

*These notes refer to the Education Act 2011 (c.21)
which received Royal Assent on 15 November 2011*

EDUCATION ACT 2011

EXPLANATORY NOTES

ANNEX A: TERRITORIAL APPLICATION TABLE:

<i>Section number</i>	<i>Title</i>	<i>Application of Section</i>
PART 1		
EARLY YEARS PROVISION		
1	<i>Free of charge early years provision</i>	<i>England only</i>
PART 2		
DISCIPLINE		
2	<i>Power of members of staff to search pupils</i>	<i>England only</i>
3	<i>Power of members of staff at FEIs to search students</i>	<i>England only</i>
4	<i>Exclusion of pupils from schools in England: review</i>	<i>England only</i>
5	<i>Repeal of requirement to give notice of detention to parent</i>	<i>England only</i>
6	<i>Repeal of duty to enter into behaviour and attendance partnership</i>	<i>England only</i>
PART 3		
SCHOOL WORKFORCE		
Abolition of the General Teaching Council for England		
7	<i>Abolition of the General Teaching Council for England</i>	<i>England only</i>
8	<i>Functions of Secretary of State in relation to teachers</i>	<i>England only</i>
9	<i>Requirement for teachers in England to serve induction period</i>	<i>England only</i>
10	<i>Abolition of the GTCE: transitional provision</i>	<i>England only</i>
11	<i>Abolition of the GTCE: consequential amendments</i>	<i>England and Wales</i>
12	<i>Abolition of the GTCE: transfer schemes</i>	<i>England only</i>
Reporting restrictions		
13	<i>Restrictions on reporting alleged offences by teachers</i>	<i>England and Wales</i>
Abolition of the Training and Development Agency for Schools		
14	<i>Abolition of the Training and Development Agency for Schools</i>	<i>England and Wales</i>
15	<i>Training the school workforce in England: functions of Secretary of State and Welsh Ministers</i>	<i>England and Wales</i>
16	<i>Abolition of the TDA: consequential amendments</i>	<i>England and Wales</i>

Section number	Title	Application of Section
17	<i>Abolition of the TDA: transfer schemes</i>	<i>England only</i>
Abolition of the School Support Staff Negotiating Body		
18	<i>Abolition of the School Support Staff Negotiating Body</i>	<i>England only</i>
Staff: minor amendments		
19	<i>Staffing of maintained schools: suspension of delegated budget</i>	<i>England only</i>
PART 4		
QUALIFICATIONS AND THE CURRICULUM		
International comparison surveys		
20	<i>Requirement for schools to participate in international surveys</i>	<i>England only</i>
Ofqual		
21	<i>The Chief Regulator of Qualifications and Examinations</i>	<i>England and Northern Ireland</i>
22	<i>The qualifications standards objective</i>	<i>England and Northern Ireland</i>
23	<i>Enforcement powers</i>	<i>England and Northern Ireland</i>
Qualifications: Wales		
24	<i>Enforcement powers of Welsh Ministers</i>	<i>Wales only</i>
Abolition of the Qualifications and Curriculum Development Agency		
25	<i>Abolition of the Qualifications and Curriculum Development Agency</i>	<i>England only</i>
26	<i>Abolition of the QCDA: consequential amendments</i>	<i>England only</i>
27	<i>Abolition of the QCDA: transfer schemes</i>	<i>England only</i>
Careers education and guidance		
28	<i>Education and training support services</i>	<i>England only</i>
29	<i>Careers guidance in schools</i>	<i>England only</i>
Repeal of the diploma entitlement		
30	<i>Repeal of diploma entitlement for 16 to 18 year olds</i>	<i>England only</i>
31	<i>Repeal of diploma entitlement for fourth key stage</i>	<i>England only</i>
PART 5		
EDUCATIONAL INSTITUTIONS: OTHER PROVISIONS		
Repeal of duties of governing bodies, local authorities and others		
32	<i>Duty to prepare and publish school profile</i>	<i>England only</i>
33	<i>Duty to appoint school improvement partners</i>	<i>England only</i>

Section number	Title	Application of Section
34	<i>Duties in relation to school admissions</i>	<i>England only</i>
35	<i>Duties in relation to school meals</i>	<i>England only</i>
Admissions		
36	<i>Objections to admission arrangements</i>	<i>England only</i>
New schools		
37	<i>Establishment of new schools</i>	<i>England only</i>
Governing bodies: constitution and dissolution		
38	<i>Constitution of governing bodies: maintained schools in England</i>	<i>England only</i>
39	<i>Discontinuance of federated school: governing body not to be dissolved</i>	<i>England only</i>
School standards		
40	<i>School inspections: exempt schools</i>	<i>England only</i>
41	<i>School inspections: matters to be covered in Chief Inspector's report</i>	<i>England only</i>
42	<i>Inspection of further education institutions exempt institutions</i>	<i>England only</i>
43	<i>Inspection of boarding accommodation</i>	<i>England and Wales</i>
44	<i>Schools causing concern: powers of Secretary of State</i>	<i>England only</i>
45	<i>Complaints: repeal of power to complain to Local Commissioner</i>	<i>England only</i>
School finance		
46	<i>Local authorities' financial schemes</i>	<i>England only</i>
47	<i>Payments in respect of dismissal, etc</i>	<i>England only</i>
48	<i>Determination of permitted charges</i>	<i>England and Wales</i>
FE institutions		
49	<i>FE institutions: amendments</i>	<i>England only</i>
Pupil referral units		
50	<i>Financing of pupil referral units</i>	<i>England only</i>
51	<i>Repeal of provision changing name of pupil referral units</i>	<i>England only</i>
PART 6		
ACADEMIES		
Academy arrangements		
52	<i>Academies: removal of requirement to have specialism</i>	<i>England only</i>
53	<i>Academy arrangements: post-16 education and alternative provision</i>	<i>England only</i>

