

## SCHEDULE 1

### CONSEQUENTIAL AMENDMENTS

#### PART 1

#### DISSOLUTION OF THE LEARNING AND SKILLS COUNCIL FOR ENGLAND

##### **Public Records Act 1958 (c. 51)**

1. In paragraph 3 of Schedule 1 to the Public Records Act 1958, in Part 2 of the Table (definition of public records: other establishments and organisations)—

- (a) omit the entry for the Learning and Skills Council for England;
- (b) at the appropriate place insert—

“Young People’s Learning Agency for England.”

##### **Parliamentary Commissioner Act 1967 (c. 13)**

2. In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments etc subject to investigation)—

- (a) omit the entry for the Learning and Skills Council for England;
- (b) at the appropriate place insert—

“The Chief Executive of Skills Funding.”

##### **Superannuation Act 1972 (c. 11)**

3. In Schedule 1 to the Superannuation Act 1972 (kinds of employment, etc, referred to in section 1 of that Act) under the heading “Other Bodies” omit the entry for the Learning and Skills Council for England.

##### **House of Commons Disqualification Act 1975 (c. 24)**

4. In Part 3 of Schedule 1 to the House of Commons Disqualification Act 1975 (other offices disqualifying for membership) omit “Any member of the Learning and Skills Council for England in receipt of remuneration.”

##### **Sex Discrimination Act 1975 (c. 65)**

5. The Sex Discrimination Act 1975 is amended as follows.

6. In section 23A (discrimination by Further and Higher Education Funding Councils)—

- (a) for “Learning and Skills Council for England” substitute “Young People’s Learning Agency for England, the Chief Executive of Skills Funding”;
- (b) omit “and the Learning and Skills Act 2000”;
- (c) for the title substitute “Discrimination by further and higher education funding bodies”.

7.—(1) Section 25A (general duty: post-16 education and training etc) is amended as follows.

- (2) In subsection (1) omit “Learning and Skills Council for England and the”.
- (3) In subsection (2) omit “the Learning and Skills Council for England or”.

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- (4) Omit subsection (3).
- (5) In subsection (5) for “Subsections (3) and (4) are” substitute “Subsection (4) is”.
- 8. In Schedule 2 (transitional exemption orders for educational admissions) omit paragraph 4A.

**Race Relations Act 1976 (c. 74)**

- 9. The Race Relations Act 1976 is amended as follows.
- 10. In section 18A (discrimination by Further and Higher Education Funding Councils)—
  - (a) for “Learning and Skills Council for England” substitute “Young People’s Learning Agency for England, the Chief Executive of Skills Funding”;
  - (b) omit “and the Learning and Skills Act 2000,”;
  - (c) for the title substitute “Discrimination by further and higher education funding bodies”.
- 11. In Part 2 of Schedule 1A (bodies etc subjected to general duty after commencement of the duty) under the heading “Education” at the appropriate place insert—

“The Young People’s Learning Agency for England.”

**Education (Fees and Awards) Act 1983 (c. 40)**

- 12. In section 1 of the Education (Fees and Awards) Act 1983 (fees at universities and further education establishments) in subsection (3)(f) for “Learning and Skills Council for England” substitute “Young People’s Learning Agency for England or the Chief Executive of Skills Funding”.

**Disabled Persons (Services, Consultation and Representation) Act 1986 (c. 33)**

- 13. In section 5(9) of the Disabled Persons (Services, Consultation and Representation) Act 1986 (disabled persons leaving special education: defined terms) in paragraph (c) of the definition of “the responsible authority”—
  - (a) for “the Learning and Skills Council for England” substitute “a local authority, the Young People’s Learning Agency for England”;
  - (b) for “council” substitute “local authority, Young People’s Learning Agency for England”.

**Employment Act 1988 (c. 19)**

- 14. In section 26(1A) of the Employment Act 1988 (status of trainees etc)—
  - (a) for “5(1)(c) or” substitute “61(4)(a) or 100(1)(c) or (d) of the Apprenticeships, Skills, Children and Learning Act 2009 or section”;
  - (b) for “Learning and Skills Council for England” substitute “Young People’s Learning Agency for England, the Chief Executive of Skills Funding”.

