Education and Inspections Act 2006

2006 CHAPTER 40

PART 6 E+W

SCHOOL TRAVEL AND SCHOOL FOOD

Travel to schools etc

76 [F1Local authorities] in England: duty to promote sustainable modes of travel etc E+W

After section 508 of EA 1996 insert—

[F1"Local authorities] in England: duty to promote sustainable modes of travel etc

(1) A [F2local authority] in England must—

(a) prepare for each academic year a document containing their strategy to promote the use of sustainable modes of travel to meet the school travel needs of their area ("a sustainable modes of travel strategy"),

(b) publish the strategy in such manner and by such time as may be prescribed, and

(c) promote the use of sustainable modes of travel to meet the school travel needs of their area.

(2) Before preparing a sustainable modes of travel strategy, an authority must in particular—

(a) assess the school travel needs of their area, and

(b) assess the facilities and services for sustainable modes of travel to, from and within their area.

(3) "Sustainable modes of travel" are modes of travel which the authority consider may improve either or both of the following—

(a) the physical well-being of those who use them;

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(b) the environmental well-being of the whole or a part of their area.

(4) The "school travel needs" of a **[**[F2]local authority**]**'s area are—

(a) the needs of children and persons of sixth form age in the authority's area as regards travel mentioned in subsection (5), and

(b) the needs of other children and persons of sixth form age as regards travel mentioned in subsection (6).

(5) The needs of children and persons of sixth form age in the authority's area as regards travel referred to in subsection (4)(a) are their needs as regards travel to and from—

(a) schools at which they receive or are to receive education or training,

(b) institutions within the further education sector at which they receive or are to receive education or training, or

(c) any other places where they receive or are to receive education by virtue of arrangements made in pursuance of section 19(1).

(6) The needs of other children and persons of sixth form age as regards travel referred to in subsection (4)(b) are their needs as regards travel to and from—

(a) schools at which they receive or are to receive education or training,

(b) institutions within the further education sector at which they receive or are to receive education or training, or

(c) any other places where they receive or are to receive education by virtue of arrangements made in pursuance of section 19(1),

in so far as that travel relates to travel within the authority's area.

(7) The Secretary of State must issue, and may from time to time revise, guidance in relation to the discharge by a **[**[F2]local authority**]** of their duties under this section.

(8) Before issuing or revising guidance under subsection (7), the Secretary of State must consult such persons as he considers appropriate.

(9) In discharging their duties under this section an authority must—

(a) consult such persons as they consider appropriate, and

(b) have regard to any guidance given from time to time by the Secretary of State under subsection (7).

(10) References in this section to persons of sixth form age are to be construed in accordance with subsection (1) of section 509AC.

(11) In this section, "academic year" has the same meaning as in section 509AC in the case of **[**[F2]local authorities**]** in England."

Textual Amendments

F1 Words in Act substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), **Sch. 2 para. 14(3)**

F2 Words in Pts. 1-7 substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), art. 1, **Sch. 2 para. 14(2)**

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Commencement Information

I1 S. 76 in force at 1.4.2007 by S.I. 2007/935, **art. 5(l)**

77 [[F1]Local authorities] in England: provision of travel arrangements etc for children E+W

(1) After section 508A of EA 1996 (inserted by section 76 above) insert—

[[F1]"Local authorities] in England: travel arrangements for eligible children

(1) A **[**[F2]local authority**]** in England must make, in the case of an eligible child in the authority's area to whom subsection (2) applies, such travel arrangements as they consider necessary in order to secure that suitable home to school travel arrangements, for the purpose of facilitating the child's attendance at the relevant educational establishment in relation to him, are made and provided free of charge in relation to the child.

(2) This subsection applies to an eligible child if—

(a) no travel arrangements relating to travel in either direction between his home and the relevant educational establishment in relation to him, or in both directions, are provided free of charge in relation to him by any person who is not the authority, or

(b) such travel arrangements are provided free of charge in relation to him by any person who is not the authority but those arrangements, taken together with any other such travel arrangements which are so provided, do not provide suitable home to school travel arrangements for the purpose of facilitating his attendance at the relevant educational establishment in relation to him.

(3) "Home to school travel arrangements", in relation to an eligible child, are travel arrangements relating to travel in both directions between the child's home and the relevant educational establishment in question in relation to that child.

