



Education Act 2011

CHAPTER 21

EDUCATION ACT 2011

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- 81 Extent
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SCHEDULES

SCHEDULE 1 — Review of exclusions from schools in England: consequential amendments

Local Government Act 1972 (c. 70)

- 1 In section 177 of the Local Government Act 1972 (provisions...

Local Government Act 1974 (c. 7)

- 2 In section 25 of the Local Government Act 1974 (authorities...
- 3 In section 31A of that Act (consideration of adverse reports),...

Tribunals and Inquiries Act 1992 (c. 53)

- 4 In Part 1 of Schedule 1 to the Tribunals and...

EA 1996

- 5 EA 1996 is amended as follows.
- 6 In section 444ZA (application of section 444 to alternative educational...
- 7 In Schedule 35B (meaning of “eligible child” for purposes of...

SSFA 1998

- 8 Section 87 of SSFA 1998 (no requirement to admit children...
- 9 After subsection (3) insert— (3A) A child who has been...
- 10 In subsection (4), in the opening words—

Equality Act 2010 (c. 15)

- 11 Schedule 17 to the Equality Act 2010 (disabled pupils: enforcement)...
- 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

Amendments to THEA 1998

- 1 THEA 1998 is amended as follows.
- 2 In the heading to Chapter 1, for “Councils” substitute “...
- 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)—...

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- 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...

Amendments to other Education Acts

- 18 In EA 1994, in section 18B (inspection of teacher training),...
- 19 (1) EA 2002 is amended as follows.
- 20 In ESA 2008— (a) in section 130 (directions prohibiting participation...

Other amendments

- 21 In Schedule 1 to the Public Records Act 1958 (definition...
- 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...

SCHEDULE 3 — Abolition of the GTCE: transfer schemes

Staff transfer schemes

- 1 (1) The Secretary of State may make a scheme (a...

Property transfer schemes

- 2 (1) The Secretary of State may make a scheme (a...

Continuity

- 3 A transfer by virtue of a staff transfer scheme or...

Supplementary provision etc.

- 4 A staff transfer scheme or a property transfer scheme may...

Interpretation

- 5 In this Schedule— “designated”, in relation to a staff transfer...

SCHEDULE 4 — Offence of breach of reporting restrictions: application to providers of information society services
After Schedule 11A to EA 2002 (inserted by section 8),...

SCHEDULE 5 — Abolition of the TDA: consequential amendments

Public Records Act 1958 (c. 51)

- 1 In paragraph 3 of Schedule 1 to the Public Records...

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Parliamentary Commissioner Act 1967 (c. 13)

- 2 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments...

Superannuation Act 1972 (c. 11)

- 3 In Schedule 1 to the Superannuation Act 1972 (kinds of...

House of Commons Disqualification Act 1975 (c. 24)

- 4 In Part 3 of Schedule 1 to the House of...

Education (Fees and Awards) Act 1983 (c. 40)

- 5 In section 1(3) of the Education (Fees and Awards) Act...

EA 1994

- 6 Part 1 of EA 1994 (teacher training) is amended as...
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...

EA 1996

- 10 EA 1996 is amended as follows.
11 In section 398 (no requirement of attendance at Sunday school...
12 In section 450 (prohibition of charges for admission), in subsection...

Audit Commission Act 1998 (c. 18)

- 13 (1) The Table in section 36(1) of the Audit Commission...

THEA 1998

- 14 (1) Section 26 of THEA 1998 (imposition of conditions as...

Government of Wales Act 1998 (c. 38)

- 15 (1) Section 145B of the Government of Wales Act 1998...

Freedom of Information Act 2000 (c. 36)

- 16 In Part 6 of Schedule 1 to the Freedom of...

EA 2002

- 17 In section 145 of EA 2002 (specification of qualification or...

HEA 2004

- 18 Part 3 of HEA 2004 (student fees and fair access)...
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),...

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- 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)—...

EA 2005

- 30 EA 2005 is amended as follows.
- 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

Staff transfer schemes

- 1 (1) The Secretary of State may make a scheme (a...

