

The Naming of Parts

This clause by clause explanation seeks to summarise the main changes in the Bill, using the language in the Bill and/or the Explanatory Notes where practical. It cannot capture the subtleties and nuances in the Bill, nor does it cross-refer to the legislation that is either amended or repealed by the Bill. Some technical clauses are not dealt with individually.

Part 1 Early Years Provision

This part imposes a new duty on English LAs to secure free childcare for the most vulnerable two year olds, enabling tax credit and social security data to determine eligibility (1).

Part 2 Discipline

This part increases the power of teachers to search pupils for 'prohibited' articles (in schools (2) and FE colleges (3)) and to search for items banned under the school rules. The exclusion of pupils will be considered by a "review panel", which will not have the power to order re-instatement (4). Schools will be able to give students a detention without giving the parents 24 hour notice (5). Schools will no longer be required to participate in a behaviour and attendance partnership (6).

Part 3 School Workforce

This part deals with the abolition of the General Teaching Council for England (7) and (10-12). Instead, the SOS will take over the regulatory powers with regard to teachers who are prohibited from teaching (8). The SOS will regulate for the induction period for NQTs (9). Teachers in future may complete this induction period in an independent nursery school (9). The publication of information about teachers accused of a criminal offence by, or on behalf of, a pupil will not be allowed until the teacher is charged with an offence (13). The Training and Development Agency will be abolished (14) and (16-17) with the functions transferring to the SOS (15). The School Support Staff Negotiating Body will be abolished (18).

Part 4 Qualifications and the Curriculum

Sampled schools will be required to participate in international surveys (e.g. PISA) (20). There will be a "Chief Regulator of Qualifications and Examinations" (21) who will run Ofqual and will secure that regulated qualifications are comparable with international qualifications (22). The QCDA will be abolished with powers going back to the SOS (23-25). Local authorities will be able to target their advice services to the most vulnerable (26) and schools must secure impartial, independent careers guidance from other than school staff (27). Students will not, in future, be entitled to the entitlement to study additional diploma courses (28-29).

Part 5 Educational Institutions: other provisions

Schools will no longer have to co-operate to improve the well-being of children through Children's Trust arrangements (30) nor will schools have to have regard to the Children and Young People's Plan (31). Schools will not have to produce a school profile (32). LA's will no longer be required to appoint a School Improvement Partner (SIP) for each school (33). LA's will no longer have to establish an admissions forum and the powers of the schools adjudicator will be restricted (34). School meals can be charged on a more flexible basis (35). LA's will be prevented from entering a competition for the establishment of a new school (36). The number of categories of school governors can be reduced, if the GB want to (37). Outstanding schools (39) and FE colleges (41) will be "exempt" from Section 5 inspections. School inspections will focus more narrowly on pupil achievement, quality of teaching, quality of leadership and behaviour and safety (40). The SOS will have greater powers to intervene when a school is failing (43). Parental complaints will no longer be considered by the Local Government Ombudsman but by the SOS (44). The SOS will have powers to revise a LA finance scheme (45). Maintained nursery providers will be able to charge additional fees for more than the 15 hours of free early years education (47). FE colleges will no longer have to promote the economic and social well-being of the area (48). Pupil referral units will not have the name changed to "short stay schools" (49).

Part 6 Academies

New academies will not have to have a specialism (50). In future there will be 16-19 Academies and alternative provision Academies, in addition to school academies (51 - 53). There must be consultation before a maintained school converts to an academy (54). The term "additional school" will no longer be used for academies that are new education institutions (57). The SOS is given additional powers to transfer land to academies that has been identified by the LA as a possible site for a new school (59). Academy admission arrangements can be referred to the Schools Adjudicator (60).

Part 7 Post 16 Education and Qualifications

The YPLA will be abolished with its functions transferring to the SOS (62-64). A new "apprenticeship offer" will be prioritised by the Chief Executive of Skills Funding (65-66). The Chief Executive must consult on his functions as directed by the SOS (67). The Chief Executive must secure the remission of fees at level 2 and 3 for 19-23 year olds (68). The SoS has some flexibility in implementing all the measures, particularly the enforcement measures, to do with increasing the participation age (69).

Part 8 Student Finance

The SOS may set interest rates on student loans (70) and the SOS can cap HE fees for part-time students (71).

Part 9 Power of National Assembly for Wales

The Welsh Assembly Government will have powers with regard to the school workforce (72) and the funding of pre-16 education and training (73).

Part 10 General

Clauses 74-79 are technical clauses.

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ej@educationpublishing.com

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