

A Short Guide to the Education and Inspections Act 2006

Overview

The Education and Inspections Act represents a major step forward in the Government's aim to ensure that all children in all schools get the education they need to enable them to fulfil their potential.

1. Local Authorities

Local authorities will take on a new strategic role with duties to promote:

- Choice
- Diversity
- High standards
- For the first time, the fulfilment of **every child's** educational potential

They will respond to parental concerns about the quality of local schools and, in doing so, they will have new powers to intervene earlier where performance is poor.

The local authority, as the commissioner of schools places, will be able to propose expansions to all categories of school, set the terms for school competitions and take all decisions relating to school organisation.

2. Schools

Schools have acquired new duties:

- To have regard to the views of parents and to the local Children and Young People's Plan
- To promote community cohesion and the well-being of pupils at school

Schools will be inspected by Ofsted on how effectively these duties are fulfilled.

3. Fair Access

The Act places a duty on local authorities in England to promote fair access to educational opportunity and tightens the admissions framework to ensure this.

As well as reaffirming the ban on new selection by ability, the Act will:

- Outlaw interviewing
- Create a new power for Admission Forums to produce an annual report and to refer objections to the Schools Adjudicator
- Make the Adjudicator's decisions binding for three years
- Strengthen the status of the School Admissions Code

The new code will prohibit oversubscription criteria that seek to select by stealth (such as the use of supplementary application forms) and provide clear guidelines on uniform and transport policies that might undermine a fair admission system and disadvantage children from poorer families.

Fair access will also be supported by:

- An extended duty on local authorities to provide free transport for the most disadvantaged families
- A new duty to provide advice and assistance to parents in expressing a preference for a school for their child

4. Behaviour

Behaviour has long been a major concern for school staff and parents alike. The Act will give effect to some of the key recommendations of the recent Steer report.

It will create, for the first time, a clear statutory right for school staff to discipline pupils, putting an end to the “you can’t tell me what to do” culture.

It will extend the scope of parenting orders and contracts and will improve provision for excluded pupils, with parents taking responsibility for excluded pupils in the first five days of their exclusion.

Governing bodies and local authorities will be required to provide full-time alternative provision from the sixth day of exclusion.

5. 14 – 19 year olds

The Act gives effect to the most important reforms of curriculum and qualifications since the introduction of the National Curriculum.

In the 14-19 White Paper, the government set out plans to transform opportunity for young people through changes to curriculum, qualifications and the organisation of education and training. This is to enable every young person to pursue a course of study that prepares them for success in life.

Central to this is the introduction of 14 new specialised Diplomas. The Act makes access to Diplomas an entitlement for every young person everywhere.

In order to deliver the entitlement to young people aged 14 – 16, schools will need to work with each other and with colleagues and other providers. The Act also empowers them to enter into formal collaboration with Further Education colleges.

6. School Food

The Act will revolutionise the provision of school meals. It establishes the power to create tough new nutritional standards for food and drink served in maintained schools, to ensure that all children have access throughout the day to good quality food and drink.

7. Youth

The Act will give local authorities responsibility for making sure young people have a range of exciting and positive things to do in their spare time, as promised in the recent Youth Green Paper, Youth Matters.

This will increase their access to new opportunities and new experiences, and empower them to shape the services they receive.

8. Inspectorate Reform

The Act will merge several existing inspectorates to bring all learning issues within one body. It will cover the full range of services for children and young people, as well as for lifelong learning.

This aims to reduce the burden of inspection and associated bureaucracy and ensure that all inspection has a stronger focus on delivery and value for money.

9. Trust Schools

All schools will be able to become Trust schools by forming links with external partners. If the school chooses, those external partners will be able to appoint the majority of the governing body.

Acquiring a Trust will give schools access to the freedoms enjoyed by other foundation schools:

- Owning their own assets
- Employing their own staff (subject to the School Teachers Pay and Conditions Document)
- Setting their admission arrangements (subject to the law and newly strengthened School Admissions Code)