Apprenticeships, Skills, Children and Learning Act 2009

CHAPTER 22

APPRENTICESHIPS, SKILLS, CHILDREN AND LEARNING ACT 2009

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3 In section 105 (unfair dismissal: redundancy), after subsection (7BA) insert—...
4 In section 108(3) (exceptions to one year qualifying period of...
5 In section 194 (House of Lords staff), in subsection (2)(e)...
6 In section 195 (House of Commons staff), in subsection (2)(e)...
7 In section 199 (mariners)— (a) in subsection (2), after “47E,”...
8 In section 225 (how to calculate a week's pay in...
9 In section 227(1) (maximum amount of week's pay) before paragraph...
10 In section 235(1) (other definitions) at the appropriate place insert—...
11 In section 236(3) (orders and regulations subject to affirmative Parliamentary...

Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52)

12 The Trade Union and Labour Relations (Consolidation) Act 1992 is...
13 In section 212A (arbitration scheme for unfair dismissal cases etc.),...
14 In section 237(1A)(a) (cases where employee may complain of unfair...
15 In section 238(2A)(a) (cases where employment tribunal to determine whether...

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16 In section 18 of the Employment Tribunals Act 1996 (conciliation),...

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1 The Education Act 1996 is amended as follows.
2 (1) Section 13 (general responsibility for education) is amended as...
3 For section 13A substitute— Duty to promote high standards and...
4 (1) Section 15A (functions in respect of full-time education for...
5 In section 15B (functions in respect of education for persons...
6 (1) Section 312 (meaning of “special educational needs”, “learning difficulty”...
7 In section 496 (power of Secretary of State to prevent...
8 In section 497 (general default powers of Secretary of State).
9 In section 497A (power of Secretary of State to secure...
10 (1) In the title of section 509AA, for “Provision” substitute...
11 After section 569 insert— Regulations made by Welsh Ministers under...
12 In section 579(1) (general interpretation)— (a) in the definition of...
13 In section 580 (index) insert the following entries at the...

_Education Act 2002 (c. 32)_

14 In section 207(2) of the Education Act 2002 (recoupment: adjustment...

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House of Commons Disqualification Act 1975 (c. 24)

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3 (1) Section 19 (supplementary powers of a further education corporation)...
4 In section 29(7A) (government and conduct of designated institutions)...
5 In section 31(2A) (designated institutions conducted by companies)—
6 In section 54(1) (duty to give information)—
7 (1) Section 56A (intervention: England) is amended as follows.
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12 In Schedule 4 (instruments and articles of government for further...

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13 In section 13(2)(a) (general responsibility for education) for “Learning and...

Learning and Skills Act 2000 (c. 21)
14 The Learning and Skills Act 2000 is amended as follows....
15 Omit section 1 (the Learning and Skills Council for England)....
16 Omit section 2 (duties of Learning and Skills Council: education)....
17 Omit section 3 (duties of Learning and Skills Council: education)....
18 Omit section 4 (encouragement of education and training)....
19 Omit sections 4A to 4C (learning aims for persons aged)....
20 Omit section 5 (provision of financial resources)....
21 Omit section 6 (financial resources: conditions)....
22 Omit section 7 (funding of school sixth forms)....
23 Omit section 8 (links between education and training and employment)....
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25 Omit section 10 (qualifying accounts and arrangements).
26 Omit section 11 (further education: governors).
27 Omit section 11A (support schemes relating to education and training...)
28 Omit section 12 (research and information).
29 Omit section 13 (persons with learning difficulties).
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34 Omit section 17 (use of information by Learning and Skills...)
35 Omit section 18 (supplementary functions).
36 Omit sections 18A to 18C (regional councils).
37 Omit sections 24A to 24C (strategies for functions of the...)
38 Omit section 25 (directions).
39 Omit section 26 (committees).
40 Omit section 27 (grants to Learning and Skills Council).
41 Omit section 28 (annual report).
42 Omit section 29 (Council's financial year).
43 Omit section 97 (external qualifications: persons over 19).
44 (1) Section 98 (approved qualifications: England) is amended as follows....
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46 In section 100 (authorised bodies) for “sections 96 and 97..."
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49 (1) Section 113A (restructuring of sixth form education) is amended...
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  Education Act 2005 (c. 18)

57 In section 108 of the Education Act 2005 (supply of...

  Education and Inspections Act 2006 (c. 40)

58 The Education and Inspections Act 2006 is amended as follows....
59 Section 75 (education and training to satisfy entitlements) ceases to...

