

2012 No. 765

EDUCATION, ENGLAND AND WALES

**The Education Act 2011 (Consequential Amendments to
Subordinate Legislation) Order 2012**

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| <i>Made</i> - - - - | <i>8th March 2012</i> |
| <i>Laid before Parliament</i> | <i>9th March 2012</i> |
| <i>Coming into force</i> - - | <i>1st April 2012</i> |

The Secretary of State for Education makes the following Order in exercise of the powers conferred by sections 11(2), 16(2), 26(2) and 78(2)(c) of the Education Act 2011(a).

Citation and commencement

1. This Order may be cited as the Education Act 2011 (Consequential Amendments to Subordinate Legislation) Order 2012 and comes into force on 1st April 2012.

Amendment of the Employers' Liability (Compulsory Insurance) Regulations 1998

2. Omit paragraph 8 of Schedule 2 to the Employers' Liability (Compulsory Insurance) Regulations 1998(b) (employers exempted from insurance).

Amendment of the Local Authorities (Goods and Services) (Public Bodies) (No. 1) Order 1999

3. In article 2 of the Local Authorities (Goods and Services) (Public Bodies) (No. 1) Order 1999(c) (designation as a public body) omit "and the Training and Development Agency for Schools".

Amendment of the Education (National Curriculum) (Key Stage 2 Assessment Arrangements) (England) Order 2003

4. Omit article 10 of the Education (National Curriculum) (Key Stage 2 Assessment Arrangements) (England) Order 2003(d) (evaluation of assessment arrangements).

(a) 2011 c. 21.

(b) S.I. 1998/2573, amended by S.I. 2010/677, there are other amending instruments but none is relevant.

(c) S.I. 1999/421, amended by virtue of section 74 of the Education Act 2005 (c. 18).

(d) S.I. 2003/1038, amended by S.I. 2010/677, there are other amending instruments but none is relevant.

Amendment of the Education (National Curriculum) (Key Stage 3 Assessment Arrangements) (England) Order 2003

5. Omit article 11 of the Education (National Curriculum) (Key Stage 3 Assessment Arrangements) (England) Order 2003(a) (evaluation of assessment arrangements).

Amendment of the Student Fees (Approved Plans) (England) Regulations 2004

6. In regulation 9(d)(i) of the Student Fees (Approved Plans) (England) Regulations 2004(b) (enforcement of plans) for “Training and Development Agency for Schools” substitute “Secretary of State”.

Amendment of the Education (National Curriculum) (Key Stage 1 Assessment Arrangements) (England) Order 2004

7. Omit article 8 of the Education (National Curriculum) (Key Stage 1 Assessment Arrangements) (England) Order 2004(c) (evaluation of assessment arrangements).

Amendment of the Education (Pupil Information) (England) Regulations 2005

8.—(1) The Education (Pupil Information) (England) Regulations 2005(d) are amended as follows.

(2) In regulation 2 (interpretation)—

- (a) in the definition of “external marking agency” omit “nominated by the QCDA and”; and
- (b) in the definition of “P Level Document” for “QCDA” substitute “Secretary of State”.

(3) In paragraph 6(1)(e) of Schedule 2 (information forming part of the common transfer file) for “QCDA” substitute “Secretary of State”.

Amendment of the Education (Fees and Awards) (England) Regulations 2007

9.—(1) The Education (Fees and Awards) (England) Regulations 2007(e) are amended as follows.

(2) In regulation 4(3)(c) (fee charging) for “support under section 78 of the 2005 Act” substitute “assistance—

- (i) from the Secretary of State under section 14 of the Education Act 2002; or
- (ii) from a person who is receiving financial assistance under that section”.

(3) In regulation 7 (payments by the Training and Development Agency for Schools)—

- (a) for “Training and Development Agency for Schools” substitute “Secretary of State”; and
- (b) for “section 78 of the 2005 Act”, in both places it appears, substitute “section 14 of the Education Act 2002”.

Amendment of the Education (Information About Children in Alternative Provision) (England) Regulations 2007

10. In regulation 8 of the Education (Information About Children in Alternative Provision) (England) Regulations 2007(f) (persons to whom individual information supplied may be passed) omit paragraphs (f) and (n).

