

---

*Status: Point in time view as at 01/10/2002.*

*Changes to legislation: Education Act 2002 is up to date with all changes known to be in force on or before 06 June 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)*

---



# Education Act 2002

## CHAPTER 32

### EDUCATION ACT 2002

#### PART 1

##### PROVISION FOR NEW LEGAL FRAMEWORKS

#### CHAPTER 1

##### POWERS TO FACILITATE INNOVATION

- 1 Purpose and interpretation of Chapter 1
- 2 Power to suspend statutory requirements etc.
- 3 Variation or revocation of orders under section 2
- 4 Applications for orders under section 2
- 5 Annual report

#### CHAPTER 2

##### EXEMPTIONS RELATED TO SCHOOL PERFORMANCE

- 6 Interpretation of Chapter 2
- 7 Exemptions available to qualifying schools
- 8 Applications for orders under section 7(2)
- 9 Removal of exemptions
- 10 Determination of pay and conditions during and after exemption

*Status: Point in time view as at 01/10/2002.*

*Changes to legislation: Education Act 2002 is up to date with all changes known to be in force on or before 06 June 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)*

---

## CHAPTER 3

### POWERS TO FORM COMPANIES ETC

- 11 Powers of governing bodies to form or invest in companies to provide services etc.
- 12 Limits on powers conferred by section 11
- 13 General powers of Secretary of State in relation to companies

### PART 2

#### FINANCIAL ASSISTANCE FOR EDUCATION AND CHILDCARE

- 14 Power of Secretary of State and National Assembly for Wales to give financial assistance for purposes related to education or childcare
- 15 Forms of assistance under section 14
- 16 Terms on which assistance under section 14 is given
- 17 Delegation
- 18 Repeal of specific grant-making powers

### PART 3

#### MAINTAINED SCHOOLS

## CHAPTER 1

### GOVERNMENT OF MAINTAINED SCHOOLS

- 19 Governing bodies
- 20 Instruments of government
- 21 General responsibility for conduct of school
- 22 Training and support of governors
- 23 Clerk to the governing body
- 24 Federations of schools
- 25 Federations: supplementary provisions
- 26 Collaboration between schools
- 27 Power of governing body to provide community facilities etc.
- 28 Limits on power to provide community facilities etc.
- 29 Additional functions of governing body
- 30 Governors' reports and other information
- 31 Control of school premises
- 32 Responsibility for fixing dates of terms and holidays and times of sessions
- 33 Annual parents' meetings
- 34 Arrangements for government of new schools
- 35 Staffing of community, voluntary controlled, community special and maintained nursery schools
- 36 Staffing of foundation, voluntary aided and foundation special schools
- 37 Payments in respect of dismissal, etc.
- 38 Communication with schools
- 39 Interpretation of Chapter 1
- 40 Amendments of Part 2 of School Standards and Framework Act 1998

*Status: Point in time view as at 01/10/2002.*

*Changes to legislation: Education Act 2002 is up to date with all changes known to be in force on or before 06 June 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)*

---

## CHAPTER 2

### FINANCING OF MAINTAINED SCHOOLS

#### *Determination of budgets*

- 41 Determination of specified budgets of LEA
- 42 Power of Secretary of State to set minimum schools budget
- 43 Schools forums

#### *Accounts and financial statements*

- 44 Accounts of maintained schools
- 45 Financial statements

## CHAPTER 3

### ADMISSIONS, EXCLUSIONS AND ATTENDANCE

#### *Admission arrangements*

- 46 Admission forums
- 47 Admission numbers
- 48 Co-ordination of admission arrangements
- 49 Repeal of power to make certain special arrangements for preserving religious character
- 50 Admission appeals
- 51 Further amendments relating to admission arrangements

#### *Exclusion of pupils*

- 52 Exclusion of pupils

#### *Attendance targets*

- 53 Attendance targets

## PART 4

### POWERS OF INTERVENTION

#### *Schools causing concern*

- 54 Duty to notify where inspection shows school causing concern
- 55 Cases in which powers of intervention exercisable
- 56 Power of Secretary of State to appoint additional governors or direct closure
- 57 Power of LEA to provide for governing body to consist of interim executive members
- 58 Power of Secretary of State to provide for governing body to consist of interim executive members
- 59 Governing bodies consisting of interim executive members

#### *Local education authorities*

- 60 Powers of Secretary of State to secure proper performance of LEA's functions

