



Education Act 1996

CHAPTER 56

EDUCATION ACT 1996

PART I

GENERAL

CHAPTER I

THE STATUTORY SYSTEM OF EDUCATION

General

- 1 The stages of education.
- 2 Definition of primary, secondary and further education.
- 3 Definition of pupil etc.

Educational institutions

- 4 Schools: general.
- 5 Primary schools, secondary schools and middle schools.
- 6 Nursery schools and special schools.

Compulsory education

- 7 Duty of parents to secure education of children of compulsory school age.
- 8 Compulsory school age.

Education in accordance with parental wishes

- 9 Pupils to be educated in accordance with parents' wishes.

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

CHAPTER II

FUNCTIONS OF THE SECRETARY OF STATE

- 10 General duty of Secretary of State.
- 11 Duty in the case of primary, secondary and further education.

CHAPTER III

LOCAL EDUCATION AUTHORITIES

The authorities

- 12 Local education authorities and their areas.

General functions

- 13 General responsibility for education.
- 13A Duty to promote high standards in primary and secondary education.
- 14 Functions in respect of provision of primary and secondary schools.
- 15 Functions in respect of provision of further education.
- 15A Functions in respect of full-time education for 16 to 18 year olds.
- 15B Functions in respect of education for persons over 19.

Establishment etc. of schools

- 16 Power to establish, maintain and assist primary and secondary schools.
- 17 Powers in respect of nursery education.

Other arrangements for provision of education

- 18 Power to arrange provision of education at non-maintained schools.
- 19 Exceptional provision of education in pupil referral units or elsewhere.

CHAPTER IV

THE FUNDING AUTHORITIES

The Authorities

- 20 The Funding Agency for Schools.
- 21 The Schools Funding Council for Wales.

Functions

- 22 Functions of funding authorities.
- 23 Value-for-money studies of grant-maintained schools.
- 24 Supervision of funding authorities by the Secretary of State.

Supplemental

- 25 Grants to funding authorities.
- 26 Meaning of “funding authority”.

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

CHAPTER V

ALLOCATION OF RESPONSIBILITY FOR EDUCATION AT SCHOOL BETWEEN LEA AND FUNDING AUTHORITY

- 27 Responsibility for providing sufficient school places.

CHAPTER VI

SUPPLEMENTAL

Allocation of functions

- 28 Resolution of disputes as to allocation of functions.

Provision of information

- 29 Provision of information by local education authorities.
30 Provision of information by funding authorities.

PART II

SCHOOLS MAINTAINED BY LOCAL EDUCATION AUTHORITIES

CHAPTER I

PRELIMINARY

- 31 County schools and voluntary schools.
32 Categories of voluntary schools: controlled, aided and special agreement schools.
33 Maintained nursery schools and maintained special schools.
34 Meaning of “maintain” etc.

CHAPTER II

ESTABLISHMENT, ALTERATION ETC. OF COUNTY AND VOLUNTARY SCHOOLS

County schools: establishment, alteration or change of site

- 35 County school: proposals for establishment, alteration or new site.
36 Objections to proposals under section 35.
37 Approval or rejection by Secretary of State of proposals under section 35.
38 Determination by LEA whether to implement proposals under section 35.
39 Approval of school premises.
40 Implementation of proposals under section 35, etc.

Voluntary schools: establishment, alteration or change of site

- 41 Voluntary school: proposals for establishment, alteration or new site.
42 Objections to proposals under section 41.
43 Approval or rejection by Secretary of State of proposals under section 41.
44 Approval of school premises.

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 45 Implementation of proposals under section 41, etc.
- 46 Establishment of a new voluntary school in substitution for an old one.
- 47 Order authorising transfer of voluntary school to new site.

Status of new voluntary school

- 48 Order that school is to be controlled or aided school.

Proposals for a middle school

- 49 Proposals under section 35 or 41 for a middle school.

Division of a single school into two or more schools

- 50 Division of a county school.
- 51 Division of a voluntary school.

Change of status from controlled school to aided school

- 52 Proposals for changing a controlled school to an aided school.
- 53 Objections to proposals.
- 54 Order by Secretary of State.
- 55 Variation of order under section 54.
- 56 Compensation payable by governing body to local education authority.

Change of status from aided or special agreement school to controlled or aided school

- 57 Change to controlled school where governing body unable or unwilling to carry out financial obligations.
- 58 Change to controlled or aided school on repayment of grant under special agreement.

CHAPTER III

FUNDING OF VOLUNTARY SCHOOLS

Obligations of governing bodies

- 59 Obligations of governing bodies of voluntary schools.

Obligations of LEAs as regards new sites and buildings

- 60 Obligation of LEAs to provide new sites and buildings for controlled schools.
- 61 Obligation of LEAs to provide new sites for aided and special agreement schools.
- 62 Provisions supplementary to sections 60 and 61.

Financial assistance for controlled schools

- 63 Payment by LEA of expenses of establishing controlled school.
- 64 Payment by LEA of expenses of enlarging controlled school.

Financial assistance by Secretary of State for aided and special agreement schools

- 65 Grants in respect of expenditure on premises or equipment.
- 66 Grants in respect of preliminary expenditure.

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

67 Loans in respect of initial expenses.

Assistance by LEAs for governing bodies of aided and special agreement schools

68 Assistance in respect of maintenance and other obligations of governing body.

Assistance by LEAs for promoters of new voluntary schools

69 Assistance for promoters of new voluntary school.

Miscellaneous and supplemental

70 Duty to convey interest in premises provided under section 68 or 69.

71 Powers of Secretary of State where LEA make default in maintaining voluntary school.

72 Endowments for maintenance of voluntary schools.

73 Sums paid for letting or hiring of premises of voluntary schools.

74 Execution by LEA of certain works in case of controlled schools.

75 Disapplication of restriction on local authority disposals.

CHAPTER IV

GOVERNMENT OF COUNTY, VOLUNTARY AND MAINTAINED SPECIAL SCHOOLS

Instruments of government

76 Instruments of government.

77 Procedure for making and altering instruments of government.

Categories of governor

78 Categories of governor.

Governing bodies of county, controlled and maintained special schools

79 Constitution of the governing body of a county, controlled or maintained special school.

80 Appointment of representative governors in place of co-opted governors.

81 Appointment of parent governors by governing bodies.

82 Review of the constitution of governing bodies.

83 Adjustment in number of governors.

Governing bodies of aided and special agreement schools

84 Constitution of the governing body of an aided or special agreement school.

85 Sponsor governors for aided secondary schools.

Governing bodies: general

86 Instrument of government to reflect current circumstances of school.

87 Effect of change in circumstances of school.

88 Incorporation, membership and proceedings etc. of governing bodies.

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Grouping of schools under a single governing body

- 89 Grouping of schools under a single governing body.
- 90 Consent of Secretary of State as to grouping.
- 91 Consent of, or consultation with, governing body as to grouping.
- 92 Procedure for making or altering the instrument of government for a group.
- 93 Election of parent and teacher governors for a group.
- 94 Review of grouping.
- 95 Termination of grouping.

Government of new schools

- 96 Temporary governing bodies for new county or maintained special schools.
- 97 Temporary governing bodies for new voluntary schools.
- 98 Constitution, membership and proceedings etc. of temporary governing bodies.
- 99 Transition from temporary governing body to governing body constituted under an instrument of government.

Grouping of new schools

- 100 Grouping of new schools.

CHAPTER V

CHAPTER VI

CONDUCT AND STAFFING OF COUNTY, VOLUNTARY AND MAINTAINED SPECIAL SCHOOLS

Articles of government

- 127 Articles of government.
- 128 Procedure for making and altering articles of government.
- 129 Overriding, and amendment, of articles where school has a delegated budget.

Conduct of schools: general

- 130 Governing body to have general responsibility for conduct of school.
- 131 Consultation with governing body not required in urgent cases.
- 132 Separate departments of school to be treated as separate schools.

Staffing of schools without delegated budgets

- 133 Staffing of county, controlled, special agreement and maintained special schools without delegated budgets.
- 134 Staffing of aided schools without delegated budgets.
- 135 Appointment etc. of clerk to governing body of school other than aided school.

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Staffing of schools with delegated budgets

- 136 Staffing of county, controlled and special agreement schools with delegated budgets.
- 137 Staffing of aided schools with delegated budgets.
- 138 Staffing of aided schools with delegated budgets: advisory rights of chief education officer.
- 139 Staffing of schools with delegated budgets: payments in respect of dismissal, etc.
- 140 Staffing for non-school activities in community schools.
- 141 Amendment of articles of government relating to staffing.
- 142 Application of provisions to maintained special schools.

Appointment and dismissal of teachers of religious education

- 143 Appointment etc. of reserved teachers in controlled schools.
- 144 Appointment etc. of reserved teachers in special agreement schools.
- 145 Dismissal of teachers of religious education in aided schools.

Religious opinions of staff etc.

- 146 Religious opinions of staff etc.

School terms, holidays and sessions

- 147 Responsibility for determining dates of terms and holidays and times of sessions.
- 148 Procedure for changing times of sessions at a county, controlled or maintained special school.

Control of school premises

- 149 County and maintained special schools: control of use of premises outside school hours.
- 150 Voluntary schools: control of use of premises.
- 151 Voluntary schools: transfer of control agreements.
- 152 Voluntary schools: use of premises outside school hours.

Instruction or training outside school premises

- 153 Instruction or training outside school premises.

Discipline: general

- 154 Responsibility of governing body and head teacher for discipline.
- 155 LEA's reserve power to prevent a breakdown of discipline.
- 156 Power of head teacher to exclude pupils.
- 157 Exclusion of pupils: duty to inform parents etc.
- 158 Reinstatement of excluded pupils.
- 159 Appeals against exclusion or reinstatement of pupils.
- 160 Additional provision for appeals against exclusion of pupils.

Reports, meetings and information

- 161 Governors' annual reports.
- 162 Annual parents' meetings.

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 163 No annual parents' meeting required in case of certain special and boarding schools.
- 164 Governors' reports and annual parents' meetings for grouped schools.
- 165 Provision of information by governing body and head teacher.

New schools

- 166 Conduct and staffing of new schools.

CHAPTER VII

DISCONTINUANCE OF LOCAL EDUCATION AUTHORITY SCHOOLS

Procedure for discontinuance of county, voluntary or maintained nursery school by local education authority

- 167 Proposals for discontinuance of a county, voluntary or nursery school.
- 168 Objections to proposals.
- 169 Approval or rejection by Secretary of State of proposals under section 167.
- 170 Determination by local education authority whether to implement proposals.
- 171 Duty to implement proposals.
- 172 Restriction on taking steps before sections 167 and 169 have been complied with.

Discontinuance of voluntary school by governing body

- 173 Discontinuance of a voluntary school by its governing body.
- 174 Conduct by local education authority of a voluntary school which is subject to notice of discontinuance.
- 175 Discontinuance of voluntary school in consequence of proposal to establish a further education corporation.

CHAPTER VIII

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

Further education

- 176 Provision of further education.

Teacher training

- 177 Provision of courses of initial teacher training.

Modification of employment law

- 178 Application of employment law during financial delegation.

Modification of trust deeds and other instruments

- 179 Variation of trust deeds etc. by order.
- 180 Modification of provisions whereby governors of voluntary schools are ex officio trustees.

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Interpretation of Part II

- 181 Meaning of expressions relating to new schools.
- 182 Meaning of “governing body” and “governor” in Chapters IV to VI.

PART III

GRANT-MAINTAINED SCHOOLS

CHAPTER I

PRELIMINARY

- 183 “Grant-maintained schools”.

CHAPTER II

PROCEDURE FOR ACQUISITION OF GRANT-MAINTAINED STATUS

Eligibility

- 184 Schools eligible for grant-maintained status.
- 185 Duty of governing body to consider ballot on grant-maintained status.

