

Learning and Skills Act 2000

CHAPTER 21

LEARNING AND SKILLS ACT 2000

PART I

LEARNING AND SKILLS COUNCIL FOR ENGLAND

The Council

1 The Council.

Main duties

- 2 Education and training for persons aged 16 to 19.
- 3 Education and training for persons over 19.
- 4 Encouragement of education and training.

Main powers

- 5 Provision of financial resources.
- 6 Financial resources: conditions.
- 7 Funding of school sixth-forms.
- 8 Links between education and training and employment.
- 9 Assessments and means tests.
- 10 Qualifying accounts and arrangements.
- 11 Further education: governors.

Other functions

- 11A Support schemes relating to education and training for persons aged 10 to 15
 - 12 Research and information.
 - 13 Persons with learning difficulties.

- 14 Equality of opportunity.
- 14A Consultation
 - 15 Plans.
 - 16 Strategy.
 - 17 Use of information by Council.
 - 18 Supplementary functions.

Local councils

- 19 Local councils.
- 20 Functions of local councils.
- 21 Guidance to local councils.
- 22 Plans of local councils.
- 23 Duty of local education authorities.
- 24 Guidance and plans: timing.

Miscellaneous

- 25 Directions.
- 26 Committees.
- 27 Grants to Council.
- 28 Annual report.
- 29 Council's financial year.

PART II

FURTHER EDUCATION AND SIXTH FORM EDUCATION: WALES

The Council

30 The Council.

Main duties

- 31 Education and training for persons aged 16 to 19.
- 32 Education and training for persons over 19.
- 33 Encouragement of education and training.

Main powers

- 34 Provision of financial resources.
- 35 Financial resources: conditions.
- 36 Funding of school sixth-forms.
- 37 (1) The local education authority— (a) may, if they think...
- 38 Qualifying accounts and arrangements.
- 39 Further education: governors.

Other functions

- 40 Research and information.
- 41 Persons with learning difficulties.
- 42 Equality of opportunity.
- 43 Plans.
- 44 Strategy.
- 45 Use of information by Council.
- 46 Supplementary functions.

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Miscellaneous

- 47 Directions.
- 48 Committees.
- 49 Grants to Council.
- 50 Annual report.
- 51 Council's financial year.

PART III

INSPECTIONS IN ENGLAND

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PART IV

INSPECTIONS IN WALES

New titles

- 73 Inspectors of Education and Training in Wales.
- 74 Some defined terms.

Extended remit

75 The extended remit of the Chief Inspector for Wales.

Additional functions

- 76 Additional functions of the Chief Inspector for Wales.
- 77 Inspections.
- 78 General powers.
- 79 Right of entry and offences.
- 80 Action plans.
- 81 Inspections of careers services etc.
- 82 Inspections of education and training provided under 1973 Act arrangements.
- 83 Area inspections.
- 84 Action plans following section 83 inspections.
- 85 Studies across Wales or of provision made outside Wales.
- 86 Annual reports.
- 87 Annual plan of the Chief Inspector for Wales.
- 88 Defamation.

PART V

MISCELLANEOUS AND GENERAL

Further Education Funding Councils

- 89 Dissolution of FEFC for England.
- 90 Preliminary transfers: FEFC for England.
- 91 Dissolution of FEFC for Wales.

Other transfers

92 Transfers: England.

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93 Transfers: Wales.

Transfers: further provision

- 94 Stamp duty.
- 94A Stamp duty land tax
- 95 Contracts of employment.

External qualifications

- 96 Persons under 19.
- 97 Persons over 19.
- 98 Approved qualifications: England.
- 99 Approved qualifications: Wales.
- 100 Authorised bodies.
- 101 Enforcement: England.
- 102 Enforcement: Wales.
- 103 Amendments relating to external qualifications.

Qualifying accounts and arrangements

- 104 Qualifying accounts.
- 105 Qualifying arrangements.
- 106 Qualifying arrangements: Northern Ireland.
- 107 Qualifying arrangements: further provision.
- 108 Grants.
- 109 Grants: Northern Ireland.

Sixth-form education

- 110 Secondary education.
- 111 Further education corporations.
- 112 Further education institutions: designation.
- 113 sixth forms requiring significant improvement
- 113A Restructuring of sixth-form education

Support for 13 to 19 year olds: England

- 114 Provision of services.
- 115 Consultation and coordination.
- 116 Local education authorities.
- 117 Educational institutions: information and access.
- 118 Inspection.
- 119 Information: supply by Secretary of State.
- 120 Information: supply by public bodies.
- 121 Supplementary.
- 122 Careers services.