*Status: Point in time view as at 01/10/2002.*

*Changes to legislation: Education Act 2002 is up to date with all changes known to be in force on or before 06 June 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)*

---

- 61 Power to secure proper performance: duty of authority where directions contemplated
- 62 Power to secure proper performance: further provisions
- 63 Power to require LEA to obtain advisory services
- 64 Provisions supplementary to section 63

## PART 5

### SCHOOL ORGANISATION

#### *Academies and city colleges*

- 65 Academies
- 66 Arrangements for admission of pupils to Academies
- 67 Conversion of city academies into Academies
- 68 City colleges
- 69 Uniform statutory trusts

#### *Proposals to establish, alter or discontinue schools*

- 70 Proposals for additional secondary schools
- 71 Duty of LEAs to secure proposals
- 72 Proposals relating to sixth forms
- 73 Proposals by governing bodies of community schools
- 74 Proposals for establishment of federated school
- 75 Changes to existing procedures

## PART 6

### THE CURRICULUM IN ENGLAND

#### *Preliminary*

- 76 Interpretation of Part 6
- 77 Meaning of “nursery education” and related expressions

#### *General duties in respect of the curriculum*

- 78 General requirements in relation to curriculum
- 79 Duty to implement general requirements
- 80 Basic curriculum for every maintained school in England

#### *The National Curriculum for England*

- 81 The foundation stage
- 82 The key stages
- 83 Curriculum requirements for foundation stage
- 84 Curriculum requirements for first, second and third key stages
- 85 Curriculum requirements for fourth key stage
- 86 Power to alter or remove requirements for fourth key stage
- 87 Establishment of the National Curriculum for England by order
- 88 Implementation of the National Curriculum for England in schools
- 89 Implementation in respect of nursery schools etc.

#### *The National Curriculum for England: special cases*

- 90 Development work and experiments
- 91 Exceptions by regulations

*Status: Point in time view as at 01/10/2002.*

*Changes to legislation: Education Act 2002 is up to date with all changes known to be in force on or before 06 June 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)*

---

- 92 Pupils with statements of special educational needs
- 93 Temporary exceptions for individual pupils
- 94 Information concerning directions under section 93
- 95 Appeals against directions under section 93 etc.

*Supplementary provisions*

- 96 Procedure for making certain orders and regulations

**PART 7**

THE CURRICULUM IN WALES

*Preliminary*

- 97 Interpretation of Part 7
- 98 Meaning of “nursery education” and related expressions

*General duties in respect of the curriculum*

- 99 General requirements in relation to curriculum
- 100 Duty to implement general requirements
- 101 Basic curriculum for every maintained school in Wales

*The National Curriculum for Wales*

- 102 The foundation stage
- 103 The key stages
- 104 Curriculum requirements for foundation stage
- 105 Curriculum requirements for first, second and third key stages
- 106 Curriculum requirements for fourth key stage
- 107 Power to alter or remove requirements for fourth key stage
- 108 Establishment of the National Curriculum for Wales by order
- 109 Implementation of the National Curriculum for Wales in schools
- 110 Implementation in respect of nursery schools etc.

*The National Curriculum for Wales: special cases*

- 111 Development work and experiments
- 112 Exceptions by regulations
- 113 Pupils with statements of special educational needs
- 114 Temporary exceptions for individual pupils
- 115 Information concerning directions under section 114
- 116 Appeals against directions under section 114 etc.

*Supplementary provisions*

- 117 Procedure for making certain orders and regulations
- 118 Programmes of research etc in relation to Wales

**PART 8**

TEACHERS

*Teachers’ pay and conditions*

- 119 School Teachers’ Review Body
- 120 Review Body: function

*Status: Point in time view as at 01/10/2002.*

*Changes to legislation: Education Act 2002 is up to date with all changes known to be in force on or before 06 June 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)*

---

- 121 Consultation by Review Body
- 122 Power to prescribe pay and conditions
- 123 Order under section 122: scope
- 124 Order under section 122: supplemental
- 125 Reference to Review Body
- 126 Consultation by Secretary of State
- 127 Guidance
- 128 Education action zone
- 129 Transfer of employment
- 130 Repeal of School Teachers' Pay and Conditions Act 1991

*School teachers' appraisal*

- 131 Appraisal

*School teachers' qualifications*

- 132 Qualified teacher status
- 133 Requirement to be qualified
- 134 Requirement to be registered
- 135 Head teachers

*Further education*

- 136 Provision of education
- 137 Principals of further education institutions
- 138 Training in provision of further education
- 139 Wales: provision of higher education
- 140 Further education: general

