
Changes to legislation: Education Act 2011, Paragraph 9 is up to date with all changes known to be in force on or before 11 August 2023. 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

SCHEDULES

SCHEDULE 13

16 TO 19 ACADEMIES AND ALTERNATIVE PROVISION ACADEMIES: CONSEQUENTIAL AMENDMENTS

Other Acts

- 9 (1) EA 1996 is amended as follows.
- (2) In section 4 (schools: general)—
- (a) in subsection (1), for “subsection (1A)” substitute “ subsections (1A) to (1C) ”;
 - (b) after subsection (1A) insert—
“(1B) A 16 to 19 Academy is not a school.
(1C) An alternative provision Academy is a school.”
- (3) In section 11 (Secretary of State's duty in the case of primary, secondary and further education)—
- (a) in subsection (1)(a), omit the “or” after sub-paragraph (i) and after sub-paragraph (ii) insert “or
(iii) in 16 to 19 Academies,”;
 - (b) in subsection (1)(b), for “or institutions within the further education sector” substitute “ , institutions within the further education sector or 16 to 19 Academies ”;
 - (c) in subsection (2), for “and institutions within the further education sector” substitute “ , institutions within the further education sector and 16 to 19 Academies ”.
- (4) In section 329A (review or assessment of educational needs at request of responsible body), in subsection (12), after paragraph (d) insert—
“(da) an alternative provision Academy that is not an independent school,”.
- (5) In section 332B (special educational provision: resolution of disputes), in subsection (8)(c), for “or an Academy” substitute “ , an Academy school or an alternative provision Academy ”.
- (6) In section 337 (special schools), in paragraph (b), for “Academy” substitute “ Academy school ”.
- (7) In section 444 (offence: failure to secure regular attendance at school of registered pupil), in subsection (7A)(a), for sub-paragraph (iii) substitute—
“(iii) an Academy school,
(iiia) an alternative provision Academy,”.

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- (8) In section 444ZA (application of section 444 to alternative education provision), in subsection (8)—
- (a) in paragraph (a), for sub-paragraph (iii) substitute—
 - “(iii) an Academy school,
 - (iia) an alternative provision Academy,”;
 - (b) in paragraph (b), after “(iii),” insert “ (iia), ”.
- (9) In section 444B (penalty notices: supplemental), in subsection (4), in the definition of “relevant school”, for paragraph (c) substitute—
- “(c) an Academy school,
 - (ca) an alternative provision Academy,”.
- (10) In section 508A (local authorities in England: duty to promote sustainable modes of travel)—
- (a) in subsection (5)(b), after “further education sector” insert “ , or 16 to 19 Academies, ”;
 - (b) in subsection (6)(b), after “further education sector” insert “ , or 16 to 19 Academies, ”.
- (11) In section 508C (local authorities in England: travel arrangements etc for children other than eligible children), in subsection (6)(b), after “further education sector” insert “ , or 16 to 19 Academy, ”.
- (12) In section 508G (local authorities in England: transport policy statements for young adults subject to learning difficulty assessment), in subsection (1), after paragraph (b) insert—
- “(ba) proprietors of 16 to 19 Academies in the authority's area,”.
- (13) In section 509AA (local authorities in England: provision of transport etc for persons of sixth form age)—
- (a) in subsection (2), omit the “or” at the end of paragraph (c) and after that paragraph insert—
 - “(ca) at any 16 to 19 Academy, or”;
 - (b) in subsection (2)(d), for “or (c)” substitute “ , (c) or (ca) ”.
- (14) In section 510 (provision of clothing), in subsection (4)(b), after “further education sector” insert “ or a 16 to 19 Academy ”.
- (15) In section 537 (power of Secretary of State to require information from governing bodies etc), in subsection (1)(b), after “every” insert “ (i) ” and at the end insert “or
- “(ii) alternative provision Academy which is not an independent school,”.
- (16) In section 557 (adoption of statutory trusts), in subsection (10), in the definition of “relevant school”, for “Academy,” substitute “ Academy school, alternative provision Academy, ”.
- (17) In section 579(1) (general interpretation)—
- (a) in the definition of “Academy”, for “a school” substitute “ an educational institution ”;
 - (b) after the definition of “Academy order” insert—

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““Academy school”, “16 to 19 Academy” and “alternative provision Academy” have the meanings given by sections 1A, 1B and 1C respectively of that Act;”;

(c) in the definition of “proprietor”—

(i) after “a school” insert “ or a 16 to 19 Academy ”;

(ii) after “the school” insert “ or Academy ”.

(18) In section 580 (index), at the appropriate places insert the following entries—

“Academy school	Section 579(1)”
“alternative provision Academy	Section 579(1)”
“16 to 19 Academy	Section 579(1)”

(19) In paragraph 15(2) of Schedule 1 (management committees of pupil referral units), after paragraph (g) insert—

“(ga) about the effect of closure of a pupil referral unit on members of the management committee for the unit or members of any sub-committee;”.

(20) In paragraph 15(2) of Schedule 35B (travel arrangements for eligible children: meaning of “qualifying school”), in paragraph (f), for “or an Academy” substitute “, an Academy school or an alternative provision Academy ”.

Commencement Information

II Sch. 13 para. 9 in force at 1.4.2012 by S.I. 2012/924, art. 2

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Changes and effects yet to be applied to :

- Sch. 13 para. 9(4) omitted by [2018 anaw 2 Sch. 1 para. 6\(p\)](#)
- Sch. 13 para. 9(5) omitted by [2018 anaw 2 Sch. 1 para. 6\(p\)](#)