



# Apprenticeships, Skills, Children and Learning Act 2009

## CHAPTER 22

### APPRENTICESHIPS, SKILLS, CHILDREN AND LEARNING ACT 2009

#### PART 1

##### APPRENTICESHIPS, STUDY AND TRAINING

#### CHAPTER 1

##### APPRENTICESHIPS

###### *Completing an apprenticeship*

- 1 Meaning of “completing an English apprenticeship”
- 2 Meaning of “completing a Welsh apprenticeship”

###### *Apprenticeship certificates: England*

- 3 Duty to issue: England
- 4 Power to issue: England
- 5 Issue by the English certifying authority: supplementary
- 6 The English certifying authority

###### *Apprenticeship certificates: Wales*

- 7 Duty to issue: Wales
- 8 Power to issue: Wales
- 9 Issue by the Welsh certifying authority: supplementary
- 10 The Welsh certifying authority

*Status: Point in time view as at 01/10/2010.*

*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009 is up to date with all changes known to be in force on or before 14 June 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)*

---

*Contents of apprenticeship certificate: England and Wales*

11 Contents of apprenticeship certificate

*Apprenticeship frameworks: England and Wales*

12 Apprenticeship frameworks: interpretation

*Apprenticeship frameworks: England*

13 English issuing authority

14 Issue: England

15 Recognised English frameworks: notification and publication

16 Submission of draft framework for issue: England

17 Transitional provision: England

*Apprenticeship frameworks: Wales*

18 Welsh issuing authority

19 Issue: Wales

20 Recognised Welsh frameworks: notification and publication

21 Submission of draft framework for issue: Wales

22 Transitional provision: Wales

*Specification of apprenticeship standards: England*

23 Duty to prepare and submit draft specification: England

24 Order bringing specification into effect

25 Modification: England

26 Replacement or modification: recognised English frameworks

27 Contents of specification of apprenticeship standards for England

*Specification of apprenticeship standards: Wales*

28 Specification of apprenticeship standards for Wales

29 Modification: Wales

30 Replacement or modification: recognised Welsh frameworks

31 Contents of specification of apprenticeship standards for Wales

*Apprenticeship agreements: England and Wales*

32 Meaning of “apprenticeship agreement”

33 Ineffective provisions

34 Variation

35 Status

36 Crown servants and Parliamentary staff

*Duty to participate in education or training: England*

37 Duty to participate in education or training: apprenticeship agreements

*General*

38 Apprenticeship sectors

39 Interpretation of Chapter

*Status: Point in time view as at 01/10/2010.*

*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009 is up to date with all changes known to be in force on or before 14 June 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)*

---

## CHAPTER 2

### STUDY AND TRAINING

- 40 Employer support for employee study and training

#### PART 2

#### LOCAL AUTHORITY FUNCTIONS

##### *Education and training for persons over compulsory school age*

- 41 Education and training for persons over compulsory school age: general duty  
42 Encouragement of education and training for persons over compulsory school age  
43 Local authority directions: children over compulsory school age  
44 Power to require provision of education by further education institution

##### *The core and additional entitlements*

- 45 Duties in relation to the core and additional entitlements

##### *Boarding accommodation: persons subject to learning difficulty assessment*

- 46 Boarding accommodation: persons subject to learning difficulty assessment

##### *Work experience*

- 47 Work experience for persons over compulsory school age

##### *Persons detained in youth accommodation*

- 48 Provision of education for persons subject to youth detention  
49 Persons detained in youth accommodation: application of provisions  
50 Persons detained in youth accommodation: further provision  
51 Detention of child or young person: local authorities to be notified  
52 Release from detention of child or young person with special educational needs

##### *Transport in England*

- 53 Provision of transport etc for persons of sixth form age: duty to have regard to section 15ZA duty  
54 Transport policy statements for persons of sixth form age: consultation  
55 Transport policy statements for persons of sixth form age: content and publication  
56 Complaints about transport arrangements etc for persons of sixth form age  
57 Local authorities in England: provision of transport etc for adult learners

##### *Powers in respect of non-maintained schools*

- 58 Power of local authorities to arrange provision of education at non-maintained schools

*Status: Point in time view as at 01/10/2010.*

*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009 is up to date with all changes known to be in force on or before 14 June 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)*

---

### *General*

- 59 Minor and consequential amendments

## **PART 3**

### THE YOUNG PEOPLE'S LEARNING AGENCY FOR ENGLAND

#### **CHAPTER 1**

##### ESTABLISHMENT

- 60 The Young People's Learning Agency for England

#### **CHAPTER 2**

##### MAIN FUNCTIONS

#### *Funding*

- 61 Provision of financial resources  
62 Financial resources: conditions  
63 Performance assessments  
64 Means tests  
65 Prohibition on charging

#### *Securing provision of education and training*

- 66 Securing provision of education and training  
67 Intervention for purpose of securing provision of education and training

#### *Provision of services and assistance*

- 68 Provision of services  
69 Assistance with respect to employment and training  
70 Assistance with respect to employment and training: Northern Ireland

#### *Miscellaneous*

- 71 Research, information and advice  
72 Guidance by YPLA  
73 Intervention powers: policy statement  
74 Power to confer supplementary functions on YPLA

## **CHAPTER 3**

### YPLA'S FUNCTIONS: SUPPLEMENTARY

- 75 Directions by Secretary of State  
76 Guidance by Secretary of State

## **CHAPTER 4**

### ACADEMY AGENCY ARRANGEMENTS

- 77 Academy agency arrangements

*Status: Point in time view as at 01/10/2010.*

*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009 is up to date with all changes known to be in force on or before 14 June 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)*

