



Education Act 1996

1996 CHAPTER 56

PART I

GENERAL

CHAPTER III

[^{F1}LOCAL AUTHORITIES]

Other arrangements for provision of education

19 Exceptional provision of education in pupil referral units or elsewhere.

- (1) Each local education authority shall make arrangements for the provision of suitable ^{F1} . . . education at school or otherwise than at school for those children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless such arrangements are made for them.
- (2) Any school established (whether before or after the commencement of this Act) and maintained by a local education authority which—
 - (a) is specially organised to provide education for such children, and
 - (b) is not a county school or a special school,shall be known as a “pupil referral unit”.

[^{F2}(2A) Subsection (2) does not apply in relation to schools in England.

- (2B) Any school established in England (whether before or after the commencement of this Act) and maintained by a local education authority which—
 - (a) is specially organised to provide education for such children, and
 - (b) is not a community or foundation school, a community or foundation special school, or a maintained nursery school,shall be known as a “pupil referral unit”.]

Status: Point in time view as at 29/07/2010. This version of this provision has been superseded.

Changes to legislation: Education Act 1996, Section 19 is up to date with all changes known to be in force on or before 05 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (3) A local education authority may secure the provision of boarding accommodation at any pupil referral unit.
- [^{F3}(3A) In relation to England, the duty imposed by subsection (1) includes, except in prescribed cases, a duty to make arrangements for the provision of suitable full-time education at school or otherwise than at school for—
- (a) children of compulsory school age who have been permanently excluded on disciplinary grounds from relevant schools or pupil referral units, and have not subsequently been admitted to schools other than pupil referral units, and
 - (b) children of compulsory school age who are excluded for a fixed period on disciplinary grounds from any pupil referral unit maintained by the authority.
- (3B) The education referred to in subsection (3A) must be provided from a day that, in relation to the pupil concerned, is determined in accordance with regulations.]
- (4) A local education authority may make arrangements for the provision of suitable ^{F1} . . . education otherwise than at school for those young persons who, by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless such arrangements are made for them.
- [^{F4}(4A) In determining what arrangements to make under subsection (1) or (4) in the case of any child or young person a local education authority shall have regard to any guidance given from time to time by the Secretary of State.]
- (5) Any child for whom education is provided otherwise than at school in pursuance of this section, and any young person for whom full-time education is so provided in pursuance of this section, shall be treated for the purposes of this Act as a pupil.
- [^{F5}(6) In this section—
- “relevant school” means—
- (a) a maintained school,
 - (b) an Academy,
 - (c) a city technology college, or
 - (d) a city college for the technology of the arts;
- “suitable education”, in relation to a child or young person, means efficient education suitable to his age, ability and aptitude and to any special educational needs he may have (and “suitable full-time education” is to be read accordingly).]
- (7) Schedule 1 has effect in relation to pupil referral units.

Textual Amendments

- F1** Words in s. 19(1) and (4) repealed (1.9.1998) by 1997 c. 44, ss. 47(2)(3), 57(4), **Sch.8**; S.I. 1998/386, art. 2, **Sch. 1 Pt. IV**
- F2** S. 19(2A)(2B) inserted (2.7.2007) by The Education Act 1996 (Amendment of Section 19) (England) Regulations 2007 (S.I. 2007/1507), regs. 1, 2
- F3** S. 19(3A)(3B) inserted (1.9.2007) by Education and Inspections Act 2006 (c. 40), ss. 101(2), 188(3); S.I. 2007/1801, art. 4(g)
- F4** S. 19(4A) inserted (1.9.1998) by 1997 c. 44, s. 47(4); S.I. 1998/386, art. 2, **Sch. 1 Pt. IV**
- F5** S. 19(6) substituted (1.9.2007) by Education and Inspections Act 2006 (c. 40), ss. 101(3), 188(3); S.I. 2007/1801, art. 4(g)

Status: Point in time view as at 29/07/2010. This version of this provision has been superseded.

Changes to legislation: Education Act 1996, Section 19 is up to date with all changes known to be in force on or before 05 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Modifications etc. (not altering text)

- C1** S. 19 excluded (prosp.) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), **ss. 36(5)(c)(10)**, 162 (with s. 159)

Status:

Point in time view as at 29/07/2010. This version of this provision has been superseded.

Changes to legislation:

Education Act 1996, Section 19 is up to date with all changes known to be in force on or before 05 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.