

Changes to legislation: Education Act 1996, SCHEDULE 36A is up to date with all changes known to be in force on or before 25 April 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

SCHEDULES

[^{F1}SCHEDULE 36A

EDUCATION FUNCTIONS

Textual Amendments

- F1** Sch. 36A inserted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), arts. 1, 3(4), **Sch. 1** (with Sch. 4 para. 1)

- 1 Functions conferred on a local authority under the Education Acts (as defined in section 578).
- 2 Functions conferred on a local authority under the enactments specified in the first column of the table below (being the functions which are described in general terms in the second column of that table).

Table

<i>Enactment</i>	<i>Nature of functions</i>
Children and Young Persons Act 1933 (c. 12)	
Section 18	Making of byelaws relating to the employment of children.
Superannuation Act 1972 (c. 11)	
Section 9(5A)	Payment of injury benefit to or in respect of teachers.
Employment and Training Act 1973 (c. 50)	
Sections 10 and 10A	Powers and duties relating to careers services
Section 12	Duty to provide information to the Secretary of State.
F2	
. . .	
F2	F2
.
Public Passenger Vehicles Act 1981 (c. 14)	
Section 46	Power to use a school bus to carry fare-paying passengers.
Representation of the People Act 1983(c.2)	

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<i>Enactment</i>	<i>Nature of functions</i>
Paragraph 2 of Schedule 5	Duty to prepare and revise lists of rooms in school premises which candidates may use.
Disabled Persons (Services, Consultation and Representation) Act 1986 (c. 33)	
Section 5(1) to (4), (6) and (8)	Duty to require the appropriate officer to give an opinion as to whether a child with [^{F3} an EHC plan or] a statement is disabled.
Children Act 1989 (c. 41)	
Section 36 and Part 3 of Schedule 3 (except paragraph 19(2))	Education supervision orders.
F2	
...	
F2	F2
...	...
F2	F2
...	...
F2	F2
...	...
F2	F2
...	...
F2	F2
...	...
F2	F2
...	...
Learning and Skills Act 2000(c. 21)	
Section 33J	Duty to assist Welsh Ministers in planning the local curriculum.
Section 33K	Duty relating to delivery of local curriculum and joint working (in Wales).
Section 33L	Duty to have regard to guidance and comply with directions relating to section 33K.
Section 83	Duty (of local authority in Wales) to provide information to Chief Inspector.
Section 84	Duties relating to preparation of an action plan following an area inspection in Wales.
Sections 96, 101 ^{F4} ...	Duties as an “authorised body” relating to qualifications [^{F5} (in England)].

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<i>Enactment</i>	<i>Nature of functions</i>
Sections 123 to 125 and 128	Support services for 11 to 25 years olds: Wales.
F6	F6
...	...
Section 140(5)	Duty to send copy of a statement of special educational needs to the Welsh Ministers if requested.
Schedules 7 and 7A	Duty to implement approved proposals relating to sixth forms.
Local Government Act 2000(c. 22)	
Paragraphs 7, 8 and 9 of Schedule 1	Duty to include certain persons on overview and scrutiny committee if it relates to education functions.
Nationality, Immigration and Asylum Act 2002 (c. 41)	
Section 37	Powers and duties relating to education of a child in an accommodation centre.
Anti-social Behaviour Act 2003(c. 38)	
Sections 19, 20, 21 and 22A	Powers and duties relating to parenting orders and parenting contracts.
National Health Service Act 2006 (c. 41)	
Paragraph 5 of Schedule 1	Duty to make available to the Secretary of State appropriate accommodation for enabling the Secretary of State to arrange for medical inspections in schools.
National Health Service (Wales) Act 2006 (c. 42)	
Paragraph 5 of Schedule 1	Duty to make available to the Welsh Ministers appropriate accommodation for enabling them to arrange for medical inspections in schools.]
[^{F7} Equality Act 2010 (c. 15)	
Section 29(7) in its application to a local authority's functions under the Education Acts	Duty to make reasonable adjustments for disabled persons.
Section 85(6)	Duty (as responsible body) to make reasonable adjustments for disabled pupils.
Section 92(6)	Duty (as responsible body) to make reasonable adjustments for disabled persons in further and higher education.
Section 93(6)	Duty (as responsible body) to make reasonable adjustments for disabled

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<i>Enactment</i>	<i>Nature of functions</i>
	persons in the provision of recreational or training facilities.
paragraph 1 of Schedule 10	Duty to prepare and implement accessibility strategy.
paragraph 3 of Schedule 10	Duty (as responsible body) to prepare and implement an accessibility plan.]