Initiation of procedure

- 186 Initiation of procedure by governing body.
- 187 Initiation of procedure by parents.

Information

- 188 Information as to parents of registered pupils.

Ballot of parents

- 189 Ballot of parents.
- 190 Persons eligible to vote in ballot.
- 191 Second ballot to be held if insufficient votes cast.
- 192 Power to declare ballot void for irregularity.
- 193 Publication of proposals.

Approval and implementation of proposals

- 194 Withdrawal, approval or rejection of proposals.
- 195 Incorporation of governing body.
- 196 Exercise of powers before proposed date of implementation.

Expenses in connection with proposals

- 197 Expenses in connection with proposals for acquisition of grant-maintained status.

Alteration of county school proposed for grant-maintained status

- 198 Proposals by governing body for alteration of county school proposed for grant-maintained status.
- 199 Approval or rejection by Secretary of State of proposals under section 198.

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Supplementary

200 Chapter II: interpretation, etc.

CHAPTER III

PROPERTY, STAFF AND CONTRACTS

Transfer of property and staff, etc.

201 Transfer of property etc.

202 Transfer of staff.

Effect of pending procedure for acquisition of grant-maintained status on property disposals, etc.

203 “Pending” procedure for acquisition of grant-maintained status.

204 Control of disposals of land.

205 Wrongful disposals of land.

206 Control of contracts.

207 Wrongful contracts.

208 Restriction on change of purpose for which property used or held.

209 Restriction on staff changes.

Supplementary

210 Supplementary provisions about transfers.

CHAPTER IV

ESTABLISHING NEW GRANT-MAINTAINED SCHOOLS

Proposals for establishment of new grant-maintained school

211 Proposals by funding authority.

212 Proposals by promoters.

213 Provisions supplementary to sections 211 and 212.

Approval and implementation of proposals

214 Approval, adoption or rejection of proposals.

215 Implementation of proposals.

216 Exercise of powers before proposed date of implementation, and payment of grant.

Supplementary

217 Chapter IV: interpretation.

CHAPTER V

GOVERNMENT, CONDUCT ETC. OF GRANT-MAINTAINED SCHOOLS

The governing instruments

218 Constitution of governing body and conduct of school.

219 Initial instruments and articles of government.

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 220 Subsequent instruments of government.
- 221 Subsequent articles of government.

Governors

- 222 Categories of governors.
- 223 Parent governors.
- 224 Teacher governors.
- 225 Head teacher.
- 226 First governors.
- 227 Power of the Secretary of State to replace first governors.
- 228 Foundation governors.
- 229 Sponsor governors.
- 230 Additional governors.

Powers

- 231 Powers of governing body.
- 232 Joint schemes.
- 233 Making and varying joint schemes.

Schools acquiring grant-maintained status: determination etc. of initial governors

- 234 Determination of initial parent and teacher governors.
- 235 Section 234: supplementary provisions.
- 236 Determination of initial first or foundation governors.
- 237 Replacement of proposed initial parent and teacher governors before incorporation.
- 238 Replacement of proposed initial first or foundation governors before incorporation.
- 239 Elections and appointments required for determining initial governors of an elected category: supplementary provisions.
- 240 Initial sponsor governors.

New grant-maintained schools: determination etc. of initial governors

- 241 Initial governors for new grant-maintained schools.

General and supplementary

- 242 Saving for defects in selection or nomination.
- 243 Chapter V: interpretation.

CHAPTER VI

FUNDING OF GRANT-MAINTAINED SCHOOLS

Grants: general

- 244 Maintenance grants.
- 245 Special purpose grants.
- 246 Capital grants.
- 247 Imposition of requirements on governing body in receipt of grant.
- 248 Grants: further provisions.

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Grants: Wales (until establishment of the SFCW)

- 249 Application of sections 250 to 254.
- 250 Maintenance grants.
- 251 Special purpose grants.
- 252 Capital grants.
- 253 Imposition of requirements on governing body in receipt of grant.
- 254 Grants: further provisions.

Loans

- 255 Loans to governing bodies.

Recovery from local funds

- 256 Recovery from local funds of sums in respect of maintenance grant.
- 257 Determination of total amount recoverable under section 256.
- 258 Provisions consequential on section 256.

CHAPTER VII

ALTERATION ETC. OF GRANT-MAINTAINED SCHOOLS

- 259 Proposals for change of character etc. by governing body.
- 260 Proposals for change of character etc. by funding authority.
- 261 Approval, adoption or rejection of proposals.
- 262 Approval of school premises.
- 263 Implementation of proposals, etc.
- 264 Power to transfer functions under preceding provisions etc.
- 265 Proposals for change of character approved before school becomes grant-maintained.
- 266 Chapter VII: interpretation.

CHAPTER VIII

DISCONTINUANCE OF GRANT-MAINTAINED SCHOOLS

Proposals for discontinuance

- 267 Proposals by governing body for discontinuance.
- 268 Proposals by funding authority for discontinuance.
- 269 Approval, adoption or rejection of proposals.
- 270 Implementation of proposals.
- 271 Power to transfer functions under preceding provisions.

Withdrawal of grant

- 272 Withdrawal of grant where school is unsuitable to continue as grant-maintained school.
- 273 Withdrawal or variation of notice under section 272.

Winding up and disposal of property

- 274 Power to provide by order for winding-up and disposal of property.
- 275 Winding up.
- 276 Grants to governing body in liquidation.

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 277 Disposal of school property.
- 278 Disposal of school property: supplementary.
- 279 Surplus money and investments.

CHAPTER IX

GROUPS OF GRANT-MAINTAINED SCHOOLS

- 280 Nature of group.
- 281 Instruments and articles of government for group.
- 282 Parent governors.
- 283 Teacher governors.
- 284 Head teacher governors.
- 285 Core governors.
- 286 Power of the Secretary of State to replace core governors.
- 287 Additional governors.
- 288 Powers.
- 289 Application of maintenance grants in the case of groups.
- 290 School acquiring grant-maintained status as a member of a group, etc.

CHAPTER X

GENERAL AND MISCELLANEOUS

Middle schools

- 291 Grant-maintained middle schools.

Nursery education

- 292 Nursery education in grant-maintained schools.

Further education

- 293 Provision of further education in grant-maintained schools.

Teacher training

- 294 Provision of courses of initial teacher training.

Provision of benefits and services by local education authority

- 295 Provision of benefits and services for pupils etc. by local education authority.

Transfer and disposal of premises

- 296 Transfer of premises to trustees.
- 297 Disposal of premises on transfer of school to new site.
- 298 Disposal of premises transferred under section 201.
- 299 Disposal of premises held by trustees.
- 300 Disposal of premises provided, etc. by the funding authority.
- 301 Interpretation of sections 296 to 300.

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Modification of instruments

- 302 Variation of trust deeds etc. by order.
- 303 Modification of instruments relating to land held for purposes of voluntary schools.

Religious opinions etc. of staff

- 304 Former county schools and certain schools established as grant-maintained schools.
- 305 Former voluntary schools and certain schools established as grant-maintained schools.
- 306 Changes in religious character of schools.

Discipline

- 306A Responsibility of governing body and head teacher for discipline.

Exclusion of pupils

- 307 Restrictions on power to exclude pupils.
- 307A Exclusion appeals.

Appeal committees

- 308 Duties of governing body in relation to appeal committees.

Supplementary

- 309 Manner of giving notification to governing body.
- 310 Inspection of accounts and reports to Parliament.

Interpretation

- 311 Interpretation of Part III.

PART IV

SPECIAL EDUCATIONAL NEEDS

CHAPTER I

CHILDREN WITH SPECIAL EDUCATIONAL NEEDS

Introductory

- 312 Meaning of “special educational needs” and “special educational provision” etc.

Code of Practice

- 313 Code of Practice.
- 314 Making and approval of code.

Special educational provision: general

- 315 Review of arrangements.
- 316 Duty to educate children with special educational needs in mainstream schools

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 316A Education otherwise than in mainstream schools
- 317 Duties of governing body or LEA in relation to pupils with special educational needs.
- 317A Duty to inform parent where special educational provision made
- 318 Provision of goods and services in connection with special educational needs.
- 319 Special educational provision otherwise than in schools.
- 320 Provision outside England and Wales for certain children.

Identification and assessment of children with special educational needs

- 321 General duty of local education authority towards children for whom they are responsible.
- 322 Duty of Health Authority or local authority to help local education authority.
- 323 Assessment of educational needs.
- 324 Statement of special educational needs.
- 325 Appeal against decision not to make statement.
- 326 Appeal against contents of statement.
- 326A Unopposed appeals
- 327 Access for local education authority to certain schools.
- 328 Reviews of educational needs.
- 329 Assessment of educational needs at request of child's parent.
- 329A Review or assessment of educational needs at request of responsible body
- 330 Assessment of educational needs at request of governing body of grant-maintained school.
- 331 Assessment of educational needs of children under two.
- 332 Duty of Health Authority or National Health Service trust to notify parent etc.

General duties of local education authorities

- 332A Advice and information for parents
- 332B Resolution of disputes

Special Educational Needs Tribunal

- 333 Constitution of Tribunal.
- 334 The President and members of the panels.
- 335 Remuneration and expenses.
- 336 Tribunal procedure.
- 336ZA Special Educational Needs Tribunal for Wales
- 336A Compliance with orders

CHAPTER II

SCHOOLS PROVIDING FOR SPECIAL EDUCATIONAL NEEDS

Special schools

- 337 Special schools.

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Establishment etc. of special schools

- 338 Power of funding authority to establish grant-maintained special school.
- 339 Establishment, etc. of maintained or grant-maintained special schools.
- 340 Procedure for dealing with proposals.
- 341 Approval of premises of maintained or grant-maintained special schools.

Approval of non-maintained special schools

- 342 Approval of non-maintained special schools.
- 343

Government etc. of special schools

- 344 Government etc. of special schools.

Maintained special school becoming grant-maintained

- 345 Maintained special school becoming grant-maintained special school.

Grouping of grant-maintained special schools

- 346 Groups including grant-maintained special schools.

Independent schools providing special education

- 347 Approval of independent schools.
- 348 Provision of special education at non-maintained schools.

Variation of deeds

- 349 Variation of trust deeds etc. by order.

PART V

THE CURRICULUM

CHAPTER I

PRELIMINARY

- 350 Meaning of “maintained school” etc. in Part V.
- 351 General duties in respect of the curriculum.
- 352 Basic curriculum for every maintained school.

CHAPTER II

SECULAR EDUCATION

The National Curriculum: general

- 353 The National Curriculum.
- 354 The core subjects and other foundation subjects.
- 355 The key stages.
- 356 Establishment of the National Curriculum by order.
- 357 Implementation of the National Curriculum in schools.

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

The School Curriculum and Assessment Authority

- 358 The School Curriculum and Assessment Authority.
- 359 Functions.

The Curriculum and Assessment Authority for Wales

- 360 The Curriculum and Assessment Authority for Wales.
- 361 Functions.

The National Curriculum: special cases

- 362 Development work and experiments.
- 363 Exceptions by regulations.
- 364 Pupils with statements of special educational needs.
- 365 Temporary exceptions for individual pupils.
- 366 Information concerning directions under section 365.
- 367 Appeals against directions under section 365 etc.

The National Curriculum: supplementary provisions

- 368 Procedure for making certain orders and regulations.
- 369 Programmes of research etc. in relation to Wales.

General functions of LEA, governing body and head teacher in relation to curriculum

- 370 Duty of local education authority to state policy.
- 371 Functions of governing body: county, controlled and maintained special schools.
- 372 Functions of head teacher: county, controlled and maintained special schools.
- 373 Functions of governing body and head teacher: aided and special agreement schools.
- 374 Functions of governing body and head teacher: grant-maintained schools.