**Education Reform Act 1988 (c. 40)**

- 15. The Education Reform Act 1988 is amended as follows.
- 16. In section 128 (dissolution of higher education corporations), in subsection (1)(b)—
  - (a) after sub-paragraph (ii) insert—
    - “(ia) the Chief Executive of Skills Funding;
    - “(ib) the Young People’s Learning Agency for England;”;
  - (b) in sub-paragraph (v) omit “the Learning and Skills Council for England or”.

17. In section 161(1)(b) (interpretation of references to local authority's further or higher education functions) before "15A" insert "15ZA,".

### **Further and Higher Education Act 1992 (c. 13)**

18. The Further and Higher Education Act 1992 is amended as follows.

19. In section 27 (dissolution of further education corporations)—

(a) in subsection (3)(a) for "Learning and Skills Council for England" substitute "Chief Executive of Skills Funding";

(b) after subsection (7) insert—

"(7A) Before making an order under this section in respect of a further education corporation in England, the Secretary of State must also consult the YPLA."

20. In section 38 (payments in respect of loan liabilities)—

(a) in subsection (2)—

(i) for "Learning and Skills Council for England" substitute "YPLA or the Chief Executive of Skills Funding";

(ii) for "council" substitute "YPLA or the Chief Executive";

(b) in the title omit "by council".

21. In section 51 (publication of proposals)—

(a) in subsection (1) for "Learning and Skills Council for England" substitute "Chief Executive of Skills Funding";

(b) in subsection (2)(b) for "Learning and Skills Council for England have" substitute "Chief Executive of Skills Funding has" and for "them" substitute "the Chief Executive";

(c) in subsection (3)(a) for "Learning and Skills Council for England" substitute "Chief Executive of Skills Funding";

(d) in subsection (3)(b) for "council" substitute "Chief Executive".

22. In section 52 (duty to provide for named individuals: Wales)—

(a) in subsection (2) omit "Learning and Skills Council for England or the";

(b) in subsection (3)—

(i) omit "Learning and Skills Council for England or the";

(ii) omit "council or (as the case may be) the".

23. In section 61A (references to appropriate bodies) in subsection (2)(a) for "Learning and Skills Council for England" substitute "Chief Executive of Skills Funding".

24. In section 82 (joint exercise of functions) in subsection (3)(a) for "Learning and Skills Council for England" substitute "YPLA, the Chief Executive of Skills Funding".

25.—(1) Section 83 (efficiency studies) is amended as follows.

(2) For subsection (1) substitute—

"(1) A person listed in an entry in column 1 of the table in subsection (1B) may arrange for efficiency studies to be promoted or carried out by any person in respect of an institution listed in the corresponding entry in column 2 of that table.

(1A) "Efficiency studies" are studies designed to improve economy, efficiency and effectiveness in the management or operations of an institution.

(1B) The table referred to in subsection (1) is—

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<i>Person</i>	<i>Institution</i>
The Welsh Ministers	An institution in Wales within the further education sector.
The Chief Executive of Skills Funding	An institution in England within the further education sector, other than a sixth form college
The YPLA	A sixth form college
A higher education funding council	An institution within the higher education sector.”

(3) In subsection (2)—

- (a) for “such studies” substitute “efficiency studies”;
- (b) for the words from “request” to “funding council” substitute “request of a person listed in an entry in column 1 of the table in subsection (1B)”.

#### **Value Added Tax Act 1994 (c. 23)**

**26.** In Schedule 9 to the Value Added Tax Act 1994, in Group 6 of Part 2 (education), in item 5A—

- (a) for “the Learning and Skills Council for England or” substitute—
  - “(a) the Young People’s Learning Agency for England under Part 3 of the Apprenticeships, Skills, Children and Learning Act 2009;
  - (b) the Chief Executive of Skills Funding under Part 4 of that Act; or
  - (c)
- (b) omit “Part 1 or”.

