

Education Bill

TENTH
MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
IN GRAND COMMITTEE

The amendments have been marshalled in accordance with the Instruction of 23rd June 2011, as follows—

Clauses 52 and 53	Schedule 16
Schedule 13	Clause 66
Clauses 54 to 61	Schedule 17
Schedule 14	Clause 67
Clauses 62 and 63	Schedule 18
Schedule 15	Clauses 68 to 79
Clauses 64 and 65	

[Amendments marked ★ are new or have been altered]

**Amendment
No.**

After Clause 52

BARONESS HUGHES OF STRETFORD
BARONESS JONES OF WHITCHURCH
BARONESS CRAWLEY

124B Insert the following new Clause—

“School teachers’ qualifications: definition of “school”

- (1) EA 2002 is amended as follows.
- (2) In section 133 (requirement to be qualified), in subsection (6) (schools to which this section applies), after paragraph (b) insert—
 - “(c) an Academy, including a free school,
 - (d) a city technology college, or
 - (e) a city college for the technology of the arts.”

**Amendment
No.**

Clause 53

BARONESS HUGHES OF STRETFORD
BARONESS JONES OF WHITCHURCH
BARONESS CRAWLEY

124C Page 44, line 7, leave out subsections (2) and (3)

After Clause 53

BARONESS HUGHES OF STRETFORD
BARONESS JONES OF WHITCHURCH
BARONESS CRAWLEY

124D Insert the following new Clause—

“Academies: selection

- (1) Section 6 (effect of Academy order) of AA 2010 is amended as follows.
- (2) Omit subsections (3) and (4).”

Schedule 13

LORD HILL OF OAREFORD

124E Page 95, line 14, at end insert—

“ In section 10A (charges at boarding Academies) (inserted by section 59), in subsection (1)(a), for “an Academy” substitute “an Academy school or an alternative provision Academy”.”

124F Page 95, line 15, after “land” insert “(substituted by Schedule 14)”

124G Page 95, leave out lines 16 to 35 and insert—

“() In paragraph 10 (power of Secretary of State to make direction where Academy order made)—

- (a) in sub-paragraph (1)(b), for “Academy” substitute “Academy school”;
- (b) in sub-paragraph (3)(c), for “Academy” substitute “Academy school”.

() In paragraph 13 (transfer of land and other property on dissolution of governing body), in sub-paragraph (3)(b), for “Academy” substitute “Academy school”.”

124H Page 95, line 36, at end insert—

- “
- (1) The Children Act 1989 is amended as follows.
 - (2) In section 62 (voluntary organisations providing accommodation: duties of local authorities), in subsection (10), after “1992,” insert “a 16 to 19 Academy”.

Amendment
No.Schedule 13—*continued*

- (3) In section 80 (inspection of children’s homes etc by persons authorised by Secretary of State)—
- (a) in subsection (5), after paragraph (dc) insert—
 - “(dd) proprietor of a 16 to 19 Academy.”;
 - (b) in subsection (13), in the definition of “college”, after “1992” insert “or a 16 to 19 Academy”;
 - (c) in subsection (13), at the end insert—
 - ““proprietor” has the same meaning as in the Education Act 1996.”
- (4) In section 87 (welfare of children in boarding schools and colleges)—
- (a) in subsection (10), in the definition of “college”, after “1992 Act” insert “or a 16 to 19 Academy”;
 - (b) in subsection (11), after paragraph (c) insert—
 - “(d) in relation to a 16 to 19 Academy, the proprietor of the Academy.”

In Schedule 4A to the Water Industry Act 1991 (premises that are not to be disconnected for non-payment of charges), after paragraph 10 insert—

“10A A 16 to 19 Academy.”

- (1) FHEA 1992 is amended as follows.
- (2) In section 85A (nuisance or disturbance on educational premises)—
- (a) in subsection (2), omit the “and” after paragraph (a) and after paragraph (b) insert “, and
 - (c) any 16 to 19 Academy.”;
 - (b) in subsection (4), omit the “and” after paragraph (a) and after paragraph (b) insert “, and
 - (c) in relation to premises of a 16 to 19 Academy, the proprietor.”;
 - (c) in subsection (6), omit the “and” after paragraph (a) and after paragraph (b) insert “, and
 - (c) in relation to an offence committed on premises of a 16 to 19 Academy, a person whom the proprietor has authorised to bring such proceedings.”
- (3) In section 85AA (power of members of staff to search students for prohibited items: England)—
- (a) in subsection (1), after “England” insert “, or a 16 to 19 Academy.”;
 - (b) in subsection (6), in the definition of “member of staff”, after “further education sector” insert “or a 16 to 19 Academy”.
- (4) In section 85AB (power of search under section 85AA: supplementary), in subsection (3), after “England” insert “, or a principal of a 16 to 19 Academy”.
- (5) In section 85C (power of members of staff to use force)—
- (a) in subsection (1), after “further education sector” insert “or is a 16 to 19 Academy”;