CHAPTER III

RELIGIOUS EDUCATION AND WORSHIP

Agreed syllabuses

- 375 Agreed syllabuses of religious education.

Required provision for religious education

- 376 Religious education: county schools.
- 377 Religious education: controlled schools.
- 378 Religious education: aided and special agreement schools.
- 379 Religious education: grant-maintained schools (former county schools and certain new schools).
- 380 Religious education: grant-maintained schools (former controlled schools).
- 381 Religious education: grant-maintained schools (former aided or special agreement schools and certain new schools).
- 382 Meaning of “the appropriate agreed syllabus” in sections 379 and 380.

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 383 Changes in religious education and worship.
- 384 Duty to secure religious education is given in accordance with required provision in curriculum.

Religious worship

- 385 Collective worship.
- 386 Collective worship in county schools and certain grant-maintained schools to be broadly Christian.
- 387 Disapplication of requirement for Christian collective worship.
- 388 Duty to secure participation in collective worship.

Exceptions and special arrangements

- 389 Exceptions and special arrangements.

Constitution of standing advisory councils on religious education

- 390 Constitution of advisory councils.
- 391 Functions of advisory councils.
- 392 Advisory councils: supplementary provisions.
- 393 Duty to constitute new standing advisory council.

Determinations by standing advisory councils

- 394 Determination of cases in which requirement for Christian collective worship is not to apply.
- 395 Review of determinations under section 394.
- 396 Power of Secretary of State to direct advisory council to revoke determination or discharge duty.

Access to meetings and documents

- 397 Religious education: access to meetings and documents.

Miscellaneous

- 398 No requirement of attendance at Sunday school etc.
- 399 Determination of question whether religious education in accordance with trust deed.

CHAPTER IV

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

Courses leading to external qualifications

- 400 Courses leading to external qualifications.
- 401 Power to extend section 400 to senior pupils and FE students.

Obligation to enter pupils for public examinations

- 402 Obligation to enter pupils for public examinations.

Sex education

- 403 Sex education: manner of provision.

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 404 Sex education: statements of policy.
- 405 Exemption from sex education.

Politics

- 406 Political indoctrination.
- 407 Duty to secure balanced treatment of political issues.

Information

- 408 Provision of information.

Complaints and enforcement

- 409 Complaints and enforcement: maintained schools.

Nursery education

- 410 Application of Part V in relation to nursery education.

PART VI

SCHOOL ADMISSIONS, ATTENDANCE AND CHARGES

CHAPTER I

ADMISSION, REGISTRATION AND WITHDRAWAL OF PUPILS

Parental preferences

- 411 Parental preferences.
- 411A No requirement to admit children permanently excluded from two or more schools.

Admission arrangements for county and voluntary schools

- 412 Consultation as to admission arrangements.
- 413 Admission arrangements to preserve character of aided or special agreement school.
- 413A Admission arrangements may provide for home-school partnership documents.
- 413B Effect of home-school partnership document.
- 414 Information as to schools and admission arrangements.

Admission numbers for county and voluntary schools

- 415 Meaning of “the admission authority”.
- 416 Fixing admission numbers.
- 417 Standard numbers for admissions to secondary schools.
- 418 Standard numbers for admissions to primary schools.
- 419 Special provisions supplementary to section 418.
- 420 Variation of standard numbers.
- 421 Review of standard numbers.
- 421A

New county and voluntary schools

- 422 Admission of pupils to new schools.

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Admissions appeals relating to county and voluntary schools

- 423 Appeal arrangements.
423A Appeals relating to children to whom section 411A(2) applies.

Nursery and special schools, etc.

- 424 Admission of pupils to nursery schools and special schools, etc.

Admission arrangements for grant-maintained schools

- 425 Admission arrangements and information about them.
425A Restrictions on admissions to grant-maintained schools.
425B

Admission numbers for grant-maintained schools

- 426 Minimum number for admission.
426A
427 Alteration of minimum number by Secretary of State.
428 Alteration of minimum number by funding authority.

Admissions appeals relating to grant-maintained schools

- 429 Appeal arrangements.

Co-ordinated arrangements for admissions

- 430 Co-ordinated arrangements for admissions.

Power to direct admission of child to school

- 431 Direction to admit child to specified school.
432 Procedure for giving direction under section 431.

Time for admission of pupils

- 433 Time for admission of pupils.

Registration of pupils

- 434 Registration of pupils.

Withdrawal of pupils from primary school for secondary education

- 435 Withdrawal of pupils from a primary school for secondary education.

Supplementary

- 436 Effect of admission for nursery education.

CHAPTER II

SCHOOL ATTENDANCE

School attendance orders

- 437 School attendance orders.
438 Choice of school: child without statement of special educational needs.

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 439 Specification of schools in notices under section 438(2).
- 440 Amendment of order at request of parent: child without statement of special educational needs.
- 441 Choice of school: child with statement of special educational needs.
- 442 Revocation of order at request of parent.

School attendance: offences and education supervision orders

- 443 Offence: failure to comply with school attendance order.
- 444 Offence: failure to secure regular attendance at school of registered pupil.
- 445 Presumption of age.
- 446 Institution of proceedings.
- 447 Education supervision orders.

Exemption

- 448 Exemption where child becomes five during term.

CHAPTER III

CHARGES IN CONNECTION WITH EDUCATION AT MAINTAINED SCHOOLS

Preliminary

- 449 Meaning of “maintained school” in Chapter III.

Prohibition of charges

- 450 Prohibition of charges for admission.
- 451 Prohibition of charges for provision of education.
- 452 Application of section 451 where education is provided partly during and partly outside school hours etc.
- 453 Examinations: prohibition of charges and recovery of wasted fees.
- 454 Prohibition of incidental charges.

Permitted charges

- 455 Permitted charges.
- 456 Regulation of permitted charges.
- 457 Charges and remissions policies.
- 458 Charges for board and lodging at boarding schools.

Supplementary

- 459 Provision of information.
- 460 Contributions and charges unaffected by Chapter III.
- 461 Recovery of sums as civil debt.
- 462 Interpretation of Chapter III.

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

PART VII

INDEPENDENT SCHOOLS

CHAPTER I

PRELIMINARY

- 463 Alteration to definition of “independent school”

CHAPTER II

REGISTRATION OF INDEPENDENT SCHOOLS

Registration

- 464 Separate registration for England and for Wales.
465 Provisional and final registration of a school.
466 Enforcement of registration: offences.
467 Provision of information about registered and provisionally registered schools.
468 School may be struck off for contravention of regulations about employment of teachers.

Complaints about registered and provisionally registered schools

- 469 Notice of complaint by Secretary of State.
470 Determination of complaint by an Independent Schools Tribunal.
471 Determination of complaint by Secretary of State.
472 Effect of personal disqualification.
473 Enforcement of disqualification.
473A Removal of disqualification: persons no longer unsuitable to work with children.
473B Conditions for application under section 473A.
474 Removal of disqualification: other cases.
475 Duty of Registrar to comply with order for the deletion of a school from the register.

Independent Schools Tribunals

- 476 Constitution and proceedings of Independent Schools Tribunals.

Supplementary

- 477 Disqualification in Scotland.
478 Offences: institution of proceedings and punishment.

CHAPTER III

ASSISTED PLACES AT INDEPENDENT SCHOOLS

- 479 The assisted places scheme.
480 Assisted places: further provision by regulations.
481 Incidental expenses of pupils holding assisted places.

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

CHAPTER IV

CITY COLLEGES

- 482 Academies
- 483 City colleges: financial provisions.
- 483A City colleges and academies: special educational needs.

PART VIII

GRANTS AND OTHER FINANCIAL MATTERS

Grants

- 484 Education standards grants.
- 485 Grants in aid of educational services or research.
- 486 Grants to bodies whose objects are promotion of learning or research.
- 487 Grants for education in Welsh.
- 488 Grants for education of travellers and displaced persons.
- 489 Conditions as to payment of grants under sections 484 to 488.
- 490 Grants in respect of special provision for ethnic minorities.

Payment of fees etc.

- 491 Payment of school fees and expenses.

Recoupment

- 492 Recoupment: adjustment between local education authorities.
- 493 Recoupment: cross-border provisions.
- 494 Recoupment: excluded pupils.

PART IX

ANCILLARY FUNCTIONS

CHAPTER I

ANCILLARY FUNCTIONS OF SECRETARY OF STATE

General functions

- 495 Determination of disputes.
- 496 Power to prevent unreasonable exercise of functions.
- 497 General default powers.
- 497A Power to secure proper performance of LEA's functions.
- 497AA Power to secure proper performance: duty of authority where directions contemplated
- 497B Power to secure proper performance: further provisions.

Appointment of governors, etc.

- 498 Powers where no properly constituted governing body.

Membership of education committees

- 499 Power to direct appointment of members of education committees.

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Rationalisation of school places

- 500 Directions to bring forward proposals to remedy excessive provision.
- 501 Directions to bring forward proposals for additional provision in maintained schools.
- 502 Publication of proposals by Secretary of State.
- 503 Public inquiry into proposals.
- 504 Adoption of proposals and approval of related proposals.
- 505 Supplementary provisions.

Medical examinations

- 506 Power to require medical examination of pupils.

Local inquiries

- 507 Power to direct local inquiries.

CHAPTER II

ANCILLARY FUNCTIONS OF LOCAL EDUCATION AUTHORITIES

Provision of services

- 508 Functions in respect of facilities for recreation and social and physical training.
- 509 Provision of transport etc.
- 509AA Provision of transport etc. for persons of sixth form age
- 509AB Further provision about transport policy statements
- 509AC Interpretation of sections 509AA and 509AB
- 509A Travel arrangements for children receiving nursery education otherwise than at school.
- 510 Provision of clothing.
- 511 Provisions supplementary to section 510.
- 512 LEA functions concerning provision of meals, etc.
- 512ZA Duty to charge for meals etc.
- 512ZB Provision of free school lunches and milk
- 512A Transfer of functions under section 512 to governing bodies.
- 513 Provision of meals etc. at schools not maintained by local education authorities.
- 514 Provision of board and lodging otherwise than at school.
- 515 Provision of teaching services for day nurseries.
- 516 Supply by LEA of goods and services to grant-maintained and grant-maintained special schools.

Payment of fees

- 517 Payment of fees at schools not maintained by a local education authority.
- 518 Payment of school expenses; grant of scholarships, etc.

Allowances for governors

- 519 Travelling and subsistence allowances for governors of schools and further or higher education institutions.

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Medical arrangements

520 Medical inspection and treatment of pupils.

Cleanliness of pupils

- 521 Examination of pupils for cleanliness.
- 522 Compulsory cleansing of a pupil.
- 523 Arrangements for cleansing of pupils.
- 524 Suspension of a pupil pending examination or cleansing.
- 525 Offence of neglecting the cleanliness of a pupil.

Educational research and conferences

- 526 Powers as to educational research.
- 527 Powers as to educational conferences.

Plans relating to children with behavioural difficulties

527A Duty of LEA to prepare plan relating to children with behavioural difficulties.

Disability statements relating to further education

528 Duty of LEA to publish disability statements relating to further education.

Acquisition and holding of property

- 529 Power to accept gifts on trust for educational purposes.
- 530 Compulsory purchase of land.
- 531 Acquisition of land by agreement.

Appointment of chief education officer

532 Appointment of chief education officer.

CHAPTER III

ANCILLARY FUNCTIONS OF GOVERNING BODIES

Provision of services

- 533 Duties of governing bodies of maintained schools with respect to provision of school meals etc.
- 534 Duties of governing bodies of grant-maintained schools with respect to provision of school meals etc.
- 535 Provision of teaching services for day nurseries.

Medical arrangements

536 Medical inspection and treatment of pupils at grant-maintained schools.

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

CHAPTER IV

PROVISION OF INFORMATION BY GOVERNING BODIES ETC.