(4) "Travel arrangements", in relation to an eligible child, are travel arrangements of any description and include—

(a) arrangements for the provision of transport, and

(b) any of the following arrangements only if they are made with the consent of a parent of the child—

(i) arrangements for the provision of one or more persons to escort the child (whether alone or together with other children) when travelling to or from the relevant educational establishment in relation to the child;

(ii) arrangements for the payment of the whole or any part of a person's reasonable travelling expenses;

(iii) arrangements for the payment of allowances in respect of the use of particular modes of travel.

(5) "Travel arrangements", in relation to an eligible child, include travel arrangements of any description made by any parent of the child only if those arrangements are made by the parent voluntarily.

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(6) "Travel arrangements", in relation to an eligible child, do not comprise or include travel arrangements which give rise to additional costs and do not include appropriate protection against those costs.

(7) For the purposes of subsection (6)—

(a) travel arrangements give rise to additional costs only if they give rise to any need to incur expenditure in order for the child to take advantage of anything provided for him in pursuance of the arrangements, and

(b) travel arrangements include appropriate protection against those costs only if they include provision for any expenditure that needs to be incurred for the purpose mentioned in paragraph (a) in the case of the child to be met by the person by whom the arrangements are made.

(8) Travel arrangements are provided free of charge if there is no charge for anything provided in pursuance of the arrangements.

(9) Schedule 35B has effect for the purposes of defining "eligible child" for the purposes of this section.

(10) References to a "relevant educational establishment", in relation to an eligible child, are references to—

(a) in the case of a child who is an eligible child by virtue of falling within any of paragraphs 2, 4, 6, 9, 11 and 12 of Schedule 35B, the qualifying school (within the meaning of that Schedule) at which the child is a registered pupil referred to in the paragraph in question, and

(b) in the case of a child who is an eligible child by virtue of falling within any of paragraphs 3, 5, 7, 10 and 13 of Schedule 35B, the place other than a school, where the child is receiving education by virtue of arrangements made in pursuance of section 19(1), referred to in the paragraph in question.

(11) Regulations may modify subsections (1) and (2) to provide for their application in cases where there is more than one relevant educational establishment in relation to a child.

[[F1]Local authorities] in England: travel arrangements etc for other children

(1) A **[**[F2]local authority**]** in England may make such school travel arrangements as they consider necessary, in relation to any child in the authority's area to whom this section applies, for the purpose of facilitating the child's attendance at any relevant educational establishment in relation to the child.

(2) This section applies to a child who is not an eligible child for the purposes of section 508B.

(3) "School travel arrangements", in relation to such a child, are travel arrangements relating to travel in either direction between his home and any relevant educational establishment in relation to the child, or in both directions.

(4) "Travel arrangements", in relation to such a child, are travel arrangements of any description and include—

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(a) arrangements for the provision of transport, and

(b) any of the following arrangements only if they are made with the consent of a parent of the child—

(i) arrangements for the provision of one or more persons to escort the child (whether alone or together with other children) when travelling to or from any relevant educational establishment in relation to the child;

(ii) arrangements for the payment of the whole or any part of a person's reasonable travelling expenses;

(iii) arrangements for the payment of allowances in respect of the use of particular modes of travel.

(5) A **[**[F2]local authority**]** in England may pay, in the case of a child in the authority's area to whom this section applies and in relation to whom no arrangements are made by the authority under subsection (1), the whole or any part, as they think fit, of a person's reasonable travelling expenses in relation to that child's travel in either direction between his home and any relevant educational establishment in relation to the child, or in both directions.

(6) References to a "relevant educational establishment", in relation to a child to whom this section applies, are references to—

(a) any school at which he is a registered pupil,

(b) any institution within the further education sector at which he is receiving education, or

(c) any place other than a school where he is receiving education by virtue of arrangements made in pursuance of section 19(1).

508D Guidance etc in relation to sections 508B and 508C

(1) The Secretary of State must issue, and may from time to time revise, guidance in relation to the discharge by a **[**[F2]local authority**]** of their functions under sections 508B and 508C.

(2) Before issuing or revising guidance under subsection (1), the Secretary of State must consult such persons as he considers appropriate.

(3) In discharging their functions under sections 508B and 508C an authority must have regard to any guidance given from time to time by the Secretary of State under subsection (1).

