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# Education Act 2002

## CHAPTER 32

### EDUCATION ACT 2002

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- 3 The authority shall, in connection with the exercise of their...
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SCHOOLS

- 5 The arrangements for the staffing of the school shall be...
- 6 Except with the consent of the authority, the governing body...

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- 7 The authority may give the governing body directions—
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- 4 After section 51 of the 1998 Act there is inserted—...
- 5 In Schedule 15 to the 1998 Act (suspension of financial...
- 6 *Teachers engaged otherwise than as employees*
- 7 In section 59 of the 1998 Act (staff at community,...
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- 3 *Parental preferences*
- 4 *Children permanently excluded from two or more schools*
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- 8 *Appeal arrangements: general*
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- 10 *Direction to admit child to specified school*
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- 2 (1) Section 16 of that Act (power of local education...
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- 3 *Diocesan Boards of Education Measure 1991 (1991 No. 2)*
- 4 *Further and Higher Education Act 1992 (c. 13)*
- 5 *Disability Discrimination Act 1995 (c. 50)*
- 6 *Education Act 1996 (c. 56)*
- 7 *School Inspections Act 1996 (c. 57)*
- 8 *Education Act 1997 (c. 44)*

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- 9 *School Standards and Framework Act 1998 (c. 31)*
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- 1 *Proposals for establishment, alteration and discontinuance of schools*
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- 3 (1) Paragraph 3 (approval of proposals) is amended as follows....
- 4 (1) Paragraph 4 (determination by LEA whether to implement proposals)...
- 5 (1) Paragraph 5 (requirement to implement proposals) is amended as...
- 6 (1) Paragraph 10 (requirement to implement proposals in Wales) is...
- 7 *Proposals for rationalisation of school places*
- 8 In paragraph 7 (objections)— (a) in sub-paragraph (1), after “objections...”
- 9 (1) Paragraph 8 (approval of proposals) is amended as follows....
- 10 In paragraph 9 (local inquiry), in sub-paragraph (1)—
- 11 *Proposals in relation to sixth forms*
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- 13 (1) Paragraph 35 (consideration of proposals by school organisation committee)...
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- 1 *Membership*
- 2 A member shall hold and vacate office in accordance with...
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- 4 The Secretary of State may by notice in writing dismiss...
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- 8 If the chairman ceases to be a member of the...
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- 11 If the deputy chairman ceases to be a member of...
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- 13 *Proceedings*

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- 14 The validity of proceedings of the Body shall not be...  
15 *Transitional provision*

SCHEDULE 12 — The General Teaching Councils for England and Wales  
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- 1 The Teaching and Higher Education Act 1998 (c. 30) is...  
2 In section 2 (which relates to the advisory functions of...  
3 (1) Section 3 (which relates to the registration of teachers...  
4 (1) Section 4 (which relates to regulations about the registration...  
5 After section 4 there is inserted— Appeals against refusal of...  
6 After section 6 there is inserted— Power to promote teaching...  
7 In section 9(1) (which lists provisions applying to the General...  
8 In section 12 (deduction of fees from salaries etc) in...  
9 In section 42 (orders and regulations), in subsection (2) (a)...  
10 In section 43(1) (general interpretation), in the definition of  
“registered...  
11 In Schedule 1 (constitution etc. of General Teaching Council for...  
12 (1) Schedule 2 (disciplinary powers of Council) is amended as...

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8 (1) Section 115 of that Act (enhanced criminal record certificates)...

SCHEDULE 14 — Inspection of nursery education

- 1 *Conduct of inspections by Inspectorate*  
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4 In section 79P(3) of the Children Act 1989 (c. 41)...  
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7 Nothing in paragraph 5 or 6 affects appeals made under...

