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# Education Act 2005

## CHAPTER 18

### EDUCATION ACT 2005

#### PART 1

##### SCHOOL INSPECTIONS AND OTHER INSPECTIONS BY SCHOOL INSPECTORS

#### CHAPTER 1

##### SCHOOL INSPECTORS AND SCHOOL INSPECTIONS: ENGLAND

##### *Her Majesty's Inspectorate for England*

- 1 Her Majesty's Inspectorate of Schools in England
- 2 Functions of Her Majesty's Chief Inspector of Schools in England
- 3 Annual and other reports to Secretary of State
- 4 Powers of entry etc. for purposes of section 2

##### *Inspections*

- 5 Duty to inspect certain schools at prescribed intervals
- 6 Duty to notify parents of section 5 inspection
- 7 Duty to have regard to views of certain persons
- 8 Inspection at discretion of Chief Inspector
- 9 Power of Chief Inspector to treat other inspection as section 5 inspection
- 10 Power of entry etc. for purposes of inspection under section 5 or 8

##### *Publication of inspection reports*

- 11 Publication of inspection reports

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### *Investigation of complaints*

- 11A Power of Chief Inspector to investigate complaints about schools
- 11B Investigations under section 11A
- 11C Reports of investigations

### *Interpretation of Chapter*

- 12 Interpretation of Chapter 1

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### PROCEDURE FOR INSPECTIONS UNDER CHAPTER 1

#### *Inspections and reports: all schools*

- 13 Duties of Chief Inspector where school causes or has caused concern

#### *Destination of reports and measures required: maintained schools*

- 14 Destination of reports: maintained schools
- 15 Measures to be taken by local education authority

#### *Destination of reports and measures required: non-maintained schools*

- 16 Destination of reports: non-maintained schools
- 17 Statement to be prepared by proprietor of school

### *Interpretation of Chapter*

- 18 Interpretation of Chapter 2

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### SCHOOL INSPECTORS AND SCHOOL INSPECTIONS: WALES

#### *Her Majesty's Inspectorate for Wales*

- 19 Her Majesty's Inspectorate of Education and Training in Wales
- 20 Functions of Chief Inspector
- 21 Annual and other reports to Assembly
- 22 Power of Assembly to establish advisory panel
- 23 Powers of entry etc. of Chief Inspector
- 24 Power of Chief Inspector to arrange for inspections

#### *Registered inspectors*

- 25 Registration of inspectors in Wales
- 26 Removal from register and imposition or variation of conditions
- 27 Appeals in relation to registration

#### *Inspections by registered inspectors and members of the Inspectorate*

- 28 Duty to arrange regular inspections of certain schools

#### *Publication of inspection reports*

- 29 Publication of inspection reports

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### *Receipts*

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### *Interpretation of Chapter*

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- 32 Inspections by members of the Inspectorate

#### *Inspections and reports: all schools*

- 33 Duty to report on section 28 inspections  
34 Section 28 inspections by registered inspectors  
35 Reports of inspections by members of the Inspectorate  
36 Timing of section 28 inspections by registered inspectors

#### *Destination of reports and measures required: maintained schools*

- 37 Duty to notify where inspection shows maintained school causing concern  
38 Destination of reports: maintained schools  
39 Statement to be prepared by appropriate authority for school  
40 Statement to be prepared by local education authority

#### *Destination of reports and measures required: non-maintained schools*

- 41 Destination of reports: non-maintained schools  
42 Statement to be prepared by proprietor of school

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- 47 Meaning of “denominational education”  
48 Inspection of religious education: England

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- 49 Procedure for inspections under section 48
- 50 Inspection of religious education: Wales

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- 51 Power of LEA to inspect maintained school for specific purpose
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*Inspection of child minding, day care and nursery education*

- 53 Inspection of child minding, day care and nursery education

*Inspection of independent schools*

- 54 Inspection of independent schools

*Inspection of careers services in Wales*

- 55 Inspection of careers services in Wales
- 56 Inspection of services related to careers services in Wales
- 57 Inspections under sections 55 and 56: further provisions

