

SCHEDULE 2

Article 3

Amendment of Education Subordinate Legislation

Education (London Residuary Body) (Property Transfer)(No 4) Order 1991 (S.I.1991/2778)

1. In regulation 4(4) and (5)(a) of the Education (London Residuary Body) (Property Transfer) (No 4) Order 1991(1) for “functions as the local education authority” substitute “education functions”.

Education (School Attendance Order) Regulations 1995 (S.I.1995/2090)

2.—(1) The Education (School Attendance Order) Regulations 1995 are amended as follows.

(2) In regulation 3 for “local education authority” substitute “local authority”.

(3) In the Schedule omit “Local Education Authority” and “Education Authority”.

Education (Assisted Places) (Incidental Expenses) Regulations 1997 (S.I. 1997/1969)

3. In regulation 3 of the Education (Assisted Places) (Incidental Expenses) Regulations 1997, in paragraph (c) of the definition of “school travel expenditure for “local education authority” substitute “local authority in the exercise of education functions (within the meaning of the Education Act 1996)”.

Education (Infant Class Sizes) (England) Regulations 1998 (S.I. 1998/1973)

4.—(1) The Education (Infant Class Sizes) (England) Regulations 1998 are amended as follows.

(2) In regulation 2—

(a) omit the definition of “LEA”,

(b) in the definitions of “child with a statement” and “statement” for “an LEA” substitute “a local authority”.

(3) In paragraph 5(3) of the Schedule(2) for “LEA” substitute “local authority”.

Education (Relevant Areas for Consultation on Admission Arrangements) Regulations 1999 (S.I. 1999/124)

5.—(1) The Education (Relevant Areas for Consultation on Admission Arrangements) Regulations 1999 are amended as follows.

(2) In regulation 2(1) omit the definition of “education authority”.

(3) In regulation 4 for “education authorities” substitute “local authorities”.

(4) In regulations 5 to 11 for “education authority” in each place where those words occur substitute “local authority”.

Education (Foundation Body) (England) Regulations 2000 (S.I. 2000/2872)

6.—(1) The Education (Foundation Body) (England) Regulations 2000 are amended as follows.

(2) In regulation 8 for “local education authority” substitute “local authority”.

(3) For regulation 11(2)(c) substitute—

(1) Regulation 4 was amended by S.I. 1994/3078, 1998/1239 and 2005/1542.

(2) Paragraph 5(3) was inserted by S.I. 2006/3409.

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- “(c) not be an elected member of a local authority which maintains any school in the group or a person employed by such an authority in connection with their education functions;”.
- (4) In regulations 22, 23, 25 and in Schedule 4 for “local education authority” in each place where those words occur substitute “local authority”.

Special Educational Needs (Provision of Information by Local Education Authorities) (England) Regulations 2001 (S.I. 2001/2218)

7.—(1) The Special Educational Needs (Provision of Information by Local Education Authorities) (England) Regulations 2001 are amended as follows.

(2) In the title of the Regulations for “Local Education Authorities” substitute “Local Authorities”.

(3) In regulation 1 (1) for “Local Education Authorities” substitute “Local Authorities”.

(4) In regulation 1(2) omit the definition of “social services authority”.

(5) In regulation 2 for “local education authority” substitute “local authority”.

(6) In regulation 3—

(a) in paragraph (1) for “local education authority” substitute “local authority”,

(b) for paragraph (1)(a) substitute—

“(a) providing a written copy of the information to any Primary Care Trust and any other local authority which in the opinion of the local authority has an interest in that information;”,

(c) in paragraph (4) for “local education authority” substitute “local authority”, and

(d) for paragraph (4)(a) substitute—

“(a) providing the revised information to a Primary Care Trust or local authority previously provided with information by the local authority pursuant to paragraph (1)(a);”.

(7) In the heading to the Schedule for “LOCAL EDUCATION AUTHORITIES” substitute “LOCAL AUTHORITIES”.

(8) In the Schedule for “local education authority” in each place where the words occur substitute “local authority”.

Education (Special Educational Needs) (England) (Consolidation) Regulations 2001 (S.I. 2001/3455)

8.—(1) The Education (Special Educational Needs) (England) (Consolidation) Regulations 2001 are amended as follows.