- 537 Power of Secretary of State to require information from governing bodies etc.
- 537A Provision of information about individual pupils.
- 538 Provision of information to Secretary of State by governing bodies of maintained schools.
- 539 Provision of information by governing body of grant-maintained schools.
- 540 Distribution of information about schools providing secondary education.
- 541 Distribution of information about further education institutions.

PART X

MISCELLANEOUS AND GENERAL

CHAPTER I

EDUCATIONAL PREMISES

Required standards for educational premises

- 542 Prescribed standards for school premises.
- 543 Relaxation of prescribed standards in special cases.
- 544 Approval etc. of school premises and boarding hostels.
- 545 Exemption from building byelaws of approved buildings.

Control of potentially harmful materials and apparatus

- 546 Control of potentially harmful materials and apparatus in schools.

Nuisance or disturbance on school premises

- 547 Nuisance or disturbance on school premises.

CHAPTER II

PUNISHMENT AND RESTRAINT OF PUPILS

Corporal punishment

- 548 No right to give corporal punishment.
- 549 Interpretation of section 548.
- 550 No avoidance of section 548 by refusing admission to school etc.

Power to restrain pupils

- 550A Power of members of staff to restrain pupils.

Detention

- 550B Detention outside school hours lawful despite absence of parental consent.

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

CHAPTER III

OTHER PROVISIONS ABOUT SCHOOLS

Duration of school day etc.

551 Regulations as to duration of school day etc.

Single-sex schools

552 Transitional exemption orders for purposes of Sex Discrimination Act 1975.

Educational trusts

553 Schemes under the Endowed Schools Acts.

Religious educational trusts

554 Power to make new provision as to use of endowments.

555 Procedure applicable to orders under section 554.

556 Content of orders under section 554.

557 Adoption of statutory trusts.

CHAPTER IV

EMPLOYMENT OF CHILDREN AND YOUNG PERSONS

558 Meaning of “child” for purposes of enactments relating to employment of children or young persons.

559 Power of local education authorities to prohibit or restrict employment of children.

560 Work experience in last year of compulsory schooling.

CHAPTER V

PERSONS NOT COVERED BY ACT

561 Act not to apply to persons in service of the Crown.

562 Act not to apply to persons detained under order of a court.

CHAPTER VI

GENERAL

Documents and evidence

563 Educational records.

564 Certificates of birth and registrars’ returns.

565 Evidence: presumption as to age.

566 Evidence: documents.

Stamp duty

567 Stamp duty.

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Orders, regulations and directions

- 568 Orders.
- 569 Regulations.
- 570 Revocation and variation of certain orders and directions.

Guidance

- 571 Publication of guidance.

Service of documents

- 572 Service of notices and other documents.

Construction

- 573 Meaning of expressions relating to alteration etc. of premises or character of schools.
- 574 Changes to school not amounting to discontinuance etc.
- 575 Meaning, for certain purposes, of expressions relating to employment.
- 576 Meaning of “parent”.
- 577 Minor authorities.
- 578 Meaning of “the Education Acts”.
- 579 General interpretation.
- 580 Index.

Final provisions

- 581 Application to Isles of Scilly.
- 582 Consequential amendments, repeals, transitional provisions etc.
- 583 Short title, commencement and extent.

SCHEDULES

SCHEDULE 1 — Pupil referral units

General adaptations of enactments

- 1 References in any enactment to the proprietor or governing body...
- 2 References in any enactment to the head teacher of a...

Modifications of enactments by regulations

- 3 Regulations may provide for any enactments relating to schools maintained...

Registration

- 4 (1) A person who is registered as a pupil at...

Application of Local Government Act 1986

- 5 A pupil referral unit is a maintained school for the...

Curriculum

- 6 (1) In relation to every pupil referral unit, the local...

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Discipline

7 The teacher in charge of a pupil referral unit may...

Sex education, political indoctrination and political issues

8 Sections 403, 406 and 407 (sex education, political indoctrination, and...

Charges

9 (1) Chapter III of Part VI applies in relation to...

Application of Environmental Protection Act 1990

10 A pupil referral unit is an educational institution for the...

Information

11 Each local education authority shall— (a) on such occasions, and...

Disapplication of Schedule 4

12

Children with special educational needs

13

School attendance orders

14 (1) Where a pupil referral unit is named in a...

Management committees

15 (1) Regulations may make provision— (a) for requiring any local...

SCHEDULE 2 —

Status

1 A funding authority shall not be regarded as the servant...

Powers

2 (1) Subject to sub-paragraph (2) below, a funding authority may...

3 (1) The Secretary of State may authorise a funding authority...

Tenure of members

4 (1) A person shall hold and vacate office as a...

5 If the Secretary of State is satisfied that a member...

Salaries, allowances and pensions

6 (1) A funding authority— (a) shall pay to their members...

Staff

7 (1) A funding authority may, with the approval of the...

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Chief officer

- 8 (1) One of the employees of a funding authority shall...

Superannuation of employees

- 9 (1) Employment with a funding authority shall continue to be...

Committees

- 10 (1) A funding authority may establish a committee for any...

Delegation of functions

- 11 A funding authority may authorise the chairman, the chief officer...

Proceedings

- 12 Without prejudice to any other rights the Secretary of State...
13 The validity of any proceedings of a funding authority or...
14 Subject to the preceding provisions of this Schedule, a funding...

Accounts

- 15 (1) A funding authority shall— (a) keep proper accounts and...

Application of seal and proof of instruments

- 16 The application of the seal of a funding authority shall...
17 Any document purporting to be an instrument made or issued...

SCHEDULE 3 —

Functions relating to grant-maintained schools

- 1 (1) The Secretary of State may by order provide for...

Functions under agreements relating to CTCs and CCTAs

- 2 (1) The Secretary of State may by order provide—

Functions in respect of grants for certain expenditure due to ethnic minority population

- 3 (1) The Secretary of State may by order impose on...

SCHEDULE 4 —

Part I — INTRODUCTORY

- 1 (1) Where an order under section 27 is in force,...

Part II — FUNCTIONS WHERE RESPONSIBILITY FOR PROVIDING SUFFICIENT
SCHOOL PLACES IS SHARED

Introductory

- 2 If an order under section 27(1)(a) applies to the area...

Responsibility for providing sufficient school places

- 3 (1) If the schools providing relevant education which are available...

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Part III — FUNCTIONS WHERE RESPONSIBILITY FOR PROVIDING SUFFICIENT
SCHOOL PLACES IS TRANSFERRED

Introductory

4 If an order under section 27(1)(b) applies to the area...

Responsibility for providing sufficient school places

5 (1) The duty under section 14(1) shall be discharged by...

6 (1) The local education authority may continue to secure the...

Powers to establish, maintain and alter schools

7

8

Charges for board and lodging or independent education

9 (1) Sub-paragraph (3) below applies where— (a) any pupil of...

10 (1) This paragraph applies where any pupil ordinarily resident in...

11 (1) Where a pupil in the area for whom a...

12 (1) Where a pupil in the area for whom a...

General

13 (1) The following provisions shall not apply—

14 (1) Section 438 shall have effect as if for subsection...

Part IV — FUNCTIONS WHERE RESPONSIBILITY EITHER SHARED OR
TRANSFERRED

Introductory

15 If an order under section 27(1)(a) or (b) applies to...

Responsibility for providing sufficient school places

16 In relation to any power under section 211 to publish...

17 (1) Where relevant education is only primary education—

18 The funding authority shall not by virtue of paragraph 3...

Boarding schools

19 The powers of the funding authority to publish proposals under...

Other modifications of this Act

20 Section 259 shall have effect as if the funding authority...

21 Section 267 shall have effect as if—

22 Section 272 shall have effect as if—

23 Section 426(4) shall have effect as if the reference to...

SCHEDULE 5 —

Preservation of special agreements

1 Any special agreement in force immediately before the commencement
of...

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Variation of special agreements

- 2 (1) A special agreement may be varied by a further...

The grant requirements

- 3 (1) A special agreement shall provide for the making of...

Religious education

- 4 (1) A special agreement may provide— (a) for the giving...

Repayment of grants

- 5 Any grant made in respect of a school in pursuance...

Modification of obligations with respect to repairs and alterations

- 6 Where a special agreement is in force in relation to...

SCHEDULE 6 —

- 1 In connection with proposals by a local education authority under...
2 Such an agreement shall not take effect unless it has...
3 The Secretary of State shall not approve such an agreement...
4 Before approving an agreement under this Schedule, the Secretary of...
5 An agreement under this Schedule— (a) may provide for the...
6 Where an agreement under this Schedule has been approved by...
7 Where a person other than the governing body has a...
8 In this Schedule “premises” includes a teacher’s dwelling-house.

SCHEDULE 7 —

Name and seal of incorporated body

- 1 (1) A governing body incorporated under section 88(1) shall be...

Powers of incorporated body

- 2 (1) A governing body incorporated under section 88(1) may do...

Property, rights and liabilities

- 3 On the incorporation under section 88(1) of a governing body...
4 On the incorporation under section 88(1) of a governing body...

Contracts of employment

- 5 Without prejudice to the generality of paragraphs 3 and 4,...

Dissolution and discontinuance

- 6 (1) A governing body incorporated under section 88(1) are dissolved...
7 (1) Where such a governing body are to be dissolved...
8 (1) This paragraph applies where such a governing body dissolved...
9 (1) This paragraph applies in relation to the governing body...
10 For the purposes of this Schedule, references to the discontinuance...

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Supplementary provisions about transfers

- 11 Where a transfer under this Schedule relates to registered land,...
- 12 Paragraphs 6 to 8 of Schedule 1.0 to the Education...

SCHEDULE 8 —

Introductory

- 1 In this Schedule, except where a school of a particular...

Co-option or other appointment of governors

- 2 (1) Subject to sub-paragraph (2), where the instrument of government...
- 3 If— (a) the instrument of government for a school provides...
- 4 The instrument of government for a voluntary school shall name...

Ex officio governors

- 5 If a school has more than one head teacher (whether...
- 6 The instrument of government for a voluntary school may provide...

Election of governors

- 7 (1) In this paragraph “the appropriate authority”—

Qualifications of governors and tenure of office

- 8 No person shall be qualified for membership of a governing...
- 9 No person shall at any time hold more than one...
- 10 (1) Regulations may make provision as to the circumstances in...
- 11 (1) The instrument of government for a county, controlled or...
- 12 Any governor of a school may at any time resign...
- 13 (1) Any governor of a school who was appointed otherwise...

Meetings and proceedings

- 14 The proceedings of a governing body of a school shall...
- 15 (1) Regulations may make provision (including provision modifying the effect...
- 16 (1) No decision of a kind mentioned in sub-paragraph (2)...

Information as to meetings and proceedings

- 17 The minutes of the proceedings of the governing body of...
- 18 (1) Regulations may require the governing body of a school...

Travelling and subsistence allowances

- 19 Section 519 makes provision for a local education authority to...

Information and training for governors

- 20 (1) The local education authority shall secure that every governor...

Conflict between instrument of government and regulations

- 21 Any provision made by an instrument of government by virtue...

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULE 9 —

Preliminary

- 1 In this Schedule— “arrangement” means an arrangement made under section...

Constitution of temporary governing bodies

- 2 (1) Subject to the following provisions of this Schedule, a...
3 (1) A local education authority shall not make an arrangement...

Appointment of temporary governors

- 4 The temporary parent governors of a new school shall, subject...
5 The temporary teacher governors of a new school shall, subject...
6 (1) Where— (a) two or more schools have been, or...
7 (1) No person shall be appointed under paragraph 4 or...
8 (1) Where any person, other than a prospective sponsor, appoints...
9 (1) Subject to sub-paragraph (2), where temporary governors are required...
10 If— (a) a temporary governor is to be appointed by...