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- 67 Rationalisation of school places in England
- 68 Proposals for establishment of federated school
- 69 LEA not to establish school on opposite side of Welsh border
- 70 Proposals for discontinuance of rural primary school
- 71 Proposals relating to maintained special school
- 72 School organisation: further amendments
- 73 Interpretation of Part 2

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- 74 The Training and Development Agency for Schools
- 75 Functions of Agency
- 76 Functions of Agency in relation to Wales

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- 82 Grants to Agency by Assembly
- 83 Non-funding functions of Agency
- 84 Directions by Secretary of State and Assembly

*Funding of teacher training by Higher Education Funding Council for Wales*

- 85 Qualifying activities and eligible institutions in relation to HEFCW funding
- 86 Grants, loans and other payments by HEFCW
- 87 Provisions supplementary to section 86
- 88 Grants to HEFCW
- 89 Power of HEFCW to carry out or commission research
- 90 Supplementary and ancillary functions of HEFCW
- 91 Directions by Assembly

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- 92 Joint exercise of functions
- 93 Efficiency studies
- 94 Duty to provide information

*Provision of training in schools*

- 95 Power of maintained schools to provide training for the school workforce

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- 96 Interpretation of references to training
- 97 Institutions of a denominational character
- 98 Further amendments relating to Part 3
- 99 Transitional and transitory provisions relating to Part 3
- 100 Interpretation of Part 3

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*Maintained schools*

- 101 Funding of maintained schools
- 102 LEA targets: England
- 103 Removal of requirements for governors' reports and parents' meetings
- 104 School profiles
- 105 Provision and funding of higher education in maintained schools
- 106 Admission arrangements to make special provision for looked-after children
- 107 Restrictions on disposal of land

*Information*

- 108 Supply of information: education maintenance allowances

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- 109 Unauthorised disclosure of information received under section 108
- 110 Supply of information: free school lunches etc.
- 111 Unauthorised disclosure of information received under section 110
- 112 Power to provide that function of determining eligibility remains with LEA
- 113 Information about the school workforce: introductory
- 114 Supply of information about school workforce

*Attendance at alternative educational provision*

- 115 Power of governing body to make alternative provision for excluded pupils
- 116 Failure of parent to secure regular attendance of child at alternative provision

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- 117 Further amendments relating to Part 4
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- 119 Functions to be exercisable by National Assembly for Wales
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- 121 Parliamentary control of subordinate legislation
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- 124 Power to make further supplementary and consequential provision etc.
- 125 Commencement
- 126 The appropriate authority by whom commencement order is made
- 127 Extent
- 128 Short title, etc.

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**SCHEDULES**

SCHEDULE 1 — Her Majesty's Chief Inspector of Schools In England

*Chief Inspector's other staff*

- 1 The Chief Inspector may appoint such staff, in addition to...

*Additional inspectors*

- 2 (1) The Chief Inspector may arrange for such persons as...

*Remuneration, pensions etc.*

- 3 (1) There are to be paid to the Chief Inspector...

*Official seal*

- 4 The Chief Inspector is to continue to have an official...

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*Performance of functions*

- 5 (1) Subject to sub-paragraph (3) and paragraph 2(8), anything authorised...

*Documentary evidence*

- 6 The Documentary Evidence Act 1868 (c. 37) has effect in...

SCHEDULE 2 — Her Majesty's Chief Inspector of Education and Training in Wales

*Chief Inspector's other staff*

- 1 The Chief Inspector may, with the approval of the Assembly...

*Additional inspectors*

- 2 (1) The Chief Inspector may arrange for such persons as...

*Remuneration, pensions etc.*

- 3 (1) There are to be paid to the Chief Inspector...

*Official seal*

- 4 The Chief Inspector is to continue to have an official...

*Performance of functions*

- 5 (1) Anything authorised or required by or under this Part...

*Documentary evidence*

- 6 The Documentary Evidence Act 1868 (c. 37) has effect in...

SCHEDULE 3 — Registration of inspectors in Wales: tribunals hearing appeals under section 27

*Constitution of tribunals*

- 1 (1) A tribunal constituted to hear an appeal under section...