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

Schedule 8 — Sixth form college sector

1 The Further and Higher Education Act 1992 (c. 13) is...
2 In section 17(1) (meaning of “further education corporation”) after “by...
3 After section 33 insert—Sixth form college corporations: England Initial...
4 In section 34(1) (making additional property available for use) after...
5 In section 52A(1) (duty to safeguard pupils receiving secondary education)...
6 In section 56A(1) (intervention: England) after “institution in England within...
7 . . . . . . . . . ....
8 After section 56D (inserted by Schedule 6) insert—Intervention by...
9 In section 88(1) (stamp duty) after “32,” insert “ 33N,....
10 In section 88A(1) (stamp duty land tax) after “32” insert...
11 (1) Section 89 (orders, regulations and directions) is amended as...
12 (1) Section 90(1) (interpretation) is amended as follows.
13 (1) Section 91 (interpretation of Education Acts) is amended as...
14 In section 92 (index) at the appropriate places insert— relevant...
15 (1) Schedule 4 (instruments and articles of government for further...

Schedule 9 — The Office of Qualifications and Examinations Regulation

Status

1 Ofqual is to perform its functions on behalf of the...

Membership

2 (1) Ofqual is to consist of—(za) a member appointed...

The Chief Regulator

3 (1) The Chief Regulator holds and vacates office in accordance...
The chair

3A (1) The chair holds and vacates office in accordance with...

The deputy and other ordinary members: tenure

4 (1) The deputy and other ordinary members hold and vacate...

Remuneration etc. of members

5 (1) Ofqual must, if the Secretary of State requires it...

Staff

6 The Office of Qualifications and Examinations Regulation

Committees

7 (1) Ofqual may establish committees, and any committee established by...

8 (1) Ofqual and any other person may establish a committee...

Procedure etc.

9 (1) Ofqual may regulate— (a) its own proceedings (including quorum),...

Delegation

10 (1) Ofqual may delegate any of its functions to—

11 (1) A committee established by Ofqual or a joint committee...

Documents

12 The application of Ofqual's seal is authenticated by the signatures...

13 The Documentary Evidence Act 1868 (c. 37) has effect in...

Supplementary powers

14 (1) Ofqual may do anything that it considers necessary or...

Schedule 10 — QCA: transfer schemes

Staff transfer schemes

1 : transfer schemes

Property transfer schemes

2 : transfer schemes

Continuity

3 : transfer schemes

Supplementary provision etc.

4 : transfer schemes
Interpretation

5 : transfer schemes

Schedule 11 — The Qualifications and Curriculum Development Agency

Status

1 The Qualifications and Curriculum Development Agency

Membership

2 The Qualifications and Curriculum Development Agency

Chief officer

3 The Qualifications and Curriculum Development Agency

Chair and chief officer: division of functions

4 The Qualifications and Curriculum Development Agency

Tenure

5 The Qualifications and Curriculum Development Agency

Remuneration etc. of ordinary members

6 The Qualifications and Curriculum Development Agency

Staff

7 The Qualifications and Curriculum Development Agency
8 The Qualifications and Curriculum Development Agency

Committees

9 The Qualifications and Curriculum Development Agency
10 The Qualifications and Curriculum Development Agency

Procedure etc.

11 The Qualifications and Curriculum Development Agency
12 The Qualifications and Curriculum Development Agency

Delegation

13 The Qualifications and Curriculum Development Agency
14 The Qualifications and Curriculum Development Agency
15 The Qualifications and Curriculum Development Agency

Reports

16 The Qualifications and Curriculum Development Agency

Accounts

17 The Qualifications and Curriculum Development Agency
Documents

18 The Qualifications and Curriculum Development Agency
19 The Qualifications and Curriculum Development Agency

Funding

20 The Qualifications and Curriculum Development Agency

Supplementary powers

21 The Qualifications and Curriculum Development Agency

Schedule 12 — Ofqual and the QCDA: minor and consequential amendments

Public Records Act 1958 (c. 51)

1 ..............

