



Education Act 2011

2011 CHAPTER 21

PART 5

EDUCATIONAL INSTITUTIONS: OTHER PROVISIONS

Finance

46 Local authorities' financial schemes

In Schedule 14 to SSFA 1998 (revision of local authority schemes), in paragraph 2A, at the end insert—

“(4) The Secretary of State may by a direction revise the whole or any part of a scheme maintained by a local authority in England as from such date as may be specified in the direction.

(5) Before giving such a direction the Secretary of State must consult the local authority and such other persons as the Secretary of State thinks fit.”

47 Payments in respect of dismissal, etc

(1) Section 37 of EA 2002 (payments in respect of dismissal, etc) is amended as follows.

(2) After subsection (7), insert—

“(7A) Any amount payable by virtue of subsection (7) by the governing body of a maintained school in England to the local authority may be met by the governing body out of the school's budget share for any funding period if and to the extent that the condition in subsection (7B) is met.

(7B) The condition is that the governing body are satisfied that meeting the amount out of the school's budget share will not to a significant extent interfere with the performance of any duty imposed on them by section 21(2) or by any other provision of the Education Acts.”

(3) In subsection (8), after “maintained school” insert “in Wales”.

48 Determination of permitted charges

(1) Section 456 of EA 1996 (regulation of permitted charges) is amended as follows.

(2) In subsection (4), after paragraph (a) insert—

“(aa) attributable to the provision of the buildings and accommodation used in connection with the provision of the optional extra, or”.

(3) In subsection (5), for “subsection (6)” substitute “subsections (6) and (6A)”.

(4) After subsection (6), insert—

“(6A) Where the optional extra in question consists of education which is early years provision (as defined by section 20 of the Childcare Act 2006), the cost of its provision includes the costs, or an appropriate proportion of the costs, attributable to the provision of teaching staff employed for the purpose of providing the education.”