---

- 78 Grants for purposes of Academy agency arrangements functions
- 79 Academy agency arrangements: information sharing

## CHAPTER 5

### GENERAL

- 80 Interpretation of Part

## PART 4

### THE CHIEF EXECUTIVE OF SKILLS FUNDING

## CHAPTER 1

### ESTABLISHMENT AND MAIN DUTIES

#### *The Chief Executive*

- 81 The Chief Executive of Skills Funding

#### *Apprenticeship functions*

- 82 Apprenticeship functions

#### *Apprenticeship training for persons aged 16 to 18 and certain young adults*

- 83 Apprenticeship training for persons aged 16 to 18 and certain young adults
- 84 Arrangements and co-operation with local authorities
- 85 Encouragement of training provision etc for persons within section 83

#### *Education and training for persons aged 19 or over etc.*

- 86 Education and training for persons aged 19 or over and others subject to adult detention
- 87 Learning aims for persons aged 19 or over: provision of facilities
- 88 Learning aims for persons aged 19 or over: payment of tuition fees
- 89 Sections 87 and 88: supplementary
- 90 Encouragement of education and training for persons aged 19 or over and others subject to adult detention

#### *The apprenticeship offer*

- 91 Duty to secure availability of apprenticeship places
- 92 Election for apprenticeship offer
- 93 Meaning of “apprenticeship place”
- 94 Suitability and availability of apprenticeship places: further provision
- 95 Apprenticeship offer requirements
- 96 Apprenticeship offer requirements: interpretation
- 97 Suspension of offer
- 98 Power to amend apprenticeship offer
- 99 Apprenticeship offer: interpretation

*Status: Point in time view as at 01/10/2010.*

*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009 is up to date with all changes known to be in force on or before 14 June 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)*

---

## CHAPTER 2

### OTHER FUNCTIONS

#### *Funding*

- 100 Provision of financial resources
- 101 Financial resources: conditions
- 102 Performance assessments
- 103 Means tests

#### *Apprenticeships: general*

- 104 Assistance and support in relation to apprenticeship places
- 105 Promoting progression from level 2 to level 3 apprenticeships
- 106 Advice and assistance in relation to apprenticeships

#### *Provision of services and assistance*

- 107 Provision of services
- 108 Assistance with respect to employment and training
- 109 Assistance with respect to employment and training: Northern Ireland

#### *Miscellaneous*

- 110 Research, information and advice
- 111 Power to confer supplementary functions on Chief Executive

## CHAPTER 3

### CHIEF EXECUTIVE'S FUNCTIONS: SUPPLEMENTARY

#### *Strategies*

- 112 Strategies for functions of Chief Executive
- 113 Strategy for functions of Chief Executive: Greater London
- 114 Strategies: duty of Chief Executive

#### *Other*

- 115 Persons with learning difficulties
- 116 Persons subject to adult detention
- 117 Use of information by Chief Executive
- 118 Guidance
- 119 Directions: funding of qualifications
- 120 Other directions relating to functions of the office

## CHAPTER 4

### GENERAL

- 121 Interpretation of Part

## PART 5

### PARTS 2 TO 4: SUPPLEMENTARY

*Status: Point in time view as at 01/10/2010.*

*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009 is up to date with all changes known to be in force on or before 14 June 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)*

---

### *Information*

- 122 Sharing of information for education and training purposes

#### *The Learning and Skills Council for England*

- 123 Dissolution of the Learning and Skills Council for England  
124 Dissolution of the Learning and Skills Council: transfer schemes

### **PART 6**

#### THE SIXTH FORM COLLEGE SECTOR

- 125 Sixth form college sector  
126 Removal of power to establish sixth form schools

### **PART 7**

#### THE OFFICE OF QUALIFICATIONS AND EXAMINATIONS REGULATION

### **CHAPTER 1**

#### ESTABLISHMENT, OBJECTIVES AND GENERAL DUTIES

##### *Establishment*

- 127 The Office of Qualifications and Examinations Regulation

##### *Objectives and general duties*

- 128 Objectives  
129 General duties

##### *Regulated qualifications and regulated assessment arrangements*

- 130 Meaning of “regulated qualifications” etc.  
131 Meaning of “regulated assessment arrangements” etc.

### **CHAPTER 2**

#### FUNCTIONS IN RELATION TO QUALIFICATIONS

##### *Recognition of awarding bodies*

- 132 Recognition  
133 Criteria for recognition  
134 General conditions of recognition  
135 Other conditions of recognition  
136 Fee capping conditions: supplementary  
137 Entry and inspection conditions: supplementary

##### *Accreditation of certain qualifications*

- 138 Qualifications subject to the accreditation requirement  
139 Accreditation  
140 Criteria for accreditation

*Status: Point in time view as at 01/10/2010.*

*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009 is up to date with all changes known to be in force on or before 14 June 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)*

---

#### *Minimum requirements*

- 141 Power to specify minimum requirements
- 142 Consultation before making order specifying minimum requirements
- 143 Effect of order specifying minimum requirements
- 144 Revocation and amendment of orders specifying minimum requirements

#### *Guided learning*

- 145 Assignment of number of hours of guided learning
- 146 Criteria for assignment of number of hours of guided learning