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- (a) S.I. 2003/1039; relevant amending instruments are S.I. 2008/3081 and 2010/677.
 - (b) S.I. 2004/2473, amended by virtue of section 74 of the Education Act 2005 (c. 18).
 - (c) S.I. 2004/2783, amended by S.I. 2010/677, there are other amending instruments but none is relevant.
 - (d) S.I. 2005/1437, relevant amending instruments are S.I. 2008/1747 and 2010/677.
 - (e) S.I. 2007/779, to which there are amendments not relevant to this Order.
 - (f) S.I. 2007/1065, amended by S.I. 2010/677, there are other amending instruments but none is relevant.

Amendment of the Education (Supply of Information about the School Workforce) (No. 2) (England) Regulations 2007

11.—(1) The Education (Supply of Information about the School Workforce) (No. 2) (England) Regulations 2007(a) are amended as follows.

(2) In regulation 8(2) (persons to whom the Secretary of State may supply information) omit sub-paragraphs (c), (h) and (i).

(3) In regulation 9(2) (supply by the Secretary of State of information to certain persons) omit sub-paragraphs (c) and (d).

Amendment of the Education (School Performance Information) (England) Regulations 2007

12.—(1) The Education (School Performance Information) (England) Regulations 2007(b) are amended as follows.

(2) In regulation 2(1) (interpretation)—

(a) in the definition of “external marking agency” omit “nominated by the QCDA and”;

(b) in the definition of “National Data Collection Agency” for “QCDA” substitute “Secretary of State”; and

(c) omit the definition of “the QCDA”.

(3) In regulation 14 (provision of information to the external marking agency) for “determined by the QCDA” to the end substitute “which is to mark the NC tests.”.

Amendment of the European Communities (Recognition of Professional Qualifications) Regulations 2007

13. In the entry relating to the profession of School Teacher in a publicly regulated school in England in Part 1 of Schedule 1 to the European Communities (Recognition of Professional Qualifications) Regulations 2007(c) (professions regulated by law or public authority) for the competent authority in the second column substitute “Secretary of State”.

Amendment of the Childcare (Provision of Information About Young Children) (England) Regulations 2009

14. In regulation 7 of the Childcare (Provision of Information About Young Children) (England) Regulations 2009(d) (prescribed persons under section 99(4)(b) of the Childcare Act 2006) omit paragraph (c) (and the “and” immediately before it).

Amendment of the Education (Individual Pupil Information) (Prescribed Persons) (England) Regulations 2009

15. In regulation 3(5) of the Education (Individual Pupil Information) (Prescribed Persons) (England) Regulations 2009(e) (prescribed persons) omit sub-paragraphs (g) and (u).

Amendment of the School Teachers’ Incentive Payments (England) Order 2009

16. In the definition of “relevant course” in article 2 of the School Teachers’ Incentive Payments (England) Order 2009(f) (interpretation) for “Training and Development Agency for Schools” substitute “Secretary of State”.

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- (a) S.I. 2007/2260, amended by S.I. 2010/677, there are other amending instruments but none is relevant.
(b) S.I. 2007/2324, amended by S.I. 2010/677, there are other amending instruments but none is relevant.
(c) S.I. 2007/2781, to which there are amendments not relevant to this Order.
(d) S.I. 2009/1554, amended by S.I. 2010/677, there is another amending instrument which is not relevant.
(e) S.I. 2009/1563, amended by S.I. 2010/677, there are other amending instruments but none is relevant.
(f) S.I. 2009/1974, to which there is an amendment not relevant to this Order.

Amendment of the Official Statistics Order 2010

17. In the Schedule to the Official Statistics Order 2010(a) omit the entries relating to—

- (a) the Qualifications and Curriculum Development Agency; and
- (b) the Training and Development Agency for Schools.

Amendment of the Apprenticeships, Skills, Children and Learning Act 2009, Parts 7 and 8 (Consequential Amendments) Order 2010

18. Omit articles 3, 8(6), 9(3), 10(3), 12(2)(c) and (3), 17(b), 19, 20(2) and (3) and 22 of the Apprenticeships, Skills, Children and Learning Act 2009, Parts 7 and 8 (Consequential Amendments) Order 2010(b).

8th March 2012

Nick Gibb
Minister of State
Department for Education

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes amendments to secondary legislation in consequence of the abolition of the Training and Development Agency for England, the General Teaching Council for England and the Qualifications and Curriculum Development Agency. In consequence of the amendments made by this Order a number of provisions in the Apprenticeships, Skills Children and Learning Act 2009, Parts 7 and 8 (Consequential Amendments) Order 2010 are also revoked.

An impact assessment has not been produced for this instrument as it has no impact on businesses, the public sector or civil society organisations.

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- (a) S.I. 2010/2893.
 - (b) S.I. 2010/677.

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