*Procedure of tribunals*

- 2 (1) The Assembly may by regulations make provision with respect...

*Staff*

- 3 The Assembly may make such provision as the Assembly thinks...

SCHEDULE 4 — School inspections in Wales under section 28

*Interpretation*

- 1 In this Schedule— “appropriate authority” means— in relation to a...

*Selection of registered inspectors*

- 2 (1) Before entering into any arrangement for an inspection by...

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### *Inspection teams*

- 3 (1) Every inspection must be conducted by a registered inspector...

### *Enrolment of persons to act as team members*

- 4 (1) The Chief Inspector must keep a list of persons...

### *Training for inspections*

- 5 (1) No person who is not a member of the...

### *Meeting with parents*

- 6 Where an inspection is arranged, the appropriate authority for the...

### *Rights of entry etc.*

- 7 (1) An inspector conducting an inspection, and the members of...

### *Offence of obstructing inspector or inspection team*

- 8 (1) It is an offence intentionally to obstruct—

### *Replacement of inspector during course of inspection*

- 9 (1) This paragraph applies to an inspection where, at any...

### SCHEDULE 5 — Sixth forms requiring significant improvement

- 1 In this Schedule “the 2000 Act” means the Learning and...  
2 (1) Section 113 of the 2000 Act (inadequate sixth-forms) is...  
3 (1) Schedule 7 to the 2000 Act (inadequate sixth forms)...

### SCHEDULE 6 — Inspections of denominational education in Wales

#### *Interpretation*

- 1 In this Schedule— “inspection” means an inspection of a school...

#### *Inspectors' reports*

- 2 (1) An inspection must be carried out within such period...

#### *Action plans*

- 3 (1) The governing body to whom an inspector has reported...

### SCHEDULE 7 — Inspection of child minding, day care and nursery education

#### Part 1 — CHILD MINDING AND DAY CARE: AMENDMENTS OF CHILDREN ACT 1989

- 1 (1) Section 79N of the Children Act 1989 (c. 41)...  
2 Omit section 79P of the Children Act 1989 (early years...  
3 (1) Section 79Q of the Children Act 1989 (inspection of...  
4 (1) Section 79R of the Children Act 1989 (c. 41)...  
5 (1) Section 79T of the Children Act 1989 (c. 41)...  
6 In section 79U of the Children Act 1989 (rights of...

#### Part 2 — NURSERY EDUCATION: AMENDMENTS OF SCHOOL STANDARDS AND FRAMEWORK ACT 1998



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- 7 (1) Section 122 of the School Standards and Framework Act...
- 8 Schedule 26 to the School Standards and Framework Act 1998...
- 9 (1) Paragraph 1 is amended as follows.
- 10 (1) Paragraph 2 is amended as follows.
- 11 In paragraph 3, before the “and” immediately following paragraph (a)...
- 12 For paragraphs 6 and 7 substitute— Inspections in England (1) The Chief Inspector for England— (a) shall at such...
- 13 At the end of the heading before paragraph 8 insert...
- 14 (1) Paragraph 8 is amended as follows.
- 15 (1) Paragraph 9 is amended as follows.
- 16 (1) Paragraph 10 is amended as follows.
- 17 For the heading before paragraph 11 substitute “ Training of...
- 18 (1) Paragraph 11 is amended as follows.
- 19 In paragraph 12, for “6” substitute “ 6B ”.
- 20 For paragraph 13 (and the heading immediately preceding it) substitute —...
- 21 For paragraph 14 substitute— (1) The annual report of the Chief Inspector for England...
- 22 In paragraph 16, for “6” substitute “ 6A or 6B...
- 23 For paragraph 17 substitute— Where an inspection in Wales is being conducted by a...
- 24 (1) Paragraph 18 is amended as follows.

#### SCHEDULE 8 — Inspection of independent schools

- 1 In this Schedule “the 2002 Act” means the Education Act...
- 2 After section 162 of the 2002 Act insert— Power to...
- 3 For sections 163 and 164 of the 2002 Act substitute—...
- 4 In section 165 of the 2002 Act (failure to meet...
- 5 In section 171 of the 2002 Act (interpretation of Chapter...