*Health and fitness*

- 141 Health and fitness

*Misconduct etc.*

- 142 Prohibition from teaching, etc.
- 143 Directions under section 142: contractor, agency, etc.
- 144 Directions under section 142: appeal

*Sections 132 to 140: general*

- 145 Specification of qualification or course
- 146 Repeal of sections 218 and 218A of Education Reform Act 1988

*1999 Pay Document*

- 147 Application of pay-scale

*General Teaching Councils for England and Wales*

- 148 The General Teaching Councils for England and Wales

**PART 9**

CHILDCARE AND NURSERY EDUCATION

*Status: Point in time view as at 01/10/2002.*

*Changes to legislation: Education Act 2002 is up to date with all changes known to be in force on or before 06 June 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)*

---

### *Childcare*

- 149 Duties of LEA in respect of childcare
- 150 Early years development and childcare partnerships and plans
- 151 Childcare functions of Her Majesty's Chief Inspector and National Assembly for Wales
- 152 Regulation of child minding and day care

### *Nursery education*

- 153 Powers of LEA in respect of funded nursery education
- 154 Establishment or alteration of maintained nursery schools
- 155 Inspection of nursery education
- 156 Meaning of "nursery school" and "primary education"

## **PART 10**

### INDEPENDENT SCHOOLS

#### **CHAPTER 1**

#### REGULATION OF INDEPENDENT SCHOOLS

### *Standards*

- 157 Independent school standards

### *Requirement of registration*

- 158 The registers
- 159 Unregistered schools

### *Registration procedure*

- 160 Applications for registration
- 161 Determination of applications for registration

### *Enforcement of standards after registration*

- 162 Changes to registered details
- 163 Power to inspect registered schools
- 164 Inspections: supplementary
- 165 Failure to meet standards
- 166 Appeals
- 167 Determination of appeals

### *Supplementary*

- 168 Provision of information
- 169 Unsuitable persons
- 170 Service of notice etc.
- 171 Interpretation of Chapter 1

*Status: Point in time view as at 01/10/2002.*

*Changes to legislation: Education Act 2002 is up to date with all changes known to be in force on or before 06 June 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)*

---

## CHAPTER 2

### CHILDREN WITH SPECIAL EDUCATIONAL NEEDS

- 172 Alteration to definition of “independent school”
- 173 Right of access of LEA
- 174 Consent to placement

## PART 11

### MISCELLANEOUS AND GENERAL

#### *General duties of LEAs and governing bodies*

- 175 Duties of LEAs and governing bodies in relation to welfare of children
- 176 Consultation with pupils

#### *Education and training outside schools*

- 177 Meaning of “secondary education”
- 178 Training and education provided in the workplace for 14 to 16 year olds
- 179 Rights of entry in relation to inspections
- 180 Inspections of LEAs: rights of entry etc.

#### *Allowances in respect of education or training*

- 181 Allowances in respect of education or training
- 182 Learning agreements
- 183 Transfer of functions relating to allowances under section 181
- 184 Delegation of functions relating to allowances
- 185 Supplementary provisions relating to transfer or delegation of functions

#### *Student loans*

- 186 Student loans

#### *Education action zones*

- 187 Education action zones

#### *School inspections*

- 188 School inspections

#### *Qualifications*

- 189 Amendments of Part 5 of Education Act 1997
- 190 LEA functions: qualifications

#### *Special educational needs: Wales*

- 191 Regional provision for special educational needs in Wales
- 192 Directions to bring forward proposals to secure regional provision
- 193 Powers of Assembly to make proposals to secure regional provision
- 194 Welsh LEAs’ powers to make regional provision
- 195 The Special Educational Needs Tribunal for Wales



*Status: Point in time view as at 01/10/2002.*

*Changes to legislation: Education Act 2002 is up to date with all changes known to be in force on or before 06 June 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)*

---

*Other provisions relating only to Wales*

- 196 Publication and provision of material
- 197 Partnership agreements and statements
- 198 Transition from primary to secondary school

*Provision of services*

- 199 Transport for persons over compulsory school age
- 200 Remission of charges relating to residential trips
- 201 LEA functions concerning school lunches, milk etc.