Support for 11 to 25 year olds: Wales

- 123 Provision of services.
- 124 Local authority: duty and powers.
- 125 Consultation and coordination.
- 126 Educational institutions: information and access.
- 127 Inspection.
- 128 Conduct and effect of inspections.

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129 Supplementary.

City colleges and academies

- 130 City academies.
- 131 City academies: land.
- 132 City academies: financial provisions.
- 133 City colleges and academies: special educational needs.

Pensions

- 134 Pensions.
- 135 Pensions: interpretation.
- 136 Pensions: delegation.

Other miscellaneous provisions

- 137 Recreation and social and physical training.
- 138 Wales: provision of information by public bodies.
- 139 Induction periods for teachers.
- 140 Assessments relating to learning difficulties.
- 141 Training programmes: cessation of funding.
- 142 Further and higher education corporations: secondary education.
- 143 Further education sector: designated institutions.
- 144 Designated institutions: disposal of land, &c.
- 145 Further education colleges: governors' liability.
- 146 Financial support for students.
- 147 Financial support for students: Northern Ireland.
- 148 Sex education.
- 149 Amendments.

General

- 150 Wales.
- 151 Transitional provisions.
- 152 Orders and regulations.
- 153 Repeals.
- 154 Commencement.
- 155 Extent.
- 156 Citation.

SCHEDULES

SCHEDULE 1 — Learning and Skills Council for England

Chief executive

1 (1) One of the Council's members is to be its...

Tenure of members

- 2 (1) A person is to hold and vacate office as...
- 3 (1) This paragraph applies if the Secretary of State is...

Salaries, pensions, etc

4 (1) The Council must pay in respect of its members...

Staff

- 5 (1) The Council may appoint such employees as it thinks...
- 6 (1) Employment with the Council is to be included among...

Delegation of functions

7 (1) The Council may authorise the chairman or the chief...

Members' interests

8 (1) A member of the Council who is in any...

Proceedings

- 9 (1) A representative of the Secretary of State is entitled...
- 10 The validity of any proceedings of the Council is not...
- 11 The Council may regulate its own procedure, subject to the...

Seal and proof of instruments

- 12 The application of the Council's seal must be authenticated by...
- 13 (1) This paragraph applies if a document purports to be...

Accounts

14 (1) The Council must— (a) keep proper accounts and proper...

Council's status

15 (1) The Council is not to be regarded as the...

SCHEDULE 2 — Local councils

Director

1 (1) The Council must appoint one of its employees as...

Tenure of members

- 2 (1) A person is to hold and vacate office as...
- 3 (1) This paragraph applies if the Council is satisfied that...

Salaries, allowances

4 The Council must pay— (a) in respect of the chairman...

Staff

5 The Council may appoint such of its employees as it...

Delegation of functions

6 (1) A local council may authorise the chairman or the...

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Proceedings

- 7 The validity of any proceedings of a local council is...
- 8 A local council may regulate its own procedure.

SCHEDULE 3 — Committees (England)

General

1 (1) The Council— (a) must establish a young people's learning...

Young people's learning committee

2 (1) This paragraph applies to the young people's learning committee....

Adult learning committee

3 (1) This paragraph applies to the adult learning committee.

Other committees

4 (1) This paragraph applies to any committee of the Council...

Tenure of members

- 5 (1) A person is to hold and vacate office as...
- 6 (1) This paragraph applies if the Council is satisfied that...

Allowances

7 The Council must pay to the members of any of...

Proceedings

- 8 (1) A representative of the Secretary of State is entitled...
- 9 The validity of any proceedings of any committee of the...
- 10 The Council may regulate the procedure of any of its...

SCHEDULE 4 — National Council for Education and Training for Wales

Chief executive

1 (1) One of the Council's members is to be its...

Tenure of members

- 2 (1) A person is to hold and vacate office as...
- 3 (1) This paragraph applies if the National Assembly is satisfied...

Salaries, pensions, Et ceteralaetc

4 (1) The Council must pay in respect of its members...

Staff

- 5 (1) The Council may appoint such employees as it thinks...
- 6 (1) Employment with the Council is to be included among...

Delegation of functions

7 (1) The Council may authorise the chairman or the chief...

Members' interests

8 (1) A member of the Council who is in any...

Proceedings

- 9 (1) A representative of the National Assembly is entitled to...
- 10 The validity of any proceedings of the Council is not...
- 11 The Council may regulate its own procedure, subject to the...

Seal and proof of instruments

- 12 The application of the Council's seal must be authenticated by...
- 13 (1) This paragraph applies if a document purports to be...