(4) Regulations may require a **[**[F2]local authority**]** to publish, at such times and in such manner as may be prescribed, such information as may be prescribed with respect to the authority's policy and arrangements relating to the discharge of their functions under section 508B or 508C."

(2) Schedule 8 (which inserts Schedule 35B to EA 1996) has effect.

Textual Amendments

F1 Words in Act substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), **Sch. 2 para. 14(3)**

F2 Words in Pts. 1-7 substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), art. 1, **Sch. 2 para. 14(2)**

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Commencement Information

I2 S. 77(1) in force at 1.4.2007 for specified purposes by S.I. 2007/935, **art. 5(m)**

I3 S. 77(1) in force at 1.9.2007 in so far as not already in force by S.I. 2007/1801, **art. 4(b)**

I4 S. 77(2) in force at 1.9.2007 for specified purposes by S.I. 2007/1801, **art. 4(c)**

I5 S. 77(2) in force at 1.9.2008 in so far as not already in force by S.I. 2008/1971, **art. 2(b)**

78 [[F1]Local authorities] in England: school travel schemes E+W

(1) After section 508D of EA 1996 (inserted by section 77 above) insert—

[[F1]"Local authorities] in England: school travel schemes

(1) Schedule 35C has effect in relation to school travel schemes.

(2) Where a school travel scheme is in force under Schedule 35C, the **[**[F2]local authority**]** in England by which the scheme is made must give effect to the scheme by—

(a) making the arrangements which are set out in the scheme as described in paragraph 2(1) of that Schedule as arrangements to be made by the authority,

(b) complying with the requirement of the scheme described in paragraph 2(5) of that Schedule (requirement to make suitable alternative arrangements),

(c) complying with the requirement of the scheme described in paragraph 3 of that Schedule (travel arrangements for eligible children), and

(d) complying with the scheme's policy applicable to charging and any other requirements of the scheme.

(3) Where a school travel scheme is in force under Schedule 35C, the **[**[F2]local authority**]** in England by which the scheme is made do not have any functions under section 508B or 508C in relation to children in their area.

(4) The Secretary of State must issue, and may from time to time revise, guidance in relation to the discharge by a **[**[F2]local authority**]** in England of any duty under subsection (2) or of any functions under Schedule 35C.

(5) Before issuing or revising guidance under subsection (4), the Secretary of State must consult such persons as he considers appropriate.

(6) In discharging any duty under subsection (2) and in exercising any functions under Schedule 35C, a **[**[F2]local authority**]** in England must have regard to any guidance given from time to time by the Secretary of State under subsection (4)."

(2) Schedule 9 (which inserts Schedule 35C to EA 1996) has effect.

Textual Amendments

F1 Words in Act substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), **Sch. 2 para. 14(3)**

F2 Words in Pts. 1-7 substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), art. 1, **Sch. 2 para. 14(2)**

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Commencement Information

I6 S. 78 in force at 1.4.2007 by S.I. 2007/935, **art. 5(n)**

79 Piloting of school travel scheme provisions E+W

(1) The school travel scheme provisions are to be piloted in accordance with regulations made by the Secretary of State.

(2) Regulations under subsection (1) may, in particular, provide for there to be a limit on the number of school travel schemes which may be in force while the school travel scheme provisions are being piloted.

(3) In this section, "the school travel scheme provisions" means section 508E of, and Schedule 35C to, EA 1996.

Commencement Information

I7 S. 79 in force at 1.4.2007 by S.I. 2007/935, **art. 5(n)**

80 Power to repeal school travel scheme provisions etc E+W

(1) The Secretary of State must prepare and publish, before 1st January 2012, an evaluation of the operation and effect of school travel schemes approved under Schedule 35C to EA 1996.

(2) The Secretary of State may by order provide for the school travel scheme provisions to cease to have effect [F3]... from such date as may be specified in the order.

(3) The earliest date which may be specified under subsection (2) is 1st August 2012.

(4) The latest date which may be specified under subsection (2) is 1st August 2015.

(5) Power to make an order under this section includes power to make consequential amendments and repeals in any enactment, including this Act and enactments passed or made after the passing of this Act.

(6) In this section, "the school travel scheme provisions" means section 508E of, and Schedule 35C to, EA 1996.