Textual Amendments

- F2** Sch. 36A entries repealed by 2010 c. 15, Sch. 26 Pt. 1 para. 42(2), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), **Sch. 1 para. 5** (see S.I. 2010/2317, art. 2))
- F3** Words in Sch. 36A para. 2 inserted (1.9.2014) by [Children and Families Act 2014 \(c. 6\)](#), s. 139(6), **Sch. 3 para. 62(2)**; S.I. 2014/889, art. 7(a) (with savings and transitional provisions in S.I. 2014/2270 (as amended (1.4.2015) by S.I. 2015/505))
- F4** Words in Sch. 36A para. 2 omitted (21.9.2015) by virtue of [Qualifications Wales Act 2015 \(anaw 5\)](#), s. 60(2), **Sch. 4 para. 1(3)(a)**; S.I. 2015/1687, art. 2 (with arts. 3-12)
- F5** Words in Sch. 36A para. 2 inserted (21.9.2015) by [Qualifications Wales Act 2015 \(anaw 5\)](#), s. 60(2), **Sch. 4 para. 1(3)(b)**; S.I. 2015/1687, art. 2 (with arts. 3-12)
- F6** Words in Sch. 36A para. 2 omitted (1.9.2014) by virtue of [Children and Families Act 2014 \(c. 6\)](#), s. 139(6), **Sch. 3 para. 62(3)**; S.I. 2014/889, art. 7(a) (with savings and transitional provisions in S.I. 2014/2270 (as amended (1.4.2015) by S.I. 2015/505))
- F7** Words in Sch. 36A inserted by 2010 c. 15, Sch. 26 Pt. 1 para. 42(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), **Sch. 1 para. 5** (see S.I. 2010/2317, art. 2))

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Changes and effects yet to be applied to :

- Sch. 36A para. 2 entry omitted by [2018 anaw 2 Sch. 1 para. 4\(34\)](#)
- Sch. 36A para. 2 table words omitted by [2022 asc 1 Sch. 4 para. 8\(10\)\(b\)](#)
- Sch. 36A para. 2 table words omitted by [2022 asc 1 Sch. 4 para. 8\(10\)\(c\)](#)
- Sch. 36A para. 2 table words omitted by [2022 asc 1 Sch. 4 para. 8\(10\)\(d\)](#)
- Sch. 36A para. 2 table words substituted by [2022 asc 1 Sch. 4 para. 8\(10\)\(a\)](#)

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. 13(2)(ba) substituted for s. 13(2)(aa)(b) by [2022 asc 1 Sch. 4 para. 8\(2\)](#)
- s. 15A(3A) inserted by [2022 asc 1 Sch. 4 para. 8\(3\)](#)
- s. 15B(3)(c) inserted by [2022 asc 1 Sch. 4 para. 8\(4\)](#)
- s. 17A functions made exercisable concurrently by [S.I. 2014/1012 art. 12\(1\)Sch. 2 para. 3](#)
- s. 17A functions made exercisable concurrently by [S.I. 2014/863 Sch. 2 para. 4](#)
- s. 17A functions made exercisable concurrently by [S.I. 2014/865 Sch. 2 para. 3](#)
- s. 17A functions made exercisable concurrently by [S.I. 2016/653 Sch. 3 para. 3](#)
- s. 17A-17D inserted by [2009 c. 22 s. 45](#)
- s. 17B-17D applied by [2009 c. 22 s. 86\(8\)](#)
- s. 457(4)(i)-(iia) repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 457(4)(iii) words repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 508(4) inserted by [2022 asc 1 Sch. 4 para. 8\(7\)](#)
- s. 537AA inserted by [2008 c. 25 Sch. 1 para. 8](#)
- s. 548(7A)(7B) inserted by [2008 c. 25 Sch. 1 para. 9\(5\)](#)
- s. 578(1) words repealed by [2005 c. 18 Sch. 19 Pt. 1](#)