup>[F1]</sup> an educational institution ] that replaces it, opens as an Academy (“the Academy”).

<sup>[F2]</sup>(2A) Subsection (2) does not prohibit the local authority from providing financial or other assistance in respect of the Academy, including by—

- (a) making payments in respect of some (but not all) of the expenses of maintaining the Academy,
  - (b) providing premises, goods or services for the Academy, or
  - (c) making premises, goods or services available to be used for the purposes of the Academy.]
- (3) If the school is a selective school <sup>[F3]</sup> and is to be converted into an Academy school ], <sup>[F4]</sup> section 1A(1)(c) ] (requirement to provide education for pupils of different abilities) does not apply in relation to any Academy arrangements to be entered into in relation to the school or <sup>[F5]</sup>an educational institution] that replaces it.
  - (4) For this purpose a school is a “selective school” if its admission arrangements make provision for selection of pupils by ability, and—
    - (a) its admission arrangements are permitted to do so by section 100 of SSFA 1998 (permitted selection: pre-existing arrangements), or
    - (b) the school is designated under section 104 of SSFA 1998 (designation of grammar schools).

Section 99(5) of SSFA 1998 applies for the purposes of this subsection as it applies for the purposes of Chapter 2 of Part 3 of SSFA 1998.

- (5) <sup>[F6]</sup> If the Academy is an Academy school, ] the relevant independent school standards are to be treated as met in relation to <sup>[F7]</sup>it] on the conversion date.

*Changes to legislation: Academies Act 2010, Section 6 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. (See end of Document for details) View outstanding changes*

- (6) “The relevant independent school standards” are the independent school standards (as defined in section 157(2) of EA 2002) that are applicable to the Academy on the conversion date.
- (7) Subsection (8) applies if the school—
- [<sup>F8</sup>(a)] is a foundation or voluntary school which is designated by order under section 69(3) of SSFA 1998 as a school having a particular religious character [<sup>F9</sup>, and
- (b) is to be converted into an Academy school.]
- (8) The Academy is to be treated, on the conversion date, as designated by order under section 69(3) of SSFA 1998 as an independent school having that religious character.
- (9) Nothing in any of the following provisions applies in a case where a local authority cease to maintain a school as a result of an Academy order—
- section 30 of SSFA 1998 (notice to discontinue school);
- sections 15 to 17 of EIA 2006 (procedure for discontinuance of schools).

#### Textual Amendments

- F1** Words in s. 6(2) substituted (1.4.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), [Sch. 13 para. 3\(2\)](#); S.I. 2012/924, art. 2
- F2** S. 6(2A) inserted (15.11.2011) by [Education Act 2011 \(c. 21\)](#), [ss. 58](#), 82(1)(e)
- F3** Words in s. 6(3) inserted (1.4.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), [Sch. 13 para. 3\(3\)\(a\)](#); S.I. 2012/924, art. 2
- F4** Words in s. 6(3) substituted (1.4.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), [Sch. 13 para. 3\(3\)\(b\)](#); S.I. 2012/924, art. 2
- F5** Words in s. 6(3) substituted (1.4.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), [Sch. 13 para. 3\(3\)\(c\)](#); S.I. 2012/924, art. 2
- F6** Words in s. 6(5) inserted (1.4.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), [Sch. 13 para. 3\(4\)\(a\)](#); S.I. 2012/924, art. 2
- F7** Word in s. 6(5) substituted (1.4.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), [Sch. 13 para. 3\(4\)\(b\)](#); S.I. 2012/924, art. 2
- F8** Word in s. 6(7) inserted (1.4.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), [Sch. 13 para. 3\(5\)](#); S.I. 2012/924, art. 2
- F9** S. 6(7)(b) inserted (1.4.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), [Sch. 13 para. 3\(5\)](#); S.I. 2012/924, art. 2

#### Modifications etc. (not altering text)

- C1** S. 6 applied (with modifications) by SI 2007/2979 Sch. 1 para. 23F (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. 6 applied (with modifications) by SI 2007/2979 Sch. 1 para. 23E (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)

#### Commencement Information

- I1** S. 6 in force at 29.7.2010 by [S.I. 2010/1937](#), art. 2, [Sch. 1](#) (with art. 5)

**Changes to legislation:**

Academies Act 2010, Section 6 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.

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**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\(1\)](#)