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- 1 *Introductory*  
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7 *Functions of Education Action Forum*  
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- 1 *Duty to report on quality of management etc*
- 2 In section 5(1) of that Act (matters of which the...
- 3 In section 10(5) of that Act (matters on which a...
- 4 *Inspections by members of the Inspectorate etc.*
- 5 In paragraph 3 of Schedule 3 to that Act (teams...
- 6 In paragraph 3A of that Schedule (enrolment of persons to...
- 7 *Destination of reports on inspections of maintained schools*
- 8 *Action plans*
- 9 *Approvals for appointment of staff*

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- 1 *The Qualifications and Curriculum Authority*
- 2 In section 24 of the Education Act 1997 (functions of...
- 3 (1) Section 26 of the Education Act 1997 (supplementary provisions...
- 4 After section 26 of the Education Act 1997 (c. 44)...
- 5 *The Qualifications, Curriculum and Assessment Authority for Wales*
- 6 In any order made before the commencement of this paragraph...
- 7 (1) Section 32 of the Education Act 1997 (supplementary provisions...
- 8 After section 32 of the Education Act 1997 there is...
- 9 *Provisions extending to Northern Ireland*

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- 1 *Special Educational Needs*
- 2 In section 313 (code of practice), for subsection (5) there...
- 3 In section 326A (unopposed appeals), for subsection (6) there is...
- 4 In section 333 (constitution of Tribunal), before subsection (1) there...
- 5 After section 336 there is inserted— Special Educational Needs Tribunal...
- 6 In section 336A, for subsection (2) there is substituted—
- 7 *Disability Discrimination*
- 8 (1) In section 28H (Special Educational Needs and Disability Tribunal),...
- 9 (1) Section 28I (jurisdiction and powers of the Tribunal) is...
- 10 (1) Section 28J (procedure) is amended as follows.
- 11 In section 28M (roles of the Secretary of State and...
- 12 In Part 3 of Schedule 3 (enforcement and procedure: discrimination...
- 13 Section 10 of the Disabled Persons (Services, Consultation and Representation)...
- 14 *Consequential amendments*
- 15 In Schedule 1 to the Tribunals and Inquiries Act 1992...
- 16 In section 42 of the Special Educational Needs and Disability...
- 17 *Saving and transitional provision*
- 18 Regulations made, or having effect as if made, under any...

#### SCHEDULE 19 — Transport for persons over compulsory school age

- 1 The Education Act 1996 is amended as follows.
- 2 In section 509 (provision of transport etc.)—
- 3 After section 509 there is inserted— Provision of transport etc....
- 4 After section 509AA there is inserted— Further provision about transport...
- 5 After section 509AB there is inserted— Interpretation of sections 509AA...

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- 6 In section 509A (travel arrangements for children receiving nursery education...)

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- 1 (1) Section 547 of the Education Act 1996 (c. 56)...  
2 After section 85 of the Further and Higher Education Act...