#### *Surrender*

- 147 Surrender of recognition

#### *Register*

- 148 Register

#### *Recognised bodies: monitoring and enforcement*

- 149 Review of activities of recognised bodies
- 150 Investigation of complaints
- 151 Power to give directions
- 152 Power to withdraw recognition
- 153 Qualifications regulatory framework

#### *Other*

- 154 Review of qualifications to which Part applies
- 155 Review of system for allocating values to qualifications
- 156 Co-operation and joint working
- 157 Power to provide information to qualifications regulators

#### *General*

- 158 Interpretation of Chapter

### **CHAPTER 3**

#### **FUNCTIONS IN RELATION TO ASSESSMENT ARRANGEMENTS**

##### *Development etc. of regulated assessment arrangements*

- 159 NC assessment arrangements: duty to consult Ofqual etc.
- 160 EYFS assessment arrangements: duty to consult Ofqual etc.

##### *Review etc. of regulated assessment arrangements*

- 161 Review of regulated assessment arrangements
- 162 Powers to require information
- 163 Duty to notify significant failings

##### *Regulatory frameworks*

- 164 NC assessments regulatory framework
- 165 EYFS assessments regulatory framework



*Status: Point in time view as at 01/10/2010.*

*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009 is up to date with all changes known to be in force on or before 14 June 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)*

---

## *General*

166 Interpretation of Chapter

### **CHAPTER 4**

#### OTHER FUNCTIONS

167 Provision of services  
168 Provision of information or advice  
169 Research and development  
170 Duty not to impose or maintain unnecessary burdens  
171 Annual and other reports

### **CHAPTER 5**

#### GENERAL

172 Interpretation of Part  
173 Transfer schemes  
174 Minor and consequential amendments

### **PART 8**

#### THE QUALIFICATIONS AND CURRICULUM DEVELOPMENT AGENCY

### **CHAPTER 1**

#### THE QCDA, OBJECTIVE AND GENERAL DUTIES

##### *The QCDA*

175 The Qualifications and Curriculum Development Agency

##### *Objective and general duties*

176 Objective  
177 General duties

### **CHAPTER 2**

#### FUNCTIONS IN RELATION TO QUALIFICATIONS

178 Qualifications within the QCDA's remit  
179 Qualifications: general functions  
180 Assistance etc. in relation to qualifications functions of Ofqual

### **CHAPTER 3**

#### FUNCTIONS IN RELATION TO CURRICULUM, EARLY YEARS FOUNDATION STAGE AND ASSESSMENT

181 Curriculum  
182 Early learning goals and educational programmes  
183 Assessment arrangements

*Status: Point in time view as at 01/10/2010.*

*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009 is up to date with all changes known to be in force on or before 14 June 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)*

---

## CHAPTER 4

### OTHER FUNCTIONS AND SUPPLEMENTARY PROVISION

#### *Other functions*

- 184 Provision of services or other assistance
- 185 Provision of information or advice
- 186 Ancillary activities
- 187 Co-operation and joint working
- 188 Power to confer supplementary functions on the QCDA

#### *Supplementary provision*

- 189 Directions etc. by the Secretary of State
- 190 Guidance by the Secretary of State

## CHAPTER 5

### GENERAL

- 191 Interpretation of Part
- 192 Minor and consequential amendments

## PART 9

### CHILDREN'S SERVICES

#### *Co-operation to improve well-being of children*

- 193 Arrangements to promote co-operation
- 194 Children's Trust Boards

#### *Safeguarding and promoting the welfare of children*

- 195 Targets for safeguarding and promoting the welfare of children
- 196 Local Safeguarding Children Boards: lay members
- 197 Local Safeguarding Children Boards: annual reports

#### *Children's centres*

- 198 Arrangements for children's centres
- 199 Inspection of children's centres
- 200 Children's centres: safeguarding children

#### *Arrangements in respect of early childhood services*

- 201 Arrangements in respect of early childhood services

#### *Early years provision: budgetary framework*

- 202 Free of charge early years provision: budgetary framework: England

*Status: Point in time view as at 01/10/2010.*

*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009 is up to date with all changes known to be in force on or before 14 June 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)*

---

## **PART 10**

### **SCHOOLS**

#### **CHAPTER 1**

##### **SCHOOLS CAUSING CONCERN**

###### *Schools causing concern: England*

- 203 Powers in relation to schools causing concern: England
- 204 Power to require local authorities in England to obtain advisory services

###### *Schools causing concern: Wales*

- 205 Powers in relation to schools causing concern: Wales

#### **CHAPTER 2**

##### **COMPLAINTS: ENGLAND**

- 206 Complaints to which this Chapter applies
- 207 Power of Local Commissioner to investigate complaint
- 208 Time-limit etc for making complaint
- 209 Procedure in respect of investigations
- 210 Investigations: further provisions
- 211 Statements about investigations
- 212 Adverse findings notices
- 213 Publication of statements etc. by Local Commissioner
- 214 Disclosure of information
- 215 Permitted disclosures of information by Local Commissioner
- 216 Law of defamation
- 217 Consultation with Parliamentary Commissioner for Administration
- 218 Arrangements etc. to be made by Commission
- 219 Annual reports
- 220 Secretary of State's power of direction
- 221 Disapplication of certain powers of Secretary of State
- 222 Power to amend meaning of "qualifying school"
- 223 Amendments consequential on Chapter 2
- 224 Interpretation of Chapter 2