#### **Education Act 1996 (c. 56)**

**27.** The Education Act 1996 is amended as follows.

**28.** In section 507B (local authorities in England: functions in respect of leisure-time activities) in subsection (2)(b) for “section 13(5)(a) and (6) of the Learning and Skills Act 2000” substitute “section 15ZA(6)(a) and (7)”.

**29.** In section 509AA (provision of transport etc for persons of sixth form age) in subsection (2) (d) for “which is supported by the Learning and Skills Council for England” substitute “at which the authority secures the provision of education or training under section 15ZA(1)”.

**30.** In section 509AB (further provision about transport policy statements)—

- (a) in subsection (5) for “Learning and Skills Council for England” substitute “Secretary of State”;
- (b) omit subsection (6)(c);
- (c) in subsection (6)(d) for “Learning and Skills Council for England” substitute “Secretary of State”;
- (d) omit subsection (8).

**31.** In section 509AC (interpretation of sections 509AA and 509AB)—

- (a) omit subsection (2);
- (b) in subsection (4) for “section 13(5) and (6) of the Learning and Skills Act 2000” substitute “section 15ZA(6) and (7)”.

**32.** In section 530 (compulsory purchase of land) in subsection (3)(a), omit the words from “under paragraph 7(1)” to “Schedule) or”.

#### **Audit Commission Act 1998 (c. 18)**

**33.** In section 36(1) of the Audit Commission Act 1998 (studies at request of educational bodies), in the table—

- (a) omit “The Learning and Skills Council for England.” in the first column and the corresponding entry in the second column;
- (b) in the second column, omit “or the Learning and Skills Council for England.”

#### **School Standards and Framework Act 1998 (c. 31)**

**34.** The School Standards and Framework Act 1998 is amended as follows.

**35.** In section 30 (notice by governing body to discontinue foundation or voluntary school) in subsection (3) for the words from “consult” to the end substitute

“consult—

- (a) if the school is in England—
  - (i) the Young People’s Learning Agency for England, if it has secured the provision of education for any such persons at the school, and
  - (ii) each local authority which has secured the provision of education for any such persons at the school;
- (b) if the school is in Wales, the Welsh Ministers.”

**36.** In section 97 (procedure for giving direction under section 96)—

- (a) in subsection (1), before paragraph (a) insert—

“(za) the child, in a case within subsection (1A);”;
- (b) after subsection (1) insert—

“(1A) A case is within this subsection if—

  - (a) the local authority are a local authority in England, and
  - (b) the child is over compulsory school age.”

**37.** In Schedule 22 (disposals of land: foundation, voluntary and foundation special schools in England), in paragraph A23(9), in the definition of “children’s services”—

- (a) for “section 13 of the Learning and Skills Act 2000” substitute “section 15ZA(6) and (7) of the Education Act 1996”;
- (b) for “that Act” substitute “section 15ZA of the Education Act 1996 or section 66, 86 or 87 of the Apprenticeships, Skills, Children and Learning Act 2009”.

#### **Learning and Skills Act 2000 (c. 21)**

**38.** The Learning and Skills Act 2000 is amended as follows.

**39.** In section 113 (sixth forms requiring significant improvement)—

- (a) in subsection (2) for the words from “Chapter 2 or 4” to the end substitute “Chapter 4 of Part 1 of the Education Act 2005 have the same meaning as in that Chapter.”;
- (b) in the title, at the end insert “: Wales”.