**Amendment
No.**

Schedule 13—continued

- (b) in subsection (5), after “further education sector” insert “or a 16 to 19 Academy”.
- 124J** Page 95, line 40, leave out “and (1B)” and insert “to (1C)”
- 124K** Page 95, line 42, at end insert—
“(1C) An alternative provision Academy is a school.”
- 124L** Page 95, line 42, at end insert—
“() In section 11 (Secretary of State’s duty in the case of primary, secondary and further education)—
(a) in subsection (1)(a), omit the “or” after sub-paragraph (i) and after sub-paragraph (ii) insert “or
(iii) in 16 to 19 Academies,”;
(b) in subsection (1)(b), for “or institutions within the further education sector” substitute “, institutions within the further education sector or 16 to 19 Academies”;
(c) in subsection (2), for “and institutions within the further education sector” substitute “, institutions within the further education sector and 16 to 19 Academies”.
- () In section 329A (review or assessment of educational needs at request of responsible body), in subsection (12), after paragraph (d) insert—
“(da) an alternative provision Academy that is not an independent school.”
- () In section 332B (special educational provision: resolution of disputes), in subsection (8)(c), for “or an Academy” substitute “, an Academy school or an alternative provision Academy”.
- () In section 337 (special schools), in paragraph (b), for “Academy” substitute “Academy school”.
- () In section 444 (offence: failure to secure regular attendance at school of registered pupil), in subsection (7A)(a), for sub-paragraph (iii) substitute—
“(iii) an Academy school,
(iiia) an alternative provision Academy.”
- () In section 444ZA (application of section 444 to alternative education provision), in subsection (8)—
(a) in paragraph (a), for sub-paragraph (iii) substitute—
“(iii) an Academy school,
(iiia) an alternative provision Academy,”;
(b) in paragraph (b), after “(iii),” insert “(iiia),”.
- () In section 444B (penalty notices: supplemental), in subsection (4), in the definition of “relevant school”, for paragraph (c) substitute—
“(c) an Academy school,
(ca) an alternative provision Academy.”

Amendment
No.Schedule 13—*continued*

- () In section 508A (local authorities in England: duty to promote sustainable modes of travel)—
- (a) in subsection (5)(b), after “further education sector” insert “, or 16 to 19 Academies,”;
- (b) in subsection (6)(b), after “further education sector” insert “, or 16 to 19 Academies,”.
- () In section 508C (local authorities in England: travel arrangements etc for children other than eligible children), in subsection (6)(b), after “further education sector” insert “, or 16 to 19 Academy,”.
- () In section 508G (local authorities in England: transport policy statements for young adults subject to learning difficulty assessment), in subsection (1), after paragraph (b) insert—
- “(ba) proprietors of 16 to 19 Academies in the authority’s area,”.
- () In section 509AA (local authorities in England: provision of transport etc for persons of sixth form age)—
- (a) in subsection (2), omit the “or” at the end of paragraph (c) and after that paragraph insert—
- “(ca) at any 16 to 19 Academy, or”;
- (b) in subsection (2)(d), for “or (c)” substitute “, (c) or (ca)”.
- () In section 510 (provision of clothing), in subsection (4)(b), after “further education sector” insert “or a 16 to 19 Academy”.
- () In section 537 (power of Secretary of State to require information from governing bodies etc), in subsection (1)(b), after “every” insert “(i)” and at the end insert “or
- (ii) alternative provision Academy which is not an independent school,”.
- () In section 557 (adoption of statutory trusts), in subsection (10), in the definition of “relevant school”, for “Academy,” substitute “Academy school, alternative provision Academy,”.
- 124M** Page 96, line 8, at end insert—
- () in the definition of “proprietor”—
- (i) after “a school” insert “or a 16 to 19 Academy”;
- (ii) after “the school” insert “or Academy”.
- 124N** Page 96, line 18, at end insert—
- “() In paragraph 15(2) of Schedule 35B (travel arrangements for eligible children: meaning of “qualifying school”), in paragraph (f), for “or an Academy” substitute “, an Academy school or an alternative provision Academy”.
- 124P** Page 96, line 18, at end insert—
- “(1) SSFA 1998 is amended as follows.