#### **CHAPTER 3**

##### **INSPECTIONS**

- 225 Interim statements
- 226 Powers of persons providing administrative support in connection with inspections

#### **CHAPTER 4**

##### **SCHOOL SUPPORT STAFF PAY AND CONDITIONS: ENGLAND**

*Status: Point in time view as at 01/10/2010.*

*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009 is up to date with all changes known to be in force on or before 14 June 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)*

---

### *The SSSNB*

- 227 The School Support Staff Negotiating Body
- 228 Matters within SSSNB's remit

### *Consideration of matter by SSSNB*

- 229 Referral of matter to SSSNB for consideration
- 230 Consideration of other matters by SSSNB

### *Powers of Secretary of State on submission of SSSNB agreement*

- 231 Agreement submitted by SSSNB under section 229 or 230

### *Reconsideration by SSSNB*

- 232 Reconsideration of agreement by SSSNB
- 233 SSSNB's submission of agreement following reconsideration: powers of Secretary of State

### *Powers of Secretary of State in absence of SSSNB agreement*

- 234 Powers of Secretary of State in absence of SSSNB agreement

### *Orders*

- 235 Effect of order ratifying SSSNB agreement
- 236 Effect of order making provision otherwise than in terms of SSSNB agreement
- 237 Orders: supplementary

### *Guidance*

- 238 Guidance

### *General*

- 239 Non-statutory School Support Staff Negotiating Body
- 240 "School support staff"
- 241 General interpretation

## **PART 11**

### **LEARNERS**

### *Power to search for prohibited items*

- 242 Power of members of staff to search pupils for prohibited items: England
- 243 Power of members of staff to search pupils for weapons: Wales
- 244 Power of members of staff to search students for prohibited items: England
- 245 Power of members of staff to search students for weapons: Wales

### *Recording and reporting use of force*

- 246 Recording and reporting the use of force in schools: England
- 247 Recording and reporting the use of force in FE institutions: England

*Status: Point in time view as at 01/10/2010.*

*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009 is up to date with all changes known to be in force on or before 14 June 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)*

---

*School behaviour and attendance partnerships*

- 248 Co-operation with a view to promoting good behaviour, etc.: England

*Pupil referral units*

- 249 Regulations about pupil referral units

**PART 12**

MISCELLANEOUS

*Careers education*

- 250 Careers education in schools: England

*Information about local authority expenditure*

- 251 Information about planned and actual expenditure  
252 Information about expenditure: supplementary  
253 Information about expenditure: consequential amendments

*Support for participation in education and training*

- 254 Provision of social security information for purposes of functions under Education and Skills Act 2008  
255 Provision of other information in connection with support services

*Further education corporations*

- 256 Further education corporations in England: co-operation and promotion of well-being

*Student loans*

- 257 Student loans under the 1998 Act: IVAs  
258 Student loans under the 1990 Act: IVAs and bankruptcy

*Foundation degrees: Wales*

- 259 Power to award foundation degrees: Wales

*Complaints: Wales*

- 260 Complaints: Wales

*Local Government Act 1974*

- 261 Local Government Act 1974: minor amendment

**PART 13**

GENERAL

- 262 Orders and regulations  
263 Directions  
264 General interpretation of Act  
265 Power to make consequential and transitional provision etc.  
266 Repeals and revocations  
267 Financial provisions

*Status: Point in time view as at 01/10/2010.*

*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009 is up to date with all changes known to be in force on or before 14 June 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)*

---

- 268 Extent
- 269 Commencement
- 270 Short title

### Schedules

#### Schedule 1 — Employee study and training: minor and consequential amendments

##### *Employment Rights Act 1996 (c. 18)*

- 1 The Employment Rights Act 1996 is amended as follows.
- 2 In section 48 (right to present complaint of detriment to...
- 3 In section 105 (unfair dismissal: redundancy), after subsection (7BA) insert—...
- 4 In section 108(3) (exceptions to one year qualifying period of...
- 5 In section 194 (House of Lords staff), in subsection (2)(e)...
- 6 In section 195 (House of Commons staff), in subsection (2)(e)...
- 7 In section 199 (mariners)— (a) in subsection (2), after “47E,”...
- 8 In section 225 (how to calculate a week's pay in...
- 9 In section 227(1) (maximum amount of week's pay) before paragraph...
- 10 In section 235(1) (other definitions) at the appropriate place insert—...
- 11 In section 236(3) (orders and regulations subject to affirmative Parliamentary...

##### *Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52)*

- 12 The Trade Union and Labour Relations (Consolidation) Act 1992 is...
- 13 In section 212A (arbitration scheme for unfair dismissal cases etc.),...
- 14 In section 237(1A)(a) (cases where employee may complain of unfair...
- 15 In section 238(2A)(a) (cases where employment tribunal to determine whether...

##### *Employment Tribunals Act 1996 (c. 17)*

- 16 In section 18 of the Employment Tribunals Act 1996 (conciliation),...

#### Schedule 2 — Local authority functions: minor and consequential amendments

##### *Education Act 1996 (c. 56)*

- 1 The Education Act 1996 is amended as follows.
- 2 (1) Section 13 (general responsibility for education) is amended as...
- 3 For section 13A substitute— Duty to promote high standards and...
- 4 (1) Section 15A (functions in respect of full-time education for...
- 5 In section 15B (functions in respect of education for persons...
- 6 (1) Section 312 (meaning of “special educational needs”, “learning difficulty”...
- 7 In section 496 (power of Secretary of State to prevent...
- 8 In section 497 (general default powers of Secretary of State)...
- 9 In section 497A (power of Secretary of State to secure...
- 10 (1) In the title of section 509AA, for “Provision” substitute...
- 11 After section 569 insert— Regulations made by Welsh Ministers under...
- 12 In section 579(1) (general interpretation)— (a) in the definition of...

