



Learning and Skills Act 2000

2000 CHAPTER 21

PART I

LEARNING AND SKILLS COUNCIL FOR ENGLAND

Other functions

[^{F1}11A Support schemes relating to education and training for persons aged 10 to 15

- (1) The Council may—
- (a) make and carry on one or more schemes for the purpose of encouraging 10 to 15 year olds to undergo relevant education or training, and
 - (b) secure the provision of financial resources to such persons who are receiving or proposing to receive relevant education or training in pursuance of such a scheme.
- (2) Sections 5(2) and (3) and 6(1), (2) and (5) apply in relation to the provision of financial resources under subsection (1)(b) as they apply in relation to the provision of financial resources under section 5(1)(c).
- (3) In this section—
- “ 10 to 15 year olds ” means persons who have attained the age of 10 but have not ceased to be of compulsory school age;
 - “ relevant education ” means—
 - (a) education (other than higher education) suitable to the requirements of 10 to 15 year olds, and
 - (b) organised leisure-time occupation connected with such education;
 - “ relevant training ” means—
 - (a) training suitable to the requirements of 10 to 15 year olds, and
 - (b) organised leisure-time occupation connected with such training.

Status: Point in time view as at 26/01/2009.

Changes to legislation: Learning and Skills Act 2000, Cross Heading: Other functions is up to date with all changes known to be in force on or before 30 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)

- (4) Subsection (5) of section 2 has effect for the purposes of the definitions of “relevant education” and “relevant training” in subsection (3) above as it has effect for the purposes of that section.]

Textual Amendments

- F1** S. 11A inserted (1.4.2007) by [Education and Inspections Act 2006 \(c. 40\)](#), **ss. 176(1)**, 188(3); [S.I. 2007/935](#), **art. 5(y)**

12 Research and information.

- (1) The Council may carry out research relating to any matter relevant to any of its functions.
- (2) The Council must provide the Secretary of State with such information or advice as he requests about any matter in relation to which the Council has a function.
- (3) The Council may provide the Secretary of State with such information or advice as it thinks fit about any matter in relation to which it has a function.
- (4) The Council may provide any person designated by the Secretary of State with such information as the Council thinks fit about any matter in relation to which it has a function.
- (5) The Council must establish systems for collecting information which is designed to secure that its decisions with regard to education and training are made on a sound basis.
- (6) The Council may secure the provision of facilities for providing information, advice or guidance about education or training or connected matters (including employment).

Commencement Information

- II** S. 12 wholly in force at 1.3.2001; s. 12 not in force at Royal Assent see s. 154; s. 12(1)(3)-(5) in force at 1.9.2000 by [S.I. 2000/2114](#), **art. 2(3)**, **Sch. Pt. III**; s. 12(2)(6) in force at 1.3.2001 by [S.I. 2001/654](#), **art. 2**, **Sch Pt. I**

13 Persons with learning difficulties.

- (1) In discharging its functions under sections 2, 3, 5(1)(a) to (d) and (g) [^{F2}, 8 and 11A] the Council must have regard—
 - (a) to the needs of persons with learning difficulties, and
 - (b) in particular, to any report of an assessment conducted under section [^{F3}139A or] 140.
- (2) If the Council is satisfied that it cannot secure the provision of facilities for education or training which are sufficient in quantity and adequate in quality for a person with a learning difficulty who is over compulsory school age but who has not attained the age of 19 unless it also secures the provision of boarding accommodation for him, the Council must secure the provision of boarding accommodation for him.

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- (3) If the Council is satisfied that it cannot secure the provision of reasonable facilities for education or training for a person with a learning difficulty who has attained the age of 19 but not the age of 25 unless it also secures the provision of boarding accommodation for him, the Council must secure the provision of boarding accommodation for him.
- (4) If the Council is satisfied that it cannot secure the provision of reasonable facilities for education or training for a person with a learning difficulty who has attained the age of 25 unless it also secures the provision of boarding accommodation for him, the Council may secure the provision of boarding accommodation for him.
- (5) A person has a learning difficulty if—
- he has a significantly greater difficulty in learning than the majority of persons of his age, or
 - he has a disability which either prevents or hinders him from making use of facilities of a kind generally provided by institutions providing post-16 education or training.
- (6) But a person is not to be taken to have a learning difficulty solely because the language (or form of language) in which he is or will be taught is different from a language (or form of language) which has at any time been spoken in his home.
- [^{F4}(7) In its application for the purposes of subsection (1) in relation to the functions of the Council under section 11A, the reference in subsection (5)(b) to “post-16 education or training” is to be read as a reference to “relevant education or training” (within the meaning of section 11A).]

