



Education Act 2011

CHAPTER 21

EDUCATION ACT 2011

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Status: This is the original version (as it was originally enacted).

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Status: This is the original version (as it was originally enacted).

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- 1 Local Government Act 1972 (c. 70)
- 2 Local Government Act 1974 (c. 7)
- 3 In section 31A of that Act (consideration of adverse reports),...
- 4 Tribunals and Inquiries Act 1992 (c. 53)
- 5 EA 1996
- 6 In section 444ZA (application of section 444 to alternative educational...
- 7 In Schedule 35B (meaning of “eligible child” for purposes of...
- 8 SSFA 1998
- 9 After subsection (3) insert— (3A) A child who has been...
- 10 In subsection (4), in the opening words—
- 11 Equality Act 2010 (c. 15)
- 12 In the heading above paragraph 14, at the end insert...
- 13 In paragraph 14 (exclusions)— (a) in sub-paragraph (1), at the...

SCHEDULE 2 — Abolition of the GTCE: consequential amendments

- 1 Amendments to THEA 1998
- 2 In the heading to Chapter 1, for “Councils” substitute “Council...
- 3 In the italic cross-heading above section 1, for “England” substitute...
- 4 In the italic cross-heading above section 2, for “England” substitute...
- 5 In section 2, in the heading, for “General Teaching Council...
- 6 In the italic cross-heading above section 8, at the beginning...
- 7 In section 8 (the General Teaching Council for Wales)—
- 8 In section 9 (functions of the General Teaching Council for...
- 9 In section 12 (deduction of fees from salaries, etc)—
- 10 In section 14 (supply of information relating to teachers: general)—...
- 11 In section 15 (supply of information following dismissal, resignation, etc)—...
- 12 In section 15A (supply of information by contractor, agency, etc)—...
- 13 In the italic cross-heading above section 19, at the end...
- 14 In section 19 (requirement to serve induction period)—
- 15 In section 42 (orders and regulations)— (a) omit subsection (3);...
- 16 (1) Schedule 1 is amended as follows.
- 17 In Schedule 2 (disciplinary powers of Council), in paragraph 7...
- 18 Amendments to other Education Acts
- 19 (1) EA 2002 is amended as follows.
- 20 In ESA 2008— (a) in section 130 (directions prohibiting participation...
- 21 Other amendments
- 22 In Schedule 1 to the Superannuation Act 1972 (kinds of...
- 23 In Schedule 1 to the House of Commons Disqualification Act...
- 24 In section 50 of the Employment Rights Act 1996 (right...
- 25 In Schedule 1 to the Freedom of Information Act 2000...
- 26 In section 343 of the Income Tax (Earnings and Pensions)...
- 27 (1) The Safeguarding Vulnerable Groups Act 2006 is amended as...

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SCHEDULE 3 — Abolition of the GTCE: transfer schemes

- 1 Staff transfer schemes
- 2 Property transfer schemes
- 3 Continuity
- 4 Supplementary provision etc.
- 5 Interpretation

SCHEDULE 4 — Offence of breach of reporting restrictions: application to providers of information society services

