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*Status: Point in time view as at 01/02/1999. This version of this cross heading contains provisions that are not valid for this point in time.*

*Changes to legislation: School Standards and Framework Act 1998, Cross Heading: General duty of local education authority is up to date with all changes known to be in force on or before 15 September 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)*

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# School Standards and Framework Act 1998

## 1998 CHAPTER 31

### PART V

#### NURSERY EDUCATION

VALID FROM 01/04/1999

#### *General duty of local education authority*

#### **118 Duty of LEA as respects availability of nursery education.**

- (1) A local education authority shall secure that the provision (whether or not by them) of nursery education for children who—
  - (a) have not attained compulsory school age, but
  - (b) have attained such age as may be prescribed,is sufficient for their area.
- (2) In determining for the purposes of subsection (1) whether the provision of such education is sufficient for their area a local education authority—
  - (a) may have regard to any facilities which they expect to be available outside their area for providing such education; and
  - (b) shall have regard to any guidance given from time to time by the Secretary of State.

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VALID FROM 01/10/2002

### **[<sup>F1</sup>118A Duties of LEA in respect of childcare**

- (1) A local education authority shall review annually the sufficiency of childcare provision for their area.
- (2) In carrying out a review for the purposes of subsection (1), a local education authority—
  - (a) may have regard to any facilities which they expect to be available outside their area for providing childcare; and
  - (b) shall have regard to any guidance given from time to time by the Secretary of State.
- (3) A local education authority shall also establish and maintain a service providing information to the public relating to the provision of childcare and related services in their area.
- (4) In relation to the function, form and content of a service established and maintained under subsection (3), a local education authority shall have regard to any guidance given from time to time by the Secretary of State.]

#### **Textual Amendments**

- F1** S. 118A inserted (1.10.2002 for E. and 31.3.2003 for W. ) by [Education Act 2002 \(c. 32\)](#), [ss. 149\(1\)](#), 216 (with [ss. 210\(8\)](#), [214\(4\)](#)); [S.I. 2002/2439](#), [art. 3](#) (with [Sch.](#)); [S.I. 2002/3185](#), [art. 5](#), [Sch. Pt. II](#)

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