Textual Amendments

- F2** Words in s. 13(1) inserted (1.4.2007) by [Education and Inspections Act 2006 \(c. 40\)](#), **ss. 176(3)(a)**, 188(3); S.I. 2007/935, art. 5(y)
- F3** Words in s. 13(1)(b) inserted (26.11.2008) by [Education and Skills Act 2008 \(c. 25\)](#), s. 173(1)(g), **Sch. 1 para. 76(b)**
- F4** S. 13(7) inserted (1.4.2007) by [Education and Inspections Act 2006 \(c. 40\)](#), **ss. 176(3)(b)**, 188(3); S.I. 2007/935, art. 5(y)

Modifications etc. (not altering text)

- C1** S. 13(5)(6) applied (26.1.2009) by [Education and Skills Act 2008 \(c. 25\)](#), **ss. 78(1)**, 173(4); S.I. 2008/3077, art. 4(a)

14 Equality of opportunity.

- (1) In exercising its functions the Council must have due regard to the need to promote equality of opportunity—
- between persons of different racial groups,
 - between men and women, and
 - between persons who are disabled and persons who are not.
- (2) As soon as is reasonably practicable after the end of each financial year of the Council it must publish a report containing—
- a statement of the arrangements made under subsection (1) and having effect in the year;

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- (b) an assessment of how effective the arrangements were in promoting equality of opportunity.
- (3) The report must also contain a statement of the arrangements which the Council has made, or proposes to make, under subsection (1) in respect of the financial year immediately following that referred to in subsection (2).
- (4) The Council must send a copy of the report to the Secretary of State.
- (5) “Racial group” has the same meaning as in the ^{M1}Race Relations Act 1976.
- (6) Disabled persons are persons who are disabled for the purposes of the ^{M2}Disability Discrimination Act 1995.

Marginal Citations

M1 1976 c. 74.
M2 1995 c. 50.

[^{F5}14A Consultation

- (1) In exercising its functions the Council must have regard to any guidance given from time to time by the Secretary of State about consultation with—
 - (a) persons receiving or proposing to receive post-16 education or training,
 - (b) employers, or
 - (c) such other persons as may be specified in such guidance, in connection with the taking of decisions affecting them.
- (2) Any guidance under this section about consultation with persons falling within paragraph (a) of subsection (1) must provide for the views of such a person to be considered in the light of his age and understanding.]

Textual Amendments

F5 S. 14A inserted (23.12.2007) by [Further Education and Training Act 2007 \(c. 25\), ss. 7, 32\(5\); S.I. 2007/3505, art. 2\(a\)](#)

15 Plans.

- (1) The Council—
 - (a) must make and publish a plan for [^{F6}each academic year];
 - (b) may make and publish such other plans as it thinks fit.
- ^{F7}(2)
- (3) A plan for [^{F8}an academic year] must be published before the year starts.
- (4) A plan for [^{F9}an academic year] must include—
 - (a) proposals as to how the Council intends to achieve in [^{F10}the academic year] any objectives which should be achieved in the year in conformity with directions of the Secretary of State or with conditions imposed under section 27;

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(b) the Council’s financial proposals for the year.

[^{F11}(5) In this section “academic year” means—

- (a) the period starting with the 1 April following the date on which section 8 of the Further Education and Training Act 2007 comes into force and ending with the second 31 July following that 1 April;
- (b) each successive period of 12 months.]