Textual Amendments

F3 Words in s. 80(2) repealed (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), art. 1, Sch. 2 para. 14(5), **Sch. 3 Pt. 1**

Commencement Information

I8 S. 80 in force at 1.4.2007 by S.I. 2007/935, **art. 5(n)**

Status: *This version of this part contains provisions that are prospective.*
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PROSPECTIVE

[F4]81 [Local authorities] in England: provision of transport etc for certain adult learners E+W

. . . . . .

Textual Amendments

F4 S. 81 repealed (1.4.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), ss. 57(5), 269(4), **Sch. 16 Pt. 1**; S.I. 2010/303, art. 3, Sch. 2 (with art. 8)

82 Amendments of section 444 of EA 1996 in relation to school travel E+W

(1) Section 444 of EA 1996 (offence of failing to secure regular attendance at school of registered pupil) is amended as follows.

(2) After subsection (3) insert—

"(3A) Subsections (3B) and (3D) apply where the child's home is in England.

(3B) The child shall not be taken to have failed to attend regularly at the school if the parent proves that—

(a) the **[**[F2]local authority**]** have a duty to make travel arrangements in relation to the child under section 508B(1) for the purpose of facilitating the child's attendance at the school and have failed to discharge that duty, or

(b) the **[**[F2]local authority**]** have a duty to make travel arrangements in relation to the child by virtue of subsection (2)(c) of section 508E (school travel schemes) for the purpose of facilitating the child's attendance at the school and have failed to discharge that duty.

(3C) For the purposes of subsection (3B)—

(a) the reference to "travel arrangements" in paragraph (a) has the same meaning as in section 508B, and

(b) the reference to "travel arrangements" in paragraph (b) has the same meaning as in paragraph 3 of Schedule 35C.

(3D) Where the school is an independent school which is not a qualifying school, the child shall not be taken to have failed to attend regularly at the school if the parent proves—

(a) that the school is not within walking distance of the child's home,

(b) that no suitable arrangements have been made by the **[**[F2]local authority**]** for boarding accommodation for him at or near the school, and

(c) that no suitable arrangements have been made by the **[**[F2]local authority**]** for enabling him to become a registered pupil at a qualifying school nearer to his home.

Status: *This version of this part contains provisions that are prospective.*
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(3E) For the purposes of subsection (3D), "qualifying school" has the same meaning as it has for the purposes of Schedule 35B (meaning of "eligible child" for the purposes of section 508B).

(3F) Subsection (4) applies where the child's home is in Wales."

(3) In subsection (5) for "subsection (4)" substitute " subsections (3D) and (4) ".

(4) In subsection (6) for "subsection (4)" substitute " subsections (3B), (3D) and (4) ".

(5) The amendments made by this section do not apply in relation to any failure of a child to attend at a school or other place in relation to which section 444 of EA 1996 applies which occurs on a day before this section comes into force.

Textual Amendments

F2 Words in Pts. 1-7 substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), art. 1, **Sch. 2 para. 14(2)**

Commencement Information

I9 S. 82 in force at 1.9.2007 by S.I. 2007/1801, **art. 4(d)**

83 Learning and Skills Council for England: transport etc for persons of sixth form age E+W

[F5](1) . . . . . .

(2) In section 509AB of EA 1996 (further provision about transport policy statements)—

(a) in subsection (5), for the words from "by the Secretary" to the end substitute "under this section—

(a) by the Learning and Skills Council for England [F6]...

[F6](b) . . . . . .",

[F6](b) . . . . . .

[F6](c) . . . . . .

[F7](3) . . . . . .

(4) In section 18 of the Learning and Skills Act 2000 (c. 21) (supplementary functions of Learning and Skills Council for England), after subsection (5) insert—

"(6) The Secretary of State may by order confer or impose on the Council such powers or duties falling within subsection (7) as he thinks fit.

(7) A power or duty falls within this subsection if it is exercisable in connection with—

(a) the Secretary of State's function under section 509AA(9) of the Education Act 1996 (power to direct **[**[F1]local authority**]** to make arrangements additional to those specified in transport policy statement), or

(b) any function of the Secretary of State under any of sections 496 to 497B of the Education Act 1996 as regards anything done, proposed to be done or omitted to be done by a **[**[F2]local authority**]** in England under section 509AA or 509AB of that Act."