Accounts

14 (1) The Council must— (a) keep proper accounts and proper...

Council's status

15 (1) The Council is not to be regarded as the...

SCHEDULE 5 — Committees (Wales)

General

1 (1) The Council— (a) may establish a regional committee for...

Regional committees

- 2 (1) A regional committee is to consist of not less...
- 3 A regional committee— (a) must perform with regard to its...

Other committees

4 (1) This paragraph applies to any committee of the Council...

Tenure of members

5 (1) A person is to hold and vacate office as...

Allowances

6 The Council must pay to the members of any of...

Delegation of functions

7 A committee of the Council may authorise the chairman of...

Proceedings

- 8 (1) A representative of the National Assembly is entitled to...
- 9 The validity of any proceedings of a committee of the...
- 10 A committee of the Council may regulate its own procedure,...

SCHEDULE 6 — The Adult Learning Inspectorate

Tenure of members

- 1 (1) A person is to hold and vacate office as...
- 2 (1) This paragraph applies if the Secretary of State is...

Salaries, pensions, etc

3 (1) The Inspectorate must pay in respect of its members...

Staff

- 4 (1) The Inspectorate may appoint such employees, including inspectors, as...
- 5 (1) The Inspectorate must pay to its employees such remuneration...
- 6 (1) Employment with the Inspectorate is to be included among...

Committees

7 (1) The Inspectorate may establish such committees as it considers...

Supplementary powers

8 (1) The Inspectorate may do anything which appears to it...

Delegation of functions

9 The Inspectorate may authorise the chairman, the chief officer or...

Members' interests

10 (1) A member of the Inspectorate who is in any...

Proceedings

11 (1) A representative of the Secretary of State is entitled...

Seal and proof of instruments

- 12 The application of the Inspectorate's seal must be authenticated by...
- 13 (1) This paragraph applies if a document purports to be...

Accounts

14 (1) The Inspectorate must— (a) keep proper accounts and proper...

Financial year of the Inspectorate

15 A financial year of the Inspectorate is—

Inspectorate's status

16 (1) The Inspectorate is not to be regarded as the...

House of Commons disqualification

17 In Part III of Schedule 1 to the House of...

SCHEDULE 7 — Sixth forms requiring significant improvement Part I — POWER TO PUBLISH PROPOSALS

Secondary schools

- 1 (1) Paragraphs 2 to 7 apply to a maintained school...
- 2 If a person who inspects a school—
- 3 (1) This paragraph applies if in the course of an...
- 4 (1) Parts II and III of this Schedule shall apply...
- 5 (1) Parts II and III of this Schedule shall cease...
- 6 (1) This paragraph applies to a report of an inspection...
- 7 (1) Where a person who inspects a school is of...

Institutions for 16-19 year olds

- 8 Paragraphs 9 to 14 apply to a maintained school (within...
- 9 If a person who inspects a school—
- 10 (1) This paragraph applies if in the course of an...
- 11 (1) Parts 2 and 3 of this Schedule shall apply—...
- 12 (1) Parts II and III of this Schedule shall cease...
- 13 (1) This paragraph applies to a report of an inspection...
- 14 Section 13(2) to (7) of the School Inspections Act 1996... Part II — PUBLICATION OF PROPOSALS

Closure of sixth form: England

- 15 Paragraphs 16 and 17 apply to a school which is...
- 16 (1) The Learning and Skills Council for England may publish...
- 17 The Council shall send a copy of the published proposals—...
- 18 In paragraphs 16 and 17 "prescribed" means prescribed by regulations...

Closure of sixth form: Wales

- 19 Paragraphs 20 and 21 apply to a school which is...
- 20 (1) The National Assembly for Walesmay publish proposals for an...
- 21

х

In paragraphs 20 and 21 "prescribed" means prescribed by regulations...

Closure of institution for 16-19 year olds: England

- 23 Paragraphs 24 and 25 apply to a school which—
- 24 (1) The Learning and Skills Council for England may publish...
- 25 The Council shall send a copy of the published proposals—...
- 26 In paragraphs 24 and 25 "prescribed" means prescribed by regulations...

Closure of institution for 16-19 year olds: Wales

In paragraphs 28 and 29 "prescribed" means prescribed by regulations...