(2) In regulation 2—

(a) in paragraph (1)—

(i) for the definition of “authority” substitute—

““authority” means a local authority;”,

(ii) omit the definition of “social services authority”, and

(iii) insert the following definition at the appropriate place in alphabetical order—

““social worker” means a person employed or engaged by the authority as a social worker;”.

(b) for paragraph (3) substitute—

“(3) In these Regulations any reference to the Primary Care Trust is, in relation to a particular child, a reference to the Primary Care Trust in whose area that child lives.”.

(3) In regulation 6—

- (a) in paragraph (2) omit sub-paragraph (a), and
- (b) in each of paragraphs (4) and (5) for “paragraph (2)(a) to (d)” substitute “paragraph (2) (b) to (d)”.

(4) In regulation 7(1) for sub-paragraph (e) substitute—

“(e) advice from a social worker.”.

(5) In regulation 12—

(a) for paragraph (7)(e) substitute—

“(e) the authority have requested advice from a Primary Care Trust under regulation 7 (1)(c) and the Primary Care Trust have not complied with that request within six weeks from the date on which it was made;”,

(b) after paragraph (7)(h) insert—

“(i) the authority have not produced or maintained any social services information or records relevant to the assessment of the child before the date on which they served or gave the notice referred to in regulation 6(1), 6(4) or 6(5) (as appropriate).

(7A) In paragraph (7)(i) “social services information or records” means information or records produced or maintained by the authority in connection with the exercise of their social services functions (within the meaning of the Local Authority Social Services Act 1970(3)).”,

(c) for paragraph (8) substitute—

“(8) Subject to paragraphs (9) and (10) where an authority has requested advice from a Primary Care Trust under regulation 7(1)(c) the Primary Care Trust shall comply with that request within six weeks of the date on which they receive it.”,

(d) in paragraph (9)—

(i) omit “or a social services authority”, and

(ii) in sub-paragraph (c) omit “or the social services authority respectively”,

(e) omit paragraph (11).

(6) In regulation 18(6)—

(a) omit “and on the social services authority”, and

(b) in sub-paragraph (a)(i) omit “or social services authority”.

(7) In regulation 21(6)—

(a) for sub-paragraph (c) substitute—

“(c) two representatives of the authority of which one is to be a person employed or engaged by the authority in connection with their education functions and one is to be a social worker;”, and

(b) omit sub-paragraph (g).

(8) In regulation 22—

(a) in paragraph (3)(b) for “a representative of the social services authority” substitute “a social worker”, and

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- (b) in paragraph (5) after “the authority” insert “who is a person employed or engaged by the authority in connection with their education functions”.
- (9) In regulation 23(7) and (8) for “a local education authority” substitute “an authority”.
- (10) In regulation 24(1)(g) for “a social services authority” substitute “an authority”.
- (11) In each of Part A and Part B of Schedule 1 for “maintained (Local Education Authority) school, including an LEA-maintained special school” substitute “maintained (local authority) school including a local authority maintained special school”.
- (12) In Schedule 2—
 - (a) in Part 1, in paragraph 2 for “Advice for Social Services Authority” substitute “Social Work advice”,
 - (b) in Part 6 for “a Primary Care Trust, a social services authority or some other body” substitute “a Primary Care Trust or some other body, or by a social worker”, and
 - (c) for the heading to Appendix E substitute “Social Work Advice”.

School Companies Regulations 2002 (S.I. 2002/2978)

- 9.—(1) The School Companies Regulations 2002 are amended as follows.
- (2) In regulations 2, 12, 15, 16, 17, 19, 20, 21, 22, 25, 27, 28, 32 and 33 for “local education authority” and “local education authorities” in each place where those words occur substitute “local authority” and “local authorities” respectively.
 - (3) In paragraph 14 of Schedule 1 for “a local education authority” substitute “a local authority in connection with its education functions”.

School Companies (Private Finance Initiative Companies) Regulations 2002 (S.I. 2002/3177)

- 10.—(1) The School Companies (Private Finance Initiative Companies) Regulations 2002 are amended as follows.
- (2) In regulations 2, 6, 7, 8, 9, 11, 12, 13, and 17 for “local education authority” and “local education authorities” in each place where those words occur substitute “local authority and “local authorities” respectively.
 - (3) In paragraph 14 of the Schedule for “a local education authority” substitute “a local authority in connection with its education functions”.