Qualifications of temporary governors and tenure of office

- 11 No person shall be qualified for membership of a temporary...
12 (1) No person shall at any time hold more than...
13 Regulations may make provision as to the circumstances in which...
14 A member of a temporary governing body may at any...

Meetings and proceedings

- 15 (1) The proceedings of a temporary governing body shall not...
16 Regulations may make provision in relation to temporary governing bodies...
17 (1) Subject to sub-paragraph (2), the first meeting of a...

Information as to meetings and proceedings

- 18 The minutes of the proceedings of a temporary governing body...

Travelling and subsistence allowances.

- 19 Section 519 (allowances for governors) shall apply in relation to...

Expenses of temporary governing bodies

- 20 Where a temporary governing body are constituted for a new...

Information for temporary governing bodies

- 21 A local education authority shall secure that the temporary governing...

Powers of the Secretary of State

- 22 For the purposes of the following provisions—

SCHEDULE 10 —

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Time limit for constitution of governing body

- 1 The local education authority shall secure that the governing body...

Status of temporary governing body pending constitution of governing body

- 2 Where the requirement for there to be an instrument of...

Role of temporary governing body as regards constitution of governing body

- 3 (1) Before making an order under section 76 as to...
4 (1) A temporary governing body shall recommend (with reasons) persons...

Initial constitution of governing body

- 5 (1) When the requirement for there to be an instrument...

Information about temporary governing body for successors

- 6 (1) Immediately before the arrangement under which a temporary governing...

SCHEDULE 11 — Contents of statements under section 122(2) and section 124(1)

Part I — STATEMENTS UNDER SECTION 122(2)

- 1 (1) This Part of this Schedule applies to any statement...
2 The statement shall contain the following particulars in respect of...
3 (1) The statement shall also contain, with respect to each...
4 The statement shall contain such further information in respect of...

Part II — STATEMENTS UNDER SECTION 124(1)

- 5 (1) A statement prepared by a local education authority under...
6 (1) The statement shall also give, in relation to each...
7 The statement shall contain such further information in respect of...
8 Where only one school is required to be covered by...

SCHEDULE 12 — Financial delegation and new schools

Preliminary

- 1 In this Schedule “temporary governing body” does not include a...

New county and voluntary schools

- 2 (1) For the purposes of applying (in accordance with this...
3 (1) A new school which will be a county or...
4 (1) Where a school required to be covered by a...
5 The delegation requirement under a scheme shall not apply in...
6 Section 110 shall have effect, in relation to a new...
7 Section 122(7) shall not apply in relation to the temporary...

New special schools

- 8 (1) Any reference— (a) in section 120, to maintained special...
9 Section 124(8) shall not apply in relation to the temporary...

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Financial delegation apart from schemes

10 Section 125 shall not apply in relation to a new...

SCHEDULE 13 — Staffing of county, controlled, special agreement and maintained special schools

The selection panel

- 1 (1) The articles of government for a county, controlled, special...
- 2 Regulations may make provision as to the meetings and proceedings...

Appointment of head teacher

- 3 (1) The articles of government for a county, controlled, special...

Appointment of deputy head teacher

- 4 (1) The articles of government for a county, controlled, special...

Appointment of other staff: general

- 5 (1) The articles of government for a county, controlled, special...

Appointment of other staff: vacancy advertised

- 6 (1) The articles of government for any school to which...

Appointment of other staff: vacancy not advertised

- 7 (1) The articles of government for any school to which...

Delegation of functions under paragraph 6 or 7

- 8 (1) The articles of government for any school to which...

Restriction on making appointment where vacancy advertised

- 9 Where a local education authority have advertised a vacancy in...

Consultation by LEA before appointing certain non-teaching staff

- 10 The articles of government for a county, controlled, special agreement...

Dismissal etc. of staff

- 11 (1) The articles of government for a county, controlled, special...

SCHEDULE 14 —

Introductory

- 1 (1) In this Schedule “the school” means a county, controlled...

Appointment of head teacher and deputy head teacher

- 2 Paragraphs 3 to 7 apply in relation to an appointment...
- 3 The governing body shall notify the local education authority of...
- 4 (1) Where the vacancy is in the post of head...

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 5 Before recommending a person for appointment as head teacher or...
6 (1) The governing body shall appoint a selection panel consisting...
7 (1) The local education authority shall appoint the person recommended...

Appointment of other teachers

- 8 Subject to paragraph 9, paragraphs 10 to 14 apply in...
9 (1) Paragraphs 10 to 14 do not apply in relation...
10 Before taking any of the steps mentioned below, the governing...
11 (1) The local education authority may nominate for consideration for...
12 (1) The governing body may advertise the vacancy at any...
13 (1) Where the governing body advertise the vacancy, they shall—...
14 (1) The local education authority shall appoint the person recommended...
15 The governing body may, in relation to the filling of...

Advice of chief education officer on appointments of teachers

- 16 (1) The chief education officer of the local education authority...

Advice of head teacher on appointments of teachers

- 17 Except in relation to the appointment of a head teacher—...

Appointment of non-teaching staff

- 18 (1) Where the governing body wish to appoint a person...
19 (1) The local education authority shall appoint a person recommended...

The clerk to the governing body

- 20 (1) Where there is a vacancy in the office of...

Discipline

- 21 (1) The regulation of conduct and discipline in relation to...

Suspension

- 22 (1) Both the governing body and the head teacher shall...

Dismissal, etc.

- 23 (1) Where the governing body determine— (a) that any person...
24 (1) Where paragraph 23(3) applies, no part of the costs...
25 (1) The governing body shall— (a) make arrangements for giving...
26 (1) The head teacher (except where he is the person...
27 (1) The local education authority shall not dismiss a person...

School meals staff

- 28 Nothing in paragraphs 18, 19 and 21 to 27 applies...

SCHEDULE 15 —

Part I — COUNTY, CONTROLLED AND MAINTAINED SPECIAL SCHOOLS

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Preliminary

1 The articles of government for a county, controlled or maintained...

Reinstatement of permanently excluded pupils

2 (1) Where the local education authority have been informed of...

3 (1) The head teacher shall comply with any direction for...

4 Where the governing body direct the head teacher to reinstate...

Reinstatement of pupils excluded for a fixed period

5 (1) Where a pupil is excluded from the school for...

6 (1) Where the local education authority— (a) have been informed...

7 Where the governing body give any such direction as is...

Part II — AIDED AND SPECIAL AGREEMENT SCHOOLS

Preliminary

8 The articles of government for an aided or a special...

Reinstatement of permanently excluded pupils

9 (1) Where the governing body have been informed of the...

10 The head teacher shall comply with any direction for the...

Reinstatement of pupils excluded for a fixed period

11 (1) Where a pupil is excluded from the school for...

12 (1) Before giving any such direction as is mentioned in...

13 Where the governing body give any such direction as is...

Part III — GENERAL

Power to prescribe periods for the taking of any required steps

14 Regulations may provide that, where a local education authority or...

Meaning of “the relevant person”

15 In this Schedule “the relevant person” means—

SCHEDULE 16 —

Duty to inform parent or pupil of right of appeal

1 (1) The articles of government for a county, controlled or...

Suspension of direction for reinstatement pending appeal etc.

2 (1) A direction for the reinstatement of a pupil given...

Time limits and notices waiving right to appeal

3 (1) No appeal under section 159(1)(a) or (2) against a...

Appeal committees

4 (1) Part I of Schedule 33 (school admission appeals) shall...

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Procedure on an appeal

- 5 In the following provisions of this Schedule— “appeal” means an...
6 An appeal shall be by notice in writing setting out...
7 The appeal committee shall meet to consider an appeal—
7A (1) For the purpose of fixing the time (falling within...
8 (1) On an appeal by a pupil or parent the...
9 (1) On an appeal by a governing body the appeal...
10 (1) The body responsible for making any arrangements under section...
11 (1) Appeals shall be heard in private except when the...
12 Two or more appeals may be combined and dealt with...
12A (1) In deciding— (a) whether the pupil in question should...
13 In the event of a disagreement between the members of...
14 The decision of an appeal committee and the grounds on...
15 (1) Subject to paragraphs 6 to 14, all matters relating...

Notices

- 16 (1) Where in accordance with paragraph 1(1) or (2) notice...

Meaning of “the relevant person”

- 17 In this Schedule “the relevant person” means—

Power of Secretary of State to make amendments

- 18 The Secretary of State may by order amend the preceding...

SCHEDULE 17 — Governors’ annual reports

General

- 1 (1) The articles of government for a county, voluntary or...
2 The report shall be as brief as is reasonably consistent...

Requirements as to contents

- 3 Where there is an obligation on the governing body (by...
4 The report shall— (a) give the name of each governor...
5 The report shall give such information as is available to...
6 The report shall contain a financial statement—
7 The report shall give such information about—
7A The report shall give the information about public examinations and...
8 The report shall describe what steps have been taken by...
9 The report shall draw attention to the information made available...
9A The report shall summarise, where the school is in England,...
9B The report shall give, where the school is in Wales,...
9C The report shall describe in general terms—
9D The report shall indicate in relation to the period since...
9E The report shall give the dates of the beginning and...
9F The report shall summarise any changes to information contained in...

Power of Secretary of State to make amendments

- 10 The Secretary of State may by order amend the preceding...

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULE 18 — Annual parents' meetings

Proceedings at an annual parents' meeting

- 1 The articles of government for a county, voluntary or maintained...
- 2 (1) The articles of government for a county, voluntary or...
- 3 No person who is not a parent of a registered...

Consideration of resolutions passed at an annual parents' meeting

- 4 (1) The articles of government for a county, voluntary or...

Determination of question whether person is to be treated as pupil's parent

- 5 (1) The articles of government for a county, controlled or...

SCHEDULE 19 — Conduct and staffing of new county, voluntary and maintained special schools

Part I — GENERAL

Articles of government for new schools

- 1 (1) The requirement for there to be articles of government...
- 2 Section 129(2) (amendment of articles) shall not apply in relation...

Conduct of new schools: general

- 3 The determination of those matters relating to the conduct of...
- 4 Regulations may make in relation to consultation with temporary governing...

Part II — STAFFING OF NEW SCHOOLS: FINANCIAL DELEGATION NOT PROPOSED

Staffing of new county, controlled or maintained special schools

- 5 Subject to paragraph 19(4), paragraphs 6 to 11 apply in...
- 6 (1) The complement of teaching and non-teaching posts for the...
- 7 (1) Whenever a selection panel is required by virtue of...
- 8 (1) Subject to sub-paragraph (2) below, sub-paragraphs (3) to (11)...
- 9 (1) Subject to sub-paragraph (2) below, sub-paragraphs (3) to (11)...
- 10 (1) The general staff appointment provisions shall apply in relation...
- 11 (1) The clerk to the temporary governing body shall be...
- 12 Subject to paragraph 19(4), a local education authority shall, in...

Staffing of new aided schools

- 13 Subject to paragraph 19(5), paragraphs 14 to 16 apply in...
- 14 Subject to paragraph 15(1), the local education authority and the...
- 15 (1) The first appointment of a clerk to the temporary...
- 16 (1) The local education authority shall, with a view to...

Expenditure on staff for new schools

- 17 Where a temporary governing body are constituted for a new...

Part III — STAFFING OF NEW SCHOOLS: FINANCIAL DELEGATION PROPOSED

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Adaptation of references

18 For the purposes of the application (in accordance with paragraphs...

Application or otherwise of provisions about staffing

19 (1) Subject to paragraphs 20 to 24, section 136 or...

20 Sections 136, 137 and 138 and Schedule 14 (staffing of...

21 In the case of a new school which is a...

22 Section 139(2) and (5) (payments in respect of dismissal) shall...

23 Any provision included in a scheme by virtue of subsection...

24 (1) Section 141 (amendment of articles) shall not apply in...