Property transfer schemes

- 2 (1) The Secretary of State may make a scheme (a...

Continuity

- 3 A transfer by virtue of a staff transfer scheme or...

Supplementary provision etc.

- 4 A staff transfer scheme or a property transfer scheme may...

Interpretation

- 5 In this Schedule— “designated”, in relation to a staff transfer...

SCHEDULE 7 — The Chief Regulator of Qualifications and Examinations

Amendments to Schedule 9 to ASCLA 2009

- 1 Schedule 9 to ASCLA 2009 (the Office of Qualifications and...
- 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....

Consequential amendments

- 10 In Schedule 1 to the Superannuation Act 1972 (kinds of...
- 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

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Public Records Act 1958 (c. 51)

- 1 In paragraph 3 of Schedule 1 to the Public Records...

Parliamentary Commissioner Act 1967 (c. 13)

- 2 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments...

Superannuation Act 1972 (c. 11)

- 3 In Schedule 1 to the Superannuation Act 1972 (kinds of...

House of Commons Disqualification Act 1975 (c. 24)

- 4 In Part 3 of Schedule 1 to the House of...

EA 1996

- 5 EA 1996 is amended as follows.
6 In section 391 (functions of religious education advisory councils) for...
7 In section 408(1)(a) (provision of information relevant for particular purposes)...

EA 1997

- 8 Section 35 of EA 1997 (transfer of staff to QCDA)...

LSA 2000

- 9 In section 98 of LSA 2000 (approved qualifications: England), in...

Freedom of Information Act 2000 (c. 36)

- 10 In Part 6 of Schedule 1 to the Freedom of...

EA 2002

- 11 EA 2002 is amended as follows.
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...

Childcare Act 2006 (c. 21)

- 16 The Childcare Act 2006 is amended as follows.
17 In section 42(2) (persons on whom order specifying assessment arrangements...
18 (1) Section 46 (power to enable exemptions from learning and...

EIA 2006

- 19 EIA 2006 is amended as follows.
20 In section 74(1) (curriculum requirements for the fourth key stage)—...

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Safeguarding Vulnerable Groups Act 2006 (c. 47)

21 In section 21(10) of the Safeguarding Vulnerable Groups Act 2006...

ASCLA 2009

22 ASCLA 2009 is amended as follows.
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

Staff transfer schemes

1 (1) The Secretary of State may make a scheme (a...

Property transfer schemes

2 (1) The Secretary of State may make a scheme (a...

Continuity

3 A transfer by virtue of a staff transfer scheme or...

Supplementary provision etc.

4 A staff transfer scheme or a property transfer scheme may...

Interpretation

5 In this Schedule— “designated”, in relation to a staff transfer...

SCHEDULE 10 — School admissions: consequential amendments

Amendments consequential on the amendments to section 85A (admission forums)

1 (1) Part 3 of SSFA 1998 (school admissions) is amended...
2 In EA 2002, section 66 (insertion of section 85B of...
3 In EIA 2006, in section 41 (role of admissions forums),...

Amendments consequential on the repeal of section 88J of SSFA 1998 (school adjudicators)

4 (1) Part 3 of SSFA 1998 (school admissions) is amended...

SCHEDULE 11 — Establishment of new schools

Amendments to Part 2 of EIA 2006

1 Part 2 of EIA 2006 (establishment, discontinuance and alteration of...
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...

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- 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...

Other amendments

- 11 In Schedule 2 to AA 2010 (Academies: amendments), omit paragraph...

SCHEDULE 12 — Further education institutions: amendments

Amendments to FHEA 1992

- 1 FHEA 1992 is amended as follows.
- 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.

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- 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 “...
- 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...

Other amendments

- 44 (1) LSA 2000 is amended as follows.
- 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

AA 2010

- 1 AA 2010 is amended as follows.
- 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...

Other Acts

- 6 (1) The Children Act 1989 is amended as follows.
- 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.

SCHEDULE 14 — Academies: land

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Schedule 1 to AA 2010

- 1 For Schedule 1 to AA 2010 (Academies: land) substitute—
SCHEDULE...