*Status: Point in time view as at 01/10/2010.*

*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009 is up to date with all changes known to be in force on or before 14 June 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)*

---

- 13 In section 580 (index) insert the following entries at the...

*Education Act 2002 (c. 32)*

- 14 In section 207(2) of the Education Act 2002 (recoupment: adjustment...

Schedule 3 — The Young People's Learning Agency for England

*Status*

- 1 (1) The YPLA is not to be regarded—

*Membership*

- 2 (1) The YPLA is to consist of—

*Tenure*

- 3 (1) The chair and other ordinary members hold and vacate...

*Remuneration etc. of members*

- 4 (1) The YPLA may, and must if the Secretary of...

*Staff*

- 5 (1) The first chief executive is to be appointed by...  
6 (1) Employment with the YPLA is to be included among...

*Committees*

- 7 (1) The YPLA may establish committees, and any committee established...  
8 (1) The YPLA and any other person may establish a...

*Procedure etc.*

- 9 (1) The YPLA may regulate— (a) its own proceedings (including...  
10 (1) The following have the right to attend meetings of...

*Delegation*

- 11 (1) The YPLA may delegate any of its functions to—...  
12 (1) A committee established by the YPLA or a joint...

*Plans*

- 13 (1) The YPLA must make and publish a plan for...

*Reports*

- 14 (1) As soon as reasonably practicable after the end of...

*Accounts*

- 15 (1) The YPLA must— (a) keep proper accounts and proper...

*Status: Point in time view as at 01/10/2010.*

*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009 is up to date with all changes known to be in force on or before 14 June 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)*

---

### *Documents*

- 16 The application of the YPLA's seal is authenticated by the...  
17 Any document purporting to be an instrument made or issued...

### *Funding*

- 18 (1) The Secretary of State may make grants to the...

### *Supplementary powers*

- 19 (1) The YPLA may do anything that it considers necessary...

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

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

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

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

### *Superannuation Act 1972 (c. 11)*

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

### Schedule 4 — The Chief Executive of Skills Funding

### *Status*

- 1 (1) The Chief Executive is to perform the functions of...

### *Tenure of office and terms of appointment*

- 2 (1) The Secretary of State may remove the Chief Executive...

### *Staff*

- 3 (1) The Chief Executive may appoint staff.

### *Delegation*

- 4 (1) The Chief Executive may delegate any of the functions...

### *Arrangements with Secretary of State*

- 5 The Secretary of State and the Chief Executive may enter...

### *Funding*

- 6 (1) The Secretary of State may make grants to the...

### *Reports*

- 7 (1) As soon as reasonably practicable after the end of...

### *Accounts*

- 8 (1) The Chief Executive must— (a) keep proper accounts and...



*Status: Point in time view as at 01/10/2010.*

*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009 is up to date with all changes known to be in force on or before 14 June 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)*

---

*Supplementary powers*

- 9 (1) The Chief Executive may do anything that the Chief...

*Directions about management*

- 10 The Secretary of State may give directions to the Chief...

*Financial year*

- 11 In this Schedule “financial year” means— (a) the period beginning...

Schedule 5 — Learning aims for persons aged 19 or over

Part 1 — QUALIFICATIONS TO WHICH SCHEDULE APPLIES

- 1 This paragraph applies to the following qualifications—  
2 This paragraph applies to a specified qualification at level 3....  
Part 2 — POWER TO SPECIFY

*Power to specify*

- 3 (1) In paragraphs 1 and 2, a reference to a...

*Power to specify qualification in literacy*

- 4 The level of attainment in literacy demonstrated by a specified...

*Power to specify qualification in numeracy*

- 5 The level of attainment in numeracy demonstrated by a specified...

*Level 2*

- 6 Level 2 is the level of attainment (in terms of...

*Level 3*

- 7 Level 3 is the level of attainment (in terms of...

*Advice and information*

- 8 In forming an opinion for the purposes of this Schedule,...

*Power to amend*

- 9 (1) The Secretary of State may by order amend this...

Schedule 6 — Dissolution of the Learning and Skills Council for England:  
minor and consequential amendments

*Race Relations Act 1976 (c. 74)*

- 1 .....

*Further and Higher Education Act 1992 (c. 13)*

- 2 The Further and Higher Education Act 1992 is amended as...  
3 (1) Section 19 (supplementary powers of a further education  
corporation)...

*Status: Point in time view as at 01/10/2010.*

**Changes to legislation:** *Apprenticeships, Skills, Children and Learning Act 2009 is up to date with all changes known to be in force on or before 14 June 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)*

---

- 4 In section 29(7A) (government and conduct of designated institutions)  
—
- 5 In section 31(2A) (designated institutions conducted by companies)—
- 6 In section 54(1) (duty to give information)—
- 7 (1) Section 56A (intervention: England) is amended as follows.
- 8 After section 56A insert— Appointment by Chief Executive of Skills...
- 9 (1) Section 56B (intervention policy: England) is amended as follows....
- 10 (1) Section 56C (directions) is amended as follows.
- 11 After section 56C insert— Notification by local authority or YPLA...
- 12 In Schedule 4 (instruments and articles of government for further...