SCHEDULE 5 — Abolition of the TDA: consequential amendments

- 1 Public Records Act 1958 (c. 51)
- 2 Parliamentary Commissioner Act 1967 (c. 13)
- 3 Superannuation Act 1972 (c. 11)
- 4 House of Commons Disqualification Act 1975 (c. 24)
- 5 Education (Fees and Awards) Act 1983 (c. 40)
- 6 EA 1994
- 7 Section 11A (general duty of Secretary of State and Welsh...
- 8 In section 18B (inspection of teacher training), in subsections (3)...
- 9 In section 18C (inspection of teacher training in Wales), in...
- 10 EA 1996
- 11 In section 398 (no requirement of attendance at Sunday school...
- 12 In section 450 (prohibition of charges for admission), in subsection...
- 13 Audit Commission Act 1998 (c. 18)
- 14 THEA 1998
- 15 Government of Wales Act 1998 (c. 38)
- 16 Freedom of Information Act 2000 (c. 36)
- 17 EA 2002
- 18 HEA 2004
- 19 For section 23, substitute— Duty of Secretary of State to...
- 20 (1) Section 24 (condition to be imposed by English funding...
- 21 (1) Section 27 (power of NAW to impose conditions as...
- 22 (1) Section 28 (condition that may be required to be...
- 23 In section 29 (sections 23 to 28: supplementary provisions), in...
- 24 In section 31 (Director of Fair Access to Higher Education),...
- 25 In section 34 (approval of plans), for subsection (1) substitute—...
- 26 In section 37 (enforcement of plans: England), in subsection (1)(a),...
- 27 In section 38 (enforcement of plans: Wales), in subsection (4),...
- 28 (1) Section 40 (provision of information) is amended as follows....
- 29 In section 41 (interpretation of Part 3), in subsection (2)(a)—...
- 30 EA 2005
- 31 Section 99 (introduction of Schedule 15) is repealed.
- 32 In Schedule 14 (amendments relating to training of school workforce),...
- 33 Schedule 15 (transitional and transitory provisions relating to Part 3)...

SCHEDULE 6 — Abolition of the TDA: transfer schemes

- 1 Staff transfer schemes
- 2 Property transfer schemes
- 3 Continuity
- 4 Supplementary provision etc.
- 5 Interpretation

SCHEDULE 7 — The Chief Regulator of Qualifications and Examinations

- 1 Amendments to Schedule 9 to ASCLA 2009
- 2 (1) Paragraph 2 (membership) is amended as follows.
- 3 (1) Paragraph 3 (the Chief Regulator) is amended as follows....
- 4 After paragraph 3 insert— The chair (1) The chair holds and vacates office in accordance with...
- 5 In paragraph 4 (the deputy and other ordinary members: tenure),...
- 6 In the heading before paragraph 5, for “Chief Regulator and...
- 7 (1) Paragraph 5 (remuneration of members of Ofqual) is amended...
- 8 For the heading before paragraph 6 substitute “Staff”.
- 9 (1) Paragraph 6 (staff of Ofqual) is amended as follows....
- 10 Consequential amendments
- 11 In Part 3 of Schedule 1 to the House of...
- 12 In Part 3 of Schedule 1 to the Northern Ireland...

SCHEDULE 8 — Abolition of the QCDA: consequential amendments

- 1 Public Records Act 1958 (c. 51)
- 2 Parliamentary Commissioner Act 1967 (c. 13)
- 3 Superannuation Act 1972 (c. 11)
- 4 House of Commons Disqualification Act 1975 (c. 24)
- 5 EA 1996
- 6 In section 391 (functions of religious education advisory councils) for...
- 7 In section 408(1)(a) (provision of information relevant for particular purposes)...
- 8 EA 1997
- 9 LSA 2000
- 10 Freedom of Information Act 2000 (c. 36)
- 11 EA 2002
- 12 In section 85(9) (curriculum requirements for the fourth key stage:...
- 13 In section 87(7) (establishment of the National Curriculum for England...
- 14 (1) Section 90 (development work and experiments) is amended as...
- 15 For section 96 substitute— Procedure for making certain orders and...
- 16 Childcare Act 2006 (c. 21)
- 17 In section 42(2) (persons on whom order specifying assessment arrangements...
- 18 (1) Section 46 (power to enable exemptions from learning and...
- 19 EIA 2006
- 20 In section 74(1) (curriculum requirements for the fourth key stage)—...
- 21 Safeguarding Vulnerable Groups Act 2006 (c. 47)
- 22 ASCLA 2009
- 23 In section 129(4) (persons who provide information to which Ofqual...
- 24 Section 173 and Schedule 10 (QCDA staff and property transfer...
- 25 In paragraph 8 of Schedule 5 (learning aims for persons...
- 26 In consequence of the amendments made by the other provisions...