Status: *This version of this part contains provisions that are prospective.*
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Textual Amendments

F1 Words in Act substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), **Sch. 2 para. 14(3)**

F2 Words in Pts. 1-7 substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), art. 1, **Sch. 2 para. 14(2)**

F5 S. 83(1) repealed (6.3.2009) by Learner Travel (Wales) Measure 2008 (nawm 2), s. 28(2), **Sch. 2**; S.I. 2009/371, art. 2(1), Sch. Pt. 1

F6 Words in s. 83(2) repealed (6.3.2009) by Learner Travel (Wales) Measure 2008 (nawm 2), s. 28(2), **Sch. 2**; S.I. 2009/371, art. 2(1), Sch. Pt. 1

F7 S. 83(3) repealed (6.3.2009) by Learner Travel (Wales) Measure 2008 (nawm 2), s. 28(2), **Sch. 2**; S.I. 2009/371, art. 2(1), Sch. Pt. 1

Commencement Information

I10 S. 83 in force at 1.4.2007 by S.I. 2007/935, **art. 5(o)** (with art. 8(6)(7))

84 [F1Local authorities] in England: duty to have regard to religion or belief in exercise of travel functions E+W

After section 509AC of EA 1996 insert—

[F1"Local authorities] in England: duty to have regard to religion or belief in exercise of travel functions

(1) A [F2local authority] in England must have regard, amongst other things, in exercising any of their travel functions in relation to or in connection with the travel of a person or persons to or from a school, institution or other place, to any wish of a parent of such a person for him to be provided with education or training at a particular school, institution or other place where that wish is based on the parent's religion or belief.

(2) The "travel functions" of a [F2local authority] in England are their functions under any of the following provisions—

section 508A (duty to promote sustainable modes of travel etc);
section 508B (travel arrangements for eligible children);
section 508C (travel arrangements etc for other children);
section 508E and Schedule 35C (school travel schemes);
section 508F (transport etc for certain adult learners);
section 509AA (transport etc for persons of sixth form age).

(3) For the purposes of this section—

(a) "religion" means any religion,
(b) "belief" means any religious or philosophical belief,
(c) a reference to religion includes a reference to lack of religion, and
(d) a reference to belief includes a reference to lack of belief."

Textual Amendments

F1 Words in Act substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), **Sch. 2 para. 14(3)**

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F2 Words in Pts. 1-7 substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), art. 1, **Sch. 2 para. 14(2)**

Commencement Information

I11 S. 84 in force at 1.4.2007 for specified purposes by S.I. 2007/935, **art. 5(p)**

I12 S. 84 in force at 1.9.2007 for specified purposes by S.I. 2007/1801, **art. 4(e)**

85 Further amendments relating to travel to schools etc E+W

Schedule 10 contains further amendments relating to travel to schools and other places where education or training is received.

Commencement Information

I13 S. 85 in force at 1.4.2007 for specified purposes by S.I. 2007/935, **art. 5(q)**

I14 S. 85 in force at 1.9.2007 for specified purposes by S.I. 2007/1801, **art. 4(f)**

Food and drink provided on school premises etc

86 Provision of food and drink on school premises etc E+W

(1) For section 114 of SSFA 1998 (nutritional standards for school lunches) and the cross-heading preceding it substitute—

"Food and drink provided on school premises etc

114A Requirements for food and drink provided on school premises etc

(1) Regulations may prescribe requirements which, subject to such exceptions as may be provided for by or under the regulations, are to be complied with in connection with—

(a) food or drink provided on the premises of any school maintained by a **[**[F2]local authority**]**, or

(b) food or drink provided at a place other than school premises by a **[**[F2]local authority**]** or the governing body of a school maintained by such an authority to any registered pupil at the school.

(2) Regulations under this section may in particular—

(a) specify nutritional standards, or other nutritional requirements, which are to be complied with;

(b) require that drinking water is to be available, free of charge, on the premises of any school maintained by a **[**[F2]local authority**]**;

(c) require that specified descriptions of food or drink are not to be provided.

(3) Requirements prescribed by virtue of subsection (1)(a) do not apply to food or drink brought on to the premises of a school maintained by a **[**[F2]local authority**]** where the food or drink is brought on to those premises by any person for his own consumption.

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(4) Where a **[**[F2]local authority**]** or the governing body of a school maintained by such an authority provide food or drink—

(a) to anyone on the premises of the school, or

(b) to any registered pupil at the school at a place other than school premises,

that authority or, as the case may be, that governing body must secure that any applicable provisions of the regulations are complied with.