**Amendment
No.**

Schedule 13—continued

- (2) In section 77 (control of disposals or changes in use of school playing fields) (as amended by Schedule 14)—
 - (a) in subsection (2B)(c)(ii), for “of Academy” substitute “of Academy school”;
 - (b) in subsection (3), for “Academy” (in both places) substitute “Academy school”;
 - (c) in subsection (4B), for “Academy” substitute “Academy school”.
- (3) In section 88 (admission authorities and admission arrangements), in subsection (1)(c) (inserted by section 62), for “Academy” (in both places) substitute “Academy school”.
- (4) In section 88H (reference of objections to adjudicator) (as amended by section 62)—
 - (a) in subsection (1A), for “an Academy” (in both places) substitute “an Academy school”;
 - (b) in subsection (6)(b), for “Academy” substitute “Academy school”.
- (5) In section 88I (other functions of adjudicator relating to admission arrangements), in subsection (1)(b) (inserted by section 62), for “Academy” substitute “Academy school”.
- (6) In section 88K (sections 88H and 88I: supplementary) (as amended by section 62)—
 - (a) in subsection (4)(a), for “Academy” substitute “Academy school”;
 - (b) in subsection (5)(b), for “an Academy” substitute “an Academy school”.
- (7) In section 88P (reports by local authorities), in subsection (3)(b), for “Academy” substitute “Academy school”.
- (8) In section 88Q (reports under section 88P: provision of information), in subsection (2)(d)(i), for “Academy” substitute “Academy school”.
- (9) In section 110 (home-school agreements), in subsection (1)(b), for “Academy” substitute “Academy school”.

In section 24 of the Anti-social Behaviour Act 2003 (sections 19 to 22A and 24: interpretation)—

- (a) in the definition of “governing body”, for “Academy” substitute “Academy school, alternative provision Academy”;
- (b) in the definition of “relevant school”, for paragraph (e) substitute—
 - “(e) an Academy school,
 - (ea) an alternative provision Academy,”.

In section 14 of the International Development Act 2002 (functions of the Commonwealth Scholarship Commission etc), in subsection (1)(b)(i), after “higher education sector” insert “, at 16 to 19 Academies”.

- (1) EA 2002 is amended as follows.

Amendment
No.Schedule 13—*continued*

- (2) In section 135A (requirement to serve induction period: teachers in England) (inserted by section 9)—
- (a) in subsection (1)(d), after “prescribed description)” insert “or a 16 to 19 Academy”;
 - (b) in subsection (2)(k), for “or to institutions within the further education sector” substitute “institutions within the further education sector or 16 to 19 Academies”;
 - (c) in subsection (5), after “further education sector” insert “or a 16 to 19 Academy”.
- (3) In section 141A (teacher misconduct: teachers to whom sections 141B to 141E apply) (inserted by section 8), in subsection (1), after paragraph (b) insert—
- “(ba) a 16 to 19 Academy,”.
- (4) In section 141D (supply of information following dismissal, resignation etc) (inserted by section 8), in subsection (4), in paragraph (c) of the definition of “relevant employer”, after “school” insert “or 16 to 19 Academy”.
- (5) In section 203 (further education institutions: hazardous material, etc)—
- (a) after subsection (1) insert—

“(1A) The Secretary of State may by regulations require the proprietor of a 16 to 19 Academy to prevent the use in the Academy of specified equipment or specified materials without the approval of the Secretary of State.”;
 - (b) in subsection (5), at the end insert “and “proprietor” has the same meaning as in the Education Act 1996”.
- In section 71 of the Income Tax (Trading and Other Income) Act 2005 (educational establishments for the purposes of section 70), in subsection (1), omit the “or” after paragraph (c) and after paragraph (d) insert “, or
- (e) a 16 to 19 Academy.”
- (1) EA 2005 is amended as follows.
- (2) In section 5 (duty to inspect certain schools at prescribed intervals), in subsection (2), for paragraph (d) substitute—
- “(d) Academy schools,
(da) alternative provision Academies,”.
- (3) In section 113 (information about the school workforce: introductory), in subsection (2)(c), after “institution” insert “or a 16 to 19 Academy”.
- (1) EIA 2006 is amended as follows.
- (2) In section 7 (invitation for proposals for establishment of new schools), in subsection (2)(b), for “Academy” substitute “Academy school”.
- (3) In section 100 (duty of governing body or proprietor where pupil excluded for fixed period), in subsection (5), in the definition of “governing body”, for “Academy,” substitute “Academy school, an alternative provision Academy,”.