SCHEDULE 9 — Abolition of the QCDA: transfer schemes

- 1 Staff transfer schemes
- 2 Property transfer schemes
- 3 Continuity
- 4 Supplementary provision etc.
- 5 Interpretation

SCHEDULE 10 — School admissions: consequential amendments

- 1 Amendments consequential on the amendments to section 85A (admission forums)
- 2 In EA 2002, section 66 (insertion of section 85B of...
- 3 In EIA 2006, in section 41 (role of admissions forums),...
- 4 Amendments consequential on the repeal of section 88J of SSFA 1998 (school adjudicators)

SCHEDULE 11 — Establishment of new schools

- 1 Amendments to Part 2 of EIA 2006
- 2 Before section 7 insert— Requirement to seek proposals for establishment...
- 3 In section 7 (invitation for proposals for establishment of new...
- 4 After section 7 insert— Withdrawal of notices under section 7...
- 5 Section 8 (proposals under section 7 relating to community or...
- 6 (1) Section 10 (publication of proposals with consent of Secretary...
- 7 (1) Section 11 (publication of proposals to establish maintained schools:...
- 8 In section 11A(1) (restriction on power of governing body to...
- 9 In section 12 (establishment of school as a federated school),...
- 10 (1) Schedule 2 (consideration, approval and implementation of proposals for...
- 11 Other amendments

SCHEDULE 12 — Further education institutions: amendments

- 1 Amendments to FHEA 1992
- 2 After section 16 insert— Publication of proposals (1) The appropriate authority may not make an order under...
- 3 (1) Section 19 (supplementary powers of further education corporations) is...
- 4 Section 19A (duty in relation to promotion of well-being of...
- 5 In section 20 (constitution of further education corporation and conduct...
- 6 For section 22 substitute— Subsequent instruments and articles: England A further education corporation in England may modify or replace...
- 7 For section 27 substitute— Proposals for dissolution of further education...
- 8 For section 29 substitute— Government and conduct of designated institutions...
- 9 In section 30 (special provision for certain institutions), in subsection...
- 10 In section 31 (designated institutions conducted by companies), omit subsection...
- 11 (1) Section 33C (establishment of new bodies corporate as sixth...
- 12 In section 33E (principal powers of a sixth form college...
- 13 In section 33F (supplementary powers of a sixth form college...
- 14 Section 33G (restrictions on exercise of supplementary powers of sixth...
- 15 Section 33H (duty in relation to promotion of well-being of...
- 16 In section 33I(2) (instrument and articles of government of sixth...
- 17 (1) Section 33J (special provision for certain institutions) is amended...
- 18 In section 33K (instrument and articles of new sixth form...
- 19 For section 33L substitute— Changes to instruments and articles (1) A sixth form college corporation may modify or replace...

- 20 For section 33N substitute— Proposals for dissolution of sixth form...
- 21 In section 38 (payments in respect of loan liabilities), in...
- 22 Section 49A (guidance about consultation with students and employees), as...
- 23 Section 51 (publication of proposals) is repealed.
- 24 In section 53 (inspection of accounts), in subsection (2)—
- 25 (1) Section 56A (intervention by Chief Executive of Skills Funding)...
- 26 Section 56AA (appointment by Chief Executive of Skills Funding of...
- 27 Section 56B (intervention policy: England) is repealed.
- 28 Section 56C (directions) is repealed.
- 29 Section 56D (notification by local authority or YPLA of possible...
- 30 (1) Section 56E (intervention by local authority) is amended as...
- 31 Section 56F (appointment by local authorities of members of sixth...
- 32 Section 56G (intervention policy: sixth form colleges) is repealed.
- 33 Section 56H (intervention by YPLA) is repealed.
- 34 Section 56I (appointment by YPLA of members of sixth form...
- 35 Section 56J (notification by Chief Executive of Skills Funding of...
- 36 (1) Section 82 (joint exercise of functions) is amended as...
- 37 In section 83 (efficiency studies), in the table in subsection...
- 38 In section 88 (stamp duty)— (a) for “27” substitute “27B,...
- 39 In section 88A (stamp duty land tax)—
- 40 (1) Section 89 (orders, regulations and directions) is amended as...
- 41 (1) Section 90 (interpretation) is amended as follows.
- 42 In section 92 (index)— (a) after the entry for “further...
- 43 For Schedule 4 substitute— SCHEDULE 4 INSTRUMENTS AND ARTICLES OF...
- 44 Other amendments
- 45 In section 22 of the Further Education and Training Act...
- 46 (1) ASCLA 2009 is amended as follows.