Education (Teacher Student Loans) (Repayment etc.) Regulations 2003 (S.I. 2003/1917)

- 11.—(1) The Education (Teacher Student Loans) (Repayment etc.) Regulations 2003 are amended as follows.
- (2) In regulation 2 for “local education authority” in each place where those words occur substitute “local authority”.
 - (3) In regulation 4(1)(b) for “or a local education authority” substitute “or with a local authority in connection with its education functions”.

Education (Provision of Information by Independent Schools) (England) Regulations 2003 (S.I. 2003/1934)

- 12.—(1) The Education (Provision of Information by Independent Schools) (England) Regulations 2003 are amended as follows.

- (2) In regulation 4(4)—
 - (a) in paragraph (2)(a)(iii) for “local education authority” in both places where those words occur substitute “local authority”.
 - (b) in paragraph (3) for sub-paragraphs (a) and (b) substitute—
 - “(a) a local authority when exercising any function relating to the provision of education;
 - (b) a person exercising such a function on behalf of a local authority;”.
 - (c) In paragraph 5(1) of the Schedule for “local education authority” in both places where those words occur substitute “local authority”.

School Governance (Transition from an Interim Executive Board) (England) Regulations 2004 (S.I. 2004/530)

13.—(1) The School Governance (Transition from an Interim Executive Board) (England) Regulations 2004 are amended as follows.

- (2) In regulation 2 for the definition of “local education authority” substitute—

““local authority” means the local authority by which a maintained school is maintained; and”.
- (3) In regulation 4—
 - (a) in paragraph (1)(a) and (b) for “local education authority” substitute “local authority”,
 - (b) for paragraph (1)(c) substitute—
 - “(c) “shadow authority governor” means a person appointed as such by the local authority to be a member of the shadow governing body;”, and
 - (c) in paragraphs (1)(d) and (e), (3) and (4) for “local education authority” in each place where those words occur substitute “local authority”.
- (4) In regulation 5(1) and (4) for “local education authority” substitute “local authority”.
- (5) In regulations 6(c), 7(c), 8(c) and 9(c) for “shadow LEA governors” substitute “shadow authority governors”.
- (6) In regulations 11 and 17 for “local education authority” in each place where those words occur substitute “local authority”.

School Governance (Constitution) (England) Regulations 2007 (S.I. 2007/957)

14.—(1) The School Governance (Constitution) (England) Regulations 2007 are amended as follows.

- (2) In regulation 3(2) for sub-paragraph (c) substitute—

“(c) the local authority is a reference to the local authority who maintain the school;”.
- (3) In regulation 4(2) for “local education authority” substitute “local authority”.
- (4) For regulation 6 substitute—

“Authority governors

6.—(1) In these Regulations “authority governor” means a person who is appointed as a governor by the local authority.

(2) A person is disqualified from appointment as an authority governor if that person is eligible to be a staff governor of the school.”.

(4) Regulation 4 was amended by [S.I. 2009/1924](#).

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(5) In regulations 7(3)(b), 8(1) and 9(2)(c) for “local education authority” substitute “local authority”.

(6) For regulation 9(2)(d) substitute—

“(d) employed by the local authority in connection with their education functions.”.

(7) In regulation 12(3)(c) for “LEA governor” substitute “authority governor”.

(8) In regulations 13(1)(c), 14(1)(c), 15(1)(c), 16(1)(c), 17(1)(c) and 18(1)(a) for “LEA governors” substitute “authority governors”.

(9) For the heading to regulation 24 substitute—

“Removal of authority and foundation governors”.

(10) In regulation 24(1) for “LEA governor” substitute “authority governor”.

(11) In regulation 29 for “local education authorities” substitute “local authorities”.

(12) In regulations 31, 32 and 33 for “local education authority” in each place where those words occur substitute “local authority”.

(13) In Schedules 1, 3 and 4 for “local education authority” in each place where those words occur substitute “local authority”.

(14) In paragraph 5(3) of Schedule 6 for “LEA governor” substitute “authority governor”.

School Governance (New Schools) (England) Regulations 2007 (S.I 2007/958)

15.—(1) The School Governance (New Schools) (England) Regulations 2007 are amended as follows.

(2) In regulations 3, 5, 6 and 7 for “local education authority” in each place where those words occur substitute “local authority”.

(3) For regulation 9 substitute—

“Temporary authority governors.