**Amendment
No.**

Schedule 13—continued

- (4) In section 104 (notice to parent relating to excluded pupil), in subsection (8), in paragraph (c) of the definition of “the appropriate authority”, for “Academy,” substitute “Academy school, an alternative provision Academy,”.
- (5) In section 111 (meaning of “maintained school” and “relevant school” in Chapter 2 of Part 7), in the definition of “relevant school”, for paragraph (b) substitute—
- “(b) an Academy school,
- (ba) an alternative provision Academy,”.
- (6) In section 123 (inspections: education and training to which Chapter applies), in subsection (1) after paragraph (b) insert—
- “(ba) education provided in 16 to 19 Academies;”.
- (7) In section 125 (inspection of further education institutions), in subsection (1) (amended by section 41), after “sector” insert “, and all 16 to 19 Academies,”.
- (8) In Schedule 2 (consideration, approval and implementation of proposals for establishment or discontinuance of schools in England), in paragraph 3A(a) (inserted by Schedule 11), for “an Academy” substitute “an Academy school”.
- (1) The Safeguarding Vulnerable Groups Act 2006 is amended as follows.
- (2) In section 21 (controlled activity relating to children), in subsection (4), after “Education Act 2002)” insert “or a 16 to 19 Academy”.
- (3) In section 59 (meaning of “vulnerable adults”), in subsection (3), after paragraph (d) insert—
- “(e) a 16 to 19 Academy which provides accommodation for children.”
- In section 71 of the Corporation Tax Act 2009 (educational establishments for the purposes of section 70), in subsection (1), omit the “or” after paragraph (c) and after paragraph (d) insert “, or
- (e) a 16 to 19 Academy.”
- In section 23 of ASCLA 2009 (duty to prepare and submit draft specification of apprenticeship standards: England), in subsection (2)(b), omit the “and” after sub-paragraph (ii), and after that sub-paragraph insert—
- “(iia) 16 to 19 Academies, and”.
- (1) The Equality Act 2010 is amended as follows.
- (2) In section 91 (students: admission and treatment, etc)—
- (a) in subsection (10), after paragraph (c) insert—
- “(d) a 16 to 19 Academy.”;

**Amendment
No.**

Schedule 13—continued

- (b) in subsection (12), after paragraph (a) insert—
- “(aa) in the case of an institution within subsection (10)(d), the proprietor (within the meaning of the Education Act 1996);”.
- (3) In Schedule 10 (accessibility for disabled pupils), in paragraph 5(3), for paragraph (b) substitute—
- “(b) Academy schools;
(c) alternative provision Academies.”
- (4) In Schedule 17 (disabled pupils: enforcement), in paragraph 13(5)(b), for “Academy” substitute “Academy school or an alternative provision Academy”.

Before Clause 54

LORD BLACKWELL
LORD LEXDEN

125 Insert the following new Clause—

“Academy orders: independent schools

In section 6(4) of AA 2010 (definition of “selective school”), after paragraph (b) insert—

“(c) it is an independent school with a selective admissions policy converting to an Academy”.

Clause 54

BARONESS MASSEY OF DARWEN
BARONESS MURPHY
BARONESS FLATHER

126 Page 44, leave out lines 24 and 25

Clause 55

BARONESS HUGHES OF STRETFORD
BARONESS JONES OF WHITCHURCH
BARONESS CRAWLEY

126ZZA Page 45, line 22, leave out “is converted into an Academy” and insert “applies for an Academy Order”

126ZZB Page 45, leave out lines 25 to 27

BARONESS WALMSLEY

126ZA [*Withdrawn*]

**Amendment
No.**

Clause 55—continued

126ZB Page 45, leave out lines 32 to 34 and insert—
“() the local authority”

BARONESS HUGHES OF STRETFORD
BARONESS JONES OF WHITCHURCH
BARONESS CRAWLEY

126ZBA Page 45, line 38, at end insert “including parents of registered pupils, registered pupils, school staff and the local authority”

Clause 58

BARONESS WALMSLEY

126ZC Page 47, line 28, at end insert—

“(5) If the proposal for the new school is not one which was put forward as a proposal for the purposes of section 6A(1) of EIA 2006, the local authority must confirm whether the school is required or otherwise to fulfill the local authority’s duty under section 14 of EA 1996 (functions in respect of provision of primary and secondary schools) to secure sufficient schools.”

BARONESS HUGHES OF STRETFORD
BARONESS JONES OF WHITCHURCH
BARONESS CRAWLEY

126ZD Page 47, line 31, leave out “enters” and insert “applies to enter”

126ZE Page 47, line 43, at end insert “including parents of registered pupils, registered pupils, school staff and the local authority”

After Clause 58

LORD LUCAS

126A Insert the following new Clause—

“Conversion of independent schools to Academies

- (1) An independent school may convert to an Academy, and continue to charge fees to parents, if it operates a needs-blind admissions scheme of a specified form with the consent of the Secretary of State.
- (2) Such a needs-blind admissions scheme—
 - (a) shall not, to the extent that the Secretary of State considers reasonably practicable, result in the decision to offer any pupil a place at the school being affected by the pupil’s parents’ financial status;
 - (b) may, subject to paragraph (a), allow the school to select on the basis of academic potential or interview or both.