SCHEDULE 13 — 16 to 19 Academies and alternative provision Academies:
consequential amendments

- 1 AA 2010
- 2 In section 4(3) (Academy orders: when maintained school is “converted...
- 3 (1) Section 6 (effect of Academy order) is amended as...
- 4 In section 10A (charges at boarding Academies) (inserted by section...
- 5 (1) Schedule 1 (Academies: land) (substituted by Schedule 14) is...
- 6 Other Acts
- 7 In Schedule 4A to the Water Industry Act 1991 (premises...
- 8 (1) FHEA 1992 is amended as follows.
- 9 (1) EA 1996 is amended as follows.
- 10 (1) SSFA 1998 is amended as follows.
- 11 In section 24 of the Anti-social Behaviour Act 2003 (sections...
- 12 In section 14 of the International Development Act 2002 (functions...
- 13 (1) EA 2002 is amended as follows.
- 14 In section 71 of the Income Tax (Trading and Other...
- 15 (1) EA 2005 is amended as follows.
- 16 (1) EIA 2006 is amended as follows.
- 17 (1) The Safeguarding Vulnerable Groups Act 2006 is amended as...
- 18 In section 71 of the Corporation Tax Act 2009 (educational...
- 19 In section 23 of ASCLA 2009 (duty to prepare and...
- 20 (1) The Equality Act 2010 is amended as follows.

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SCHEDULE 14 — Academies: land

- 1 Schedule 1 to AA 2010
- 2 Amendments to Schedule 22 to SSFA 1998
- 3 In paragraph A1, in sub-paragraph (1)(b), at the end insert—...
- 4 After paragraph A1, insert— (1) This paragraph applies to a disposal of land to...
- 5 In paragraph A2, for sub-paragraphs (1) to (3), substitute—
- 6 In paragraph A7, in sub-paragraph (1)(b), at the end insert—...
- 7 After paragraph A7, insert— (1) This paragraph applies to a disposal of land to...
- 8 In paragraph A8, for sub-paragraphs (1) to (3), substitute—
- 9 (1) Paragraph A13 is amended as follows.
- 10 After paragraph A13, insert— (1) This paragraph applies to a disposal of land to...
- 11 In paragraph A14, for sub-paragraphs (1) to (5), substitute—
- 12 In paragraph A19, before sub-paragraph (1), insert—
- 13 (1) Paragraph A23 (land required by local authority for certain...
- 14 (1) Paragraph 5 (discontinuance of foundation, voluntary and foundation special...
- 15 (1) Paragraph 7 (disposal of property held by governing body...
- 16 Other amendments
- 17 Schedule 35A to EA 1996 (Academies: land) is repealed.
- 18 (1) Section 77 of SSFA 1998 (control of disposals or...
- 19 In section 65 of EA 2002 (Academies), omit subsection (1)....
- 20 (1) Section 12 of AA 2010 (charitable status of Academy...

SCHEDULE 15 — Academies: minor amendments

- 1 In Schedule 4 to the Finance Act 2003 (stamp duty...
- 2 In Schedule 17 to the Equality Act 2010 (disabled pupils:...
- 3 In section 2 of AA 2010 (payments under Academy arrangements),...