Part IV — OTHER MATTERS RELATING TO CONDUCT ETC. OF NEW SCHOOLS

Preparation of curriculum

25 (1) The head teacher of a new school for which...

School terms, holidays and sessions

26 (1) Pending the coming into force of the articles of...

Discipline

27 Pending the coming into force of the articles of government...

Reports and information

28 (1) A temporary governing body shall provide the local education...

Consultation on expenditure by local education authority

29 (1) Where a temporary governing body have been constituted for...

SCHEDULE 20 —

Part I — PROPOSALS FOR ACQUISITION OF GRANT-MAINTAINED STATUS

Publication of proposals and notice

1 (1) Where proposals are required to be published under section...

Statement to be annexed to proposals

2 (1) There shall be annexed to any proposals published under...

Statement to accompany published proposals

3 Any proposals published under section 193 shall be accompanied by...

Details of proposals

4 (1) Any proposals published under section 193 shall—

Objections to proposals

5 Within the period of two months beginning with the date...

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Interpretation

- 6 (1) For the purposes of this Part of this Schedule,...
- Part II — PROPOSALS FOR ESTABLISHMENT OF NEW GRANT-MAINTAINED SCHOOL

Content of proposals

- 7 (1) Proposals published under section 211 or 212 shall—

Statement to be annexed to proposals

- 8 There shall be annexed to any proposals published under section...

Statement to accompany published proposals

- 9 Any proposals published under section 211 or 212 shall be...

Objections

- 10 (1) Within the period of two months beginning with the...
- 11 Within the period of two months beginning with the date...

Approval of school premises

- 12 (1) Where proposals for the establishment of a new grant-maintained...

SCHEDULE 21 —

Introductory

- 1 The functions conferred by or under paragraphs 2 to 5...

Powers to contract, etc.

- 2 The new governing body may— (a) enter into contracts including,...

Access to school

- 3 Any member of, or person authorised by, the new governing...

Information

- 4 (1) If the new governing body request the existing governing...

General powers of Secretary of State

- 5 (1) The Secretary of State may by order make such...

Grants to new governing body

- 6 (1) The funding authority may make grants to the new...

Liability for expenses of new governing body

- 7 The duty of a local education authority to maintain any...

SCHEDULE 22 — Governing bodies of grant-maintained schools

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Introductory

- 1 In this Schedule— “school” means a grant-maintained school, and “instrument”,...

Election of governors

- 2 The instrument for a school may make provision—

Disqualification for, tenure of and removal from office

- 3 A person who is a member of the teaching or...
4 The instrument for a school may make provision as to...
5 Subject to paragraph 10, the instrument for a school must...
6 (1) Subject to paragraph 10, the instrument for a school...
7 No provision made in the instrument by virtue of paragraph...
8 The instrument for a school must provide that any member...
9 (1) The instrument for a school must provide that any...

Initial appointments: terms of office

- 10 (1) The instrument for a school must, until every initial...

Meetings and proceedings

- 11 The proceedings of the governing body of a school shall...
12 Subject to the provisions of Chapter V of Part III...
13 (1) The instrument for a school may make provision as...

Information as to meetings and proceedings

- 14 (1) Regulations may require the governing body of a school...

Allowances for governors

- 15

Seal etc.

- 16 (1) The application of the seal of the governing body...

SCHEDULE 23 — Content of articles of government for grant-maintained schools

Introductory

- 1 In this Schedule— “school” means a grant-maintained school, and “articles”,...

Performance and delegation of functions

- 2 (1) The articles must make provision as to the functions...

Staff

- 3 (1) The articles must include provision as to—

Curriculum

- 4 (1) The articles must include provision for securing the discharge...

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Admission arrangements

- 5 (1) The articles must— (a) provide for the governing body...

Appeals relating to admission and exclusion of pupils

- 6 (1) The articles must include provision as to the arrangements...

Annual reports

- 7 (1) The articles must require the governing body to prepare...

Annual parents' meetings

- 8 (1) The articles must require the governing body, subject to...

SCHEDULE 24 — Categories of governors

Part I — INTRODUCTORY

Application

- 1 (1) This Schedule applies, in relation to the governing body...

General interpretation

- 2 References to an initial governor are to any person who...
3 References to a governor of an elected category are to...
4 In relation to any proposals for acquisition of grant-maintained status...

Part II — INITIAL GOVERNORS

Parent governors

- 5 (1) In relation to a governing body to be incorporated...

Teacher governors

- 6 (1) In relation to a governing body to be incorporated...

First governors

- 7 (1) In relation to a governing body to be incorporated...

Foundation governors

- 8 (1) In relation to a governing body to be incorporated...

Sponsor governors

- 9 In relation to a governing body to be incorporated under...

Part III — GOVERNORS OTHER THAN INITIAL GOVERNORS

Parent governors

- 10 (1) “Parent governor” means a person who—

Teacher governors

- 11 (1) “Teacher governor” means a person who—

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

First governors

- 12 “First governor” means— (a) a person appointed by the governing...

Foundation governors

- 13 “Foundation governor” means a person who— (a) is appointed otherwise...

Sponsor governors

- 14 “Sponsor governor” means— (a) a person appointed by a person...

SCHEDULE 25 — Core governors for groups

Introductory

- 1 The provision made for core governors in the instrument of...

Kinds of core governor

- 2 (1) Core governors may be either— (a) appointed by the...

Groups consisting only of former voluntary schools or section 212 schools

- 3 (1) This paragraph applies in the case of such a...

Other groups

- 4 (1) This paragraph applies in the case of a group...

Schedule 25A — Appeals against exclusion of pupils from grant-maintained schools

Introductory

- 1 In this Schedule— “ appeal ” means an appeal mentioned...

Procedure on appeal

- 2 An appeal shall be by notice in writing setting out...
3 (1) Subject to sub-paragraph (2), the appeal committee shall meet...
4 (1) For the purpose of fixing the time (falling within...
5 (1) The appeal committee shall give the relevant person an...
6 An appeal shall be held in private except when otherwise...
7 Two or more appeals may be combined and dealt with...
8 (1) In deciding whether the pupil in question should be...
9 In the event of a disagreement between the members of...
10 Subject to paragraph 11, the decision of the appeal committee...
11 Where the governing body extend the period for the consideration...
12 Subject to paragraphs 2 to 11, all matters relating to...
13 (1) Subject to sub-paragraph (2), where joint arrangements for appeals...

Power of Secretary of State to make amendments

- 14 The Secretary of State may by order amend the preceding...

SCHEDULE 26 — Making of assessments under section 323

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Introductory

- 1 In this Schedule “assessment” means an assessment of a child’s...

Medical and other advice

- 2 (1) Regulations shall make provision as to the advice which...

Manner, and timing, of assessments, etc.

- 3 (1) Regulations may make provision— (a) as to the manner...

Attendance at examinations

- 4 (1) Where a local education authority are considering whether to...

Offence

- 5 (1) Any parent who fails without reasonable excuse to comply...

SCHEDULE 27 — Making and maintenance of statements under section 324

Introductory

- 1 In this Schedule— “ amendment notice ” has the meaning...

Copy of proposed statement

- 2 (1) Before making a statement, a local education authority shall...
2A *Amendments to a statement*
2B *Provision of additional information*

Choice of school

- 3 (1) Every local education authority shall make arrangements for enabling...
3A *Consultation on specifying name of school in statement*

Representations

- 4 (1) A parent on whom a copy of a proposed...

Making the statement

- 5 (1) Where representations are made to a local education authority...

Service of statement

- 6 (1) Where a local education authority make or amend a...

Keeping, disclosure and transfer of statements

- 7 (1) Regulations may make provision as to the keeping and...

Change of named school

- 8 (1) Sub-paragraph (2) applies where— (a) the parent of a...

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Procedure for amending or ceasing to maintain a statement

- 9 (1) A local education authority may not
10 (1) Before amending a statement, a local education authority shall...
11 (1) A local education authority may cease to maintain a...

SCHEDULE 28 —

Constitution of governing body and conduct of school

- 1 (1) For every governing body of a grant-maintained special school...

Initial instruments and articles of government

- 2 (1) The initial instrument of government for the governing body...

Subsequent instruments of government

- 3 (1) The Secretary of State may— (a) if the governing...

Subsequent articles of government

- 4 (1) The governing body of a grant-maintained special school may,...

Parent governors

- 5 (1) The instrument of government for the governing body of...

Teacher governors

- 6 (1) The instrument of government for the governing body of...

Head teacher

- 7 The instrument of government for the governing body of a...

First governors

- 8 (1) The instrument of government for the governing body of...

Power of Secretary of State to replace first governors

- 9 (1) The instrument of government for the governing body of...

Sponsor governors

- 10 The instrument of government for the governing body of a...

Additional governors

- 11 (1) The instrument of government for the governing body of...

Powers

- 12 Section 231 of this Act shall have effect in relation...

Transitory provisions

- 13 Regulations may modify the provisions of paragraphs 5 to 12...

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

General application of enactments

- 14 In relation to any governing body incorporated in pursuance of...
- 15 Each of sections 306A (responsibility for discipline) and 307
(exclusion...
- 16 Section 307A and Schedule 25A (exclusion appeals) apply in relation...

SCHEDULE 29 —

Status

- 1 The Authority shall not be regarded as a servant or...

Powers

- 2 (1) The Authority may do anything which is calculated to...
- 3 (1) The Authority may also give to any person or...

Chief officer

- 4 The Authority shall have a chief officer who shall be...

Chairman and chief officer: division of functions

- 5 (1) The Secretary of State may, on appointing a person...

Tenure of office

- 6 (1) A person shall hold and vacate office as a...
- 7 The Secretary of State may, if satisfied that a member...
- 8 If the chairman or deputy chairman of the Authority ceases...

Payments to members

- 9 (1) The Authority shall pay to their members such salaries...

Staff

- 10 Subject to the approval of the Secretary of State, given...
- 11 (1) Employment with the Authority shall continue to be included...

Finance

- 12 (1) The Secretary of State may make grants to the...

Committees

- 13 (1) The Authority may establish a committee for any purpose....

Delegation of functions

- 14 The Authority may authorise the chairman, the deputy chairman, the...

Proceedings

- 15 (1) A representative of the Secretary of State shall be...
- 16 (1) Her Majesty's Chief Inspector of Schools in England, or...
- 17 (1) The chairman of the Curriculum and Assessment Authority for...
- 18 The validity of the Authority's proceedings shall not be affected...

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

19 Subject to the preceding provisions of this Schedule, the Authority...

Accounts

20 (1) The Authority shall— (a) keep proper accounts and proper...

Documents

21 The application of the seal of the Authority shall be...

22 Any document purporting to be an instrument made or issued...

SCHEDULE 30 —

Status

1 The Authority shall not be regarded as a servant or...

Powers

2 (1) The Authority may do anything which is calculated to...

3 (1) The Authority may also give to any person or...

Chief officer

4 (1) The Authority shall have a chief officer who shall...

Tenure of office

5 (1) A person shall hold and vacate office as a...

6 The Secretary of State may, if satisfied that a member...

7 If the chairman or deputy chairman of the Authority ceases...

Payments to members

8 (1) The Authority shall pay to their members such salaries...

Staff

9 Subject to the approval of the Secretary of State, given...

10 (1) Employment with the Authority shall continue to be included...

Finance

11 (1) The Secretary of State may make grants to the...

Committees

12 (1) The Authority may establish a committee for any purpose....

Delegation of functions

13 The Authority may authorise the chairman, the deputy chairman, the...

Proceedings

14 (1) The chairman of the School Curriculum and Assessment Authority,...

15 The validity of the Authority's proceedings shall not be affected...

16 Subject to the preceding provisions of this Schedule, the Authority...

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Accounts

17 (1) The Authority shall— (a) keep proper accounts and proper...

Documents

18 The application of the Authority’s seal shall be authenticated by...
19 Any document purporting to be an instrument made or issued...

