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STATUTORY INSTRUMENTS

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**2020 No. 806**

The Barnsley, Doncaster, Rotherham and Sheffield Combined  
Authority (Functions and Amendment) Order 2020

PART 3

Education, skills and training functions

**Transfer of local authority functions**

5.—(1) The functions of the constituent councils described in the provisions set out in paragraph (2), are exercisable by the Combined Authority in relation to the Area.

(2) The provisions referred to in paragraph (1) are—

- (a) section 51A of the Further and Higher Education Act 1992 (duty to provide for named individuals)(1);
- (b) section 13A of the Education Act 1996 (duty to promote high standards and fulfilment of potential)(2);
- (c) section 15A of the Education Act 1996 (powers in respect of education and training for 16 to 18 year olds)(3);
- (d) section 15B of the Education Act 1996 (functions in respect of education for persons over 19)(4);
- (e) section 10 of the Education and Skills Act 2008 (local authority to promote fulfilment of duty imposed by section 2)(5);
- (f) section 12 of the Education and Skills Act 2008 (duty to make arrangements to identify persons not fulfilling duty imposed by section 2)(6);
- (g) section 68 of the Education and Skills Act 2008 (support services: provision by local authorities)(7);
- (h) section 70 of the Education and Skills Act 2008 (local authorities: supplementary powers)(8); and

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(1) Section 51A was inserted by section 44 of the Apprenticeships, Skills, Children and Learning Act 2009 and was amended by [S.I. 2010/1158](#).

(2) [1996 c. 56](#). Section 13A was inserted by section 59 of, and paragraph 3 of Schedule 2 to, the Apprenticeships, Skills, Children and Learning Act 2009 ([c. 22](#)) and amended by section 82 of, and paragraph 4 of Schedule 3 to, the Children and Families Act 2014 ([c. 6](#)) and by [S.I. 2010/1158](#).

(3) Section 15A was inserted by section 140 of, and paragraph 63 of Schedule 30 to, the School Standards and Framework Act 1998 ([c. 31](#)) and was amended by section 149 of, and paragraph 54 of Schedule 9 to, the Learning and Skills Act 2000 ([c. 21](#)); section 59 of, and paragraph 4 of Schedule 2 to, the Apprenticeships, Skills, Children and Learning Act 2009; section 82 of, and paragraph 6 of Schedule 3 to, the Children and Families Act 2014 and by [S.I. 2010/1158](#).

(4) Section 15B was inserted by section 149 of, and paragraph 55 of Schedule 9 to, the Learning and Skills Act 2000 and was amended by section 82 of, and paragraph 7 of Schedule 3 to, the Children and Families Act 2014 and by [S.I. 2010/1158](#).

(5) Section 10 was amended by [S.I. 2010/1158](#).

(6) Section 12 was amended by [S.I. 2010/1158](#).

(7) Section 68 was amended by section 28 of the Education Act 2011 ([c. 21](#)) and by [S.I. 2010/1158](#).

(8) Section 70 was amended by section 28 of the Education Act 2011 and by [S.I. 2010/1158](#).

- (i) section 85 of the Education and Skills Act 2008 (co-operation as regards provision of 14–19 education and training)(9).
- (3) The functions are exercisable concurrently with the constituent councils.
- (4) Any requirement in any enactment for a constituent council to exercise any of the functions referred to in paragraph (1) may be fulfilled by the exercise of that function by the Combined Authority.
- (5) The provisions referred to in paragraph (1) apply to the Combined Authority as they apply to a constituent council.
- (6) Section 10 of the Children Act 2004(10) (co-operation to ensure well-being) applies to the Combined Authority as it applies to a constituent council for the purposes of the provision of 14-19 education or training in the Area within the meaning of section 85(5) of the Education and Skills Act 2008.

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(9) Section 85 was amended by [S.I. 2010/1158](#).

(10) [2004 c. 31](#). Section 10 was amended by section 39 of and paragraph 4 of Schedule 3 to the Offender Management Act [2007 \(c. 21\)](#), section 169 of and paragraphs 82 and 83 of Part 2 of Schedule 1 to the Education and Skills Act 2008, section 193 and 266 of and Part 5 of Schedule 16 to the Apprenticeships, Skills, Children and Learning Act 2009, sections 99 of and paragraphs 330 and 331 of Part 3 of Schedule 16 to the Police Reform and Social Responsibility Act [2011 \(c. 13\)](#), section 67 of and paragraph 23 of Schedule 16 to the Education Act [2011 \(c. 21\)](#), section 55 of and paragraphs 127 and 128 of Schedule 5 to the Health and Social Care Act [2012 \(c. 7\)](#), section 82 of and paragraph 80 of Part 2 of Schedule 3 to the Children and Families Act [2014 \(c. 6\)](#), and by [SI 2010/1158](#).