



Education Reform Act 1988

1988 CHAPTER 40

PART III

EDUCATION IN INNER LONDON

Disposal of functions and property of ILEA

166 Responsibility for schools.

- (1) The Secretary of State shall by an order or orders made at any time before the abolition date designate in relation to each inner London council—
 - (a) the ILEA maintained schools which it is to be that council's duty to maintain; and
 - (b) the ILEA grant-maintained schools in respect of which functions exercisable by ILEA are to be exercisable instead by that council.
- (2) The Secretary of State may by an order or orders so made designate in relation to any local education authority specified in the order (other than an inner London council)—
 - (a) any ILEA maintained school which it is to be that authority's duty to maintain; or
 - (b) any ILEA grant-maintained school in respect of which functions exercisable by ILEA are to be exercisable instead by that authority;and shall so designate any such school which is not designated by an order under subsection (1) above.
- (3) For the purposes of this section—
 - (a) a school is an ILEA maintained school if it is a county, voluntary, nursery or special school maintained by ILEA; and
 - (b) a school is an ILEA grant-maintained school if it is a grant-maintained school which was maintained by ILEA immediately before it became a grant-maintained school.
- (4) A school may be designated—

Status: Point in time view as at 01/11/1996. This version of this provision has been superseded.

Changes to legislation: Education Reform Act 1988, Section 166 is up to date with all changes known to be in force on or before 18 March 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)

- (a) in relation to a council by an order under subsection (1) above; or
- (b) in relation to a local education authority by an order under subsection (2) above;

whether it is inside or outside the area of that council or authority.

- (5) Subject to subsection (6) below, as from the abolition date each inner London council and any other local education authority shall maintain and, except in accordance with [^{F1}the Education Act 1996], shall not cease to maintain any school—
 - (a) which is designated in relation to that council or authority by an order under subsection (1)(a) or (2)(a) above; and
 - (b) which immediately before that date was maintained by ILEA.
- (6) Any such council or authority may, with the consent of the Secretary of State, agree with any other local education authority for the maintenance by that authority of any school which by virtue of subsection (5) above would otherwise fall to be maintained by the council or the first-mentioned authority.
- (7) Any functions which, immediately before the abolition date, were exercisable by ILEA in relation to, or in relation to registered pupils at, any school which is designated in relation to any such council or in relation to any other local education authority by an order under subsection (1)(b) or (2)(b) above shall, as from that date, be exercisable instead by that council or (as the case may be) by that authority.
- (8) Where after the date on which an order under subsection (1) or (2) above is made any school designated under paragraph (a) of either of those subsections becomes a grant-maintained school, it shall be treated for the purposes of subsection (7) above as having been designated under paragraph (b) of subsection (1) or (2) (as the case may require).

Textual Amendments

- F1** Words in s. 166(5) substituted (1.11.1996) by virtue of 1996 c. 56, ss. 582(1), 583, **Sch. 37 Pt. 1 para.73.**

Status:

Point in time view as at 01/11/1996. This version of this provision has been superseded.

Changes to legislation:

Education Reform Act 1988, Section 166 is up to date with all changes known to be in force on or before 18 March 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.