SCHEDULE 31 — Agreed syllabuses of religious education

Duty to convene conference to reconsider agreed syllabus

1 (1) Where the agreed syllabus for the time being adopted...
2 (1) A local education authority shall from time to time...
3 On receipt by a local education authority of written notification...

Constitution of conference

4 (1) A conference convened under this Schedule shall consist of...
5 Any sub-committees appointed by the conference shall each include at...
6 On any question to be decided by the conference or...
7 (1) Before appointing a person to represent any religion, denomination...
8 A person appointed as a member of a committee—
9 Where a person resigns or is withdrawn from a committee,...

Reconsideration of agreed syllabus

10 (1) This paragraph applies where a local education authority cause...
11

Preparation of new syllabus by appointed body

12 (1) Where required by paragraph 10 to proceed in accordance...
13 (1) The appointed body shall— (a) give the local education...
14 The syllabus prepared by the appointed body shall be deemed...

Special provisions applicable where order under section 27(1)(b) applies

15

SCHEDULE 32 —

Proposals for reduction of standard number

1 Where the admission authority for a county or voluntary school...
2 The published proposals shall be accompanied by a statement
explaining...
3 (1) Where the local education authority are the admission authority,...
4 Where the governing body are the admission authority, objections to...

Order of Secretary of State

5 (1) Subject to sub-paragraph (2), where an application is made...

Consultation before making application

6 (1) Where the local education authority are the admission authority...

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

References to date of publication of proposals

7 (1) References in this Schedule, in relation to proposals under...

SCHEDULE 33 —

Part I — CONSTITUTION OF APPEAL COMMITTEES

Appeal arrangements made by local education authorities

1 (1) An appeal pursuant to arrangements made by a local...

Appeal arrangements made by governing bodies

2 (1) An appeal pursuant to arrangements made by the governing...
3 Where (by virtue of section 423(3)) joint arrangements are made...
4 An appeal committee constituted in accordance with paragraph 2 (or...

Lay members

5 (1) A person is eligible to be a lay member...
6 The Secretary of State may by regulations require any local...

Indemnity

7 Any local education authority or governing body required to make...

Part II — PROCEDURE

8 In this Part “appeal” means an appeal pursuant to any...
9 An appeal shall be by notice in writing setting out...
10 An appeal committee shall give the appellant an opportunity of...
11 The matters to be taken into account by an appeal...
12 (1) Appeals shall be heard in private except when the...
13 In the event of a disagreement between the members of...
14 The decision of an appeal committee and the grounds on...
15 (1) Subject to paragraphs 9 to 14, all matters relating...

Schedule 33A —

Duty to notify governing body of decision to admit child

1 Where any such decision as is mentioned in section 423A(2)...

Time limit on appealing

2 An appeal by the governing body against any such decision...

Appeal committees

3 (1) Subject to sub-paragraphs (2) and (3) below, paragraphs 1,...

Procedure on an appeal

4 In the following provisions of this Schedule— “appeal” means an...
5 An appeal shall be by notice in writing setting out...
6 The appeal committee shall meet to consider an appeal—
7 On an appeal the committee shall allow—
8 In considering an appeal the appeal committee shall have regard...
9 Appeals shall be heard in private except when otherwise directed...

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 10 Two or more appeals may be combined and dealt with...
- 11 In the event of a disagreement between the members of...
- 12 The decision of an appeal committee and the grounds on...
- 13 (1) Subject to paragraphs 5 to 12, all matters relating...

Power of Secretary of State to make amendments

- 14 The Secretary of State may by order amend the preceding...

Schedule 33B —

Home-school partnership documents

- 1 (1) The admission arrangements for a grant-maintained school may include...

Effect of home-school partnership document

- 2 (1) This paragraph applies where the admission arrangements for a...

Restriction of right to refuse admission to partially-selective school

- 3 (1) An application for the admission of a child to...

No requirement to admit children permanently excluded from two or more schools

- 4 (1) The governing body of a grant-maintained school shall not...

SCHEDULE 34 — Independent Schools Tribunals

...

Independent Schools Tribunals
Independent Schools Tribunals
Independent Schools Tribunals
Independent Schools Tribunals
Independent Schools Tribunals

SCHEDULE 35 —

- 1 (1) A participation agreement shall provide that it may be...
- 2 The proprietors of the school may terminate a participation agreement...
- 3 Subject to paragraph 4, the Secretary of State may terminate...
- 4 (1) If in the case of a participation agreement the...
- 5 A notice of termination given under paragraph 3 or 4...
- 6 The termination of a participation agreement shall not affect the...

SCHEDULE 35A — Academies: land

- 1 *Transfer schemes*
- 2 *Restriction on disposal*
- 3 (1) This paragraph applies if an authority makes a disposal...
- 4 (1) For the purposes of paragraphs 2 and 3—
- 5 *Restriction on appropriation*
- 6 (1) This paragraph applies if an authority makes an appropriation...
- 7 *Duty to inform*
- 8 *Former Academies*
- 9 *Disapplication of rule against perpetuities*

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 10 *Other Acts*
- 11 *Regulations*
- 12 *Class consents*
- 13 *Interpretation*

SCHEDULE 36 — Uniform statutory trusts for educational endowments

- 1 The trustees may, after payment of any expenses incurred in...
- 2 The trustees may also, after payment of any expenses incurred...

SCHEDULE 37 — Consequential amendments

Part I — AMENDMENTS COMING INTO FORCE ON 1ST NOVEMBER 1996

Children and Young Persons Act 1933 (c. 12)

- 1 Section 96 of the Children and Young Persons Act 1933...

Public Records Act 1958 (c. 51)

- 2 In Schedule 1 to the Public Records Act 1958 (definition...

Church Schools (Assistance by Church Commissioners) Measure 1958 (1958 No. 2)

- 3 In section 2(1) of the Church Schools (Assistance by Church...

Education Act 1962 (c. 12)

- 4 (1) Section 1 of the Education Act 1962 (local education...
- 5 In section 3(c)(i) of that Act (awards by Secretary of...
- 6 For section 14(4) of that Act there is substituted—
- 7 In paragraph 2 of Schedule 1 to that Act (ordinary...

London Government Act 1963 (c. 33)

- 8 In section 30(1) of the London Government Act 1963 (local...
- 9

Children and Young Persons Act 1963 (c. 37)

- 10 In section 37(3) of the Children and Young Persons Act...
- 11 In section 38 of that Act (restriction on licences for...

Veterinary Surgeons Act 1966 (c. 36)

- 12 In Schedule 3 to the Veterinary Surgeons Act 1966 (exemptions...

Education Act 1967 (c. 3)

- 13 In section 6(2) of the Education Act 1967 (construction as...

Public Expenditure and Receipts Act 1968 (c. 14)

- 14 In Schedule 3 to the Public Expenditure and Receipts Act...

Children and Young Persons Act 1969 (c. 54)

- 15
- 16

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Local Authorities (Goods and Services) Act 1970 (c. 39)

17

Local Authority Social Services Act 1970 (c. 42)

18 In Schedule 1 to the Local Authority Social Services Act...

Chronically Sick and Disabled Persons Act 1970 (c. 44)

19 In section 8(2) of the Chronically Sick and Disabled Persons...

Pensions (Increase) Act 1971 (c. 56)

20 In Part II of Schedule 2 to the Pensions (Increase)...

Superannuation Act 1972 (c. 11)

21 (1) Schedule 1 to the Superannuation Act 1972 shall continue—...

Local Government Act 1972 (c. 70)

22 (1) Section 104(2)(a) of the Local Government Act 1972 (teachers...

23 In section 112(4)(b) of that Act (appointment of staff) for...

24 In section 139(4) of that Act (acceptance of gifts of...

25 In section 177(1) of that Act (supplementary provisions as to...

Fair Trading Act 1973 (c. 41)

26 In Schedule 4 to the Fair Trading Act 1973 (services...

Local Government Act 1974 (c. 7)

27

28 In section 31A(2) of that Act (consideration of adverse reports)...

29 In paragraph 5(1) of Schedule 5 to that Act (matters...

House of Commons Disqualification Act 1975 (c. 24)

30 (1) Part III of Schedule 1 to the House of...

Sex Discrimination Act 1975 (c. 65)

31 In section 23(1) of the Sex Discrimination Act 1975 (other...

32 In section 23A of that Act (discrimination by Further Education...

33

34 In section 24(2)(c) of that Act (designated establishments) for “the...

35 (1) Section 25 of that Act (general duty in public...

36 In section 82 of that Act (general interpretation), in subsection...

37 In Schedule 2 to that Act (transitional exemption orders for...

Restrictive Trade Practices Act 1976 (c. 34)

38 In Schedule 1 to the Restrictive Trade Practices Act 1976...

Race Relations Act 1976 (c. 74)

39 In section 18(1) of the Race Relations Act 1976 (other...

40 In section 18A of that Act (discrimination by Further Education...

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 41
42 (1) Section 19 of that Act (general duty in public...
43 In section 78 of that Act (general interpretation), in subsection...

National Health Service Act 1977 (c. 49)

- 44 In section 28A(2)(c) of the National Health Service Act 1977...
45 In section 128(1) of that Act (interpretation), in the definition...
46 In Schedule 1 to that Act (medical and dental inspection...

Education Act 1980 (c.20)

- 47 (1) Section 38 of the Education Act 1980 (citation etc.)...

Education (Scotland) Act 1980 (c. 44)

- 48 (1) Section 48A of the Education (Scotland) Act 1980 (corporal...

Local Government, Planning and Land Act 1980 (c.65)

- 49 In paragraph 10 of Schedule 10 to the Local Government,...

Acquisition of Land Act 1981 (c. 67)

- 50 In section 1(2) of the Acquisition of Land Act 1981...
51 (1) Section 17(4) of that Act (statutory undertakers) shall have...

Greater London Council (General Powers) Act 1981 (c. xvii)

- 52 In section 16 of the Greater London Council (General Powers)...

Agricultural Training Board Act 1982 (c. 9)

- 53 In section 4(5) of the Agricultural Training Board Act 1982...

Industrial Training Act 1982 (c. 10)

- 54 In section 5 of the Industrial Training Act 1982 (functions...

Local Government (Miscellaneous Provisions) Act 1982 (c. 30)

- 55 In section 40 of the Local Government (Miscellaneous Provisions)
Act...

Representation of the People Act 1983 (c. 2)

- 56 (1) Paragraph 22 of Schedule 1 to the Representation of...

Education (Fees and Awards) Act 1983 (c. 40)

- 57 In section 1(4) of the Education (Fees and Awards) Act...

Registered Homes Act 1984 (c. 23)

- 58

Building Act 1984 (c. 55)

- 59 In section 4(1)(a) of the Building Act 1984 (exemption of...

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Greater London Council (General Powers) Act 1984 (c. xxvii)

60 In section 10(2)(g) of the Greater London Council (General Powers)...

Further Education Act 1985 (c. 47)

61 In section 8(3) (short title etc.) for “the Education Act...

Housing Act 1985 (c. 68)

62 In Schedule 1 (tenancies which are not secure tenancies), in...

Local Government Act 1986 (c. 10)

63

Disabled Persons (Services, Consultation and Representation) Act 1986 (c. 33)

64 (1) Section 5 of the Disabled Persons (Services, Consultation and...

Education (No. 2) Act 1986 (c. 61)

65 (1) Section 50 of the Education (No. 2) Act 1986...

66 (1) Section 67 of that Act (short title etc.) shall...

Reverter of Sites Act 1987 (c. 15)

67 (1) The Reverter of Sites Act 1987 shall be amended...