*Miscellaneous*

- 202 Further education institutions: records
- 203 Further education institutions: hazardous material, etc.
- 204 Baseline assessments
- 205 Application of Part 5 of Education Act 1996 to nursery education
- 206 Nuisance or disturbance on educational premises
- 207 Recoupment: adjustment between local education authorities
- 208 Recoupment: special cases
- 209 Paid chairmen for local learning and skills councils

*General*

- 210 Orders and regulations
- 211 Wales
- 212 General interpretation
- 213 Financial provisions
- 214 Transitional provisions etc.
- 215 Minor and consequential amendments and repeals
- 216 Commencement
- 217 Short title and extent

---

SCHEDULES

SCHEDULE 1 — Incorporation and powers of governing body

- 1 *Introductory*
- 2 *Name and seal of governing body*
- 3 *Powers of governing body*
- 4 Regulations may make further provision— (a) as to the general...
- 5 *Dissolution of governing body*

SCHEDULE 2 — Effect on staffing of suspension of delegated budget

Part 1 — COMMUNITY, VOLUNTARY CONTROLLED, COMMUNITY SPECIAL  
AND MAINTAINED NURSERY SCHOOLS

- 1 The arrangements for the staffing of the school shall be...
- 2 The authority may appoint, suspend and dismiss teachers and other...
- 3 The authority shall, in connection with the exercise of their...
- 4 In relation to teachers at a voluntary controlled school who...

Part 2 — FOUNDATION, VOLUNTARY AIDED AND FOUNDATION SPECIAL  
SCHOOLS

- 5 The arrangements for the staffing of the school shall be...
- 6 Except with the consent of the authority, the governing body...

*Status: Point in time view as at 01/10/2002.*

*Changes to legislation: Education Act 2002 is up to date with all changes known to be in force on or before 06 June 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)*

---

- 7 The authority may give the governing body directions—
- 8 The authority may give directions to the governing body as...
- 9 Where the trust deed relating to the school provides for...
- 10 Paragraphs 6 and 7 have effect subject to section 58...

### SCHEDULE 3 — Amendments of Part 2 of School Standards and Framework Act 1998

- 1 *Introductory*
- 2 *Expenditure incurred for community purposes*
- 3 In section 50 of the 1998 Act (effect of financial...
- 4 After section 51 of the 1998 Act there is inserted—...
- 5 In Schedule 15 to the 1998 Act (suspension of financial...
- 6 *Teachers engaged otherwise than as employees*
- 7 In section 59 of the 1998 Act (staff at community,...
- 8 (1) Section 60 of the 1998 Act (staff at foundation...

### SCHEDULE 4 — Admission arrangements

- 1 In this Schedule “the 1998 Act” means the School Standards...
- 2 *Meaning of “appeal panel”*
- 3 *Parental preferences*
- 4 *Children permanently excluded from two or more schools*
- 5 *Procedure for determining admission arrangements*
- 6 *Reference of objections*
- 7 *Publication of information*
- 8 *Appeal arrangements: general*
- 9 *Appeals relating to children to whom section 87 applies*
- 10 *Direction to admit child to specified school*
- 11 *Procedure for giving direction under section 96*
- 12 *Nursery education, special schools and children with statements*
- 13 *Diocesan Boards of Education Measure 1991*
- 14 *Education Act 1996*

### SCHEDULE 5 — Schools causing concern: amendments consequential on sections 55 and 56

- 1 In section 14 of the School Standards and Framework Act...
- 2 (1) Section 16 of that Act (power of local education...
- 3 (1) Section 17 of that Act (power of local education...

### SCHEDULE 6 — Governing bodies consisting of interim executive members - Schedule to be inserted in School Standards and Framework Act 1998 as Schedule 1A

### SCHEDULE 7 — Academies: supplementary

#### Part 1 — LAND

- 1 In the Education Act 1996 (c. 56), the following Schedule...
- Part 2 — MISCELLANEOUS
- 2 *Environmental Protection Act 1990 (c. 43)*
- 3 *Diocesan Boards of Education Measure 1991 (1991 No. 2)*
- 4 *Further and Higher Education Act 1992 (c. 13)*
- 5 *Disability Discrimination Act 1995 (c. 50)*
- 6 *Education Act 1996 (c. 56)*
- 7 *School Inspections Act 1996 (c. 57)*
- 8 *Education Act 1997 (c. 44)*

*Status: Point in time view as at 01/10/2002.*

*Changes to legislation: Education Act 2002 is up to date with all changes known to be in force on or before 06 June 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)*

---

- 9 *School Standards and Framework Act 1998 (c. 31)*
- 10 *Learning and Skills Act 2000 (c. 21)*

SCHEDULE 8 — Proposals for additional secondary schools: supplementary

- 1 *Introductory*
- 2 *Procedure before approval by Secretary of State*
- 3 *Approval of proposals for maintained schools*
- 4 *Negotiations to establish an Academy*
- 5 *Requirement to implement proposal to establish maintained school*
- 6 *Proposal relating to community school*
- 7 *Proposal relating to foundation or voluntary controlled schools*
- 8 *Proposal relating to voluntary aided schools*
- 9 *Proposal relating to Academies*

SCHEDULE 9 — Proposals relating to sixth forms: implementation  
In the Learning and Skills Act 2000 (c. 21), after...