Parliamentary Commissioner Act 1967 (c. 13)

2 (1) Schedule 2 to the Parliamentary Commissioner Act 1967 (departments...

Local Authorities (Goods and Services) Act 1970 (c. 39)

3 ..............

Superannuation Act 1972 (c. 11)

4 ..............

House of Commons Disqualification Act 1975 (c. 24)

5 (1) Part 3 of Schedule 1 to the House of...

Northern Ireland Assembly Disqualification Act 1975 (c. 25)

6 In Part 3 of Schedule 1 to the Northern Ireland...

Race Relations Act 1976 (c. 74)

7 ..............

Charities Act 1993 (c. 10)

8 In Schedule 2 to the Charities Act 1993 (exempt charities)... E

Education Act 1996 (c. 56)

9 The Education Act 1996 is amended as follows.
10 ..............
11 (1) Section 408 (provision of information) is amended as follows....

Education Act 1997 (c. 44)

12 The Education Act 1997 is amended as follows.
13 Sections 21 to 26A (the Qualifications and Curriculum Authority) cease...
14 In section 29 (functions of the Welsh Ministers in relation...  
15 (1) Section 30 (functions of the Welsh Ministers in relation...  
16 (1) Section 32 (supplementary provisions relating to discharge by the...  
17 After section 32 insert— Qualifications functions of Welsh Ministers: co-operation...  
18 (1) Section 32A (power of the Welsh Ministers to give...  
19 After section 32A insert— Power of Welsh Ministers to withdraw...  
20 . . . . . . . . . ....  
21 Section 36 (levy on bodies awarding qualifications accredited by relevant...  
22 In section 54(1) (orders and regulations) omit “, except an...  
23 In section 58(6) (short title, commencement and extent etc)—  
24 Schedule 4 (the Qualifications and Curriculum Authority) ceases to have...  
25 In Schedule 7 (minor and consequential amendments) omit paragraph 2....

Learning and Skills Act 2000 (c. 21)  
26 The Learning and Skills Act 2000 is amended as follows....  
27 (1) Section 96 (external qualifications: persons under 19) is amended...  
28 (1) Section 98 (approved qualifications: England) is amended as follows....  
29 (1) In section 99 (approved qualifications: Wales) is amended as...

Freedom of Information Act 2000 (c. 36)  
30 . . . . . . . . . ....

Education Act 2002 (c. 32)  
31 The Education Act 2002 is amended as follows.  
32 (1) Section 76 (interpretation of Part 6) is amended as...  
33 . . . . . . . . . ....  
34 . . . . . . . . . ....  
35 (1) Section 87 (establishment of the National Curriculum for England...  
36 (1) Section 90 (development work and experiments) is amended as...  
37 (1) Section 96 (procedure for making certain orders and regulations)...  

Childcare Act 2006 (c. 21)  
38 The Childcare Act 2006 is amended as follows.  
39 (1) Section 41 (the learning and development requirements) is amended...  
40 (1) Section 42 (further provisions about assessment arrangements) is amended...  
41 In section 44(1) (instruments specifying learning and development or welfare...  
42 In section 46 (power to enable exemptions from learning and...

Safeguarding Vulnerable Groups Act 2006 (c. 47)  
43 . . . . . . . . . ....  

Schedule 13 — Powers in relation to schools causing concern: England
1 Part 4 of the Education and Inspections Act 2006 (c....
2 (1) Section 59(2) (meaning of schools being “eligible for intervention”)
3 For the title of section 60 substitute “Performance standards...
4 After section 60 insert— Teachers’ pay and conditions warning notice...
5 (1) Section 63 (power of local authority to require governing...
6 (1) Section 64 (power of local authority etc to appoint...
7 In section 66(2) (power of local authority to suspend right...
8 In section 67(1) (power of Secretary of State to appoint...
9 In section 69(1) (power of Secretary of State to provide...
10 After section 69 insert— Power of Secretary of State to...

