

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

# EDUCATION ACT 2011

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 4: Qualifications and the Curriculum**

#### **Repeal of the diploma entitlement**

#### ***Section 31: repeal of diploma entitlement for fourth key stage***

174. **Section 31** amends section 74 of EIA 2006, which replaces section 85 of EA 2002 with new sections 85 and 85A. Under section 85A(1)(b), all Key Stage 4 pupils (that is, those aged from 14 to 16) are entitled to follow a course of study in an entitlement area specified by the Secretary of State by order. No order has been made, and the legislation is not yet in force. It was the public intention of the previous Government that the additional entitlement was to be to the new 14 to 19 diplomas. This would have placed duties on local education authorities, governing bodies and head teachers of maintained secondary schools to secure this entitlement. The section will remove this duty so that section 85A will simply entitle key stage 4 pupils to study the subjects listed at subsection (2). *Subsection (3)* of the section makes amendments which are consequential on the amendments to section 85A of EA 2002.