Amendment
No.After Clause 58—*continued*

- (3) The Secretary of State shall reimburse a school for any fee remission granted to a pupil under a needs-blind admissions scheme, up to a maximum of the amount per pupil which the school would have received had it been a standard Academy.
- (4) The Secretary of State may share with Her Majesty's Revenue and Customs (HMRC) data provided to him or her by a school relating to the eligibility of pupils for fee remission.
- (5) If, within three years of making a reimbursement to a school in respect of a particular school year, HMRC writes to the Secretary of State stating that in their opinion the Secretary of State has (taking into account the financial circumstances relating to all pupils in respect of whom fee remission has been claimed) made excessive reimbursements in respect of that school year, the Secretary of State may deduct that excess from the next reimbursement that is due to the school.
- (6) The Secretary of State may at any time terminate or require amendments to be made to a needs-blind admissions scheme, but must continue to reimburse the school on the previously agreed basis in respect of all pupils at the school, or offered places for the following September, prior to the school being informed of such termination or amendment, for their entire time at the school.
- (7) The school may at any time terminate the needs-blind admissions scheme and revert to independent status, but must educate all pupils at the school, or offered places for the September following the public announcement of such termination, on the previously agreed basis for as long as they wish to remain at the school."

Clause 60

BARONESS TURNER OF CAMDEN
LORD AVEBURY

127 Page 48, line 28, at end insert—

“() In section 59(1) of SSFA 1998 (religious opinions etc. of staff), after paragraph (b) insert—

“(c) an Academy that is not religiously designated”.

128 Page 48, line 28, at end insert—

“() In section 60 of SSFA 1998 (staff at foundation or voluntary school with religious character), omit subsection (5).”

129 Page 48, line 28, at end insert—

“() In section 58 of SSFA 1998 (appointment and dismissal of teachers at schools with a religious character), after subsection (3) insert—

“(3A) The head teacher of such a school shall not, while holding the post of head teacher of the school, be a reserved teacher.”

() Section 60 of the SSFA 1998 (staff at foundation or voluntary school with religious character) is amended as follows.

() In subsection (4) leave out “in a case where the head teacher is not to be a reserved teacher.”

**Amendment
No.**

Clause 60—continued

- () In subsection (6) leave out “in Wales”.
- 130** Page 48, line 28, at end insert—
- “() Section 60 of SSFA 1998 (staff at foundation or voluntary school with religious character) is amended as follows.
- () For subsection (5) substitute—
- “(5) If the school is a voluntary aided school, preference may be given, in connection with the appointment, remuneration or promotion of teachers at the school, to persons whose religious opinions are in accordance with the tenets of the religion or religious denomination specified in relation to the school under section 69(4) but only to the extent that the treatment in question can be justified on the basis that the religion or belief of a teacher in the school constitutes a genuine, legitimate and justified occupational requirement having regard to the school’s religious ethos.
- (5A) Regard may be had, in connection with the termination of the employment or engagement of any teacher at the school, to any conduct on his part which is incompatible with the precepts, or with the upholding of the tenets, of the religion or religious denomination so specified; provided that nothing in this section shall be taken to permit discrimination which would be prohibited by the Equality Act 2010 other than in relation to religion or belief.”
- () Omit subsection (2)(b) and (c) of section 124A of SSFA 1998 (appointment and dismissal of teachers of religious education).”
- 130A** Page 48, line 31, leave out subsection (2) and insert—
- “(2) Omit section 124A (employment of teachers at independent schools having a religious character).”
- 131** [*Withdrawn*]
- 132** Page 48, line 36, at end insert—
- “() an Academy is arranged in accordance with section 1 of the Academies Act 2010 and designated as having a religious character in accordance with section 69 of the School Standards and Framework Act 1998, or”
- 132A** Page 48, line 37, after “foundation” insert “, voluntary aided”
- BARONESS MASSEY OF DARWEN
BARONESS MURPHY
- 133** Page 49, leave out lines 1 and 2
- BARONESS TURNER OF CAMDEN
LORD AVEBURY
- 134** Page 49, line 2, at end insert “, but the Secretary of State shall not make such an order unless there has been consultation with such persons as he or she considers appropriate on the question of whether an order should be made and having regard to the responses given in that consultation”
- 135** [*Withdrawn*]

Amendment
No.**Clause 60—continued**BARONESS TURNER OF CAMDEN
LORD AVEBURY

- 136 Page 49, leave out lines 22 to 32
- 137 Page 49, line 38, at end insert—
“() Decisions on engagement or termination under this section must be taken in accordance with the requirements of United Kingdom employment laws.”
- 137A Page 50, line 16, at end insert—
“() The provisions of section 124AA of SSFA 1998 shall apply for independent schools with a religious character as if they were Academies.”

