

SCHEDULE 2

MINOR AND CONSEQUENTIAL AMENDMENTS AND REPEALS

Education Act 1996 (c. 56)

4 After section 19 insert—

“19A Exceptional provision of education in pupil referral units or elsewhere: Wales

- (1) Each local authority in Wales must make arrangements for the provision of suitable education at school or otherwise than at school for children within the authority’s area who—
 - (a) are of compulsory school age, and
 - (b) by reason of illness, exclusion from school or otherwise, may not receive suitable education for a period unless such arrangements are made for them.
- (2) A school established (whether before or after the commencement of this Act) and maintained by a local authority in Wales which—
 - (a) is specially organised to provide education for children falling within subsection (1), and
 - (b) is not a special school,is to be known as a “pupil referral unit”.
- (3) A local authority in Wales may secure the provision of boarding accommodation at any pupil referral unit.
- (4) A local authority in Wales may make arrangements for the provision of suitable education otherwise than at a school for young persons within the authority’s area who, by reason of illness, exclusion from school or otherwise, may not receive a suitable education for a period unless such arrangements are made for them.
- (5) In this section, “suitable education”, in relation to a child or young person means efficient education suitable to the young person’s age, ability and aptitude and to any additional learning needs the child or young person may have.
- (6) The following persons are to be treated as pupils for the purposes of this Act—
 - (a) any child for whom education is provided otherwise than at school under this section, and
 - (b) any young person for whom full-time education is provided otherwise than at school under this section.
- (7) Schedule 1 has effect in relation to pupil referral units maintained by local authorities in Wales.”