SCHEDULE 10 — Establishment etc of schools: procedural changes

- 1 *Proposals for establishment, alteration and discontinuance of schools*
- 2 (1) Paragraph 2 (objections) is amended as follows.
- 3 (1) Paragraph 3 (approval of proposals) is amended as follows....
- 4 (1) Paragraph 4 (determination by LEA whether to implement proposals)...
- 5 (1) Paragraph 5 (requirement to implement proposals) is amended as...
- 6 (1) Paragraph 10 (requirement to implement proposals in Wales) is...
- 7 *Proposals for rationalisation of school places*
- 8 In paragraph 7 (objections)— (a) in sub-paragraph (1), after “objections...”
- 9 (1) Paragraph 8 (approval of proposals) is amended as follows....
- 10 In paragraph 9 (local inquiry), in sub-paragraph (1)—
- 11 *Proposals in relation to sixth forms*
- 12 In paragraph 34, after “objections to” there is inserted “...”
- 13 (1) Paragraph 35 (consideration of proposals by school organisation committee)...
- 14 In paragraph 37 (referral of questions to adjudicator), after sub-paragraph...
- 15 In paragraph 42 (consideration of proposals in Wales), in sub-paragraph...

SCHEDULE 11 — School Teachers’ Review Body

- 1 *Membership*
- 2 A member shall hold and vacate office in accordance with...
- 3 A member may resign by notice in writing to the...
- 4 The Secretary of State may by notice in writing dismiss...
- 5 In Part 3 of Schedule 1 to the House of...
- 6 *Chairman*
- 7 Paragraph 4 shall apply to the chairman and for that...
- 8 If the chairman ceases to be a member of the...
- 9 *Deputy Chairman*
- 10 The deputy chairman may by notice in writing to the...
- 11 If the deputy chairman ceases to be a member of...
- 12 *Money*
- 13 *Proceedings*

*Status: Point in time view as at 01/10/2002.*

*Changes to legislation: Education Act 2002 is up to date with all changes known to be in force on or before 06 June 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)*

---

- 14 The validity of proceedings of the Body shall not be...  
15 *Transitional provision*

SCHEDULE 12 — The General Teaching Councils for England and Wales  
Part 1 — AMENDMENTS OF TEACHING AND HIGHER EDUCATION ACT  
1998

- 1 The Teaching and Higher Education Act 1998 (c. 30) is...  
2 In section 2 (which relates to the advisory functions of...  
3 (1) Section 3 (which relates to the registration of teachers...  
4 (1) Section 4 (which relates to regulations about the registration...  
5 After section 4 there is inserted— Appeals against refusal of...  
6 After section 6 there is inserted— Power to promote teaching...  
7 In section 9(1) (which lists provisions applying to the General...  
8 In section 12 (deduction of fees from salaries etc) in...  
9 In section 42 (orders and regulations), in subsection (2) (a)...  
10 In section 43(1) (general interpretation), in the definition of  
“registered...  
11 In Schedule 1 (constitution etc. of General Teaching Council for...  
12 (1) Schedule 2 (disciplinary powers of Council) is amended as...

Part 2 — AMENDMENTS OF OTHER ENACTMENTS

- 13 .....  
14 .....  
15 .....

SCHEDULE 13 — Regulation of child minding and day care

- 1 *Consent to checks on suitability*  
2 *Suspension of registration*  
3 *Rights of appeal in relation to registration*  
4 *Inspections by Chief Inspector*  
5 *Rights of entry etc.*  
6 *Disqualification for registration*  
7 *Disclosure of criminal record*  
8 (1) Section 115 of that Act (enhanced criminal record certificates)...