#### SCHEDULE 9 — Further amendments relating to school inspection

##### *Parliamentary Commissioner Act 1967 (c. 13)*

- 1 In Schedule 4 to the Parliamentary Commissioner Act 1967, omit...

##### *Employment and Training Act 1973 (c. 50)*

- 2 (1) Section 10B of the Employment and Training Act 1973...

##### *House of Commons Disqualification Act 1975 (c. 24)*

- 3 Part 3 of Schedule 1 to the House of Commons...

##### *Northern Ireland Assembly Disqualification Act 1975 (c. 25)*

- 4 Part 3 of Schedule 1 to the Northern Ireland Assembly...

##### *Education Reform Act 1988 (c. 40)*

- 5 (1) Section 226(2)(b) of the Education Reform Act 1988 (inspection...

##### *Tribunals and Inquiries Act 1992 (c. 53)*

- 6 In Part 1 of Schedule 1 to the Tribunals and...

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*Judicial Pensions and Retirement Act 1993 (c. 8)*

7 In section 26 of the Judicial Pensions and Retirement Act...

*Disability Discrimination Act 1995 (c. 50)*

8 In section 28D of the Disability Discrimination Act 1995 (accessibility...

*Education Act 1996 (c. 56)*

9 In section 578(1) (meaning of “the Education Acts”) omit “the...

10 In Schedule 36 to the Education Act 1996 (uniform statutory...

*Education Act 1997 (c. 44)*

11 In section 38 of the Education Act 1997 (inspection of...

12 In section 39 of the Education Act 1997 (reports of...

13 In section 40 (inspector's right of entry etc.), in subsection...

*School Standards and Framework Act 1998 (c. 31)*

14 (1) Section 14 of the School Standards and Framework Act...

15 (1) Section 15 of the School Standards and Framework Act...

16 (1) Section 16 of the School Standards and Framework Act...

17 In section 16A of the School Standards and Framework Act...

18 In section 17 of the School Standards and Framework Act...

19 In section 18 of the School Standards and Framework Act...

20 In section 18A of the School Standards and Framework Act...

21 In section 127 of the School Standards and Framework Act...

*Government of Wales Act 1998 (c. 38)*

22 In Schedule 6 to the Government of Wales Act 1998...

*Protection of Children Act 1999 (c. 14)*

23 In section 9 of the Protection of Children Act 1999...

*Learning and Skills Act 2000 (c. 21)*

24 In section 75 of the Learning and Skills Act 2000...

25 In section 86 of the Learning and Skills Act 2000...

26 (1) Section 118 of the Learning and Skills Act 2000...

27 (1) Section 128 of the Learning and Skills Act 2000...

*Education Act 2002 (c. 32)*

28 In section 63 of the Education Act 2002 (power to...

29 In section 159 of the Education Act 2002 (unregistered independent...

*Nationality, Immigration and Asylum Act 2002 (c. 41)*

30 In section 36 of the Nationality, Immigration and Asylum Act...

SCHEDULE 10 — Proposals under section 66 for establishment of secondary schools: supplementary

Part 1 — INTRODUCTORY

1 This Schedule applies to proposals published under section 66.

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- 2 In this Schedule “promoters”, in relation to any proposals, means...  
Part 2 — APPROVAL OF PROPOSALS BY SCHOOL ORGANISATION  
COMMITTEE OR ADJUDICATOR

*Submission of proposals to school organisation committee*

- 3 (1) Regulations must make provision for the submission of the...

*Approval of proposals*

- 4 (1) The proposals must be considered in the first instance...

*Mandatory reference to adjudicator*

- 5 (1) Regulations may make provision requiring the school organisation  
committee...

*Effect of reference to adjudicator*

- 6 (1) Where any proposals are referred to the adjudicator under...

*Proposals to establish Academy*

- 7 (1) Regulations may provide that, where proposals submitted to the...

*Provision of information*

- 8 Regulations may, in relation to any proposals published under section...