After Clause 60LORD LUCAS
BARONESS PERRY OF SOUTHWARK

- 138 Insert the following new Clause—
“Admissions criteria based on religious characteristics
- (1) No Academy may select more than 50% of its pupils on criteria based on religious characteristics.
 - (2) Notwithstanding subsection (1), an Academy with a religious character may require all pupils admitted to the school to take a full part in the school’s religious life.”

After Clause 61

LORD BLACKWELL

- 139 Insert the following new Clause—
“Admissions arrangements for Academies providing for high ability or aptitude pupils
- Where an Academy is specially organised to make special educational provision for the needs of pupils with high ability or aptitude for learning, or high ability or aptitude for musical, artistic or other specialist skills under section 1A(2)(c) of AA 2010, it may operate an admissions process which is designed to select those children most likely to benefit from the specialist provision at that school.”

Schedule 14

LORD HILL OF OAREFORD

- 139A Page 96, line 35, after “school” insert “or a 16 to 19 Academy”
- 139B Page 97, line 2, after “school” insert “or 16 to 19 Academy”
- 139C Page 98, line 3, after “school” insert “or 16 to 19 Academy”
- 139D Page 98, line 22, after “school” insert “or a 16 to 19 Academy”

Amendment No.	Schedule 14 — <i>continued</i>
139E	Page 99, line 34, after “school” insert “or a 16 to 19 Academy”
139F	Page 100, line 14, after “school” insert “or a 16 to 19 Academy”
139G	Page 100, line 17, after “school” insert “or a 16 to 19 Academy”
139H	Page 103, line 9, at end insert— “ <i>This is subject to sub-paragraph (1A).</i> ” (1A) If a leasehold interest in land is held for the purposes of a new Academy, this paragraph does not apply to— (a) that or any other leasehold interest in the land, or (b) a freehold interest in the land. (1B) An Academy is a new Academy for the purposes of sub-paragraph (1A) if, by virtue of section 9(1)(a) (new educational institutions), the duty in section 9(2) (impact on other schools etc) applied when the Secretary of State was deciding whether to enter into Academy arrangements in relation to it.”
139K	Page 103, line 10, after “land” insert “to which this paragraph applies”
139L	Page 103, line 14, after “land” insert “to which this paragraph applies”
139M	Page 103, line 21, after “land” insert “(subject to sub-paragraph (6))”
139N	Page 103, line 24, at end insert— “(6) Where the land is vested in the official custodian for charities in trust for a charity, a notice under sub-paragraph (4) must be served— (a) on the charity, if the charity is a corporate charity; (b) on the persons having the general control and management of the administration of the charity, in any other case.”
139P	Page 103, line 27, leave out from beginning to end of line 30 and insert— “(a) an educational institution ceases to be an Academy, and (b) immediately before it does so, publicly funded land is held by a person for the purposes of the Academy.”
139Q	Page 103, line 31, leave out “(1)(b)” and insert “(1)(a)”
139R	Page 113, line 8, at end insert— “Section 482 of EA 1996 (Academies) is repealed.”
139S	Page 113, line 38, at end insert— “ <i>In section 65 of EA 2002 (Academies), omit subsection (1).</i> ”
139T	Page 113, line 38, at end insert— “(1) Section 12 of AA 2010 (charitable status of Academy proprietors etc) is amended as follows.

**Amendment
No.**

Schedule 14—continued

(2) After subsection (1) insert—

“(1A) In the definition of “trust corporation” in the provisions listed in subsection (1B), the reference to a corporation appointed by the court in any particular case to be a trustee includes a reference to a qualifying Academy proprietor.

(1B) The provisions are—

- (a) section 117(1)(xxx) of the Settled Land Act 1925;
- (b) paragraph (18) of section 68(1) of the Trustee Act 1925;
- (c) section 205(1)(xxviii) of the Law of Property Act 1925;
- (d) section 55(1)(xxvi) of the Administration of Estates Act 1925;
- (e) section 128 of the Senior Courts Act 1981.”

(3) In the heading, after “charitable” insert “and trust corporation”.

After Clause 62

BARONESS MASSEY OF DARWEN
BARONESS MURPHY

140 Insert the following new Clause—

“Discrimination on grounds of religion or belief

In section 1(6) of AA 2010 (Academy arrangements) insert “and—

- (e) the admission arrangements for the school make no provision for selection on the basis of religion or belief.”

