

# CHILDREN, SCHOOLS AND FAMILIES ACT 2010

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 3: Miscellaneous and Final Provisions**

##### ***Section 22: Amendments of provisions about complaints in ASCLA 2009***

82. This section makes amendments to the parent and pupil complaints system in Chapter 2 of Part 10 of ASCLA 2009. *Subsection (2)* amends section 207(5) of that Act, to insert the word “*frivolous*” to enable a Local Commissioner to reject a complaint on the basis that it is frivolous as well as on the basis already provided for in ASCLA that it is vexatious, because it lacks merit or does not justify investigation. *Subsection (3)* extends the absolute privilege against liability in defamation afforded to governing bodies of maintained schools in relation to their communications with a Local Commissioner, to head teachers of those schools as well.

##### ***Section 23: Fees for pre-registration inspections of independent educational institutions***

83. This section amends section 111 of the Education and Skills Act 2008 to enable regulations to require the proprietor of an independent educational institution to pay a fee for an inspection carried out for the purposes of determining the institution’s readiness for registration. (Such an inspection will be carried out under section 99 of that Act.) Academies, City Technology Colleges and City Colleges for the Technology of the Arts are not required to pay inspection fees.

##### ***Section 24: Interpretation of Act***

84. References in the Act to other Acts are abbreviated. This section specifies the abbreviations used. It also provides that section 5 is to be read as though it were part of the EA 1996.

##### ***Section 25: Amendments and repeals***

85. This section gives effect to Schedules 3 and 4 which contain minor and consequential amendments to other Acts and repeals.

##### ***Section 27 Transitional provision***

86. **Section 27** has effect only until 5 May 2010. The Local Education Authorities and Children’s Services Authorities (Integration of Functions) Order 2010, made on 31 March 2010 under section 162(1) of the EIA 2006, which comes into force on 5 May, replaced references in Acts to local *education* authorities with references to local authorities. The effect of section 27 is that, until that day, any reference in the Act to a local authority is to be read as a reference to a local education authority.