*Education Act 1996 (c. 56)*

- 13 In section 13(2)(a) (general responsibility for education) for “Learning and...

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

- 14 The Learning and Skills Act 2000 is amended as follows....
- 15 Omit section 1 (the Learning and Skills Council for England)....
- 16 Omit section 2 (duties of Learning and Skills Council: education...
- 17 Omit section 3 (duties of Learning and Skills Council: education...
- 18 Omit section 4 (encouragement of education and training).
- 19 Omit sections 4A to 4C (learning aims for persons aged...
- 20 Omit section 5 (provision of financial resources).
- 21 Omit section 6 (financial resources: conditions).
- 22 Omit section 7 (funding of school sixth forms).
- 23 Omit section 8 (links between education and training and employment)....
- 24 Omit section 9 (assessments and means tests).
- 25 Omit section 10 (qualifying accounts and arrangements).
- 26 Omit section 11 (further education: governors).
- 27 Omit section 11A (support schemes relating to education and training...
- 28 Omit section 12 (research and information).
- 29 Omit section 13 (persons with learning difficulties).
- 30 Omit section 14 (equality of opportunity).
- 31 Omit section 14A (consultation).
- 32 Omit section 15 (plans).
- 33 Omit section 16 (strategy).
- 34 Omit section 17 (use of information by Learning and Skills...
- 35 Omit section 18 (supplementary functions).
- 36 Omit sections 18A to 18C (regional councils).
- 37 Omit sections 24A to 24C (strategies for functions of the...
- 38 Omit section 25 (directions).
- 39 Omit section 26 (committees).
- 40 Omit section 27 (grants to Learning and Skills Council).
- 41 Omit section 28 (annual report).
- 42 Omit section 29 (Council's financial year).
- 43 Omit section 97 (external qualifications: persons over 19).
- 44 (1) Section 98 (approved qualifications: England) is amended as follows....
- 45 (1) Section 99 (approved qualifications: Wales) is amended as follows....
- 46 In section 100 (authorised bodies) for “sections 96 and 97...
- 47 In section 101 (enforcement: England) in subsection (1)—

*Status: Point in time view as at 01/10/2010.*

*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009 is up to date with all changes known to be in force on or before 14 June 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)*

---

- 48 In section 102 (enforcement: Wales) in subsection (1)—
- 49 (1) Section 113A (restructuring of sixth form education) is amended...
- 50 Omit Schedule 1 (the Learning and Skills Council for England)....
- 51 Omit Schedule 1A (learning aims for persons aged 19 and...
- 52 Omit Schedule 3 (committees (England)).
- 53 (1) Schedule 7A (implementation of proposals for restructuring sixth form...

*Education Act 2002 (c. 32)*

- 54 The Education Act 2002 is amended as follows.
- 55 After section 208 insert— Recoupment: adjustment between local authorities and...
- 56 In section 210(6A) (orders and regulations: provisions subject to annulment...

*Education Act 2005 (c. 18)*

- 57 In section 108 of the Education Act 2005 (supply of...

*Education and Inspections Act 2006 (c. 40)*

- 58 The Education and Inspections Act 2006 is amended as follows....
- 59 Section 75 (education and training to satisfy entitlements) ceases to...

*Further Education and Training Act 2007 (c. 25)*

- 60 The Further Education and Training Act 2007 is amended as...
- 61 Sections 11 to 13 (provision by Learning and Skills Council...
- 62 Sections 14 to 16 (transfer of functions of Secretary of...

Schedule 7 — Learning and Skills Council for England: transfer schemes

*Staff transfer schemes*

- 1 The Secretary of State may make a scheme (a “staff...
- 2 (1) This paragraph applies where a staff transfer scheme provides...
- 3 (1) This paragraph applies where a staff transfer scheme provides...
- 4 A staff transfer scheme may provide for the transfer of...

*Property transfer schemes*

- 5 (1) The Secretary of State may make a scheme (a...

*Continuity*

- 6 A transfer by virtue of a staff transfer scheme or...

*Supplementary provision etc.*

- 7 A staff transfer scheme or a property transfer scheme may...

*Interpretation*

- 8 In this Schedule— “designated”, in relation to a staff transfer...

Schedule 8 — Sixth form college sector

*Status: Point in time view as at 01/10/2010.*

**Changes to legislation:** *Apprenticeships, Skills, Children and Learning Act 2009 is up to date with all changes known to be in force on or before 14 June 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)*

---

- 1 The Further and Higher Education Act 1992 (c. 13) is...
- 2 In section 17(1) (meaning of “further education corporation”) after “by...
- 3 After section 33 insert— Sixth form college corporations: England  
Initial...
- 4 In section 34(1) (making additional property available for use) after...
- 5 In section 52A(1) (duty to safeguard pupils receiving secondary  
education)...
- 6 In section 56A(1) (intervention: England) after “institution in England  
within...
- 7 In section 56C(1) (directions as to exercise of section 56A...
- 8 After section 56D (inserted by Schedule 6) insert— Intervention by...
- 9 In section 88(1) (stamp duty) after “32,” insert “ 33N,...
- 10 In section 88A(1) (stamp duty land tax) after “32” insert...
- 11 (1) Section 89 (orders, regulations and directions) is amended as...
- 12 (1) Section 90(1) (interpretation) is amended as follows.
- 13 (1) Section 91 (interpretation of Education Acts) is amended as...
- 14 In section 92 (index) at the appropriate places insert— relevant...
- 15 (1) Schedule 4 (instruments and articles of government for further...