Section number	Title	Application of Section
54	<i>Consequential amendments: 16 to 19 Academies and alternative provision Academies</i>	<i>England only</i>
Academy orders		
55	<i>Academy orders: involvement of religious bodies etc</i>	<i>England only</i>
56	<i>Academies: consultation on conversion</i>	<i>England only</i>
57	<i>Academy conversions: federated schools</i>	<i>England only</i>
58	<i>Academy orders: local authority powers</i>	<i>England only</i>
59	<i>Transfer of property, rights and liabilities to Academies</i>	<i>England only</i>
Academies: other provisions		
60	<i>Academies: new and expanded educational institutions</i>	<i>England only</i>
61	<i>Charges at boarding Academies</i>	<i>England and Wales</i>
62	<i>Staff at Academies with religious character</i>	<i>England only</i>
63	<i>Academies: land</i>	<i>England only</i>
64	<i>Academy admissions arrangements: references to adjudicator</i>	<i>England only</i>
65	<i>Academies: minor amendments</i>	<i>England only</i>
PART 7		
POST-16 EDUCATION AND TRAINING		
Abolition of the Young People's Learning Agency for England		
66	<i>Abolition of the Young People's Learning Agency for England</i>	<i>UK wide</i>
67	<i>Abolition of the YPLA: consequential amendments</i>	<i>England only</i>
68	<i>Abolition of the YPLA: transfer schemes</i>	<i>England only</i>
Apprenticeships		
69	<i>The apprenticeship offer</i>	<i>England only</i>
70	<i>Securing the provision of apprenticeship training</i>	<i>England only</i>
71	<i>Apprenticeship certificates</i>	<i>England only</i>
The Chief Executive of Skills Funding		
72	<i>Consultation by Chief Executive of Skills Funding</i>	<i>England only</i>
73	<i>Functions of the Chief Executive of Skills Funding</i>	<i>England only</i>
Raising the participation age: commencement		

Section number	Title	Application of Section
74	<i>Duty to participate in education or training commencement</i>	<i>England only</i>
PART 8		
DIRECT PAYMENTS		
75	<i>Direct payments: persons with special educational needs or subject to learning difficulty assessment</i>	<i>England only</i>
PART 8		
STUDENT FINANCE		
76	<i>Student loans: interest rates</i>	<i>England and Wales</i>
77	<i>Limit on student fees: part-time courses</i>	<i>England and Wales</i>
PART 9		
GENERAL		
78	<i>Orders and regulations</i>	<i>UK wide</i>
79	<i>Interpretation of Act</i>	<i>UK wide</i>
80	<i>Financial provision</i>	<i>UK wide</i>
81	<i>Extent</i>	<i>UK wide</i>
82	<i>Commencement</i>	<i>UK wide</i>
83	<i>Short title</i>	<i>UK wide</i>

THE ACT'S PASSAGE THROUGH PARLIAMENT

367. The following table sets out the dates and Hansard references for each stage of this Act's passage through Parliament.

Stage	Date	Hansard reference
House of Commons		
Introduction	26 January 2011	Vol. 522 Col. 327
Second Reading	8 February 2011	Vol. 523 Cols. 164-267
Committee	1 March, 3 March, 8 March, 10 March, 15 March, 17 March, 22 March, 24 March, 29 March, 31 March and 5 April 2011	House of Commons Public Bill Committee on the Education Bill 2010-11
Report and Third Reading	11 May 2011	Vol. 527 Cols. 1187-1281
House of Lords		
Introduction	12 May 2011	Vol. 727 Col. 987
Second Reading	14 June 2011	Vol. 728 Cols. 661-675 and 687-778
Grand Committee	28 June 2011 – 1 st sitting	Vol. 728 Cols. GC185-244

<i>Stage</i>	<i>Date</i>	<i>Hansard reference</i>
	30 June 2011 – 2 nd sitting	Vol. 728 Cols. GC245-304
	4 July 2011 – 3 rd sitting	Vol. 729 Cols. GC1-68
	6 July 2011 – 4 th sitting	Vol. 729 Cols. GC121-178
	11 July 2011 – 5 th sitting	Vol. 729 Cols. GC179-240
	13 July 2011 – 6 th sitting	Vol. 729 Cols. GC303-364
	18 July 2011 – 7 th sitting	Vol. 729 Cols. GC365-430
	20 July 2011 – 8 th sitting	Vol. 729 Cols. GC431-494
	12 Sept 2011 – 9 th sitting	Vol. 730 Cols. GC109-172
	14 Sept 2011 – 10 th sitting	Vol. 730 Cols. GC221-288
	4 October 2011 – 11 th sitting	Vol. 730 Cols. GC289-323
Report	18 October 2011	Vol. 731 Cols. 165-226 and 241-280
	24 October 2011	Vol. 731 Cols. 544-550, 562-618 and 633-648
	26 October 2011	Vol. 731 Cols. 757-831
	1 November 2011	Vol. 731 Cols. 1133-1211
Third Reading	9 November 2011	Vol. 732 Cols. 328-334
House of Commons		
Consideration of Lords Amendments	14 November 2011	Vol. 535 Cols. 582-662
Royal Assent: 15 November 2011	House of Lords Hansard Vol. 732 Col. 571	
	House of Commons Hansard Vol. 535 Col. 742	