Schools maintained by LEA outside its area

27 Paragraphs 28 and 29 apply to a school which—

(1) This paragraph applies to a school which—

Part III — IMPLEMENTATION OF PROPOSALS

- 28 (1) The National Assembly for Wales may publish proposals to...
- 29

31

29 30

England

- 32 (1) Paragraphs 33 to 38 apply to schools maintained by...
- 33 Regulations may require any of the following to provide prescribed...
- 34 Any person may send objections to, or comments on, the...
- 35 (1) The local education authority must consider the proposals and,...
- 36 (1) Where proposals are approved under paragraph 35 they shall...
- 37 (1) The local education authority— (a) may, if they think...
- 38 (1) The duty to implement proposals to alter a school—...

Wales

- 39 (1) Paragraphs 40 to 44 apply to schools maintained by...
- 40 Regulations may require the National Assembly to provide prescribed information...
- 41 Any person may send objections to the proposals to the...
- 42 (1) After the expiry of the period mentioned in paragraph...
- 43 (1) Where proposals are confirmed under paragraph 42 they shall...
- 44 (1) The duty to implement proposals to alter a school....

Schools maintained by LEA outside its area

45 (1) This paragraph applies to a school which—

SCHEDULE 7A — Implementation of proposals for restructuring sixth-form education

- 1 Introductory
- 2 Proposals to establish a school
- 3 Proposals to make a prescribed alteration
- 4 *Proposals to discontinue a school*
- 5 Supplementary
- 6 (1) In relation to England, where the governing body of...
- 7 (1) A local education authority in England may give to...

...SCHEDULE 8 — City academies: land

SCHEDULE 9 — Amendments

Introduction

1 The amendments specified in this Schedule shall have effect.

Public Records Act 1958 (c.51)

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

Superannuation Act 1972 (c.11)

3 In Schedule 1 to the Superannuation Act 1972 (kinds of...

House of Commons Disqualification Act 1975 (c.24)

4 In Part III of Schedule 1 to the House of...

Sex Discrimination Act 1975 (c.65)

5 In section 23A of the Sex Discrimination Act 1975 (discrimination...

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- 6 After section 25 of that Act insert— General duty: post-16...
- 7 (1) Section 26 of that Act (exception for single-sex establishments)...
- 8 In section 28 of that Act (exception for physical training)...

Race Relations Act 1976 (c.74)

- 9 In section 18A of the Race Relations Act 1976 (discrimination...
- 10

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

11 In section 1 of the Education (Fees and Awards) Act...

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

12 In section 5(9) of the Disabled Persons (Services, Consultation and...

Local Government Act 1988 (c.9)

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

Employment Act 1988 (c.19)

14 In section 26 of the Employment Act 1988 (status of...

Education Reform Act 1988 (c.40)

- 15 In section 124 of the Education Reform Act 1988 (powers...
- 16 In section 128(1)(b) of that Act (dissolution of higher education...
- 17 For section 161(1)(b) of that Act (interpretation: further or higher...
- 18 In section 218(2B) of that Act (school and further and...

Environmental Protection Act 1990 (c.43)

19 In section 98 of the Environmental Protection Act 1990 (definitions)...

Further and Higher Education Act 1992 (c.13)

- 20 In the Further and Higher Education Act 1992, omit sections...
- 21 In section 18 of that Act (further education corporation: powers)
- 22 (1) Section 19 of that Act (supplementary powers of a...
- 23 (1) Section 22 of that Act (subsequent instruments and articles)...
- 24 (1) Section 29 of that Act (government and conduct of...
- 25 In section 31 of that Act (designated institutions conducted by...
- 26 In section 41(10) of that Act (control of contracts) after...
- 27 (1) Section 44 of that Act (collective worship) is amended...
- 28 (1) Section 45 of that Act (religious education) shall be...
- 29 In section 52 of that Act (duty to provide for...
- 30 In section 52A of that Act (pupils receiving secondary education)...
- 31 In section 54 of that Act (duty to give information)...
- 32 In section 55 of that Act (inspections etc of local...
- 33 Section 56 of that Act (directions) shall cease to have...
- 34 In that Act for section 57 substitute— Intervention. (1) This section applies if one or more of the...
- 35 In section 60 of that Act (saving as to persons...
- 36 Section 60A of that Act (partnership arrangements: Wales) shall cease...
- 37 In that Act, after section 61 insert— References to councils....

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- 38 In section 82 of that Act (joint exercise of functions)...
- 39 In section 83 of that Act (efficiency studies) in subsection...
- 40 In section 89(2) of that Act (orders and regulations)—
- 41 In section 90 of that Act (interpretation) after subsection (2)...
- 42 In section 91 of that Act (interpretation of Education Acts)...
- 43 In section 92 of that Act (index) in the table...
- 44 (1) Schedule 4 to that Act (instruments and articles of...
- 45 Schedule 5A to that Act (partnership arrangements: Wales) shall cease...

