

Status: This version of this provision is prospective.

Changes to legislation: Education and Skills Act 2008, Section 48 is up to date with all changes known to be in force on or before 28 April 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) View outstanding changes



Education and Skills Act 2008

2008 CHAPTER 25

PART 1

DUTY TO PARTICIPATE IN EDUCATION OR TRAINING: ENGLAND

CHAPTER 5

ATTENDANCE NOTICES

Attendance panel, appeals and variations etc

PROSPECTIVE

48 Attendance panel

- (1) A [^{F1}local authority] in England must establish a panel (an “attendance panel”), constituted in accordance with regulations.
- (2) An attendance panel of a [^{F1}local authority] in England has the following functions—
 - (a) functions conferred on it by virtue of section 49 in relation to appeals against attendance notices;
 - (b) functions conferred on it by virtue of section 50(6)(b);
 - (c) functions conferred on it by section 52(5) and (6);
 - (d) functions conferred on it by virtue of section 54 in relation to appeals against fixed penalty notices.
- (3) Regulations under subsection (1)—
 - (a) must require a [^{F1}local authority] to secure that any person who chairs an attendance panel is not a member of the authority; and
 - (b) may make provision for the payment by the [^{F1}local authority] of allowances to members of an appeal panel.

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- (4) Regulations made by virtue of subsection (3)(b) may provide for any of the provisions of sections 173 to 174 of the Local Government Act 1972 (c. 70) [^{F2}or (in relation to Wales) Part 8 of the Local Government (Wales) Measure 2011] (allowances to members of local authorities and other bodies) to apply with prescribed modifications in relation to members of an attendance panel.

Textual Amendments

- F1** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), **Sch. 2 para. 15(2)**
- F2** Words in s. 48(4) inserted (W.) (30.4.2012) by [Local Government \(Wales\) Measure 2011 \(nawm 4\)](#), s. 178(3), **Sch. 3 para. 7**; S.I. 2012/1187, art. 2(1)(q)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 91(3)(c) inserted by [2022 asc 1 Sch. 4 para. 22\(3\)](#)