Part 3 — DETERMINATION BY LEA WHETHER TO IMPLEMENT PROPOSALS

- 9 (1) Where the only proposals published in pursuance of a...

Part 4 — IMPLEMENTATION OF PROPOSALS

*Requirement to implement proposal to establish maintained school*

- 10 (1) Where— (a) any proposals to establish a community, foundation...

*Proposals not falling to be implemented*

- 11 (1) Where, by virtue of paragraph 10(3), paragraph 10(1) ceases...

*Requirement to implement proposals relating to community school*

- 12 Proposals to establish a community school which fall to be...

*Requirement to implement proposals relating to foundation or voluntary controlled school*

- 13 (1) This paragraph applies to proposals to establish a foundation...

*Requirement to implement proposals relating to voluntary aided school*

- 14 (1) This paragraph applies to proposals to establish a voluntary...

*Proposals relating to Academy*

- 15 Where proposals to establish an Academy published under section 66...

SCHEDULE 11 — Rationalisation of school places in England

Part 1 — INTRODUCTORY

- 1 In this Schedule “the 1998 Act” means the School Standards...

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- 2 In this Schedule— (a) “powers to make or invite proposals...  
Part 2 — DIRECTIONS TO BRING FORWARD PROPOSALS

*Directions to bring forward proposals to remedy excessive provision*

- 3 (1) This paragraph applies where the Secretary of State is...

*Directions to bring forward proposals to remedy insufficient provision*

- 4 (1) This paragraph applies where the Secretary of State is...

*Supplementary provisions*

- 5 (1) Where the Secretary of State gives a direction under...

- 6 (1) Where a local education authority publish any proposals under...

Part 3 — PROPOSALS BY SECRETARY OF STATE

- 7 (1) Where— (a) in relation to the area of any...

Part 4 — PROCEDURE FOR DEALING WITH PROPOSALS UNDER PARAGRAPH

7

*Objections*

- 8 (1) Any person may make objections to, or comments on,...

*Approval of proposals*

- 9 (1) Proposals published under paragraph 7 require the approval of...

*Reference to adjudicator of other proposals*

- 10 (1) Where any proposals are referred to the adjudicator under...

*Local inquiry into proposals*

- 11 (1) Where any proposals are referred to the adjudicator under...

*Proposals relating to Academy*

- 12 (1) Regulations may provide that, where proposals referred to the...

*Implementation of proposals*

- 13 Proposals approved by the school organisation committee under paragraph 9...

Part 5 — TRANSITIONAL EXEMPTION ORDERS FOR PURPOSES OF SEX DISCRIMINATION ACT 1975

- 14 (1) This paragraph applies to proposals for a school in...

SCHEDULE 12 — School organisation: further amendments

*Education Act 1996 (c. 56)*

- 1 (1) Section 5 of the Education Act 1996 (primary schools,...

- 2 In section 529 of the Education Act 1996 (power to...

- 3 In section 530 of the Education Act 1996 (compulsory purchase...

- 4 In section 580 of the Education Act 1996 (index), after...

- 5 (1) In Schedule 35A to the Education Act 1996 (Academies:...

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*School Standards and Framework Act 1998 (c. 31)*

- 6 In section 25 of the School Standards and Framework Act...
- 7 In section 33 of the School Standards and Framework Act...
- 8 In section 34 of the School Standards and Framework Act...
- 9 In section 138 of the School Standards and Framework Act...
- 10 In section 143 of the School Standards and Framework Act...
- 11 In Schedule 4 to the School Standards and Framework Act...
- 12 In Schedule 5 to the School Standards and Framework Act...
- 13 (1) Schedule 6 to the School Standards and Framework Act...
- 14 (1) Schedule 7 to the School Standards and Framework Act...
- 15 (1) Schedule 22 to the School Standards and Framework Act...

*Education Act 2002 (c. 32)*

- 16 In section 129 of the Education Act 2002 (transfer of...

SCHEDULE 13 — The Training and Development Agency for Schools

*Supplementary powers*

- 1 (1) The power conferred on the Agency by section 83...

*Chief officer*

- 2 (1) One of the members of the Agency is to...

