

*These notes refer to the Children and Families Act 2014
(c.6) which received Royal Assent on 13 March 2014*

CHILDREN AND FAMILIES ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 4 – Childcare Etc

Section 88: Governing bodies: provision of community facilities

390. This section removes the requirements in section 28(4) and (5) of the Education Act 2002 for maintained schools in England (it preserves the effect of the section in respect of Wales).
391. Section 27 of the Education Act 2002 gives the governing bodies of maintained schools the power to make available facilities or services of the school for the benefit of the school's pupils and their families, and the people who live or work locally. These services might take the form of childcare before or after the school day, for example. Previously, if maintained schools wanted to make this kind of provision, section 28(4) of the Education Act 2002 required their governing bodies to consult with their local authority, their staff, and the parents of pupils registered at the school. In addition, section 28(5) of the Education Act 2002 required the governing bodies of maintained schools in England to have regard to advice or guidance from the Secretary of State or their local authority when offering this type of provision.