

SCHEDULE 2

Consequential and Connected Amendments

PART 1

Education Acts

Education Act 1996 (c. 56)

7.—(1) EA 1996 is amended as follows.

(2) For “local education authority” and “LEA” in each place where those words occur substitute “local authority”.

(3) For “local education authorities” and “LEAs” in each place where those words occur substitute “local authorities”.

(4) Sub-paragraphs (2) and (3) are subject to—

(a) sub-paragraph (5);

(b) any amendment made to EA 1996 by any other provision of this Order.

(5) Sub-paragraph (2) does not apply in relation to—

(a) section 17(1)(b);

(b) the first 3 references to “local education authority” in paragraph 4(2)(e) of Schedule 39.

(6) In section 322—

(a) for the title substitute “Duty of certain bodies to help local authority”;

(b) in subsection (1) for the words “any Local Health Board, Primary Care Trust or local authority” substitute “another local authority, a Local Health Board or a Primary Care Trust”;

(c) in subsection (2)(a) for “by the local education authority of those functions” substitute “of those functions by the local authority that made the request”;

(d) in subsection (3) for the words “the case” in each place where they occur substitute “a case where the request is made”;

(e) omit subsection (5).

(7) In section 408—

(a) in subsection (6) omit the words after paragraph (e);

(b) after that subsection insert—

“(6A) Regulations under this section shall not require information as is mentioned in subsection (6) to be made available—

(a) to a governing body except where relevant for the purposes of the performance of any of their functions;

(b) to a head teacher except where relevant for the purposes of the performance of any of the head teacher’s functions;

(c) to a local authority except where relevant for the purposes of the performance of any of their education functions.”

(8) In section 447—

(a) in subsection (2) omit the words “, having consulted the appropriate local authority,”;

Changes to legislation: There are currently no known outstanding effects for the *The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010, Paragraph 7.* (See end of Document for details)

- (b) after that subsection insert—
 - “(2A) A local authority may not make a decision as mentioned in subsection (2) unless—
 - (a) they are the appropriate local authority, or
 - (b) they have consulted that authority.”;
 - (c) in subsection (3) for the words “such a direction” substitute “a direction under subsection (2)”.
- (9) In section 497A(1)—
 - (a) in the title, for the words “LEA’s functions” substitute “local authority’s education functions”;
 - (b) for subsection (1) substitute—
 - “(1) This section applies to a local authority’s education functions.”
- (10) In section 499—
 - (a) in subsection (1) for the words from “functions” to the end substitute “of their education functions”;
 - (b) in subsection (3) for the words from “functions” to the end substitute “of their education functions”;
 - (c) in subsection (5)(b) for the words from “functions as” to “education” substitute “education functions”.
- (11) In section 509AB(7)(2)—
 - (a) in paragraph (a) for the words “the local education authority for a district” substitute “a district council for an area”;
 - (b) in paragraph (b) for the words “the local education authority for a London borough or” substitute “a London borough council or the Common Council of”.
- (12) In section 564(3) at the end insert “for the purpose of the exercise of their education functions”.
- (13) In section 566(1)(a) for the words “local education authority” substitute “local authority in connection with the exercise of their education functions”.
- (14) In section 580—
 - (a) omit the entries relating to—
 - (i) area (of a local education authority);
 - (ii) local education authority; and
 - (iii) the local education authority;
 - (b) insert each of the following entries at the appropriate place—

“education functions	section 579(1);
local authority in England	section 579(1);
local authority in Wales	section 579(1)”

- (15) In paragraph 9 of Schedule 35A(3)—

(1) Section 497A was inserted by section 8 of the School Standards and Framework Act 1998 (c. 31) and amended by section 60 of the Education Act 2002 (c. 32).

(2) Section 509AB was inserted by Schedule 19 to the Education Act 2002.

(3) Schedule 35A was inserted by Part I of Schedule 7 to the Education Act 2002.

Changes to legislation: *There are currently no known outstanding effects for the The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010, Paragraph 7. (See end of Document for details)*

- (a) the existing provision becomes sub-paragraph (1);
- (b) after that sub-paragraph add—

“(2) In this paragraph and paragraph 10(1), “local authority” includes a district council for an area for which there is a county council.”

(16) In paragraph 44(2)(b) of Schedule 39 for the words from “functions with respect to education conferred” to the end, substitute “of the local authority’s education functions”.

Commencement Information

II Sch. 2 para. 7 in force at 5.5.2010, see **art. 1**

Changes to legislation:

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