



# Children, Schools and Families Act 2010

## 2010 CHAPTER 26

### PART 3

#### MISCELLANEOUS AND FINAL PROVISIONS

##### *Miscellaneous*

#### **22 Amendments of provisions about complaints in ASCLA 2009**

- (1) In Part 10 of ASCLA 2009 (schools), Chapter 2 (complaints: England) is amended as follows.
- (2) In section 207 (power of Local Commissioner to investigate complaint), in subsection (5)(b) (power not to investigate vexatious complaint), before “vexatious” there is inserted “frivolous or”.
- (3) In section 216 (law of defamation)—
  - (a) in subsection (1)(a), after “a governing body” there is inserted “or head teacher”;
  - (b) in subsection (2)(a), after “the governing body” there is inserted “or head teacher”.

#### **23 Fees for pre-registration inspections of independent educational institutions**

In section 111 of ESA 2008 (fees for inspections of independent educational institutions by Chief Inspector), in subsection (6) (institutions to which the section applies), for “any registered independent educational institution that is not” there is substituted “any independent educational institution that is registered, or is the subject of an application to be registered, other than”.

*Final provisions***24 Interpretation of Act**

## (1) In this Act—

“EA 1996” means the Education Act 1996;

“SSFA 1998” means the School Standards and Framework Act 1998;

“EA 2002” means the Education Act 2002;

“CA 2004” means the Children Act 2004;

“EA 2005” means the Education Act 2005;

“EIA 2006” means the Education and Inspections Act 2006;

“ESA 2008” means the Education and Skills Act 2008;

“ASCLA 2009” means the Apprenticeships, Skills, Children and Learning Act 2009.

## (2) EA 1996 and section 5 of this Act are to be read as if that section were contained in that Act.

**25 Amendments and repeals**

Schedules 3 (minor and consequential amendments) and 4 (repeals) have effect.

**26 Financial provisions**

## (1) There is to be paid out of money provided by Parliament—

(a) any expenditure under this Act of a Minister of the Crown;

(b) any increase attributable to this Act in the sums payable out of money so provided under any other enactment.

## (2) There is to be paid into the Consolidated Fund any increase attributable to this Act in the sums payable into that Fund under any other enactment.

**27 Transitional provision**

## (1) Until a section 162(1)(a) order comes into force, a reference to a local authority in any provision of this Act (including any provision inserted by this Act in another Act) is to be read as a reference to a local education authority.

## (2) In subsection (1) “section 162(1)(a) order” means an order under subsection (1) of section 162 of EIA 2006 containing provision made by virtue of paragraph (a) of that subsection (power to replace statutory references to local education authorities with references to local authorities).

**28 Extent**

## (1) This Act does not extend to Scotland or (subject to subsection (2)) to Northern Ireland.

## (2) An amendment or repeal by this Act of a provision that extends to Northern Ireland has the same extent as the provision amended or repealed.

## **29 Commencement**

- (1) Sections 24 and 26 to 30 come into force on the day on which this Act is passed.
- (2) Section 23 comes into force at the end of the period of 2 months beginning with the day on which this Act is passed.
- (3) Section 9 comes into force on whatever day the Welsh Ministers appoint by order made by statutory instrument.
- (4) The following provisions come into force on whatever day or days the Lord Chancellor appoints by order made by statutory instrument—
  - (a) Part 2;
  - (b) Part 2 of Schedule 3 and Part 2 of Schedule 4 (and section 25 so far as relating to those Parts).
- (5) The other provisions of this Act come into force on whatever day or days the Secretary of State appoints by order made by statutory instrument.
- (6) An order under subsection (3), (4) or (5)—
  - (a) may make different provision for different purposes or different areas;
  - (b) may make incidental, consequential, supplemental, transitional or transitory provision or savings.

## **30 Short title etc**

- (1) This Act may be cited as the Children, Schools and Families Act 2010.
- (2) This Act is to be included in the list of Education Acts set out in section 578 of EA 1996.