**40.** In section 152 (orders and regulations) omit subsections (2A) to (2D).

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- 41.**—(1) Schedule 7 (sixth forms requiring significant improvement) is amended as follows.
- (2) In paragraph 1(1) after “1998” insert “in Wales”.
  - (3) In paragraph 2(a) omit “13(4),”.
  - (4) In paragraph 3—
    - (a) in sub-paragraph (1) omit “section 128 of the Education and Inspections Act 2006 or”;
    - (b) in sub-paragraph (3) omit “5 or”.
  - (5) In paragraph 4—
    - (a) in sub-paragraph (1)(b) omit “the report relates to a school in Wales and”;
    - (b) in sub-paragraph (2)(a) omit “1 or”;
    - (c) in sub-paragraph (2)(c) omit “in the case of a school in Wales”.
  - (6) In paragraph 5—
    - (a) in sub-paragraph (1) omit “1 or” and “section 128 of the Education and Inspections Act 2006 or”;
    - (b) in sub-paragraph (2) omit “, in the case of a school in Wales,”.
  - (7) In paragraph 6—
    - (a) in sub-paragraph (1) omit “1 or”;
    - (b) in sub-paragraph (1)(b) omit “in the case of a school in Wales,”;
    - (c) in sub-paragraph (2)(a) omit “the Secretary of State or, in the case of a school in Wales,”;
    - (d) in sub-paragraph (2)(b) omit the words from “either” to “Wales and”;
    - (e) in sub-paragraph (3) omit from the beginning of paragraph (a) to “Wales-” in paragraph (b).
  - (8) In paragraph 7(2)—
    - (a) omit from the beginning of paragraph (a) to “Wales,” in paragraph (b);
    - (b) for “section 34(1) to (6) of that Act” substitute “section 34(1) to (6) of the Education Act 2005”.
  - (9) In paragraph 8 after “1998” insert “in Wales”.
  - (10) In paragraph 10—
    - (a) in sub-paragraph (1) omit “section 128 of the Education and Inspections Act 2006 or”;
    - (b) in sub-paragraph (3) omit “5 or”.
  - (11) In paragraph 11—
    - (a) in sub-paragraph (1) omit from the beginning of paragraph (a) to “Wales,” in paragraph (b);
    - (b) in sub-paragraph (2)(a) omit “1 or”;
    - (c) in sub-paragraph (2)(c) omit “in the case of a school in Wales”.
  - (12) In paragraph 12—
    - (a) in sub-paragraph (1) omit “1 or” and “section 128 of the Education and Inspections Act 2006 or”;
    - (b) in sub-paragraph (2) omit “, in the case of a school in Wales,”;
    - (c) in sub-paragraph (3) omit “24 or”.
  - (13) Omit paragraphs 15 to 18 and 23 to 26.
  - (14) In paragraph 31(2) omit from the beginning of paragraph (a) to “in Wales,” in paragraph (b).
  - (15) Omit paragraphs 32 to 38.

(16) In paragraph 45(2) omit from the beginning of paragraph (a) to “in Wales,” in paragraph (b).

(17) In the title, at the end insert “: Wales”.

42. In Schedule 9 (amendments) omit paragraphs 2, 3, 4, 5, 9, 12, 16 and 73.

#### **Freedom of Information Act 2000 (c. 36)**

43. In Part 6 of Schedule 1 to the Freedom of Information Act 2000 (public authorities: other public bodies and offices)—

(a) omit the entry for the Learning and Skills Council for England;

(b) at the appropriate place insert—

“The Young People’s Learning Agency for England.”

#### **Education Act 2002 (c. 32)**

44. The Education Act 2002 is amended as follows.

45. In section 88 (implementation of the National Curriculum for England in schools) omit subsection (7).

46. In section 131(6) (appraisal of performance of teachers) omit paragraph (e) (and the “and” preceding it).

47. In section 178 (workplace education and training for 16 to 18 year olds) omit subsection (2).

48. In section 183 (transfer of functions relating to allowances under section 181)—

(a) in subsection (1) for paragraph (a) (and the “or” immediately after it) substitute—

“(a) the Chief Executive of Skills Funding,

(aa) the Young People’s Learning Agency for England, or”;

(b) in subsection (3) before “body” insert “person or”.

49. In Schedule 1 (incorporation and powers of governing bodies) in paragraph 5(2)(a)(i) omit “or under Schedule 7 or 7A to the Learning and Skills Act 2000”.