SCHEDULE 21 — Minor and consequential amendments

- 1 *Local Government Act 1972 (c. 70)*  
2 *Local Government Act 1974 (c. 7)*  
3 *Sex Discrimination Act 1975 (c. 65)*  
4 *Public Passenger Vehicles Act 1981 (c. 14)*  
5 *Education (Fees and Awards) Act 1983 (c. 40)*  
6 *Building Act 1984 (c. 55)*  
7 *Education Act 1986 (c. 40)*  
8 *Education Reform Act 1988 (c. 40)*  
9 *Children Act 1989 (c. 14)*  
10 *Environmental Protection Act 1990 (c. 43)*  
11 *Further and Higher Education Act 1992 (c. 13)*  
12 In section 21 of the Further and Higher Education Act...  
13 Section 23(4)(b) of the Further and Higher Education Act 1992...  
14 In section 26 of the Further and Higher Education Act...  
15 In section 37 of the Further and Higher Education Act...  
16 Sections 39 to 42 of the Further and Higher Education...  
17 In section 43 of the Further and Higher Education Act...  
18 Section 48 of the Further and Higher Education Act 1992...  
19 (1) Section 52A of the Further and Higher Education Act...  
20 In section 54(1) of the Further and Higher Education Act...  
21 Section 60 of the Further and Higher Education Act 1992...  
22 *Tribunals and Inquiries Act 1992 (c. 53)*  
23 *Education Act 1994 (c. 30)*  
24 In section 14 of the Education Act 1994 (qualification of...  
25 In section 19(1) of the Education Act 1994 (interpretation), for...  
26 *Disability Discrimination Act 1995 (c. 50)*  
27 (1) Section 28L of the Disability Discrimination Act 1995  
(exclusions)...  
28 In section 28Q of the Disability Discrimination Act 1995  
(interpretation)...  
29 In Schedule 4A to the Disability Discrimination Act 1995, in...  
30 *Employment Rights Act 1996 (c. 18)*  
31 In section 139 of the Employment Rights Act 1996 (redundancy),...  
32 In section 218 of the Employment Rights Act 1996 (change...  
33 *Education Act 1996 (c. 56)*  
34 (1) Section 3 of the Education Act 1996 (definition of...  
35 In section 29 of the Education Act 1996 (provision of...  
36 In section 313 of the Education Act 1996 (Code of...  
37 In section 315 of the Education Act 1996 (review of...  
38 In section 316A of the Education Act 1996 (duty to...  
39 (1) Section 317 of the Education Act 1996 (duties in...  
40 In section 317A(1) of the Education Act 1996 (duty to...  
41 (1) Section 318 of the Education Act 1996 (provision of...  
42 In section 321 of the Education Act 1996 (general duty...  
43 In section 324 of the Education Act 1996 (statement of...)

*Status: Point in time view as at 31/03/2003.*

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- 44 In section 329A of the Education Act 1996 (review or...
- 45 In section 402 of the Education Act 1996 (obligation to...
- 46 (1) Section 408 of the Education Act 1996 (provision of...
- 47 (1) Section 409 of the Education Act 1996 (complaints and...
- 48 (1) Section 451 of the Education Act 1996 (prohibition of...
- 49 (1) Section 484 of the Education Act 1996 (education standards...
- 50 In section 499 of the Education Act 1996 (power to...
- 51 In section 509 of the Education Act 1996 (provision of...
- 52 In section 512A of the Education Act 1996 (transfer of...
- 53 In section 530 of the Education Act 1996 (compulsory purchase...
- 54 In section 533 of the Education Act 1996 (c. 56)...
- 55 In section 545 of the Education Act 1996 (exemption of...
- 56 In section 578 of the Education Act 1996 (meaning of...
- 57 In section 579(1) of the Education Act 1996 (general interpretation)—...
- 58 In Schedule 27 to the Education Act 1996—
- 59 *School Inspections Act 1996 (c. 57)*
- 60 (1) Section 11 of the School Inspections Act 1996 (application...
- 61 In section 15 of the School Inspections Act 1996 (timing...
- 62 In section 16 of the School Inspections Act 1996 (destination...
- 63 In section 17 of the School Inspections Act 1996 (special...
- 64 In section 18(1)(a) of the School Inspections Act 1996 (additional...
- 65 In section 21(3)(b) of the School Inspections Act 1996 (duty...
- 66 In section 23 of the School Inspections Act 1996 (inspection...
- 67 In Schedule 3 to the School Inspections Act 1996 (inspections...
- 68 In Schedule 4 to the School Inspections Act 1996 (inspections...
- 69 *Education Act 1997 (c. 44)*
- 70 In section 32 of the Education Act 1997 (supplementary provisions...
- 71 Section 49 of the Education Act 1997 (regulations about access...
- 72 *Police Act 1997 (c. 50)*
- 73 In section 115 of the Police Act 1997 (enhanced criminal...
- 74 *Teaching and Higher Education Act 1998 (c. 30)*
- 75 In section 2 of the Teaching and Higher Education Act...
- 76 In section 3 of the Teaching and Higher Education Act...
- 77 In section 4 of the Teaching and Higher Education Act...
- 78 In section 7 of the Teaching and Higher Education Act...
- 79 Section 10 of the Teaching and Higher Education Act 1998...
- 80 Section 11 of the Teaching and Higher Education Act 1998...
- 81 In section 12 of the Teaching and Higher Education Act...
- 82 Section 13 of the Teaching and Higher Education Act 1998...
- 83 For section 15 of the Teaching and Higher Education Act...
- 84 Section 18 of the Teaching and Higher Education Act 1998...
- 85 In section 19 of the Teaching and Higher Education Act...
- 86 (1) Schedule 2 to the Teaching and Higher Education Act...
- 87 *School Standards and Framework Act 1998 (c. 31)*
- 88 In section 4 of the School Standards and Framework Act...
- 89 In section 7 of the School Standards and Framework Act...
- 90 In section 12 of the School Standards and Framework Act...
- 91 Section 13 of the School Standards and Framework Act 1998...
- 92 In section 14 of the School Standards and Framework Act...
- 93 (1) Section 16 of the School Standards and Framework Act...
- 94 (1) Section 18 of the School Standards and Framework Act...
- 95 In section 20 of the School Standards and Framework Act...
- 96 (1) Section 22 of the School Standards and Framework Act...

