



# Education Act 2011

## 2011 CHAPTER 21

### PART 6

#### ACADEMIES

##### *Academy arrangements*

#### **52 Academies: removal of requirement to have specialism**

In section 1(6) of AA 2010 (Academy arrangements: characteristics of Academy) omit paragraph (b) (curriculum to have emphasis on particular subject area).

#### **53 Academy arrangements: post-16 education and alternative provision**

(1) Section 1 of AA 2010 (Academy arrangements) is amended as set out in subsections (2) to (6).

(2) For subsection (5) substitute—

“(5) The undertakings are—

(a) to establish and maintain an educational institution in England which meets the requirements of any of the following—

(i) section 1A (Academy schools);

(ii) section 1B (16 to 19 Academies);

(iii) section 1C (alternative provision Academies);

(b) to carry on, or provide for the carrying on, of the institution.”

(3) Omit subsection (6).

(4) In subsection (7), for “a school within subsection (5)(a)(i)” substitute “an educational institution within section 1A(1)”.

(5) In subsection (9), for “school” (in both places) substitute “institution”.

(6) In subsection (10), for “A school” substitute “An educational institution”.

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*Status: This is the original version (as it was originally enacted).*

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(7) After section 1 of AA 2010 insert—

**“1A Academy schools**

- (1) An educational institution meets the requirements of this section if—
  - (a) it is an independent school,
  - (b) it has a curriculum satisfying the requirements of section 78 of EA 2002 (balanced and broadly based curriculum),
  - (c) it provides education for pupils of different abilities,
  - (d) it provides education for pupils who are wholly or mainly drawn from the area in which it is situated, and
  - (e) it is not an alternative provision Academy (see section 1C).
- (2) An educational institution also meets the requirements of this section if—
  - (a) it is an independent school, and
  - (b) it is specially organised to make special educational provision for pupils with special educational needs.
- (3) An Academy which meets the requirements of this section is to be known as an Academy school.

**1B 16 to 19 Academies**

- (1) An educational institution meets the requirements of this section if it is principally concerned with providing full-time or part-time education suitable to the requirements of persons over compulsory school age but under 19.
- (2) “Education” includes vocational, social, physical and recreational training.
- (3) An Academy which meets the requirements of this section is to be known as a 16 to 19 Academy.

**1C Alternative provision Academies**

- (1) An educational institution meets the requirements of this section if—
  - (a) it is principally concerned with providing full-time or part-time education for children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not otherwise receive suitable education for any period,
  - (b) it provides education for children of different abilities, and
  - (c) it provides education for children who are wholly or mainly drawn from the area in which it is situated.
- (2) “Suitable education”, in relation to a child, means efficient education suitable to the child’s age, ability and aptitude and to any special educational needs the child may have.
- (3) An Academy which meets the requirements of this section is to be known as an alternative provision Academy.

### **1D Alternative provision Academies: powers to apply provisions with modifications**

- (1) Regulations may provide for a statutory provision relating to maintained schools or a description of maintained school, or to pupil referral units, to apply in relation to alternative provision Academies, or a description of alternative provision Academy, with or without modifications.
- (2) Regulations may provide for a statutory provision relating to Academies, Academy schools or 16 to 19 Academies—
  - (a) to apply in relation to alternative provision Academies, or a description of alternative provision Academy, with or without modifications;
  - (b) not to apply in relation to alternative provision Academies or a description of alternative provision Academy.
- (3) Regulations may provide for a statutory provision relating to alternative provision Academies or a description of alternative provision Academy—
  - (a) to apply in relation to a description of alternative provision Academy, with modifications;
  - (b) not to apply in relation to a description of alternative provision Academy.
- (4) “Statutory provision” means a provision made by or under this or any other Act, whenever passed or made.”

### **54 Consequential amendments: 16 to 19 Academies and alternative provision Academies**

- (1) Schedule 13 (16 to 19 Academies and alternative provision Academies: consequential amendments) has effect.
- (2) The Secretary of State may by order make further changes in consequence of section 53 to any provision of—
  - (a) an Act passed before, or in the same Session as, this Act;
  - (b) subordinate legislation made before the date on which this Act is passed.
- (3) “Subordinate legislation” has the meaning given by section 21(1) of the Interpretation Act 1978.