



Apprenticeships, Skills, Children and Learning Act 2009

2009 CHAPTER 22

PART 6

THE SIXTH FORM COLLEGE SECTOR

126 Removal of power to establish sixth form schools

- (1) In section 16 of the [Education Act 1996 \(c. 56\)](#) (power to establish etc. primary and secondary schools) after subsection (3) insert—

“(3A) A local education authority in England may not under subsection (1) establish a school which is principally concerned with the provision of full-time education suitable to the requirements of pupils who are over compulsory school age but under 19.”

- (2) The [Education and Inspections Act 2006 \(c. 40\)](#) is amended as follows.

- (3) In section 7 (invitation for proposals for establishment of new schools) after subsection (5) insert—

“(5A) A local education authority may not publish under this section proposals within subsection (5)(b) for the establishment of a school providing education suitable only to the requirements of persons above compulsory school age.”

- (4) In section 10 (publication of proposals with consent of Secretary of State) in subsection (1)(a) after “school” insert “, other than one providing education suitable only to the requirements of persons above compulsory school age”.

- (5) In section 11 (publication of proposals to establish maintained schools: special cases) omit subsections (1)(b) and (2)(a).