SCHEDULE 16 — Abolition of the YPLA: consequential amendments

- 1 Public Records Act 1958 (c. 51)
- 2 Parliamentary Commissioner Act 1967 (c. 13)
- 3 Superannuation Act 1972 (c. 11)
- 4 House of Commons Disqualification Act 1975 (c. 24)
- 5 Education (Fees and Awards) Act 1983 (c. 40)
- 6 Disabled Persons (Services, Consultation and Representation) Act 1986 (c. 33)
- 7 Employment Act 1988 (c. 19)
- 8 Education Reform Act 1988 (c. 40)
- 9 Value Added Tax Act 1994 (c. 23)
- 10 EA 1996
- 11 After section 15ZC insert— Sections 15ZA to 15ZC: duty to...
- 12 SSFA 1998
- 13 LSA 2000
- 14 In section 98 (approved qualifications: England), omit subsections (7) and...
- 15 (1) Section 144 (designated institutions: disposal of land, etc) is...
- 16 In Schedule 9 (amendments), omit paragraph 14.
- 17 Freedom of Information Act 2000 (c. 36)
- 18 EA 2002
- 19 In section 183 (transfer of functions relating to allowances under...

- 20 Omit section 208A (recoupment: adjustment between local authorities and the...
- 21 In section 210(6A) (Welsh orders and regulations subject to negative...
- 22 HEA 2004
- 23 Children Act 2004 (c. 31)
- 24 EA 2005
- 25 In section 14 (destination of reports: maintained schools), omit subsection...
- 26 In section 14A (destination of interim statements: maintained schools), omit...
- 27 In section 92 (joint exercise of functions), in subsection (2),...
- 28 In section 108 (supply of information: education maintenance allowances), in...
- 29 EIA 2006
- 30 (1) Section 123 (inspection of further education and training: education...
- 31 In section 124 (inspection of education and training to which...
- 32 In section 125 (inspection of further education institutions), in subsection...
- 33 In section 126 (other inspections), in subsection (4), omit paragraph...
- 34 In section 128 (area inspections), in subsection (3)(a), for “YPLA”...
- 35 In section 129 (reports of area inspections), in subsection (2),...
- 36 (1) Section 130 (action plans following area inspections) is amended...
- 37 In section 159(1) (interpretation of Part 8), omit the definition...
- 38 Safeguarding Vulnerable Groups Act 2006 (c. 47)
- 39 Local Government and Public Involvement in Health Act 2007 (c. 28)
- 40 ESA 2008
- 41 In section 13 (notification of non-compliance with section 2 duty),...
- 42 In section 72 (educational institutions: duty to provide information), in...
- 43 In section 77 (supply of information by public bodies), in...
- 44 In section 132 (providers of independent education or training for...
- 45 Local Democracy, Economic Development and Construction Act 2009 (c. 20)
- 46 ASCLA 2009
- 47 In section 107 (provision of services), in subsection (4), omit...
- 48 (1) Section 122 (sharing of information for education and training...
- 49 In Schedule 6 (dissolution of the Learning and Skills Council...
- 50 In Schedule 12 (Ofqual and the QCDA: minor and consequential...

SCHEDULE 17 — Abolition of the YPLA: transfer schemes

- 1 Staff transfer schemes
- 2 (1) This paragraph applies where a staff transfer scheme provides...
- 3 (1) This paragraph applies where a staff transfer scheme provides...
- 4 Property transfer schemes
- 5 Continuity
- 6 Supplementary provision etc.
- 7 Interpretation

SCHEDULE 18 — The apprenticeship offer: consequential amendments

- 1 ASCLA 2009 is amended as follows.
- 2 In section 27(1) (contents of specification of apprenticeship standards for...
- 3 In section 36(5) (power to apply provisions with modifications in...

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- 4 In section 82(5) (meaning of Chief Executive’s “apprenticeship functions”), omit...
- 5 In section 83, for the heading substitute “Power to secure...
- 6 In section 84(1) (arrangements with local authorities), after “section 83”...
- 7 In section 86 (education and training for persons aged 19...
- 8 Sections 91 to 99 (functions of the Chief Executive of...
- 9 In section 100(1) (power of Chief Executive to secure provision...
- 10 Section 104 (assistance and support in relation to apprenticeship places)...
- 11 In section 105 (promoting progression from level 2 to level...
- 12 In section 121(3) (interpretation of Part 4: training within the...
- 13 (1) Section 262 (orders and regulations) is amended as follows....
- 14 In section 269 (commencement), omit subsection (5).