



Education Act 1996

1996 CHAPTER 56

PART I

GENERAL

CHAPTER III

LOCAL EDUCATION AUTHORITIES

General functions

15 Functions in respect of provision of further education

- (1) A local education authority shall secure the provision for their area of adequate facilities for further education.
- (2) The duty imposed by subsection (1) does not apply in relation to—
 - (a) education to which section 2(1) of the Further and Higher Education Act 1992 applies (that is, full-time education suitable to the requirements of persons who are over compulsory school age and under the age of 19); or
 - (b) education to which section 3(1) of that Act applies (that is—
 - (i) part-time education suitable to the requirements of persons of any age over compulsory school age, and
 - (ii) full-time education suitable to the requirements of persons who have attained the age of 19,where the education is provided by means of a course of a description mentioned in Schedule 2 to that Act).
- (3) However, in respect of further education falling within subsection (2)(b), a local education authority may secure the provision for their area of such facilities as appear to them to be appropriate for meeting the needs of the population of their area.

Status: This is the original version (as it was originally enacted).

- (4) A local education authority may secure the provision of further education for persons from other areas.
- (5) In exercising their functions under this section a local education authority shall have regard to—
 - (a) any educational facilities provided—
 - (i) by institutions within the higher education sector or the further education sector, and
 - (ii) by other bodies,which are provided for, or available for use by persons in, their area, and
 - (b) the requirements of persons over compulsory school age who have learning difficulties.
- (6) Subject to subsection (7), a person has a “learning difficulty” for the purposes of subsection (5) if—
 - (a) he has a significantly greater difficulty in learning than the majority of persons of his age, or
 - (b) he has a disability which either prevents or hinders him from making use of facilities of a kind generally provided in pursuance of the duty under subsection (1) for persons of his age.
- (7) A person is not to be taken as having a learning difficulty solely because the language (or form of the language) in which he is, or will be, taught is different from a language (or form of a language) which has at any time been spoken in his home.
- (8) A local education authority may do anything which appears to them to be necessary or expedient for the purposes of or in connection with the exercise of their functions under this section.