Schedule 14 — Powers in relation to schools causing concern: Wales

Schedule 15 — The School Support Staff Negotiating Body

Constitution

Membership

Proceedings

Administrative support

Annual reports

Fees and expenses

House of Commons disqualification

Interpretation

Schedule 16 — Repeals and revocations

Part 1 — LOCAL AUTHORITY FUNCTIONS
Part 2 — DISSOLUTION OF THE LSC
Part 3 — SIXTH FORM COLLEGE SECTOR
Part 4 — OFQUAL AND THE QCDA
Part 5 — CO-OPERATION TO IMPROVE WELL-BEING OF CHILDREN
Part 6 — SCHOOLS CAUSING CONCERN
Part 7 — COMPLAINTS

Part 8 — SCHOOL INSPECTIONS
Part 9 — INFORMATION ABOUT LOCAL AUTHORITY EXPENDITURE
Part 10 — SUPPORT FOR PARTICIPATION IN EDUCATION AND TRAINING
Part 11 — FOUNDATION DEGREES: WALES
Changes to legislation:
Apprenticeships, Skills, Children and Learning Act 2009 is up to date with all changes known to be in force on or before 27 February 2020. 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:

- s. A8 repealed by 2016 c. 7 s. 2(3)
- s. 40 coming into force by S.I. 2010/303 art. 7Sch. 6 (Effect not applied to legislation.gov.uk. Art. 7, Sch. 6 omitted (21.3.2011) by virtue of S.I. 2011/882, art. 2)
- s. 52 omitted by 2018 anaw 2 Sch. 1 para. 6(n)(i)
- s. 83B(5) words substituted by 2015 c. 20 Sch. 14 para. 6
- s. 88(1) words substituted by 2017 c. 30 s. 114(2)
- s. 100(3) words substituted by 2017 c. 19 Sch. 1 para. 29(3) (This amendment not applied to legislation.gov.uk. Sch. 1 para. 29(3) repealed (6.11.2018) by The Greater Manchester Combined Authority (Adult Education Functions) Order 2018 (S.I. 2018/1141), arts. 1(1), 7(6))
- s. 100(4) words substituted by 2017 c. 19 Sch. 1 para. 29(3)
- s. 103(1) words inserted by 2015 c. 20 Sch. 1 para. 4
- s. 105(1) words substituted by 2015 c. 20 Sch. 14 para. 17
- s. 105(6) words substituted by 2015 c. 20 Sch. 14 para. 17
- s. 129(2)(b) words inserted by 2018 anaw 2 Sch. 1 para. 17(a)
- s. 129(2)(c) words inserted by 2018 anaw 2 Sch. 1 para. 17(a)
- s. 155 coming into force by S.I. 2010/1151 art. 3 (Effect not applied to legislation.gov.uk. Art. 3 was revoked (28.6.2010) by S.I. 2010/1702, art. 2)
- s. 207(5)(b) words inserted by 2010 c. 26 s. 22(2) (This amendment not applied to legislation.gov.uk. S. 22 repealed (1.8.2012) without ever being in force by 2011 c. 21, s. 45(2)(h); S.I. 2012/1087, art. 2)
- s. 216(1)(a) words inserted by 2010 c. 26 s. 22(3)(a) (This amendment not applied to legislation.gov.uk. S. 22 repealed (1.8.2012) without ever being in force by 2011 c. 21, s. 45(2)(h); S.I. 2012/1087, art. 2)
- s. 216(2)(a) words inserted by 2010 c. 26 s. 22(3)(b) (This amendment not applied to legislation.gov.uk. S. 22 repealed (1.8.2012) without ever being in force by 2011 c. 21, s. 45(2)(h); S.I. 2012/1087, art. 2)
- s. 250 coming into force by S.I. 2010/303 art. 6Sch. 5 (Effect not applied to legislation.gov.uk. Entry relating to s. 250 omitted (26.7.2010) by virtue of S.I. 2010/1891, art. 2(3))
- Sch. 1 para. 1 coming into force by S.I. 2010/303 art. 7Sch. 6 (Effect not applied to legislation.gov.uk. Art. 7, Sch. 6 omitted (21.3.2011) by virtue of S.I. 2011/882, art. 2)
- Sch. 1 para. 2 coming into force by S.I. 2010/303 art. 7Sch. 6 (Effect not applied to legislation.gov.uk. Art. 7, Sch. 6 omitted (21.3.2011) by virtue of S.I. 2011/882, art. 2)