*Tenure of members of the Agency*

- 3 (1) A person holds and vacates office as a member...
- 4 If the Secretary of State is satisfied that a member...

*Salaries, allowances and pensions*

- 5 (1) The Agency— (a) must pay to their members such...

*Staff*

- 6 (1) The Agency may appoint such employees as they think...
- 7 (1) Employment with the Agency continues to be included among...

*Committees*

- 8 (1) The Agency may establish a committee for any purpose....

*Delegation of functions*

- 9 The Agency may authorise the chairman, the chief officer or...

*Proceedings*

- 10 Without prejudice to any other rights the Secretary of State...
- 11 Without prejudice to any other rights the Assembly may require...
- 12 (1) The Chief Inspector for England, or a representative of...
- 13 The validity of any proceedings of the Agency or of...
- 14 Subject to the preceding provisions of this Schedule, the Agency...

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*Application of seal and proof of instruments*

- 15 The application of the seal of the Agency is authenticated...
- 16 Every document purporting to be an instrument made or issued...

*Accounts*

- 17 (1) It is the duty of the Agency—

*Annual reports*

- 18 The Agency— (a) must make an annual report to the...

*Status of Agency*

- 19 The Agency are not to be regarded as the servant...

SCHEDULE 14 — Amendments relating to the training of the school workforce

*Public Records Act 1958 (c. 51)*

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

*Parliamentary Commissioner Act 1967 (c. 13)*

- 2 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments...

*Superannuation Act 1972 (c. 11)*

- 3 In Schedule 1 to the Superannuation Act 1972 (which lists...

*House of Commons Disqualification Act 1975 (c. 24)*

- 4 In Part 3 of Schedule 1 to the House of...

*Sex Discrimination Act 1975 (c. 65)*

- 5 In section 23D of the Sex Discrimination Act 1975 (discrimination...
- 6 In section 25 of the Sex Discrimination Act 1975 (general...

*Race Relations Act 1976 (c. 74)*

- 7 In section 18D of the Race Relations Act 1976 (discrimination...
- 8 In Schedule 1A (bodies and other persons subject to general...

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

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

*Education (No. 2) Act 1986 (c. 61)*

- 10 In the Education (No. 2) Act 1986, omit section 50...

*Education Act 1994 (c. 30)*

- 11 Omit sections 1 to 11 of the Education Act 1994....
- 12 Omit sections 12 to 17 of the Education Act 1994....
- 13 For section 18A of the Education Act 1994 substitute— Inspection...

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- 14 In section 19 of the Education Act 1994 (interpretation)—  
15 Omit Schedule 1 to the Education Act 1994.

*Education Act 1996 (c. 56)*

- 16 (1) Section 398 of the Education Act 1996 (no requirements...  
17 (1) Section 450 of the Education Act 1996 (prohibition of...

*Audit Commission Act 1998 (c. 18)*

- 18 In section 36 of the Audit Commission Act 1998 (studies...

*Teaching and Higher Education Act 1998 (c. 30)*

- 19 (1) Section 26 of the Teaching and Higher Education Act...  
20 (1) In section 28(1) of the Teaching and Higher Education...

*Government of Wales Act 1998 (c. 38)*

- 21 (1) Section 145B of the Government of Wales Act 1998...

*Freedom of Information Act 2000 (c. 36)*

- 22 In Schedule 1 to the Freedom of Information Act 2000...

*Education Act 2002 (c. 32)*

- 23 (1) Section 14 of the Education Act 2002 (power of...  
24 In section 145 of the Education Act 2002 (specification of...

*Higher Education Act 2004 (c. 8)*

- 25 (1) Section 23 of the Higher Education Act 2004 (duty...  
26 In section 24 of the Higher Education Act 2004 (condition...  
27 For section 27 of the Higher Education Act 2004 (power...  
28 (1) Section 28 of the Higher Education Act 2004 (c...  
29 In section 29 of the Higher Education Act 2004 (sections...  
30 In section 31 of the Higher Education Act 2004 (Director...  
31 In section 34 of the Higher Education Act 2004 (approval...  
32 In section 37 of the Higher Education Act 2004 (enforcement...  
33 In section 38 of the Higher Education Act 2004 (enforcement...  
34 In section 40 of the Higher Education Act 2004 (provision...  
35 (1) Section 41 of the Higher Education Act 2004 (interpretation...  
36 In section 48 of the Higher Education Act 2004 (c....

