

EXPLANATORY NOTES

EDUCATION ACT 2011

INTRODUCTION

SUMMARY AND BACKGROUND

OVERVIEW OF THE STRUCTURE OF THE ACT

PART 1: EARLY YEARS PROVISION

PART 2: DISCIPLINE

PART 3: SCHOOL WORKFORCE

PART 4: QUALIFICATIONS AND THE CURRICULUM

PART 5: EDUCATIONAL INSTITUTIONS: OTHER PROVISIONS

PART 6: ACADEMIES

PART 7: POST-16 EDUCATION AND TRAINING

PART 8: DIRECT PAYMENTS

PART 9: STUDENT FINANCE

PART 10: GENERAL

TERRITORIAL EXTENT AND APPLICATION

Scotland

Northern Ireland

Wales

GLOSSARY

COMMENTARY ON SECTIONS

PART 1: EARLY YEARS PROVISION

Section 1: Free of charge early years provision

PART 2: DISCIPLINE

Section 2: power of members of staff to search pupils

Section 3: Power of members of staff at further education institutions to search students

Section 4: Exclusion of pupils from schools in England: review

Schedule 1

Section 5: Repeal of requirement to give notice of detention to parent: England

Section 6: Repeal of duty to enter into behaviour and attendance partnership

PART 3: SCHOOL WORKFORCE

Abolition of the General Teaching Council for England

Section 7: Abolition of the General Teaching Council for England

Section 8: Functions of Secretary of State in relation to teachers

Section 9: Requirement for teachers in England to serve induction period

Section 10: Abolition of the GTCE: transitional provision

Section 11: Abolition of the GTCE: consequential amendments

Section 12: Abolition of the GTCE: transfer schemes

Reporting restrictions

Section 13: Restrictions on reporting alleged teacher misconduct

Abolition of the Training and Development Agency for Schools

Section 14: Abolition of the Training and Development Agency for Schools

Section 15: Training the school workforce: functions of Secretary of State and Welsh Ministers

Section 16: Abolition of the TDA: consequential amendments

Section 17: Abolition of the TDA: transfer schemes

Abolition of the School Support Staff Negotiating Body

Section 18: Abolition of the School Support Staff Negotiating Body

Staff: minor amendments

Section 19: Staffing of maintained schools: suspension of delegated budget

PART 4: QUALIFICATIONS AND THE CURRICULUM

International comparison surveys

Section 20: Requirement for schools to participate in international surveys

Ofqual

Section 21: The Chief Regulator of Qualifications and Examinations

Schedule 7

Section 22: The qualifications standards objective

Section 23: Enforcement powers

Qualifications: Wales

Section 24: Enforcement powers of Welsh Ministers

Abolition of the Qualifications and Curriculum Development Agency

Section 25: Abolition of the Qualifications and Curriculum Development Agency

Section 26: Abolition of the QCDA: consequential amendments

Schedule 8

Section 27: Abolition of the QCDA: transfer schemes

Careers education and guidance

Section 28: Education and training support services in England

Section 29: Careers guidance in schools in England

Repeal of the diploma entitlement

Section 30: repeal of diploma entitlement for 16 to 18 year olds

Section 31: repeal of diploma entitlement for fourth key stage

PART 5: EDUCATIONAL INSTITUTIONS: OTHER PROVISIONS

Repeal of duties of governing bodies, local authorities and others

Section 32: Duty to prepare and publish a school profile

Section 33: Duty to appoint school improvement partners

Section 34: Duties in relation to school admissions

Section 35: Duties in relation to school meals etc

Admissions

Section 36: Objections to admission arrangements

New schools

Section 37: Establishment of new schools

Schedule 11

Governing bodies: constitution and dissolution

Section 38: Constitution of governing bodies: maintained schools in England

Section 39: Discontinuance of federated school: governing body not to be dissolved

Standards

Section 40: School inspections: exempt schools

Section 41: School inspections: matters to be covered in Chief Inspector's report

Section 42: Inspection of further education institutions: exempt institutions

Section 43: Inspection of boarding accommodation

Section 44: Schools causing concern: powers of Secretary of State

Section 45: Complaints: repeal of power to complain to Local Commissioner

Finance

Section 46: Local authorities' financial schemes

Section 47: Payments in respect of dismissal, etc

Section 48: Determination of permitted charges

Further education institutions

Section 49: Further education institutions: amendments

Schedule 12

Pupil referral units

Section 50: financing of pupil referral units

Section 51: repeal of provision changing name of pupil referral units

PART 6: ACADEMIES

Academy arrangements

Section 52: Academies: removal of requirement to have specialism

Section 53: Academy arrangements: post-16 education and alternative provision

Section 54: Consequential amendments: 16 to 19 Academies and alternative provision Academies

Schedule 13

Academy orders

Section 55: Academy orders: involvement of religious bodies etc

Section 56: Academies: consultation on conversion

Section 57: Academy conversions: federated schools

Section 58: Academy orders: local authority powers

Section 59: Transfer of property, rights and liabilities to Academies

Academies: other provisions

Section 60: Academies: new and expanded educational institutions

Section 61: charges at boarding Academies

Section 62: staff at Academies with religious character

Section 63: Academies: land

Schedule 14

Section 64: Academy admissions arrangements: references to adjudicator

Section 65: Academies: minor amendments

Schedule 15

PART 7: POST-16 EDUCATION AND TRAINING

Abolition of the Young People's Learning Agency for England

Section 66: Abolition of the Young People's Learning Agency for England

Section 67: abolition of the YPLA: consequential amendments

Schedule 16

Section 68: Abolition of the YPLA: transfer schemes

Apprenticeships

Section 69: The apprenticeship offer

Schedule 18

Section 70: Securing the provision of apprenticeship training

Section 71: apprenticeship certificates

The Chief Executive of Skills Funding

Section 72: Consultation by Chief Executive of Skills Funding

Section 73: Functions of the Chief Executive of Skills Funding

These notes refer to the Education Act 2011 (c.21)

Raising the participation age: commencement

Section 74: Duty to participate in education or training: commencement

PART 8: DIRECT PAYMENTS

Section 75: Direct payments: persons with special educational needs or subject to learning difficulty assessment

PART 9: STUDENT FINANCE

Section 76: Student loans: interest rates

Section 77: Limit on student fees: part-time courses

COMMENCEMENT DATES