



# Education Act 1996

## 1996 CHAPTER 56

### PART VII

#### INDEPENDENT SCHOOLS

#### CHAPTER I

##### PRELIMINARY

#### [<sup>F1</sup>463 Alteration to definition of “independent school”

- (1) In this Act “independent school” means any school at which full-time education is provided for—
- (a) five or more pupils of compulsory school age, or
  - (b) at least one pupil of that age for whom a statement is maintained under section 324, or who is looked after by a local authority (within the meaning of section 22 of the Children Act 1989),
- and which is not a school maintained by a [<sup>F2</sup>local authority] or a special school not so maintained.
- (2) For the purposes of subsection (1)(a) and (b) it is immaterial if full-time education is also provided at the school for pupils under or over compulsory school age.]

#### Textual Amendments

- F1** S. 463 substituted (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), **ss. 172**, 216(4) (with **ss. 210(8)**, 214(4)); [S.I. 2003/1667](#), art. 4; [S.I. 2003/2961](#), art. 6, Sch. Pt. III
- F2** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), **Sch. 2 para. 7(2)** (with Sch. 2 para. 7(4)(5))

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**Modifications etc. (not altering text)**

- C1** S. 463 savings for effects of 2002 c. 32, s. 172 (W.) (19.11.2003) by [The Education Act 2002 \(Transitional Provisions and Consequential Amendments\) \(No.2\) \(Wales\) Regulations 2003 \(S.I. 2003/2959\)](#), regs. 1(1), **8(3)**

**CHAPTER II**

REGISTRATION OF INDEPENDENT SCHOOLS

*Registration*

**F3 464 Separate registration for England and for Wales.**

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**Textual Amendments**

- F3** Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), **Sch. 22 Pt. 3** (with ss. 210(8), 214(4)); S.I. 2003/1667, art. 4; S.I. 2003/2961, art. 6, Sch. Pt. III

**F3 465 Provisional and final registration of a school.**

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**Textual Amendments**

- F3** Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), **Sch. 22 Pt. 3** (with ss. 210(8), 214(4)); S.I. 2003/1667, art. 4; S.I. 2003/2961, art. 6, Sch. Pt. III

**F3 466 Enforcement of registration: offences.**

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**Textual Amendments**

- F3** Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), **Sch. 22 Pt. 3** (with ss. 210(8), 214(4)); S.I. 2003/1667, art. 4; S.I. 2003/2961, art. 6, Sch. Pt. III

**F3 467 Provision of information about registered and provisionally registered schools.**

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**Textual Amendments**

- F3** Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), **Sch. 22 Pt. 3** (with ss. 210(8), 214(4)); S.I. 2003/1667, art. 4; S.I. 2003/2961, art. 6, Sch. Pt. III

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**F<sup>3</sup>468 School may be struck off for contravention of regulations about employment of teachers.**

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**Textual Amendments**

**F3** Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with [ss. 210\(8\), 214\(4\)](#)); [S.I. 2003/1667](#), art. 4; [S.I. 2003/2961](#), art. 6, Sch. Pt. III

*Complaints about registered and provisionally registered schools*

**F<sup>3</sup>469 Notice of complaint by Secretary of State.**

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**Textual Amendments**

**F3** Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with [ss. 210\(8\), 214\(4\)](#)); [S.I. 2003/1667](#), art. 4; [S.I. 2003/2961](#), art. 6, Sch. Pt. III

**F<sup>3</sup>470 Determination of complaint by an Independent Schools Tribunal.**

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**Textual Amendments**

**F3** Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with [ss. 210\(8\), 214\(4\)](#)); [S.I. 2003/1667](#), art. 4; [S.I. 2003/2961](#), art. 6, Sch. Pt. III

**F<sup>3</sup>471 Determination of complaint by Secretary of State.**

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**Textual Amendments**

**F3** Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with [ss. 210\(8\), 214\(4\)](#)); [S.I. 2003/1667](#), art. 4; [S.I. 2003/2961](#), art. 6, Sch. Pt. III

**F<sup>3</sup>472 Effect of personal disqualification.**

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**Textual Amendments**

**F3** Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with [ss. 210\(8\), 214\(4\)](#)); [S.I. 2003/1667](#), art. 4; [S.I. 2003/2961](#), art. 6, Sch. Pt. III

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**F3 473 Enforcement of disqualification.**

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**Textual Amendments**  
**F3** Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with [ss. 210\(8\), 214\(4\)](#)); [S.I. 2003/1667](#), art. 4; [S.I. 2003/2961](#), art. 6, Sch. Pt. III

**F3 473A Removal of disqualification: persons no longer unsuitable to work with children.**

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**Textual Amendments**  
**F3** Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with [ss. 210\(8\), 214\(4\)](#)); [S.I. 2003/1667](#), art. 4; [S.I. 2003/2961](#), art. 6, Sch. Pt. III

**F3 473B Conditions for application under section 473A.**

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**Textual Amendments**  
**F3** Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with [ss. 210\(8\), 214\(4\)](#)); [S.I. 2003/1667](#), art. 4; [S.I. 2003/2961](#), art. 6, Sch. Pt. III

**F3 474 Removal of disqualification: other cases.**

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**Textual Amendments**  
**F3** Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with [ss. 210\(8\), 214\(4\)](#)); [S.I. 2003/1667](#), art. 4; [S.I. 2003/2961](#), art. 6, Sch. Pt. III

**F3 475 Duty of Registrar to comply with order for the deletion of a school from the register.**

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**Textual Amendments**  
**F3** Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with [ss. 210\(8\), 214\(4\)](#)); [S.I. 2003/1667](#), art. 4; [S.I. 2003/2961](#), art. 6, Sch. Pt. III

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### *Independent Schools Tribunals*

