

*Status: Point in time view as at 01/11/1996.*

*Changes to legislation: Education Act 1996, Cross Heading: Responsibility for providing sufficient school places is up to date with all changes known to be in force on or before 26 May 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)*

## SCHEDULES

### SCHEDULE 4

#### DISTRIBUTION OF FUNCTIONS WHERE ORDER MADE UNDER SECTION 27

##### PART III

#### FUNCTIONS WHERE RESPONSIBILITY FOR PROVIDING SUFFICIENT SCHOOL PLACES IS TRANSFERRED

##### *Responsibility for providing sufficient school places*

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- (1) The duty under section 14(1) shall be discharged by the funding authority instead of the local education authority.
  - (2) In discharging that duty the funding authority shall, in particular, have regard to the matters referred to in section 14(6)(b) (provision for pupils who have special educational needs).
  - (3) The funding authority may provide board and lodging otherwise than at school for pupils at maintained or grant-maintained schools; and, where the authority do so, the parents of the pupils concerned shall, subject to the following provisions of this Schedule, pay charges to the authority not exceeding the cost to the authority of the provision.
  - (4) Where the governing body of a grant-maintained school provide board and lodging at the school for pupils there, the parents of the pupils concerned shall, subject to the following provisions of this Schedule, pay charges to the governing body not exceeding the cost to the governing body of the provision.
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- (1) The local education authority may continue to secure the provision of relevant education falling within section 14(1) and (subject to paragraph 7) to secure the provision of schools for that purpose.
  - (2) In exercising those powers the local education authority shall, in particular, have regard to the matters referred to in section 14(6) (which include the separation of primary and secondary education, and the provision of boarding accommodation for those for whom boarding is desirable).
  - (3) Where the local education authority—
    - (a) provide board and lodging at a maintained school for pupils there, or
    - (b) provide board and lodging otherwise than at school for pupils at maintained or grant-maintained schools,

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the parents of the pupils concerned shall, subject to the following provisions of this Schedule, pay charges to the authority not exceeding the cost to the authority of the provision.

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