

---

## STATUTORY INSTRUMENTS

---

### 2021 No. 112

#### The West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021

#### PART 3

##### Education, skills and training functions

##### Concurrent exercise of local authority functions

5.—(1) The functions of the constituent councils described in the provisions set out in paragraph (2), are exercisable by the Combined Authority in relation to the Area.

(2) The provisions referred to in paragraph (1) are—

- (a) section 51A of the Further and Higher Education Act 1992 (duty to provide for named individuals) <sup>M1</sup>;
- (b) section 13A of the Education Act 1996 (duty to promote high standards and fulfilment of potential) <sup>M2</sup>;
- (c) section 560A of the Education Act 1996 (work experience for persons over compulsory school age) <sup>M3</sup>;
- (d) section 10 of the Education and Skills Act 2008 (local authority to promote fulfilment of duty imposed by section 2) <sup>M4</sup>;
- (e) section 12 of the Education and Skills Act 2008 (duty to make arrangements to identify persons not fulfilling duty imposed by section 2) <sup>M5</sup>;
- (f) section 68 of the Education and Skills Act 2008 (support services: provision by local authorities) <sup>M6</sup>;
- (g) section 70 of the Education and Skills Act 2008 (local authorities: supplementary powers) <sup>M7</sup>;
- (h) section 71 of the Education and Skills Act 2008 (provision of support on conditional basis: learning and support agreements) <sup>M8</sup>; and
- (i) section 85 of the Education and Skills Act 2008 (co-operation as regards provision of 14–19 education and training) <sup>M9</sup>.

(3) The functions are exercisable concurrently with the constituent councils.

(4) Any requirement in any enactment for a constituent council to exercise any of the functions referred to in paragraph (1) may be fulfilled by the exercise of that function by the Combined Authority.

(5) The provisions referred to in paragraph (1) apply to the Combined Authority as they apply to a constituent council.

(6) Section 10 of the Children Act 2004 <sup>M10</sup> (co-operation to improve well-being) applies to the Combined Authority as it applies to a constituent council for the purposes of the provision of 14–19

education or training in the Area within the meaning of section 85(5) of the Education and Skills Act 2008.

---

#### Commencement Information

- I1** Art. 5 in force at 30.1.2021, see [art. 1\(2\)](#)
- 

#### Marginal Citations

- M1** [Section 51A](#) was inserted by section 44 of the Apprenticeships, Skills, Children and Learning Act 2009 and was amended by [S.I. 2010/1158](#).
- M2** [1996 c. 56](#). Section 13A was inserted by section 59 of, and paragraph 3 of Schedule 2 to, the [Apprenticeships, Skills, Children and Learning Act 2009 \(c. 22\)](#) and amended by section 82 of, and paragraph 4 of Schedule 3 to, the [Children and Families Act 2014 \(c. 6\)](#) and by [S.I. 2010/1158](#).
- M3** [Section 560A](#) was inserted by section 47 of the Apprenticeships, Skills, Children and Learning Act 2009.
- M4** [Section 10](#) was amended by [S.I. 2010/1158](#).
- M5** [Section 12](#) was amended by [S.I. 2010/1158](#).
- M6** [Section 68](#) was amended by section 28 of the [Education Act 2011 \(c. 21\)](#) and by [S.I. 2010/1158](#)
- M7** [Section 70](#) was amended by section 28 of the Education Act 2011 and by [S.I. 2010/1158](#).
- M8** [Section 71](#) was amended by section 28 of the Education Act 2011.
- M9** [Section 85](#) was amended by [S.I. 2010/1158](#).
- M10** [2004 c. 31](#). Section 10 was amended by section 39 of and paragraph 4 of Schedule 3 to the [Offender Management Act 2007 \(c. 21\)](#), [section 169](#) of and paragraphs 82 and 83 of Part 2 of Schedule 1 to the Education and Skills Act 2008, section 193 and 266 of and Part 5 of Schedule 16 to the Apprenticeships, Skills, Children and Learning Act 2009, section 99 of and paragraphs 330 and 331 of Part 3 of Schedule 16 to the [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [section 67](#) of and paragraph 23 of Schedule 16 to the [Education Act 2011 \(c. 21\)](#), [section 55](#) of and paragraphs 127 and 128 of Schedule 5 to the [Health and Social Care Act 2012 \(c. 7\)](#), [section 82](#) of and paragraph 80 of Part 2 of Schedule 3 to the [Children and Families Act 2014 \(c. 6\)](#), and by [S.I. 2010/1158](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021, Section 5.