



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 [^{F1}local authority] shall make arrangements for the provision of suitable ^{F2} . . . 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.

- [^{F3}(1A) In relation to England, subsection (1) does not apply in the case of a child—
- (a) who will cease to be of compulsory school age within the next six weeks, and
 - (b) does not have any relevant examinations to complete.

In paragraph (b) “relevant examinations” means any public examinations or other assessments for which the child has been entered.]

- (2) Any school established (whether before or after the commencement of this Act) and maintained by a [^{F1}local 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”.

- [^{F4}(2A) Subsection (2) does not apply in relation to schools in England.

Status: Point in time view as at 25/01/2018. This version of this provision has been superseded.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 17 July 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)

- (2B) Any school established in England (whether before or after the commencement of this Act) and maintained by a ^{F1}local 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”.]
- (3) A ^{F1}local authority] may secure the provision of boarding accommodation at any pupil referral unit.
- ^{F5}^{F6}(3A) In relation to England, the education to be provided for a child in pursuance of arrangements made by a local authority under subsection (1) shall be—
- (a) full-time education, or
 - (b) in the case of a child within subsection (3AA), education on such part-time basis as the authority consider to be in the child's best interests.
- (3AA) A child is within this subsection if the local authority consider that, for reasons which relate to the physical or mental health of the child, it would not be in the child's best interests for full-time education to be provided for the child.]
- (3B) ^{F7}Regulations may provide that the education to be provided for a child in pursuance of arrangements made by a local authority in England under subsection (1)] must be provided from a day that, in relation to the pupil concerned, is determined in accordance with ^{F8}the regulations] .]
- (4) A ^{F1}local authority] may make arrangements for the provision of suitable ^{F2} . . . 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.
- ^{F9}(4A) In determining what arrangements to make under subsection (1) or (4) in the case of any child or young person a ^{F1}local 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.
- ^{F10}(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.

Status: Point in time view as at 25/01/2018. 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 17 July 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)

Textual Amendments

- F1** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), **Sch. 2 para. 7(2)** (with Sch. 2 para. 7(4)(5))
- F2** 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**
- F3** S. 19(1A) inserted (1.9.2011) by [Children, Schools and Families Act 2010 \(c. 26\)](#), **ss. 3(2)**, 29(5) (with s. 27); S.I. 2011/1100, art. 2
- F4** 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
- F5** S. 19(3A)(3AA) substituted for s. 19(3A) (1.9.2011) by [Children, Schools and Families Act 2010 \(c. 26\)](#), **ss. 3(3)**, 29(5) (with s. 27); S.I. 2011/1100, art. 2
- F6** 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)
- F7** Words in s. 19(3B) substituted (1.9.2011) by [Children, Schools and Families Act 2010 \(c. 26\)](#), **ss. 3(4)(a)**, 29(5) (with s. 27); S.I. 2011/1100, art. 2
- F8** Words in s. 19(3B) substituted (1.9.2011) by [Children, Schools and Families Act 2010 \(c. 26\)](#), **ss. 3(4)(b)**, 29(5) (with s. 27); S.I. 2011/1100, art. 2
- F9** S. 19(4A) inserted (1.9.1998) by 1997 c. 44, **s. 47(4)**; S.I. 1998/386, art. 2, **Sch. 1 Pt.IV**
- F10** 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)

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)
- C2** S. 19(3A) modified (18.5.2012) by [The Wiltshire Council \(Arrangements for the Provision of Suitable Education\) Order 2012 \(S.I. 2012/1107\)](#), arts. 1(2)(a), **6(2)** (with art. 5)

Status:

Point in time view as at 25/01/2018. 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 17 July 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.