Local Government Act 1988 (c. 9)

68 In paragraph 8(3)(a) of Schedule 1 to the Local Government...

Criminal Justice Act 1988 (c. 33)

69 In section 139A(6) and (7) of the Criminal Justice Act...

Education Reform Act 1988 (c. 40)

70

71 In section 161(1)(b)(i) of that Act (interpretation of Part II)...

72 In section 163(1) of that Act (new education authorities for...

73 In section 166(5) of that Act (responsibility for schools) for...

74 (1) Section 197 of that Act (Education Transfer Council) shall...

75

76 (1) Section 218 of that Act (school and further and...

77 For section 219 of that Act there is substituted— Powers...

78

79 In section 228 of that Act (transfer of property to...

80 In section 232 of that Act (orders and regulations)—

81 (1) Section 235 of that Act (general interpretation) shall be...

82 (1) Schedule 10 to that Act (supplementary provisions with respect...

Copyright, Designs and Patents Act 1988 (c. 48)

83 In section 174(3) of the Copyright, Patents and Designs Act...

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Children Act 1989 (c. 41)

- 84 In section 28(4) of the Children Act 1989 (local authority...
- 85 In section 36(5) of that Act (education supervision orders:
presumption...
- 86
- 87 In section 87(10) of that Act (welfare of children accommodated...
- 88
- 89
- 90 In section 91(5) of that Act (effect and duration of...
- 91 In section 105(1) of that Act (interpretation) for “the Education...
- 92 In paragraph 3(b) of Schedule 2 to that Act (local...
- 93 (1) Part III of Schedule 3 to that Act (education...
- 94 (1) Paragraph 3 of Schedule 9 to that Act (child...

Local Government and Housing Act 1989 (c. 42)

- 95 In section 2(6)(a) of the Local Government and Housing Act...
- 96 (1) Section 13 of that Act (voting rights of members...
- 97

Education (Student Loans) Act 1990 (c. 6)

- 98 In section 1(3)(a) of the Education (Student Loans) Act 1990...

Town and Country Planning Act 1990 (c. 8)

- 99 In section 76 of the Town and Country Planning Act...

Environmental Protection Act 1990 (c. 43)

- 100 In section 98(2) of the Environmental Protection Act 1990 (definitions)
—...

School Teachers’ Pay and Conditions Act 1991 (c. 49)

- 101 (1) The School Teachers’ Pay and Conditions Act 1991—

Diocesan Boards of Education Measure 1991 (1991 No. 2)

- 102
- 103
- 104 (1) Section 6 of that Measure (Board to be consulted...
- 105
- 106
- 107

Further and Higher Education Act 1992 (c. 13)

- 108
- 109 In section 28(3)(a) of that Act (institutions which are grant-aided...
- 110 (1) Section 37 of that Act (attribution of surpluses and...
- 111 In section 54(2) of that Act (duty to give information)...
- 112
- 113 For section 57(6) of that Act (intervention in event of...
- 114 In section 89(5) of that Act (orders, regulations and directions)...
- 115 (1) Section 90 of that Act (interpretation) shall be amended...

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 116 In section 92 of that Act (Index)—
117 (1) Schedule 8 to that Act— (a) shall continue to...

Tribunals and Inquiries Act 1992 (c. 53)

- 118 (1) The Tribunals and Inquiries Act 1992 shall be amended...

Charities Act 1993 (c. 10)

- 119 For section 79(9) of the Charities Act 1993 (parochial charities)...
120 (1) Schedule 2 to that Act (exempt charities) shall continue...
121 At the end of paragraph 1(b) of Schedule 4 to...

Welsh Language Act 1993 (c. 38)

- 122

Local Government (Wales) Act 1994 (c. 19)

- 123 (1) Section 30 of the Local Government (Wales) Act 1994...
124 (1) Section 31 of that Act (sub-committees of area committees)...

Value Added Tax Act 1994 (c. 23)

- 125 In Schedule 9 to the Value Added Tax Act 1994...

Education Act 1994 (c. 30)

- 126 After section 11 of the Education Act 1994 there is...
127 (1) Section 12 of that Act (power of schools to...
128 In section 19 of that Act (interpretation)—

Disability Discrimination Act 1995 (c. 50)

- 129

Employment Rights Act 1996 (c. 18)

- 130 In section 134(1) of the Employment Rights Act 1996 (dismissal...

Nursery Education and Grant-Maintained Schools Act 1996 (c. 57)

- 131 (1) Section 4 of the Nursery Education and Grant-Maintained Schools...
132 In section 11 of that Act (citation etc.) for subsection...

Part II — AMENDMENTS COMING INTO FORCE ON APPOINTED DAY

Children and Young Persons Act 1933 (c. 12)

- 133 In section 30(1)(a) of the Children and Young Persons Act...

Agriculture (Safety, Health and Welfare Provisions) Act 1956 (c. 49)

- 134 In section 24(1) of the Agriculture (Safety, Health and Welfare...

Factories Act 1961 (c. 34)

- 135 In section 176(1) of the Factories Act 1961 (general interpretation)...

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Matrimonial Causes Act 1973 (c. 18)

136 In section 29(2)(a) of the Matrimonial Causes Act 1973 (age...

Sex Discrimination Act 1975 (c. 65)

137 In section 24(2)(d) of the Sex Discrimination Act 1975 (designated...

Domestic Proceedings and Magistrates' Courts Act 1978 (c. 22)

138 In section 5(2)(a) of the Domestic Proceedings and Magistrates' Courts...

Employment Act 1989 (c. 38)

139 In section 10 of the Employment Act 1989 (removal of...

SCHEDULE 38 — Repeals and revocations

Part I — REPEALS COMING INTO FORCE ON 1ST NOVEMBER 1996

Part II — REPEALS COMING INTO FORCE ON APPOINTED DAY

Part III — REVOCATIONS

SCHEDULE 39 — Transitional provisions and savings

Part I — GENERAL

General transitional provisions

1 (1) The repeal and re-enactment of provisions by this Act...

Extension of references to provisions repealed by Education Act 1993

2 (1) Paragraph 1(3) above shall have effect, for the purpose...

Construction of pre-1944 Act references

3 Where immediately before the commencement of this Act any reference...

4 (1) This paragraph applies to enactments passed before 1st April...

Effect of old transitional provisions and savings

5 The repeals made by this Act shall not affect the...

6 (1) The repeal by this Act of an enactment previously...

Use of existing forms etc.

7 Any reference to an enactment repealed by this Act which...

Pre-commencement offences

8 Nothing in this Act affects the enactments repealed by this...

Part II — SPECIFIC PROVISIONS

Governing bodies of LEA-maintained schools

9 (1) Any governing body which immediately before the commencement of...

10 (1) The reproduction by this Act of any reference, in...

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

11 Where any instrument under which the governing body of an...

Special agreement schools

12 (1) Any order under section 15(2) of the Education Act...

Proposals to establish etc. maintained or grant-maintained schools

13 (1) Nothing in sections 35 to 45 or in sections...

Review of constitution of governing bodies

14 (1) Subject to sub-paragraph (2), nothing in section 82 of...

Confirmation of certain decisions of governing body

15

Review of grouping

16 The reference in section 94(2)(c) of this Act to an...

Financial delegation

17 (1) Without prejudice to paragraph 1(3) above—

18 Nothing in section 141 of this Act requires a local...

School sessions

19 For the purposes of section 147(1)(b) of this Act as...

Exclusion of pupils

20 Nothing in section 157 of this Act applies in relation...

School premises: pre-1993 Act transfer of control agreements

21 (1) This paragraph applies to any agreement to which paragraph...

Variation of trust deeds etc.

22 In section 179(1) of this Act— (a) paragraph (b) does...

Ballots relating to acquisition of grant-maintained status

23 Section 190(2)(b) of this Act applies where after the commencement...

Instruments and articles for grant-maintained schools incorporated under pre-1993 Act law

24 (1) This paragraph applies in relation to a grant-maintained school...

25 (1) This paragraph applies in relation to a grant-maintained school...

26 (1) This paragraph applies in relation to a grant-maintained school...

Appeal committees

27 Nothing in— (a) section 308(3) of this Act, or

28 Paragraph 13(4) of Schedule 22 to this Act does not...

29 Where immediately before the commencement of this Act an appeal...

30 Nothing in this Act affects the restriction imposed by paragraph...

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Maintenance etc. grants

- 31 (1) The former grants code shall continue to have effect...
32 Section 81 of the Education Reform Act 1988 (recovery from...
33 The Education (Grant-maintained Schools) (Finance) Regulations 1990,
so far as...

Assessments and statements of special educational needs

- 34 Any assessment or statement of special educational needs which—

Applications relating to special schools

- 35 Any application which— (a) was made to the Secretary of...

*Contracts of staff transferred to School Curriculum and Assessment
Authority or Curriculum and Assessment Authority for Wales*

- 36 (1) The repeal by this Act of—

Information about directions under section 365

- 37 Nothing in section 366 of this Act applies, by virtue...

Review of conclusions about policy relating to curriculum

- 38 Any articles of government of a county, controlled or maintained...

Agreed syllabuses of religious education

- 39 (1) Nothing in this Act affects the constitution of, or...

Arrangements for collective worship

- 40 In section 385 of this Act— (a) subsection (4)(b) does...

Disqualification for purposes of Part VII

- 41 Sections 472 and 473 of this Act shall apply to...

Chairmen of Independent Schools Tribunals

- 42 In its application to a person who, immediately before 31st...

Training grants

- 43 The Education (Training Grants) Regulations 1993 shall continue to
have...

Education committees etc. and members of those committees

- 44 (1) Sub-paragraph (2) below applies to— (a) any education committee...

Documents issued by divisional executives

- 45 Section 566(1) of this Act applies to a document purporting—...

Part III — MISCELLANEOUS SAVINGS ETC.

- 46 Handicapped children

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Byelaws under Children and Young Persons Act 1933

47 Despite the repeal by this Act of section 120(5) of...

Disputes as to property transferred by virtue of 1944 Act

48 Any question which, if it had arisen before the commencement...

Modifications of deeds made prior to Education Act 1973

49 Without prejudice to the generality of paragraph 6(2) above, any...

Instruments made prior to Local Government Act 1972

50 The repeal by this Act of section 192(5) and (6)...

Part IV — INTERPRETATION

51 In this Schedule “repeal” includes (so far as the context...

SCHEDULE 40 —

Compulsory school age: general

1 (1) Until the day appointed under section 583(3) for the...

Section 231: powers of governing body of grant-maintained school

2 (1) If section 7 of the Nursery Education and Grant-Maintained...

Section 318: provision by LEAs of goods and services

3 If paragraph 12 of Schedule 3 to the Nursery Education...

Sections 336 and 476: disapplication of arbitration legislation

4 If paragraphs 4 and 59 of Schedule 3 to the...

Section 355: the “key stages”

5 Until the day appointed under section 583(3) for the coming...

Section 357: implementation of National Curriculum

6 Until the relevant commencement date, section 357(2) shall not apply,...

Section 433: time for admission of pupils

7 If paragraph 2 of Schedule 3 to the Nursery Education...

Sections 457, 512 and 534: jobseeker’s allowances

8 (1) If paragraph 17 of Schedule 2 to the Jobseekers...

Section 560: work experience

9 Until the day appointed under section 583(3) for the coming...

Section 578 and Schedule 37: “the Education Acts”; consequential amendments

10 If the provisions of Schedule 3 to the Nursery Education...

Status: Point in time view as at 19/11/2003.

Changes to legislation: Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Meaning of “the relevant commencement date”

- 11 (1) Subject to sub-paragraph (2), in any of the preceding...

— TABLE OF DERIVATIONS

1 *Notes:*

2 The following abbreviations are used in the Table:—

Acts of Parliament

Subordinate legislation

- 3 The abbreviation “Law Com. Rec. No.” followed by a number...
4 By virtue of the Secretary of State for Education and...
5 The Table also does not separately acknowledge the provisions of...

Status:

Point in time view as at 19/11/2003.

Changes to legislation:

Education Act 1996 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.