BARONESS MASSEY OF DARWEN

141 Insert the following new Clause—

“Discrimination on grounds of religion or belief (No. 2)

After subsection 1(9) of AA 2010 (Academy arrangements) insert—

“(9A) Subsection (9B) applies if the school is a voluntary controlled school which is designated by order under section 69(3) of SSFA 1998 as a school having a particular religious character.

(9B) The Academy agreement must include terms imposed for the purpose of securing that no greater percentage of pupils are selected on the basis of religion or belief after, as compared with before, the conversion date.”

Amendment
No.

After Clause 62—*continued*

LORD LUCAS
BARONESS PERRY OF SOUTHWARK

142 Insert the following new Clause—

“Distance learning at Academies

- (1) An Academy may admit pupils on the basis that they will receive all or part of their education otherwise than on the premises of the school.
- (2) If an Academy admits such pupils, it may arrange for all or part of their education to be provided through distance learning packages without any teacher present, or by the pupil’s parents or other volunteers similarly.
- (3) The Academy remains in all respects responsible for the educational outcomes of such pupils.”

Schedule 16

LORD HILL OF OAREFORD

142A Page 115, line 34, at end insert—

“Value Added Tax Act 1994

- (4) Group 6 of Part 2 of Schedule 9 to the Value Added Tax Act 1994 (exemptions: education) is amended as follows.
- (5) In item 5A—
 - (a) omit paragraph (a);
 - (b) in paragraph (b), for “that Act” substitute “the Apprenticeships, Skills, Children and Learning Act 2009”.
- (6) After item 5A insert—

“5B The provision of education or vocational training and the supply, by the person providing that education or training, of any goods or services essential to that provision, to persons who are—

 - (a) aged under 19,
 - (b) aged 19 or over, in respect of education or training begun by them when they were aged under 19,
 - (c) aged 19 or over but under 25 and subject to learning difficulty assessment, or
 - (d) aged 25 or over, in respect of education or training begun by them when they were within paragraph (c),

to the extent that the consideration payable is ultimately a charge to funds provided by the Secretary of State.”
- (7) In note (5A), for “item 5A” substitute “items 5A and 5B”.
- (8) After note (5A) insert—

“(5B) In item 5B, “subject to learning difficulty assessment” has the same meaning as in the Education Act 1996.””

**Amendment
No.**

After Clause 66

BARONESS WALMSLEY
THE EARL OF LISTOWEL

143 Insert the following new Clause—

“Advisory board

- (1) The Secretary of State may by order establish an advisory board to advise on matters related to—
 - (a) the education and training of 14 to 19 year olds;
 - (b) financial support available to those of sixth form age.
- (2) The advisory board must include at least one of the following as members—
 - (a) a principal of a further education college;
 - (b) a principal of a sixth form college;
 - (c) a head of a maintained school with a sixth form;
 - (d) a principal of an Academy with a sixth form; and
 - (e) a principal or head of an institution which provides education primarily to persons who are aged over 16 but under 25 and are subject to a learning difficulties assessment.
- (3) The advisory board must include as observers representatives from organisations which represent schools and colleges.”

THE EARL OF LISTOWEL

144 Insert the following new Clause—

“Young people’s learning board

- (1) The Secretary of State shall appoint a board to provide advice on matters relating to young people’s learning.
- (2) In the first instance, the membership of the board shall be the same as that of the board of the Young People’s Learning Agency for England before this Part came into force.”

LORD RAMSBOTHAM
BARONESS HOWE OF IDLICOTE

144A Insert the following new Clause—

“Young offenders

Before section 64 comes into force, the Secretary of State shall lay a report before both Houses of Parliament on the implications for young offenders of the abolition of the YPLA.”

**Amendment
No.**

Clause 67

LORD YOUNG OF NORWOOD GREEN

144AA Page 53, line 11, at end insert—

“(13) In addition to the above, the Secretary of State will make available the apprenticeship offer and will ensure that progress is made to ensure the offer is available to all qualified persons by 2015.”

144AB Page 53, line 11, at end insert—

“() With the objective of achieving the apprenticeship offer for all qualified persons by 2015 the Secretary of State will ensure that all Government contracts require a clear commitment to apprenticeships; and the Secretary of State will ensure that all Government departments report regularly on the number of apprentices they employ and how many they intend to employ.”

144AC Page 53, line 11, at end insert—

“() To gain the Investor in People award companies must demonstrate their commitment to apprenticeships.”