#### Schedule 9 — The Office of Qualifications and Examinations Regulation

##### *Status*

- 1 Ofqual is to perform its functions on behalf of the...

##### *Membership*

- 2 (1) Ofqual is to consist of— (a) a member appointed...

##### *The Chief Regulator*

- 3 (1) The Chief Regulator holds and vacates office in accordance...

##### *The deputy and other ordinary members: tenure*

- 4 (1) The deputy and other ordinary members hold and vacate...

##### *Remuneration etc. of Chief Regulator and ordinary members*

- 5 (1) Ofqual must, if the Secretary of State requires it...

##### *Chief executive and other staff*

- 6 (1) The first chief executive is to be appointed by...

##### *Committees*

- 7 (1) Ofqual may establish committees, and any committee established  
by...
- 8 (1) Ofqual and any other person may establish a committee...

##### *Procedure etc.*

- 9 (1) Ofqual may regulate— (a) its own proceedings (including  
quorum),...

*Status: Point in time view as at 01/10/2010.*

*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009 is up to date with all changes known to be in force on or before 14 June 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)*

---

### *Delegation*

- 10 (1) Ofqual may delegate any of its functions to—  
11 (1) A committee established by Ofqual or a joint committee...

### *Documents*

- 12 The application of Ofqual's seal is authenticated by the signatures...  
13 The Documentary Evidence Act 1868 (c. 37) has effect in...

### *Supplementary powers*

- 14 (1) Ofqual may do anything that it considers necessary or...

Schedule 10 — QCA: transfer schemes

### *Staff transfer schemes*

- 1 (1) The Secretary of State may make a scheme (a...

### *Property transfer schemes*

- 2 (1) The Secretary of State may make a scheme (a...

### *Continuity*

- 3 A transfer by virtue of a staff transfer scheme or...

### *Supplementary provision etc.*

- 4 A staff transfer scheme or a property transfer scheme may...

### *Interpretation*

- 5 In this Schedule— “designated”, in relation to a staff transfer...

Schedule 11 — The Qualifications and Curriculum Development Agency

### *Status*

- 1 (1) The QCDA is not to be regarded—

### *Membership*

- 2 (1) The QCDA is to consist of—

### *Chief officer*

- 3 (1) The chief officer is to be appointed by the...

### *Chair and chief officer: division of functions*

- 4 (1) The Secretary of State may confer additional functions in...

### *Tenure*

- 5 (1) The chair, the deputy and other ordinary members hold...

*Status: Point in time view as at 01/10/2010.*

**Changes to legislation:** *Apprenticeships, Skills, Children and Learning Act 2009 is up to date with all changes known to be in force on or before 14 June 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)*

---

*Remuneration etc. of ordinary members*

- 6 (1) The QCDA must, if the Secretary of State requires...

*Staff*

- 7 (1) The QCDA may appoint staff. (2) The following are...  
8 (1) Employment with the QCDA is to be included among...

*Committees*

- 9 (1) The QCDA may establish committees, and any committee established...  
10 (1) The QCDA and any other person may establish a...

*Procedure etc.*

- 11 (1) The QCDA may regulate— (a) its own proceedings (including...  
12 (1) The following have the right to attend meetings of...

*Delegation*

- 13 (1) The QCDA may delegate any of its functions to—...  
14 (1) A committee established by the QCDA or a joint...  
15 The Secretary of State may authorise any committee established under...

*Reports*

- 16 (1) As soon as reasonably practicable after the end of...

*Accounts*

- 17 (1) The QCDA must— (a) keep proper accounts and proper...

*Documents*

- 18 The application of the QCDA's seal is authenticated by the...  
19 Any document purporting to be an instrument made or issued...

*Funding*

- 20 (1) The Secretary of State may make grants to the...

*Supplementary powers*

- 21 (1) The QCDA may do anything that it considers necessary...

Schedule 12 — Ofqual and the QCDA: minor and consequential amendments

*Public Records Act 1958 (c. 51)*

- 1 In paragraph 3 of Schedule 1 to the Public Records...

*Parliamentary Commissioner Act 1967 (c. 13)*

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

*Status: Point in time view as at 01/10/2010.*

**Changes to legislation:** *Apprenticeships, Skills, Children and Learning Act 2009 is up to date with all changes known to be in force on or before 14 June 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)*

---

*Local Authorities (Goods and Services) Act 1970 (c. 39)*

3 (1) Subject to sub-paragraph (2), in the Local Authorities (Goods...

*Superannuation Act 1972 (c. 11)*

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

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

5 (1) Part 3 of Schedule 1 to the House of...

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

6 In Part 3 of Schedule 1 to the Northern Ireland...

*Race Relations Act 1976 (c. 74)*

7 .....

*Charities Act 1993 (c. 10)*

8 In Schedule 2 to the Charities Act 1993 (exempt charities)...

*Education Act 1996 (c. 56)*

9 The Education Act 1996 is amended as follows.

10 In section 391(10) (functions of advisory councils) in paragraph (a)...

11 (1) Section 408 (provision of information) is amended as follows....

*Education Act 1997 (c. 44)*

12 The Education Act 1997 is amended as follows.

13 Sections 21 to 26A (the Qualifications and Curriculum Authority)  
cease...

14 In section 29 (functions of the Welsh Ministers in relation...

15 (1) Section 30 (functions of the Welsh Ministers in relation...