9.—(1) In these Regulations “temporary authority governor” means a person appointed to be a member of the temporary governing body of a new school by the local authority.

(2) A person is disqualified from appointment as a temporary authority governor of a school if that person is eligible to be a temporary staff governor of a school.”.

(4) In regulations 10, 11 and 12(1) and (3)(c) for “local education authority” in each place where those words occur substitute “local authority”.

(5) For regulation 12(3)(d) substitute—

“(d) is employed by the local authority in connection with their education functions.”.

(6) In regulation 15(1) and (2) for “local education authority” substitute “local authority”.

(7) In regulations 16(1)(c), 17(1)(c), 18(1)(c), 19(1)(b), 20(1)(b) and 21(1)(c) for “temporary LEA governors” substitute “temporary authority governors”.

(8) In regulations 26, 27, 33, 34, 38, 40, 48, 52, 53 and in Schedule 1 for “local education authority” in each place where those words occur substitute “local authority”.

School Governance (Federations) (England) Regulations 2007 (S.I.2007/960)

16.—(1) The School Governance (Federations) (England) Regulations 2007 are amended as follows.

(2) In regulation 3, in the definition of “authority”, for “local education authority” substitute “local authority”.

(3) For the heading to regulation 15 substitute—

“Authority governors”.

(4) In regulation 15(1) and (3) for “LEA governor” substitute “authority governor”.

(5) In regulation 17(1)(a) omit “local education”.

(6) In regulation 18(2)(d) for “functions as a local education authority” substitute “education functions”.

(7) In regulations 21(3)(c), 22(1)(c), 23(1)(c), 24(1)(c), 25(1)(c), 26(1)(c), 27(1)(c), 28(1)(c) and 29(2)(c) for “LEA governors” substitute “authority governors”.

(8) In paragraphs 5(c), 6(c), 8(c), 9(c), 10(c), 11(c) and 12(c) of Schedule 1 for “temporary LEA governors” substitute “temporary authority governors”.

(9) In paragraph 5 of Schedule 7 for “local education authority” and “local education authorities” in each place where those words occur substitute “local authority” and “local authorities” respectively.

(10) In paragraph 1 of Schedule 8 for “local education authority” in each place where those words occur substitute “local authority”.

School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007 (S.I. 2007/1288)

17.—(1) The School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007 are amended as follows.

(2) For “local education authority” in each place where those words occur substitute “local authority”.

(3) In Schedule 7 for “Local Education Authority A” and “Local Education Authority B” in each place where those words occur substitute “Local Authority A” and “Local Authority B” respectively.

School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (S.I. 2007/1289)

18.—(1) The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 are amended as follows.

(2) For “local education authority” and “local education authorities” in each place where those words occur substitute “local authority” and “local authorities” respectively.

(3) In paragraph 36 of Schedule 5 for “Local Education Authority A” and “Local Education Authority B” in each place where those words occur substitute “Local Authority A” and “Local Authority B” respectively.

(4) In Schedule 6(5) after paragraph 22 insert—

“Interpretation

22A. A. In this Schedule “local authority” includes a non-metropolitan district council for an area for which there is a county council.”.

(5) Schedule 6 was amended by [S.I.2007/3464](#).

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School Organisation (Transitional Provisions) (England) Regulations 2007 (S.I. 2007/1355)

19.—(1) The School Organisation (Transitional Provisions) (England) Regulations 2007 are amended as follows.

(2) For “local education authority” in each place where those words occur substitute “local authority”.

(3) In regulation 31 and in Schedule 1 for “Local Education Authority A” and “Local Education Authority B” in each place where those words occur substitute “Local Authority A” and “Local Authority B”.

(4) In paragraph 23 of Schedule 4 at the appropriate place insert—

““local authority” includes a non-metropolitan district council for an area for which there is a county council;”.

Education (Supply of Information about the School Workforce) (No 2) (England) Regulations 2007 (S.I. 2007/2260)

20.—(1) The Education (Supply of Information about the School Workforce) (No 2) (England) Regulations 2007 are amended as follows.

(2) In regulation 3(1) for the definition of “authority” substitute—

““authority” means a local authority in England;”.

(3) Omit regulation 11.

School Finance (England) Regulations 2008 (S.I. 2008/228)

21.—(1) The School Finance (England) Regulations 2008 are amended as follows.