Textual Amendments

- F6** Words in s. 15(1)(a) substituted (23.12.2007) by [Further Education and Training Act 2007 \(c. 25\), ss. 8\(2\), 32\(5\); S.I. 2007/3505, art. 2\(a\)](#)
- F7** S. 15(2) repealed (23.12.2007) by [Further Education and Training Act 2007 \(c. 25\), ss. 8\(3\), 32\(5\), Sch. 2; S.I. 2007/3505, art. 2\(a\)\(i\)](#)
- F8** Words in s. 15(3) substituted (23.12.2007) by [Further Education and Training Act 2007 \(c. 25\), ss. 8\(4\), 32\(5\); S.I. 2007/3505, art. 2\(a\)](#)
- F9** Words in s. 15(4) substituted (23.12.2007) by [Further Education and Training Act 2007 \(c. 25\), ss. 8\(5\)\(a\), 32\(5\); S.I. 2007/3505, art. 2\(a\)](#)
- F10** Words in s. 15(4)(a) substituted (23.12.2007) by [Further Education and Training Act 2007 \(c. 25\), ss. 8\(5\)\(b\), 32\(5\); S.I. 2007/3505, art. 2\(a\)](#)
- F11** S. 15(5) inserted (23.12.2007) by [Further Education and Training Act 2007 \(c. 25\), ss. 8\(6\), 32\(5\); S.I. 2007/3505, art. 2\(a\)](#)

16 Strategy.

- (1) The Council must formulate a strategy in relation to its functions and keep it under review.
- (2) The Council must have regard to the strategy in exercising its functions.
- (3) The strategy must include proposals as to how the Council intends to develop the skills of persons in employment; but this does not affect the generality of subsection (1).
- (4) The Council must incorporate in the strategy proposals as to—
 - (a) how it intends to achieve any objectives contained in directions of the Secretary of State;
 - (b) how it intends to achieve such objectives within any time limits contained in such directions.

17 Use of information by Council.

In carrying out its functions the Council must have regard to information supplied to it by any body designated by the Secretary of State for the purposes of this section.

18 Supplementary functions.

- (1) The Council may do anything which appears to it to be necessary or expedient for the purpose of or in connection with the exercise of its other functions.
- (2) In particular it may—
 - (a) acquire and dispose of land and other property;
 - (b) enter into contracts;

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- (c) invest sums not immediately needed for the purpose of exercising its other functions;
 - (d) accept financial resources (whether as gifts or otherwise);
 - (e) accept gifts of land and other property.
- (3) But the Council has no power—
- (a) to borrow money;
 - (b) to lend money unless the Secretary of State consents;
 - ^{F12}(c) to form, participate in forming or invest in a company unless the Secretary of State consents;
 - (d) to form, participate in forming or otherwise become a member of a charitable incorporated organisation (within the meaning of section 69A of the Charities Act 1993) unless the Secretary of State consents.]
- (4) The Secretary of State may by order confer or impose on the Council such supplementary powers or duties relating to the provision of post-16 education or training as he thinks fit.
- (5) For the purposes of subsection (4) a power or duty is supplementary if—
- (a) it is exercisable in connection with functions of the Secretary of State, and
 - (b) it is relevant to the provision of facilities for post-16 education or training.
- ^{F13}(6) The Secretary of State may by order confer or impose on the Council such powers or duties falling within subsection (7) as he thinks fit.
- (7) A power or duty falls within this subsection if it is exercisable in connection with—
- (a) the Secretary of State's function under section 509AA(9) of the Education Act 1996 (power to direct LEA to make arrangements additional to those specified in transport policy statement), or
 - (b) any function of the Secretary of State under any of sections 496 to 497B of the Education Act 1996 as regards anything done, proposed to be done or omitted to be done by a local education authority in England under section 509AA or 509AB of that Act.]
- ^{F14}(8) The reference in this section to investing in a company includes a reference to becoming a member of the company and to investing in it by the acquisition of any assets, securities or rights or otherwise.]

Textual Amendments

- F12** S. 18(3)(c)(d) substituted for s. 18(3)(c) (23.10.2007) by [Further Education and Training Act 2007 \(c. 25\)](#), **ss. 9(2)**, 32(1)
- F13** S. 18(6)(7) inserted (1.4.2007) by [Education and Inspections Act 2006 \(c. 40\)](#), **ss. 83(4)**, 188(3); [S.I. 2007/935](#), art. 5(o)
- F14** S. 18(8) inserted (23.10.2007) by [Further Education and Training Act 2007 \(c. 25\)](#), **ss. 9(3)**, 32(1)

Modifications etc. (not altering text)

- C2** S. 18 modified (23.10.2007) by [Further Education and Training Act 2007 \(c. 25\)](#), **ss. 9(4)**, 32(1)

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