SCHEDULE 14 — Inspection of nursery education

- 1 *Conduct of inspections by Inspectorate*  
2 *Registration of inspectors*  
3 In paragraph 9 of that Schedule (removal from register), in...  
4 In section 79P(3) of the Children Act 1989 (c. 41)...  
5 *Appeals*  
6 In section 9(2) of the Protection of Children Act 1999...  
7 Nothing in paragraph 5 or 6 affects appeals made under...

SCHEDULE 15 — Education action zones

- 1 *Introductory*  
2 *Establishment of education action zones*  
3 *Constitution of Education Action Forum*  
4 After that section there is inserted— Constitution of Education Action...  
5 *Expansion or reduction of zone*  
6 *Information relating to changes to zone or Forum*  
7 *Functions of Education Action Forum*  
8 *Transitional provision*

*Status: Point in time view as at 01/10/2002.*

*Changes to legislation: Education Act 2002 is up to date with all changes known to be in force on or before 06 June 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)*

---

#### SCHEDULE 16 — Amendments of School Inspections Act 1996

- 1 *Duty to report on quality of management etc*
- 2 In section 5(1) of that Act (matters of which the...
- 3 In section 10(5) of that Act (matters on which a...
- 4 *Inspections by members of the Inspectorate etc.*
- 5 In paragraph 3 of Schedule 3 to that Act (teams...
- 6 In paragraph 3A of that Schedule (enrolment of persons to...
- 7 *Destination of reports on inspections of maintained schools*
- 8 *Action plans*
- 9 *Approvals for appointment of staff*

#### SCHEDULE 17 — Amendments of Part 5 of Education Act 1997

- 1 *The Qualifications and Curriculum Authority*
- 2 In section 24 of the Education Act 1997 (functions of...
- 3 (1) Section 26 of the Education Act 1997 (supplementary provisions...
- 4 After section 26 of the Education Act 1997 (c. 44)...
- 5 *The Qualifications, Curriculum and Assessment Authority for Wales*
- 6 In any order made before the commencement of this paragraph...
- 7 (1) Section 32 of the Education Act 1997 (supplementary provisions...
- 8 After section 32 of the Education Act 1997 there is...
- 9 *Provisions extending to Northern Ireland*

#### SCHEDULE 18 — Special Educational Needs Tribunal for Wales

- 1 *Special Educational Needs*
- 2 In section 313 (code of practice), for subsection (5) there...
- 3 In section 326A (unopposed appeals), for subsection (6) there is...
- 4 In section 333 (constitution of Tribunal), before subsection (1) there...
- 5 After section 336 there is inserted— Special Educational Needs Tribunal...
- 6 In section 336A, for subsection (2) there is substituted—
- 7 *Disability Discrimination*
- 8 (1) In section 28H (Special Educational Needs and Disability Tribunal),...
- 9 (1) Section 28I (jurisdiction and powers of the Tribunal) is...
- 10 (1) Section 28J (procedure) is amended as follows.
- 11 In section 28M (roles of the Secretary of State and...
- 12 In Part 3 of Schedule 3 (enforcement and procedure: discrimination...
- 13 Section 10 of the Disabled Persons (Services, Consultation and Representation)...
- 14 *Consequential amendments*
- 15 In Schedule 1 to the Tribunals and Inquiries Act 1992...
- 16 In section 42 of the Special Educational Needs and Disability...
- 17 *Saving and transitional provision*
- 18 Regulations made, or having effect as if made, under any...

#### SCHEDULE 19 — Transport for persons over compulsory school age

- 1 The Education Act 1996 is amended as follows.
- 2 In section 509 (provision of transport etc.)—
- 3 After section 509 there is inserted— Provision of transport etc....
- 4 After section 509AA there is inserted— Further provision about transport...
- 5 After section 509AB there is inserted— Interpretation of sections 509AA...

*Status: Point in time view as at 01/10/2002.*

*Changes to legislation: Education Act 2002 is up to date with all changes known to be in force on or before 06 June 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)*

---

- 6 In section 509A (travel arrangements for children receiving nursery education...)

SCHEDULE 20 — Nuisance or disturbance on educational premises

- 1 (1) Section 547 of the Education Act 1996 (c. 56)...  
2 After section 85 of the Further and Higher Education Act...