(5) Subsection (4) applies whether the food or drink is provided in pursuance of any statutory requirement or otherwise.

(6) Where—

(a) food or drink is provided on the premises of a school maintained by a **[**[F2]local authority**]**,

(b) the provision is by a person ("X") other than the authority or the governing body of the school, and

(c) X uses or occupies the whole or a part of the premises in circumstances related to a use or occupation agreement made (whether by X or any other person) with the authority or the governing body,

that authority or, as the case may be, that governing body must secure that any applicable provisions of the regulations are complied with.

(7) A "use or occupation agreement", in relation to the premises of a school, is an agreement or other arrangement relating to the use or occupation of the whole or any part of the premises.

(8) Without prejudice to the generality of section 138(7), regulations under this section may prescribe—

(a) different requirements in relation to different classes or descriptions of school as specified in the regulations;

(b) different requirements in connection with food or drink provided by or to different classes or descriptions of person as specified in the regulations;

(c) requirements which apply during different periods of the day as specified in the regulations.

(9) A "place other than school premises" means a place other than the premises of any school maintained by a **[**[F2]local authority**]**.

(10) References in this section to food or drink provided by a **[**[F2]local authority**]** or the governing body of a school include references to food or drink provided in pursuance of an agreement or other arrangement made by such an authority or body for the provision of food or drink."

(2) In section 512(4) of EA 1996 (**[**[F1]local authority**]** functions concerning provision of meals), for "section 114(2) of the School Standards and Framework Act 1998 (lunches provided by **[**[F1]local authorities**]** to meet nutritional standards)" substitute " section 114A(4) of the School Standards and Framework Act 1998 (requirements for food and drink provided on school premises etc) ".

Status: *This version of this part contains provisions that are prospective.*
Changes to legislation: *Education and Inspections Act 2006, Part 6 is up to date with all changes known to be in force on or before 08 July 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*

(3) Any regulations made under section 114 of SSFA 1998 which have effect immediately before the commencement of this section have effect after that commencement as if made under section 114A of that Act (as substituted by subsection (1)).

Textual Amendments

F1 Words in Act substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), **Sch. 2 para. 14(3)**

F2 Words in Pts. 1-7 substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), art. 1, **Sch. 2 para. 14(2)**

87 Power to charge for provision of meals etc E+W

(1) In section 512ZA of EA 1996 (duty of **[**[F1]local authority**]** to charge for meals etc)—

(a) in subsection (1), for "shall" substitute " may ",

[F8](b) . . . . . .

(c) in the heading, for "Duty" substitute " Power ".

(2) In section 533 of EA 1996 (duties of governing bodies with respect to provision of school meals etc)—

(a) in subsection (3), for the words from "shall" to the end substitute " may charge for anything so provided. ",

[F9](b) . . . . . .

(c) in the heading, for "Duties" substitute " Functions ".

Textual Amendments

F1 Words in Act substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), **Sch. 2 para. 14(3)**

F8 S. 87(1)(b) omitted (4.5.2013) by virtue of School Standards and Organisation (Wales) Act 2013 (anaw 1), s. 100(3), **Sch. 5 para. 34(3)(a)**

F9 S. 87(2)(b) omitted (4.5.2013) by virtue of School Standards and Organisation (Wales) Act 2013 (anaw 1), s. 100(3), **Sch. 5 para. 34(3)(b)**

Status:
This version of this part contains provisions that are prospective.

Changes to legislation:
Education and Inspections Act 2006, Part 6 is up to date with all changes known to be in force on or before 08 July 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.
View outstanding changes

Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2006/2990 art. 4 by S.I. 2008/54 art. 2
- specified provision(s) amendment to earlier commencing SI 2007/935 art. 7(n) by S.I. 2007/1271 art. 4
- specified provision(s) transitional provisions for earlier commencing SI 2007/935 by S.I. 2007/1271 art. 5

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):

- s. 11A inserted by 2010 c. 26 s. 7
- s. 88(A1) inserted by 2015 c. 20 Sch. 16 para. 1(2)
- s. 93A inserted by 2009 c. 22 s. 246
- s. 93A(7) words inserted by S.I. 2016/413 reg. 235 (This amendment comes into force on the day that section 93A of the Education and Inspections Act 2006 (c. 40)comes into force. That provision is still prospective)
- s. 162(5A)(aa) inserted by 2010 nawm 1 Sch. 1 para. 20(a)