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- 97 (1) Section 28 of the School Standards and Framework Act...
- 98 (1) Section 33 of the School Standards and Framework Act...
- 99 (1) Section 45 of the School Standards and Framework Act...
- 100 (1) Section 49 of the School Standards and Framework Act...
- 101 In section 50 of the School Standards and Framework Act...
- 102 In section 61 of the School Standards and Framework Act...
- 103 In section 62 of the School Standards and Framework Act...
- 104 (1) Section 69 of the School Standards and Framework Act...
- 105 In section 71 of the School Standards and Framework Act...
- 106 In section 72 of the School Standards and Framework Act...
- 107 In section 81 of the School Standards and Framework Act...
- 108 In section 82 of the School Standards and Framework Act...
- 109 In section 101 of the School Standards and Framework Act...
- 110 (1) Section 127 of the School Standards and Framework Act...
- 111 In section 138 of the School Standards and Framework Act...
- 112 In section 142 of the School Standards and Framework Act...
- 113 In section 143 of the School Standards and Framework Act...
- 114 In Schedule 3 to the School Standards and Framework Act...
- 115 (1) Schedule 6 to the School Standards and Framework Act...
- 116 In Schedule 7 to the School Standards and Framework Act...
- 117 (1) Schedule 19 to the School Standards and Framework Act...
- 118 (1) Schedule 22 to the School Standards and Framework Act...
- 119 In Schedule 32 to the School Standards and Framework Act...
- 120 *Protection of Children Act 1999 (c. 14)*
- 121 (1) Section 7 of the Protection of Children Act 1999...
- 122 In section 9(2) of the Protection of Children Act 1999...
- 123 (1) Section 12 of the Protection of Children Act 1999...
- 124 *Learning and Skills Act 2000 (c. 21)*
- 125 (1) Section 36 of the Learning and Skills Act 2000...
- 126 (1) Schedule 7 to the Learning and Skills Act 2000...
- 127 *Freedom of Information Act 2000 (c. 36)*
- 128 *Criminal Justice and Court Services Act 2000 (c. 43)*

#### SCHEDULE 22 — Repeals

- Part 1 — REPEALS COMING INTO FORCE IN ACCORDANCE WITH SECTION 216(2)
- Part 2 — REPEALS COMING INTO FORCE IN ACCORDANCE WITH SECTION 216(3)
- Part 3 — REPEALS COMING INTO FORCE IN ACCORDANCE WITH SECTION 216(4)



**Status:**

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**Changes to legislation:**

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