50. In Schedule 21 (minor and consequential amendments) omit paragraph 3.

#### **Higher Education Act 2004 (c. 8)**

51. In section 41(2)(a) of the Higher Education Act 2004 (meaning of “publicly-funded institution”) for “section 5 or” substitute “section 61 or 100 of the Apprenticeships, Skills, Children and Learning Act 2009 or section”.

#### **Children Act 2004 (c. 31)**

52. In section 10(9)(c) of the Children Act 2004 (co-operation to improve well-being)—

(a) for “section 13 of the Learning and Skills Act 2000” substitute “section 15ZA(6) and (7) of the Education Act 1996”;

(b) for “that Act” substitute “section 15ZA of the Education Act 1996 or section 66, 86 or 87 of the Apprenticeships, Skills, Children and Learning Act 2009”.

#### **Education Act 2005 (c. 18)**

53. The Education Act 2005 is amended as follows.

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**54.** In section 14 (destination of reports: inspection of maintained schools) in subsection (3) for “Learning and Skills Council” substitute “Young People’s Learning Agency”.

**55.** In section 92 (joint exercise of functions) in subsection (2) for “Learning and Skills Council for England” substitute “Young People’s Learning Agency for England, the Chief Executive of Skills Funding”.

**Education and Inspections Act 2006 (c. 40)**

**56.** The Education and Inspections Act 2006 is amended as follows.

**57.** In section 12 (establishment of school as federated school) in subsection (1) omit paragraph (b) and the “or” preceding it.

**58.** In section 23(4) (rights of interested bodies in relation to proposals under section 21) omit paragraph (c) (and the “and” preceding it).

**59.** In section 28(1) (restriction on establishment, alteration or discontinuance of schools) omit “or Schedule 7 or 7A to the Learning and Skills Act 2000”.

**60.** In section 68 (power of Secretary of State to direct closure of school) in subsection (2) omit paragraph (d).

**61.** In section 123 (education and training to which Chapter 3 of Part 8 applies)—

- (a) in subsection (1)(b) for “Learning and Skills Council for England” substitute “YPLA or the Chief Executive”;
- (b) in subsection (1)(c) and (1)(g) for “Council” in each place substitute “YPLA or the Chief Executive”;
- (c) in subsection (3)(a) for the words from “section” to “resources” substitute “section 61(4) (f) or 100(1)(j) of the Apprenticeships, Skills, Children and Learning Act 2009”.

**62.** In section 124(5) (inspection of education and training to which Chapter 3 applies) for paragraph (b) substitute—

- “(b) the YPLA,
- (ba) the Chief Executive,”.

**63.** In section 125(5) (inspection of further education institutions) for paragraph (b) (and the “and” immediately after it) substitute—

- “(b) the YPLA,
- (ba) the Chief Executive, and”.

**64.** In section 126(4) (other inspections) for paragraph (b) substitute—

- “(b) the YPLA,
- (ba) the Chief Executive,”.

**65.** In section 128(3) (area inspections) for paragraph (a) (and the “or” immediately after it) substitute—

- “(a) the YPLA,
- (aa) the Chief Executive, or”.

**66.** In section 129(2) (reports of area inspections) for paragraph (b) (and the “and” immediately after it) substitute—

- “(b) the YPLA,
- (ba) the Chief Executive, and”.



67. In section 130 (action plans following area inspections)—
- (a) in subsection (2) for “the Council” substitute “a relevant body”;
  - (b) in subsections (4) and (5) for “Council” in each place substitute “body”;
  - (c) after subsection (5) insert—  
“(6) In this section “relevant body” means the YPLA or the Chief Executive.”
68. In section 159(1) (interpretation of Part 8)—
- (a) omit the definition of “the Council”;
  - (b) after the definition of “activities within the Chief Inspector’s remit” insert—  
““the Chief Executive” means the Chief Executive of Skills Funding;”;
  - (c) at the end insert—  
““the YPLA” means the Young People’s Learning Agency for England.”
69. Omit section 176 (support schemes relating to education and training for 10 to 15 year olds).
70. In Schedule 2 (proposals for establishment or discontinuance of schools in England) omit—
- (a) paragraph 9(1);
  - (b) paragraph 9(2)(b) and the “or” preceding it;
  - (c) paragraph 14(2)(e).