SCHEDULE 15 — Transitional and transitory provisions relating to Part 3

*Interpretation*

- 1 In this Schedule “the 1994 Act” means the Education Act...

*Renaming of Agency*

- 2 For any reference to the Teacher Training Agency in any...  
3 Any reference to the Training and Development Agency for Schools...

*Status: Point in time view as at 03/10/2005.*

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*Existing members of Agency*

- 4 Any member of the Agency appointed under section 2 of...

*Inspection of teacher training*

- 5 In sections 18B and 18C of the 1994 Act (as...

*Duty to have regard to needs of disabled persons*

- 6 (1) In exercising their functions, the Agency must have regard...

SCHEDULE 16 — Funding of maintained schools

- 1 In this Schedule “the 1998 Act” means the School Standards...

*Power to provide for budgets to relate to period other than financial year*

- 2 (1) Section 45 of the 1998 Act (maintained schools to...

*Determination of budgets*

- 3 (1) Section 45A of the 1998 Act (determination of specified...  
4 After section 45A insert— Power to require LEAs in England...  
5 For sections 45B and 45C of the 1998 Act substitute—...

*Determination of schools' budget shares*

- 6 (1) Section 47 of the 1998 Act (determination of school's...

*Functions of schools forum*

- 7 In section 47A of the 1998 Act (schools forums) for...

*Certain regulations to be subject to affirmative procedure*

- 8 In section 138 of the 1998 Act (orders and regulations),...

SCHEDULE 17 — Foundation, voluntary and foundation special schools: disposal of land

- 1 Schedule 22 to the School Standards and Framework Act 1998...  
2 (1) Paragraph 1 (disposal of land by governing body of...  
3 In paragraph 2 (disposal of land by foundation body), in...  
4 After paragraph 2 insert— Disposal of land by trustees of...  
5 (1) Paragraph 3 (disposal of land by trustees of foundation,...  
6 (1) Paragraph 5 (discontinuance of foundation, voluntary and foundation special...

SCHEDULE 18 — Further amendments related to provisions of Part 4

*Children Act 1989 (c. 41)*

- 1 In section 36 of the Children Act 1989 (education supervision...

*Education Act 1996 (c. 56)*

- 2 In section 317 of the Education Act 1996 (duties of...  
3 In section 444A of the Education Act 1996 (penalty notice...  
4 The references in section 23(9) and (10) of the Anti-social...



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- 5 (1) Section 494 of the Education Act 1996 (recoupment: excluded...  
6 In section 566 of the Education Act 1996 (evidence: documents),...

*School Standards and Framework Act 1998 (c. 31)*

- 7 In section 48 of the School Standards and Framework Act...  
8 In section 50 of the School Standards and Framework Act...  
9 In section 51A of the School Standards and Framework Act...  
10 (1) Section 52 of the School Standards and Framework Act...  
11 (1) In Schedule 15 to the School Standards and Framework...

*Learning and Skills Act 2000 (c. 21)*

- 12 (1) Section 7 of the Learning and Skills Act 2000...  
13 (1) Section 36 of the Learning and Skills Act 2000...

*Education Act 2002 (c. 32)*

- 14 (1) Section 37 of the 2002 Act (payments in respect...

*Anti-social Behaviour Act 2003 (c. 38)*

- 15 In section 19 of the Anti-social Behaviour Act 2003 (parenting...

SCHEDULE 19 — Repeals

- Part 1 — SCHOOL INSPECTIONS
- Part 2 — SCHOOL ORGANISATION
- Part 3 — TRAINING THE SCHOOL WORKFORCE
- Part 4 — REPEALS RELATING TO PART 4

**Status:**

Point in time view as at 03/10/2005.

**Changes to legislation:**

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