SCHEDULE 21 — Minor and consequential amendments

- 1 *Local Government Act 1972 (c. 70)*  
2 *Local Government Act 1974 (c. 7)*  
3 *Sex Discrimination Act 1975 (c. 65)*  
4 *Public Passenger Vehicles Act 1981 (c. 14)*  
5 *Education (Fees and Awards) Act 1983 (c. 40)*  
6 *Building Act 1984 (c. 55)*  
7 *Education Act 1986 (c. 40)*  
8 *Education Reform Act 1988 (c. 40)*  
9 *Children Act 1989 (c. 14)*  
10 *Environmental Protection Act 1990 (c. 43)*  
11 *Further and Higher Education Act 1992 (c. 13)*  
12 In section 21 of the Further and Higher Education Act...  
13 Section 23(4)(b) of the Further and Higher Education Act 1992...  
14 In section 26 of the Further and Higher Education Act...  
15 In section 37 of the Further and Higher Education Act...  
16 Sections 39 to 42 of the Further and Higher Education...  
17 In section 43 of the Further and Higher Education Act...  
18 Section 48 of the Further and Higher Education Act 1992...  
19 (1) Section 52A of the Further and Higher Education Act...  
20 In section 54(1) of the Further and Higher Education Act...  
21 Section 60 of the Further and Higher Education Act 1992...  
22 *Tribunals and Inquiries Act 1992 (c. 53)*  
23 *Education Act 1994 (c. 30)*  
24 In section 14 of the Education Act 1994 (qualification of...  
25 In section 19(1) of the Education Act 1994 (interpretation), for...  
26 *Disability Discrimination Act 1995 (c. 50)*  
27 (1) Section 28L of the Disability Discrimination Act 1995  
(exclusions)...  
28 In section 28Q of the Disability Discrimination Act 1995  
(interpretation)...  
29 In Schedule 4A to the Disability Discrimination Act 1995, in...  
30 *Employment Rights Act 1996 (c. 18)*  
31 In section 139 of the Employment Rights Act 1996 (redundancy),...  
32 In section 218 of the Employment Rights Act 1996 (change...  
33 *Education Act 1996 (c. 56)*  
34 (1) Section 3 of the Education Act 1996 (definition of...  
35 In section 29 of the Education Act 1996 (provision of...  
36 In section 313 of the Education Act 1996 (Code of...  
37 In section 315 of the Education Act 1996 (review of...  
38 In section 316A of the Education Act 1996 (duty to...  
39 (1) Section 317 of the Education Act 1996 (duties in...  
40 In section 317A(1) of the Education Act 1996 (duty to...  
41 (1) Section 318 of the Education Act 1996 (provision of...  
42 In section 321 of the Education Act 1996 (general duty...  
43 In section 324 of the Education Act 1996 (statement of...)

*Status: Point in time view as at 01/10/2002.*

*Changes to legislation: Education Act 2002 is up to date with all changes known to be in force on or before 06 June 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)*

---

- 44 In section 329A of the Education Act 1996 (review or...
- 45 In section 402 of the Education Act 1996 (obligation to...
- 46 (1) Section 408 of the Education Act 1996 (provision of...
- 47 (1) Section 409 of the Education Act 1996 (complaints and...
- 48 (1) Section 451 of the Education Act 1996 (prohibition of...
- 49 (1) Section 484 of the Education Act 1996 (education standards...
- 50 In section 499 of the Education Act 1996 (power to...
- 51 In section 509 of the Education Act 1996 (provision of...
- 52 In section 512A of the Education Act 1996 (transfer of...
- 53 In section 530 of the Education Act 1996 (compulsory purchase...
- 54 In section 533 of the Education Act 1996 (c. 56)...
- 55 In section 545 of the Education Act 1996 (exemption of...
- 56 In section 578 of the Education Act 1996 (meaning of...
- 57 In section 579(1) of the Education Act 1996 (general interpretation)—...
- 58 In Schedule 27 to the Education Act 1996—
- 59 *School Inspections Act 1996 (c. 57)*
- 60 (1) Section 11 of the School Inspections Act 1996 (application...
- 61 In section 15 of the School Inspections Act 1996 (timing...
- 62 In section 16 of the School Inspections Act 1996 (destination...
- 63 In section 17 of the School Inspections Act 1996 (special...
- 64 In section 18(1)(a) of the School Inspections Act 1996 (additional...
- 65 In section 21(3)(b) of the School Inspections Act 1996 (duty...
- 66 In section 23 of the School Inspections Act 1996 (inspection...
- 67 In Schedule 3 to the School Inspections Act 1996 (inspections...
- 68 In Schedule 4 to the School Inspections Act 1996 (inspections...
- 69 *Education Act 1997 (c. 44)*
- 70 In section 32 of the Education Act 1997 (supplementary provisions...
- 71 Section 49 of the Education Act 1997 (regulations about access...
- 72 *Police Act 1997 (c. 50)*
- 73 In section 115 of the Police Act 1997 (enhanced criminal...
- 74 *Teaching and Higher Education Act 1998 (c. 30)*
- 75 In section 2 of the Teaching and Higher Education Act...
- 76 In section 3 of the Teaching and Higher Education Act...
- 77 In section 4 of the Teaching and Higher Education Act...
- 78 In section 7 of the Teaching and Higher Education Act...
- 79 Section 10 of the Teaching and Higher Education Act 1998...
- 80 Section 11 of the Teaching and Higher Education Act 1998...
- 81 In section 12 of the Teaching and Higher Education Act...
- 82 Section 13 of the Teaching and Higher Education Act 1998...
- 83 For section 15 of the Teaching and Higher Education Act...
- 84 Section 18 of the Teaching and Higher Education Act 1998...
- 85 In section 19 of the Teaching and Higher Education Act...
- 86 (1) Schedule 2 to the Teaching and Higher Education Act...
- 87 *School Standards and Framework Act 1998 (c. 31)*
- 88 In section 4 of the School Standards and Framework Act...
- 89 In section 7 of the School Standards and Framework Act...
- 90 In section 12 of the School Standards and Framework Act...
- 91 Section 13 of the School Standards and Framework Act 1998...
- 92 In section 14 of the School Standards and Framework Act...
- 93 (1) Section 16 of the School Standards and Framework Act...
- 94 (1) Section 18 of the School Standards and Framework Act...
- 95 In section 20 of the School Standards and Framework Act...
- 96 (1) Section 22 of the School Standards and Framework Act...