16 (1) Section 32 (supplementary provisions relating to discharge by the...

17 After section 32 insert— Qualifications functions of Welsh Ministers:  
co-operation...

18 (1) Section 32A (power of the Welsh Ministers to give...

19 After section 32A insert— Power of Welsh Ministers to withdraw...

20 In section 35(1) (transfer of staff) at the end insert...

21 Section 36 (levy on bodies awarding qualifications accredited by  
relevant...

22 In section 54(1) (orders and regulations) omit “, except an...

23 In section 58(6) (short title, commencement and extent etc)—

24 Schedule 4 (the Qualifications and Curriculum Authority) ceases to  
have...

25 In Schedule 7 (minor and consequential amendments) omit paragraph  
2....

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

26 The Learning and Skills Act 2000 is amended as follows....

27 (1) Section 96 (external qualifications: persons under 19) is amended...

*Status: Point in time view as at 01/10/2010.*

**Changes to legislation:** *Apprenticeships, Skills, Children and Learning Act 2009 is up to date with all changes known to be in force on or before 14 June 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)*

---

- 28 (1) Section 98 (approved qualifications: England) is amended as follows....  
29 (1) In section 99 (approved qualifications: Wales) is amended as...

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

- 30 In Part 6 of Schedule 1 to the Freedom of...

*Education Act 2002 (c. 32)*

- 31 The Education Act 2002 is amended as follows.  
32 (1) Section 76 (interpretation of Part 6) is amended as...  
33 In section 85(6) (curriculum requirements for the fourth key stage)...  
34 In section 85A(5) (entitlement areas for the fourth key stage)...  
35 (1) Section 87 (establishment of the National Curriculum for England...  
36 (1) Section 90 (development work and experiments) is amended as...  
37 . . . . .

*Childcare Act 2006 (c. 21)*

- 38 The Childcare Act 2006 is amended as follows.  
39 (1) Section 41 (the learning and development requirements) is amended...  
40 (1) Section 42 (further provisions about assessment arrangements) is amended...  
41 In section 44(1) (instruments specifying learning and development or welfare...  
42 In section 46 (power to enable exemptions from learning and...

*Safeguarding Vulnerable Groups Act 2006 (c. 47)*

- 43 In section 21(10) of the Safeguarding Vulnerable Groups Act 2006...

Schedule 13 — Powers in relation to schools causing concern: England

- 1 Part 4 of the Education and Inspections Act 2006 (c....  
2 (1) Section 59(2) (meaning of schools being “eligible for intervention”)...  
3 For the title of section 60 substitute “ Performance standards...  
4 After section 60 insert— Teachers' pay and conditions warning notice...  
5 (1) Section 63 (power of local authority to require governing...  
6 (1) Section 64 (power of local authority etc to appoint...  
7 In section 66(2) (power of local authority to suspend right...  
8 In section 67(1) (power of Secretary of State to appoint...  
9 In section 69(1) (power of Secretary of State to provide...  
10 After section 69 insert— Power of Secretary of State to...  
11 In section 73 (interpretation of Part 4) at the end...

Schedule 14 — Powers in relation to schools causing concern: Wales

- 1 Chapter 4 of Part 1 of the School Standards and...  
2 In section 14(4) (intervention powers: interpretation), in paragraph (c) for...  
3 In section 15 (cases where local authority may exercise powers...  
4 In section 18 (power of Welsh Ministers to appoint additional...  
5 In section 18A (power of Welsh Ministers to provide for...  
6 After section 19 insert— Power of Welsh Ministers to direct...



*Status: Point in time view as at 01/10/2010.*

*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009 is up to date with all changes known to be in force on or before 14 June 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)*

---

## Schedule 15 — The School Support Staff Negotiating Body

### *Constitution*

- 1 (1) The SSSNB is to be constituted in accordance with...

### *Membership*

- 2 (1) The SSSNB's constitutional arrangements must provide for the members...

### *Proceedings*

- 3 (1) The SSSNB's constitutional arrangements must not provide for a...

### *Administrative support*

- 4 The SSSNB's constitutional arrangements may make provision about the provision...

### *Annual reports*

- 5 (1) The SSSNB's constitutional arrangements must provide for the SSSNB...

### *Fees and expenses*

- 6 The SSSNB's constitutional arrangements may make provision about—

### *House of Commons disqualification*

- 7 In the House of Commons Disqualification Act 1975 (c. 24),...

### *Interpretation*

- 8 For the purposes of this Schedule— (a) a “school support...

## Schedule 16 — Repeals and revocations

Part 1 — LOCAL AUTHORITY FUNCTIONS

Part 2 — DISSOLUTION OF THE LSC

Part 3 — SIXTH FORM COLLEGE SECTOR

Part 4 — OFQUAL AND THE QCDA

Part 5 — CO-OPERATION TO IMPROVE WELL-BEING OF CHILDREN

Part 6 — SCHOOLS CAUSING CONCERN

Part 7 — COMPLAINTS

Part 8 — SCHOOL INSPECTIONS

Part 9 — INFORMATION ABOUT LOCAL AUTHORITY EXPENDITURE

Part 10 — SUPPORT FOR PARTICIPATION IN EDUCATION AND TRAINING

Part 11 — FOUNDATION DEGREES: WALES

**Status:**

Point in time view as at 01/10/2010.

**Changes to legislation:**

Apprenticeships, Skills, Children and Learning Act 2009 is up to date with all changes known to be in force on or before 14 June 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.