

EDUCATION AND INSPECTIONS ACT 2006

EXPLANATORY NOTES

SUMMARY AND OVERVIEW

5. The Act is divided into 10 Parts.
6. **Part 1** places new duties on local education authorities to promote the fulfillment by children of their educational potential, to promote diversity and choice in their provision of schools, to consider representations from parents about school provision in their area and to identify children not receiving education. It also places new duties on local education authorities arising from the Green Paper, *Youth Matters* (Cm 6629).
7. **Part 2** re-enacts much of the current law relating to school organisation for England and creates a new statutory procedure for schools to acquire a foundation and some minimum establishment and status requirements, and places school organisation decisions with local education authorities, abolishing the school organisation committee.
8. **Part 3** creates certain requirements as to foundations, places a duty on governing bodies of certain foundation schools with a foundation to establish parent councils, and places a duty on governing bodies of all maintained schools to promote well-being and community cohesion, and to have regard to the views of parents and the Children and Young People's Plan.
9. **Part 3** also makes some changes to school admissions law, including banning interviewing and changing the duty in respect of the School Admissions Code to one to 'act in accordance with'.
10. **Part 4** gives local education authorities new powers to tackle failing and underperforming schools more quickly and effectively by providing for a new power to force failing and underperforming schools to federate or take another partner for school improvement, and by amending the formal warning notice legislation.
11. In relation to 14-19 learners Part 5 sets out a new curriculum entitlement in line with that described in the White Paper *14-19 Education and Skills* (Cm.6476). It confers powers that are intended to be exercised to provide an entitlement for GCSE pupils to a double science qualification, and an entitlement to new specialised Diplomas.
12. **Part 6** places a new duty on local education authorities to promote sustainable modes of travel to meet the needs of children and sixth form pupils as regards travel to and from schools and other educational establishments. It also places a duty on local education authorities to provide free transport for certain pupils in respect of their attendance at schools and other educational establishments. Part 6 also permits nutritional standards to be applied to food and drink supplied on school premises, and to food and drink provided by local education authorities, or governing bodies, at other places.
13. **Part 7** provides for a new power for teachers and other school staff to discipline pupils, extends the scope of parenting orders and parenting contracts, and requires parents to take responsibility for excluded pupils in their first five days of exclusion.

*These notes refer to the Education and Inspections Act 2006
(c.40) which received Royal Assent on 8 November 2006*

14. **Part 8** provides for the establishment of the Office for Standards in Education, Children's Services and Skills and a new office of Her Majesty's Chief Inspector of Education, Children's Services and Skills. The new arrangements bring together the existing remit of Her Majesty's Chief Inspector of Schools in England, the children's social care remit of the Commission for Social Care Inspection, the Children and Family Court Advisory and Support Service inspection remit of Her Majesty's Inspectorate of Court Administration and the inspection remit of the Adult Learning Inspectorate.
15. **Part 10** of the Act provides for a framework power which enables the National Assembly for Wales by regulations to make any provision that could be made by an Act of Parliament about any of the matters set out in section 178 of the Act, subject to certain limitations set out in section 179.