Amendments to Schedule 22 to SSFA 1998

- 2 Schedule 22 to SSFA 1998 (disposals of land in case...
- 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...

Other amendments

- 16 Section 482 of EA 1996 (Academies) is repealed.
- 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

Public Records Act 1958 (c. 51)

- 1 In paragraph 3 of Schedule 1 to the Public Records...

Parliamentary Commissioner Act 1967 (c. 13)

- 2 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments...

Superannuation Act 1972 (c. 11)

- 3 In Schedule 1 to the Superannuation Act 1972 (kinds of...

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House of Commons Disqualification Act 1975 (c. 24)

- 4 In Part 3 of Schedule 1 to the House of...

Education (Fees and Awards) Act 1983 (c. 40)

- 5 In section 1 of the Education (Fees and Awards) Act...

Disabled Persons (Services, Consultation and Representation) Act 1986 (c. 33)

- 6 In section 5 of the Disabled Persons (Services, Consultation and...

Employment Act 1988 (c. 19)

- 7 In section 26 of the Employment Act 1988 (status of...

Education Reform Act 1988 (c. 40)

- 8 In section 128 (dissolution of higher education corporations), in subsection...

Value Added Tax Act 1994 (c. 23)

- 9 (1) Group 6 of Part 2 of Schedule 9 to...

EA 1996

- 10 EA 1996 is amended as follows.
11 After section 15ZC insert— Sections 15ZA to 15ZC: duty to...

SSFA 1998

- 12 In section 30 of SSFA 1998 (notice by governing body...

LSA 2000

- 13 LSA 2000 is amended as follows.
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.

Freedom of Information Act 2000 (c. 36)

- 17 In Part 6 of Schedule 1 to the Freedom of...

EA 2002

- 18 EA 2002 is amended as follows.
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...

HEA 2004

- 22 In section 41 (interpretation of Part 3), in subsection (2)(a),...

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Children Act 2004 (c. 31)

- 23 In section 10 (co-operation to improve wellbeing), in subsection (9) (c),...

EA 2005

- 24 EA 2005 is amended as follows.
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...

EIA 2006

- 29 EIA 2006 is amended as follows.
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...

Safeguarding Vulnerable Groups Act 2006 (c. 47)

- 38 In Schedule 7 to the Safeguarding Vulnerable Groups Act 2006...

Local Government and Public Involvement in Health Act 2007 (c. 28)

- 39 In section 104 of the Local Government and Public Involvement...

ESA 2008

- 40 ESA 2008 is amended as follows.
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...

Local Democracy, Economic Development and Construction Act 2009 (c. 20)

- 45 In section 123 of the Local Democracy, Economic Development and...

ASCLA 2009

- 46 ASCLA 2009 is amended as follows.
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...

Changes to legislation: Education Act 2011 is up to date with all changes known to be in force on or before 30 August 2023. 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

SCHEDULE 17 — Abolition of the YPLA: transfer schemes

Staff transfer schemes

- 1 The Secretary of State may make a scheme (a “staff...
- 2 (1) This paragraph applies where a staff transfer scheme provides...
- 3 (1) This paragraph applies where a staff transfer scheme provides...

Property transfer schemes

- 4 (1) The Secretary of State may make a scheme (a...

Continuity

- 5 A transfer by virtue of a staff transfer scheme or...

Supplementary provision etc.

- 6 A staff transfer scheme or a property transfer scheme may...

Interpretation

- 7 In this Schedule— “designated”, in relation to a staff transfer...

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...
- 4
- 5 In section 83, for the heading substitute “ Power to...
- 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).

Changes to legislation:

Education Act 2011 is up to date with all changes known to be in force on or before 30 August 2023. 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 :

- Sch. 13 para. 9(4) omitted by [2018 anaw 2 Sch. 1 para. 6\(p\)](#)
- Sch. 13 para. 9(5) omitted by [2018 anaw 2 Sch. 1 para. 6\(p\)](#)