#### **F<sup>3</sup>476 Constitution and proceedings of Independent Schools Tribunals.**

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##### **Textual Amendments**

**F3** Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with [ss. 210\(8\)](#), [214\(4\)](#)); [S.I. 2003/1667](#), art. 4; [S.I. 2003/2961](#), art. 6, Sch. Pt. III

### *Supplementary*

#### **F<sup>3</sup>477 Disqualification in Scotland.**

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##### **Textual Amendments**

**F3** Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with [ss. 210\(8\)](#), [214\(4\)](#)); [S.I. 2003/1667](#), art. 4; [S.I. 2003/2961](#), art. 6, Sch. Pt. III

#### **F<sup>3</sup>478 Offences: institution of proceedings and punishment.**

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##### **Textual Amendments**

**F3** Ss. 464-478 repealed (1.9.2003 for E., 1.1.2004 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with [ss. 210\(8\)](#), [214\(4\)](#)); [S.I. 2003/1667](#), art. 4; [S.I. 2003/2961](#), art. 6, Sch. Pt. III

## **CHAPTER III**

### **ASSISTED PLACES AT INDEPENDENT SCHOOLS**

#### **F<sup>4</sup>479** .....

##### **Textual Amendments**

**F4** S. 479 repealed (1.9.1997) by [1997 c. 59](#), ss. 1(1)(a)(b)(3), 6(3), 7(3)(a), [Sch.](#), Pt.I.

#### **F<sup>5</sup>480** .....

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**Textual Amendments**

**F5** S. 480 repealed (1.9.1997) by 1997 c. 59, ss. 1(1)(a)(b)(3), 6(3), 7(3), **Sch. Pt.I.**

**F6** **481** .....

**Textual Amendments**

**F6** S. 481 repealed (1.9.1997) by 1997 c. 59, ss. 1(1)(a)(b)(3), 6(3), 7(3), **Sch. Pt.I.**

**CHAPTER IV**

**CITY COLLEGES**

**F7** **482 Academies**

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**Textual Amendments**

**F7** S. 482 repealed (1.2.2012) by Education Act 2011 (c. 21), s. 82(3), **Sch. 14 para. 16**; S.I. 2012/84, art. 3 (with art. 5)

**F8** **483 City colleges: financial provisions.**

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**Textual Amendments**

**F8** S. 483 repealed (29.7.2010) by Academies Act 2010 (c. 32), s. 19(2), **Sch. 2 para. 5**; S.I. 2010/1937, art. 2, Sch. 1

**[F9 483A City colleges and academies: special educational needs.**

- (1) This section applies in relation to any child falling within subsection (2) if the condition in subsection (3) is satisfied.
- (2) A child falls within this subsection if—
  - (a) he is a child for whom a statement is maintained under section 324, and
  - (b) he attends (or proposes to attend) a school which is a city technology college, a city college for the technology of the arts or <sup>F10</sup>an Academy] .
- (3) The condition in this subsection is satisfied if—
  - <sup>F11</sup>(a) the statement is maintained by a local authority in England, or
  - (b) the statement is maintained by a local authority in Wales and the Welsh Ministers consent to the child being educated at the school.]

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- (4) [<sup>F12</sup>The appropriate national authority] may by regulations make provision for securing that arrangements are made—
- (a) for making the special educational provision specified in the statement;
  - (b) for making any non-educational provision specified in the statement.
- (5) Regulations under subsection (4) may require or authorise a [<sup>F2</sup>local authority]—
- (a) to make payments to the school in respect of the child, or
  - (b) to provide any other assistance to the school in respect of the child.
- (6) No condition or requirement imposed by virtue of section 482(4)(a) is to prevent a [<sup>F2</sup>local authority] making payments or providing assistance by virtue of subsection (5).
- [ In subsection (4) “the appropriate national authority” means—
- <sup>F13</sup>(6A) (a) in relation to a school in England, the Secretary of State;
- (b) in relation to a school in Wales, the Welsh Ministers.]
- (7) [<sup>F14</sup>This section does not apply to schools in Wales.]]

#### Textual Amendments

- F2** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), **Sch. 2 para. 7(2)** (with Sch. 2 para. 7(4)(5))
- F9** S. 483A inserted (1.10.2000) by [2000 c. 21, s. 133](#) (with s. 150); S.I. 2000/2559, art. 2(1), **Sch. Pt. I**
- F10** Words in s. 483A(2)(b) substituted (26.7.2002) by [Education Act 2002 \(c. 32\)](#), ss. 65, 216; Sch. 7 Pt. 2 para. 6(4)(a); (with savings in ss. 210(8), 214(4)) S.I. 2002/2002, **art. 2**
- F11** S. 483A(3)(a)(b) substituted (1.9.2009) by [Education and Skills Act 2008 \(c. 25\)](#), ss. 147(5), 173(4); S.I. 2009/1513, art. 3
- F12** Words in s. 483A(4) substituted (1.9.2009) by [Education and Skills Act 2008 \(c. 25\)](#), ss. 147(6), 173(4); S.I. 2009/1513, art. 3
- F13** S. 483A(6A) added (1.9.2009) by [Education and Skills Act 2008 \(c. 25\)](#), ss. 147(7), 173(4); S.I. 2009/1513, art. 3
- F14** S. 483A(7) ceased to have effect (26.7.2002) and repealed (1.10.2002 for E., otherwise prosp.) by [Education Act 2002 \(c. 32\)](#), ss. 65(3), 215, 216(4), **Sch. 7 para. 6(4)(b)**, **Sch. 22 Pt. 3** (with ss. 210(8), 214(4)); S.I. 2002/2002, **art. 2**; S.I. 2002/2439, **art. 3**

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