Welsh Language Act 1993 (c.38)

46 In section 6(1) of the Welsh Language Act 1993 (meaning...

Value Added Tax Act 1994 (c.23)

47 (1) In Schedule 9 to the Value Added Tax Act...

Education Act 1994 (c.30)

48 In section 9(2) of the Education Act 1994 (joint exercise...

Disability Discrimination Act 1995 (c.50)

49 In section 19 of the Disability Discrimination Act 1995 (discrimination...

Employment Rights Act 1996 (c.18)

50 In section 63A of the Employment Rights Act 1996 (right...

Education Act 1996 (c.56)

- 51 In section 1 of the Education Act 1996 (the stages...
- 52 (1) Section 13 of that Act (general responsibility for education)...
- 53 Section 15 of that Act (functions in respect of provision...
- 54 (1) Section 15A of that Act (functions of local education...
- 55 After section 15A of that Act insert— Functions in respect...
- 56 In section 312(2) of that Act (meaning of "learning difficulty")...
- 57 (1) Section 408 of that Act (provision of information) is...
- 58 (1) Section 490 of that Act (grants in respect of...
- 59 (1) Section 509 of that Act (provision of transport etc)...
- 60 In section 537 of that Act (power of the Secretary...
- 61 In section 541 of that Act (distribution of information about...
- 62 In section 550B of that Act (detention outside school hours)...
- 63 In section 580 of that Act (index) in the table...
- 64 In Schedule 1 to that Act (pupil referral units) in...

School Inspections Act 1996 (c.57)

- 65 In section 5 of the School Inspections Act 1996 (functions...
- 66 In section 6 of that Act (power of Chief Inspector...
- 67 (1) Section 10 of that Act (inspection of certain schools...
- 68 In section 16 of that Act (destination of reports) after...

Education Act 1997 (c.44)

69 In section 25 of the Education Act 1997 (other functions...

- 70 In section 31 of that Act (other functions of the...
- 71 In section 43 of that Act (provision of careers education...
- 72 In section 44(3)(a) of that Act (co-operation with careers advisers)...

Audit Commission Act 1998 (c.18)

73 (1) Section 36 of the Audit Commission Act 1998 (studies...

Teaching and Higher Education Act 1998 (c.30)

- 74 (1) Section 26 of the Teaching and Higher Education Act...
- 75 In section 28(1) of that Act (interpretation) in the definition...
- 76 Section 34 of that Act (inspection of vocational training in...
- 77 In section 35 of that Act (inspection of careers services...

School Standards and Framework Act 1998 (c.31)

- 78 In section 15 of the School Standards and Framework Act...
- 79 In section 19(2) of that Act (power of Secretary of...
- 80
- 81 After section 26 of that Act insert— Plans of local...
- 82 (1) Section 27 of that Act (committees and adjudicators for...
- 83 In section 30(3) of that Act (notice by governing body...
- 84 In section 33(1) of that Act (establishment, alteration and discontinuance...
- 85 In section 110 of that Act (home-school agreements) in subsection...
- 86 Part VI of that Act (partnership arrangements in Wales) shall...
- 87 (1) Section 137 of that Act (Education Transfer Council: alteration...
- 88 In section 142(1) of that Act (general interpretation) omit the...
- 89 (1) Schedule 6 to that Act (statutory proposals: procedure and...
- 90 (1) Schedule 7 to that Act (rationalisation of school places)...
- 91 In paragraph 5(1) of Schedule 22 to that Act (discontinuance...

Government of Wales Act 1998 (c.38)

- 92 (1) Section 104 of the Government of Wales Act 1998...
- 93 In section 118(2) of that Act (meaning of "Welsh public...
- In Part I of Schedule 4 to that Act (public...

SCHEDULE 10 — Transitional provisions Part I — ENGLISH COUNCILS

Introduction

1 For the purposes of this Part of this Schedule—

Transitional provisions

- 2 The old Council must do its best to secure that...
- 3 (1) Anything being done by or in relation to the...
- 4 Every agreement (whether written or not), and every instrument or...
- 5 (1) This paragraph applies if the new Council is established...
- 6 At any time before the day on which the new...
- 7 (1) The new Council must discharge a duty which satisfies...
- 8 If an order under section 8(4) of the Further and...

Part II — WELSH COUNCILS

Part III — Adult Learning Inspectorate

.. (1) During the interim period, section 52(2) has effect as...

- Part IV STUDENT LOANS
- 18 (1) Sub-paragraph (2) has effect in relation to the Education...

SCHEDULE 11 — Repeals

Status:

Point in time view as at 02/01/2008.

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