#### **Safeguarding Vulnerable Groups Act 2006 (c. 47)**

71. In Schedule 7 to the Safeguarding Vulnerable Groups Act 2006 (vetting information) in entry 18 of the table in paragraph 1, for “section 5(1) or” substitute “section 61 or 100 of the Apprenticeships, Skills, Children and Learning Act 2009 or section”.

#### **Further Education and Training Act 2007 (c. 25)**

72. In Schedule 1 to the Further Education and Training Act 2007 (amendments) omit paragraphs 12 to 16.

#### **Local Government and Public Involvement in Health Act 2007 (c. 28)**

73. In section 104(4) of the Local Government and Public Involvement in Health Act 2007 (partner authorities) for paragraph (f) substitute—

- “(f) the Chief Executive of Skills Funding;
- (fa) the Young People’s Learning Agency for England;”.

#### **Education and Skills Act 2008 (c. 25)**

74. The Education and Skills Act 2008 is amended as follows.

75. In section 4(3) (meaning of “appropriate full-time education or training”) for “Subsections (5) and (6) of section 13 of the Learning and Skills Act 2000” substitute “Subsections (6) and (7) of section 15ZA of the Education Act 1996”.

76. In section 13(5) (notification of non-compliance with section 2 duty) in paragraph (f) of the definition of “educational institution” for “in receipt of funding from the Learning and Skills Council for England” substitute “(other than one within any of paragraphs (a) to (e)) in receipt of funding from a local authority, the Young People’s Learning Agency for England or the Chief Executive of Skills Funding”.

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77. In section 16 (supply of information by public bodies) in subsection (2) omit paragraph (b).
78. In section 17(8) (sharing and use of information held for purposes of support services or functions under Part 1) for “subsections (5) and (6) of section 13 of the Learning and Skills Act 2000” substitute “subsections (6) and (7) of section 15ZA of the Education Act 1996”.
79. In section 47(6) (attendance notice: description of education or training) for “Subsections (5) and (6) of section 13 of the Learning and Skills Act 2000” substitute “Subsections (6) and (7) of section 15ZA of the Education Act 1996”.
80. In section 72(5) (educational institutions: duty to provide information) in paragraph (f) of the definition of “educational institution” for “in receipt of funding from the Learning and Skills Council for England” substitute “(other than one within any of paragraphs (a) to (e)) in receipt of funding from a local authority, the Young People’s Learning Agency for England or the Chief Executive of Skills Funding”.
81. In section 77 (supply of information by public bodies) in subsection (2) for paragraph (b) substitute—
- “(b) the Young People’s Learning Agency for England,
  - (ba) the Chief Executive of Skills Funding”.
82. In section 78(1) (provision of support services: supplementary), in the definition of “relevant young adult” for “subsections (5) and (6) of section 13 of the Learning and Skills Act 2000” substitute “subsections (6) and (7) of section 15ZA of the Education Act 1996”.
83. Omit section 82 (apprenticeships: functions of the Learning and Skills Council).
84. Omit section 86 (learning aims for persons aged 19 or over).
85. In section 132 (providers of independent education and training for 16 to 18 year olds) in subsection (2)(b)(iv) for “Learning and Skills Council for England” substitute “Young People’s Learning Agency for England or the Chief Executive of Skills Funding”.

#### **Local Democracy, Economic Development and Construction Act 2009 (c. 20)**

86. In section 123(4) of the Local Democracy, Economic Development and Construction Act 2009 (partner authorities) for paragraph (g) substitute—
- “(g) the Chief Executive of Skills Funding;
  - (ga) the Young People’s Learning Agency for England;”.