



Education Act 2011

2011 CHAPTER 21

PART 6

ACADEMIES

Academy arrangements

53 Academy arrangements: post-16 education and alternative provision

- (1) Section 1 of AA 2010 (Academy arrangements) is amended as set out in subsections (2) to (6).
- (2) For subsection (5) substitute—
 - “(5) The undertakings are—
 - (a) to establish and maintain an educational institution in England which meets the requirements of any of the following—
 - (i) section 1A (Academy schools);
 - (ii) section 1B (16 to 19 Academies);
 - (iii) section 1C (alternative provision Academies);
 - (b) to carry on, or provide for the carrying on, of the institution.”
- (3) Omit subsection (6).
- (4) In subsection (7), for “a school within subsection (5)(a)(i)” substitute “an educational institution within section 1A(1)”.
- (5) In subsection (9), for “school” (in both places) substitute “institution”.
- (6) In subsection (10), for “A school” substitute “An educational institution”.
- (7) After section 1 of AA 2010 insert—

Status: This is the original version (as it was originally enacted).

“1A Academy schools

- (1) An educational institution meets the requirements of this section if—
 - (a) it is an independent school,
 - (b) it has a curriculum satisfying the requirements of section 78 of EA 2002 (balanced and broadly based curriculum),
 - (c) it provides education for pupils of different abilities,
 - (d) it provides education for pupils who are wholly or mainly drawn from the area in which it is situated, and
 - (e) it is not an alternative provision Academy (see section 1C).
- (2) An educational institution also meets the requirements of this section if—
 - (a) it is an independent school, and
 - (b) it is specially organised to make special educational provision for pupils with special educational needs.
- (3) An Academy which meets the requirements of this section is to be known as an Academy school.

1B 16 to 19 Academies

- (1) An educational institution meets the requirements of this section if it is principally concerned with providing full-time or part-time education suitable to the requirements of persons over compulsory school age but under 19.
- (2) “Education” includes vocational, social, physical and recreational training.
- (3) An Academy which meets the requirements of this section is to be known as a 16 to 19 Academy.

1C Alternative provision Academies

- (1) An educational institution meets the requirements of this section if—
 - (a) it is principally concerned with providing full-time or part-time education for children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not otherwise receive suitable education for any period,
 - (b) it provides education for children of different abilities, and
 - (c) it provides education for children who are wholly or mainly drawn from the area in which it is situated.
- (2) “Suitable education”, in relation to a child, means efficient education suitable to the child’s age, ability and aptitude and to any special educational needs the child may have.
- (3) An Academy which meets the requirements of this section is to be known as an alternative provision Academy.

1D Alternative provision Academies: powers to apply provisions with modifications

- (1) Regulations may provide for a statutory provision relating to maintained schools or a description of maintained school, or to pupil referral units, to apply in relation to alternative provision Academies, or a description of alternative provision Academy, with or without modifications.
- (2) Regulations may provide for a statutory provision relating to Academies, Academy schools or 16 to 19 Academies—
 - (a) to apply in relation to alternative provision Academies, or a description of alternative provision Academy, with or without modifications;
 - (b) not to apply in relation to alternative provision Academies or a description of alternative provision Academy.
- (3) Regulations may provide for a statutory provision relating to alternative provision Academies or a description of alternative provision Academy—
 - (a) to apply in relation to a description of alternative provision Academy, with modifications;
 - (b) not to apply in relation to a description of alternative provision Academy.
- (4) “Statutory provision” means a provision made by or under this or any other Act, whenever passed or made.”