- Sch. 1 para. 3 coming into force by S.I. 2010/303 art. 7Sch. 6 (Effect not applied to legislation.gov.uk. Art. 7, Sch. 6 omitted (21.3.2011) by virtue of S.I. 2011/882, art. 2)
- Sch. 1 para. 4 coming into force by S.I. 2010/303 art. 7Sch. 6 (Effect not applied to legislation.gov.uk. Art. 7, Sch. 6 omitted (21.3.2011) by virtue of S.I. 2011/882, art. 2)
- Sch. 1 para. 5 coming into force by S.I. 2010/303 art. 7Sch. 6 (Effect not applied to legislation.gov.uk. Art. 7, Sch. 6 omitted (21.3.2011) by virtue of S.I. 2011/882, art. 2)
- Sch. 1 para. 6 coming into force by S.I. 2010/303 art. 7Sch. 6 (Effect not applied to legislation.gov.uk. Art. 7, Sch. 6 omitted (21.3.2011) by virtue of S.I. 2011/882, art. 2)
– Sch. 1 para. 7 coming into force by S.I. 2010/303 art. 7Sch. 6 (Effect not applied to legislation.gov.uk. Art. 7, Sch. 6 omitted (21.3.2011) by virtue of S.I. 2011/882, art. 2)
– Sch. 1 para. 8 coming into force by S.I. 2010/303 art. 7Sch. 6 (Effect not applied to legislation.gov.uk. Art. 7, Sch. 6 omitted (21.3.2011) by virtue of S.I. 2011/882, art. 2)
– Sch. 1 para. 9 coming into force by S.I. 2010/303 art. 7Sch. 6 (Effect not applied to legislation.gov.uk. Art. 7, Sch. 6 omitted (21.3.2011) by virtue of S.I. 2011/882, art. 2)
– Sch. 1 para. 10 coming into force by S.I. 2010/303 art. 7Sch. 6 (Effect not applied to legislation.gov.uk. Art. 7, Sch. 6 omitted (21.3.2011) by virtue of S.I. 2011/882, art. 2)
– Sch. 1 para. 11 coming into force by S.I. 2010/303 art. 7Sch. 6 (Effect not applied to legislation.gov.uk. Art. 7, Sch. 6 omitted (21.3.2011) by virtue of S.I. 2011/882, art. 2)
– Sch. 1 para. 12 coming into force by S.I. 2010/303 art. 7Sch. 6 (Effect not applied to legislation.gov.uk. Art. 7, Sch. 6 omitted (21.3.2011) by virtue of S.I. 2011/882, art. 2)
– Sch. 1 para. 13 coming into force by S.I. 2010/303 art. 7Sch. 6 (Effect not applied to legislation.gov.uk. Art. 7, Sch. 6 omitted (21.3.2011) by virtue of S.I. 2011/882, art. 2)
– Sch. 1 para. 14 coming into force by S.I. 2010/303 art. 7Sch. 6 (Effect not applied to legislation.gov.uk. Art. 7, Sch. 6 omitted (21.3.2011) by virtue of S.I. 2011/882, art. 2)
– Sch. 1 para. 15 coming into force by S.I. 2010/303 art. 7Sch. 6 (Effect not applied to legislation.gov.uk. Art. 7, Sch. 6 omitted (21.3.2011) by virtue of S.I. 2011/882, art. 2)
– Sch. 1 para. 16 coming into force by S.I. 2010/303 art. 7Sch. 6 (Effect not applied to legislation.gov.uk. Art. 7, Sch. 6 omitted (21.3.2011) by virtue of S.I. 2011/882, art. 2)
– Sch. 2 para. 6-11 omitted by 2018 anaw 2 Sch. 1 para. 6(n)(ii)
– Sch. 12 para. 7 omitted by 2011 c. 21 Sch. 8 para. 26

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):
– Sch. 5 para. 1(ba) inserted by 2017 c. 30 s. 114(3)
– Sch. 5 para. 5A and cross-heading inserted by 2017 c. 30 s. 114(4)

Commencement Orders yet to be applied to the Apprenticeships, Skills, Children and Learning Act 2009
Commencement Orders bringing provisions within this Act into force:
– S.I. 2009/3341 art. 2 commences (2009 c. 22)
– S.I. 2010/2413 art. 2 commences (2009 c. 22)
– S.I. 2011/829 art. 2 commences (2009 c. 22)
– S.I. 2011/882 art. 2 amendment to earlier commencing SI 2010/303 art. 7 Sch. 6