(2) In regulation 1 for “local education authority” and “local education authorities” in each place where those words occur substitute “local authority” and “local authorities” respectively.

(3) In the heading to Part 2 for “LOCAL EDUCATION AUTHORITY” substitute “LOCAL AUTHORITY”.

(4) In the heading to Chapter 1 (of Part 2) for “THE LEA BUDGET” substitute “THE NON-SCHOOLS EDUCATION BUDGET”.

(5) For the heading to regulation 3 substitute—

“The Non-schools Education Budget”.

(6) In regulation 3(1)—

(a) for “local education authority” (in the first place where those words occur) substitute “local authority”, and

(b) for “a local education authority’s LEA budget” substitute “a local authority’s non-schools education budget”.

(7) In the heading to regulation 4 for “local education authority’s” substitute “local authority’s”.

(8) In regulation 4 for “local education authority” substitute “local authority”.

(9) In regulation 5 for “local education authority” in each place where those words occur substitute “local authority”.

(10) In regulation 6—

(a) for “A local education authority’s LEA budget” substitute “A local authority’s non-schools education budget”, and

- (b) in paragraph (d) for “local education authority” substitute “local authority”.
- (11) In regulations 7 to 28 for “local education authority” in each place where those words occur substitute “local authority”.
- (12) In the heading to Schedule 1 for “THE LEA BUDGET OF A LOCAL EDUCATION AUTHORITY” substitute “THE NON-SCHOOLS EDUCATION BUDGET OF A LOCAL AUTHORITY”.
- (13) in Schedule 1—
 - (a) in paragraphs 9 and 19 for “local education authority” substitute “local authority”,
 - (b) in paragraph 20 for “in their capacity as a local education authority” substitute “in connection with the authority’s education functions”, and
 - (c) in paragraph 22 for “local education authorities” substitute “local authorities”.
- (14) In the heading to Schedule 2 for “LOCAL EDUCATION AUTHORITY” substitute “LOCAL AUTHORITY”.
- (15) In Schedule 2 for “local education authority” in each place where those words occur substitute “local authority”.
- (16) In the heading to Schedule 3 for “LOCAL EDUCATION AUTHORITY’S” substitute “LOCAL AUTHORITY’S”.
- (17) In Schedules 3 and 4 for “local education authority” in each place where those words occur substitute “local authority”.
- (18) In Schedule 5—
 - (a) for “the local education authority’s scheme” substitute “the local authority’s scheme”, and
 - (b) in paragraph 9 for “the authority’s LEA budget” substitute “the authority’s non-schools education budget”.

Education (Budget Statements) (England) Regulations 2008 (S.I. 2008/377)

22.—(1) The Education (Budget Statements) (England) Regulations 2008 are amended as follows.

- (2) In regulation 2 for “local education authority” and “local education authorities” in each place where those words occur substitute “local authority” and “local authorities” respectively.
- (3) In regulation 4—
 - (a) for “local education authority” in each place where those words occur substitute “local authority”,
 - (b) in paragraph (3)(b) for “their LEA budget” substitute “their non-schools education budget”,
 - (c) in paragraph (5)(b) for “their LEA budget” substitute “their non-schools education budget”, and
 - (d) in paragraph (5)(b)(i) for “the LEA and schools budget” substitute “the non-schools education budget and the schools budget”.
- (4) In regulation 5 for “local education authority” in each place where those words occur substitute “local authority”.

School Admissions (Admission Arrangements) (England) Regulations 2008 (S.I. 2008/3089)

23. In regulation 2(1) of the School Admissions (Admission Arrangements) (England) Regulations 2008 omit the definition of “local authority”.

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School Information (England) Regulations 2008 (S.I.2008/3093)

24. In regulation 2 of the School Information (England) Regulations 2008 omit the definition of “local authority”.

Apprenticeships, Skills, Children and Learning Act 2009 (Commencement No. 2 and Transitional and Saving Provisions) Order 2010 (S.I. 2010/303)

25.—(1) The Apprenticeships, Skills, Children and Learning Act 2009 (Commencement No. 2 and Transitional and Saving Provisions) Order 2010 is amended as follows.

(2) In article 11(1) and (3) for “children’s services authority” substitute “local authority”.

(3) In article 12(2) for “the local education authority by which the school is maintained, in their capacity as a children’s services authority (within the meaning of that Act)” substitute “the local authority by which the school is maintained”.