LORD LAYARD
LORD WAKEHAM
LORD WILLIS OF KNARESBOROUGH
LORD SUTHERLAND OF HOUNDWOOD

144B Page 53, line 34, at end insert—

“() At the end of section 85(1)(a) of ASCLA 2009 insert “and, subject to guidance from the Secretary of State, make all reasonable efforts to ensure that an apprenticeship is offered to those of them who desire one and have at least 5 passes at GCSE”.”

Clause 68

LORD ADDINGTON

144C Page 54, line 22, at end insert—

“(5) The English certifying authority shall be under a duty to ensure that any person who has demonstrated that they are competent, in terms of skills and experience, to fulfill the requirements of an apprenticeship certificate should not be prevented from being issued with a certificate by any reason connected with a recognised disability.”

**Amendment
No.**

After Clause 68

LORD LUCAS
BARONESS PERRY OF SOUTHWARK

145 Insert the following new Clause—

“Apprenticeship paperwork

- (1) No requirement to complete forms or other returns in respect of an apprenticeship may be placed on an employer or an educational institution which involves taking more than one hour in total.
- (2) This section shall come into force at the end of one year beginning with the day on which this Act is passed.”

Clause 71

BARONESS HUGHES OF STRETFORD
BARONESS JONES OF WHITCHURCH
BARONESS CRAWLEY

145A Page 55, leave out lines 16 to 34 and insert—

“In section 173 of ESA 2008 (commencement), after subsection (2) insert—

“() Part 1 comes into force in relation to England on 1 January 2012.””

BARONESS BRINTON
BARONESS SHARP OF GUILDFORD

145B Page 55, line 27, leave out “10” and insert “, 50 and 60 to 67”

145C Page 55, line 31, leave out “10” and insert “, 50 and 60 to 67”

After Clause 71

LORD YOUNG OF NORWOOD GREEN

145D Insert the following new Clause—

“Assessment on effect of tuition fees on over 19s seeking to reskill

Prior to the implementation of increased tuition fees for persons aged 19 or over the Secretary of State will assess the impact on adults seeking to reskill, with special regard to disability and gender.”

BARONESS BRINTON
BARONESS SHARP OF GUILDFORD

145E Insert the following new Clause—

“Sufficient relevant guided learning

In section 8(1)(a) of ESA 2008 for “280” substitute “560”.

Amendment
No.

Clause 72

LORD STEVENSON OF BALMACARA

145F Page 56, line 4, at end insert—

“() not in excess of the average cost of borrowing borne by the Government in the preceding financial year.”

Clause 73

LORD STEVENSON OF BALMACARA

145G Page 56, line 26, at end insert—

“() Notwithstanding the above, student fees for part-time courses must not exceed £1,000 per annum.”

After Clause 73

LORD LUCAS

BARONESS PERRY OF SOUTHWARK

146 Insert the following new Clause—

“Disclaimer of eligibility for student support

- (1) Any student over the age of 18 (or if under that age, with the consent of the student’s parents or guardian) may disclaim the right to such financial support or arrangements as may from time to time be offered by or on behalf of the Secretary of State to such students.
- (2) Such a student may then apply to be admitted to a university as if he or she were a candidate from outside the European Union, and shall for all purposes be considered to be such a candidate.
- (3) A student who has made such a disclaimer may withdraw it at any time, but not in respect of any course to which he or she has been admitted as if he or she were from outside the European Union.”

LORD LUCAS

147A Insert the following new Clause—

“Information as to the use to which student fees are put

In section 24(1) of HEA 2004 (conditions to be imposed by English funding bodies) after paragraph (a) insert—

- “(aa) to secure that, in respect of any qualifying course, prospective students are informed in advance of making an application—
- (i) of the amount, if any, of the fee which they are asked to pay which will be applied to the education of students following other courses; and
 - (ii) of the amount of their fee which is expected to be applied (on the basis of the latest financial information available) to the salaries of teaching staff, to teaching materials, to support staff, to premises costs and to administrative overheads.”

**Amendment
No.**

After Clause 73—*continued*

BARONESS BRINTON
BARONESS SHARP OF GUILDFORD

148 Insert the following new Clause—

“Interest and repayment of loans for part-time students

- (1) Part-time student loans shall not incur higher interest rates than those for full-time students.
- (2) No part-time student shall be required to repay their loan until—
 - (a) they have completed their studies, or
 - (b) 4 years and six months has passed since the start of their course, whichever occurs first.”

Education Bill

TENTH
MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
IN GRAND COMMITTEE

12th September 2011

PUBLISHED BY AUTHORITY OF THE HOUSE OF LORDS
LONDON – THE STATIONERY OFFICE LIMITED

HL Bill 67—X

(14892)

55/1



ISBN 978-0-10-848508-4



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