*Status: Point in time view as at 01/10/2002.*

*Changes to legislation: Education Act 2002 is up to date with all changes known to be in force on or before 06 June 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)*

---

- 97 (1) Section 28 of the School Standards and Framework Act...
- 98 (1) Section 33 of the School Standards and Framework Act...
- 99 (1) Section 45 of the School Standards and Framework Act...
- 100 (1) Section 49 of the School Standards and Framework Act...
- 101 In section 50 of the School Standards and Framework Act...
- 102 In section 61 of the School Standards and Framework Act...
- 103 In section 62 of the School Standards and Framework Act...
- 104 (1) Section 69 of the School Standards and Framework Act...
- 105 In section 71 of the School Standards and Framework Act...
- 106 In section 72 of the School Standards and Framework Act...
- 107 In section 81 of the School Standards and Framework Act...
- 108 In section 82 of the School Standards and Framework Act...
- 109 In section 101 of the School Standards and Framework Act...
- 110 (1) Section 127 of the School Standards and Framework Act...
- 111 In section 138 of the School Standards and Framework Act...
- 112 In section 142 of the School Standards and Framework Act...
- 113 In section 143 of the School Standards and Framework Act...
- 114 In Schedule 3 to the School Standards and Framework Act...
- 115 (1) Schedule 6 to the School Standards and Framework Act...
- 116 In Schedule 7 to the School Standards and Framework Act...
- 117 (1) Schedule 19 to the School Standards and Framework Act...
- 118 (1) Schedule 22 to the School Standards and Framework Act...
- 119 In Schedule 32 to the School Standards and Framework Act...
- 120 *Protection of Children Act 1999 (c. 14)*
- 121 (1) Section 7 of the Protection of Children Act 1999...
- 122 In section 9(2) of the Protection of Children Act 1999...
- 123 (1) Section 12 of the Protection of Children Act 1999...
- 124 *Learning and Skills Act 2000 (c. 21)*
- 125 (1) Section 36 of the Learning and Skills Act 2000...
- 126 (1) Schedule 7 to the Learning and Skills Act 2000...
- 127 *Freedom of Information Act 2000 (c. 36)*
- 128 *Criminal Justice and Court Services Act 2000 (c. 43)*

#### SCHEDULE 22 — Repeals

- Part 1 — REPEALS COMING INTO FORCE IN ACCORDANCE WITH SECTION 216(2)
- Part 2 — REPEALS COMING INTO FORCE IN ACCORDANCE WITH SECTION 216(3)
- Part 3 — REPEALS COMING INTO FORCE IN ACCORDANCE WITH SECTION 216(4)



**Status:**

Point in time view as at 01/10/2002.

**Changes to legislation:**

Education Act 2002 is up to date with all changes known to be in force on or before 06 June 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.