



# Education Act 1996

## 1996 CHAPTER 56

### PART I

#### GENERAL

#### CHAPTER III

#### [<sup>F1</sup>LOCAL AUTHORITIES]

#### *General functions*

#### [<sup>F1</sup>15ZA Duty in respect of education and training for persons over compulsory school age: England

- (1) A [<sup>F2</sup>local authority] in England must secure that enough suitable education and training is provided to meet the reasonable needs of—
  - (a) persons in their area who are over compulsory school age but under 19, and
  - (b) persons in their area who are aged 19 or over [<sup>F3</sup>and for whom an EHC plan is maintained].
- (2) A [<sup>F2</sup>local authority] may comply with subsection (1) by securing the provision of education or training outside as well as within their area.
- (3) In deciding for the purposes of subsection (1) whether education or training is suitable to meet persons' reasonable needs, a [<sup>F2</sup>local authority] must (in particular) have regard to—
  - (a) the persons' ages, abilities and aptitudes;
  - (b) any learning difficulties [<sup>F4</sup>or disabilities] the persons may have;
  - (c) the quality of the education or training;
  - (d) the locations and times at which the education or training is provided.
- (4) In performing the duty imposed by subsection (1) a [<sup>F2</sup>local authority] must—

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- (a) act with a view to encouraging diversity in the education and training available to persons;
  - (b) act with a view to increasing opportunities for persons to exercise choice;
  - (c) act with a view to enabling persons to whom Part 1 of the Education and Skills Act 2008 applies to fulfil the duty imposed by section 2 of that Act;
  - (d) take account of education and training whose provision the authority think might reasonably be secured by other persons.
- (5) A <sup>F2</sup>local authority] must, in—
- (a) making any determination as to the provision of apprenticeship training that should be secured under subsection (1), or
  - (b) securing the provision of any apprenticeship training under that subsection, co-operate with <sup>F5</sup>the Secretary of State].
- (6) For the purposes of this section a person has a learning difficulty <sup>F6</sup>or disability] if—
- (a) the person has a significantly greater difficulty in learning than the majority of persons of the same age, or
  - (b) the person has a disability which either prevents or hinders the person from making use of facilities of a kind generally provided by institutions providing education or training for persons who are over compulsory school age.
- (7) But a person is not to be taken to have a learning difficulty <sup>F7</sup>or disability] solely because the language (or form of language) in which the person is or will be taught is different from a language (or form of language) which has at any time been spoken in the person's home.
- (8) In this section—
- “apprenticeship training” means training provided in connection with—
- (aa) <sup>F8</sup>an approved English apprenticeship agreement (within the meaning given in section A1(3) of that Act),]
  - (a) an apprenticeship agreement (within the meaning given in section 32 of the Apprenticeships, Skills, Children and Learning Act 2009),
  - (b) any other contract of employment, <sup>F9</sup>...
  - (c) any other kind of working in relation to which alternative English completion conditions apply under section 1(5) of that Act (meaning of “completing an English apprenticeship”);
  - (d) <sup>F10</sup>an alternative English apprenticeship (within the meaning given in section A1(4) of that Act);]
- “education” includes full-time and part-time education;
- “training” includes—
- (a) full-time and part-time training;
  - (b) vocational, social, physical and recreational training;
  - (c) apprenticeship training.
- <sup>F11</sup>(9) The duty in subsection (1) does not apply in relation to persons in a local authority's area who are subject to a detention order.]]

#### Textual Amendments

- F1** Ss. 15ZA, 15ZB inserted (1.4.2010) by [Apprenticeships, Skills, Children and Learning Act 2009](#) (c. 22), **ss. 41**, 269(4); S.I. 2010/303, art. 3, Sch. 2

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- F2** 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))
- F3** Words in s. 15ZA(1) substituted (1.9.2014) by Children and Families Act 2014 (c. 6), s. 139(6), **Sch. 3 para. 5(2)**; S.I. 2014/889, art. 7(a) (with savings and transitional provisions in S.I. 2014/2270 (as amended (1.4.2015) by S.I. 2015/505))
- F4** Words in s. 15ZA(3)(b) inserted (1.9.2014) by Children and Families Act 2014 (c. 6), s. 139(6), **Sch. 3 para. 5(3)**; S.I. 2014/889, art. 7(a) (with savings and transitional provisions in S.I. 2014/2270 (as amended (1.4.2015) by S.I. 2015/505))
- F5** Words in s. 15ZA(5) substituted (26.5.2015) by Deregulation Act 2015 (c. 20), s. 115(3)(g), **Sch. 14 para. 44**
- F6** Words in s. 15ZA(6) inserted (1.9.2014) by Children and Families Act 2014 (c. 6), s. 139(6), **Sch. 3 para. 5(4)**; S.I. 2014/889, art. 7(a) (with savings and transitional provisions in S.I. 2014/2270 (as amended (1.4.2015) by S.I. 2015/505))
- F7** Words in s. 15ZA(7) inserted (1.9.2014) by Children and Families Act 2014 (c. 6), s. 139(6), **Sch. 3 para. 5(4)**; S.I. 2014/889, art. 7(a) (with savings and transitional provisions in S.I. 2014/2270 (as amended (1.4.2015) by S.I. 2015/505))
- F8** Words in s. 15ZA(8) inserted (24.11.2015) by The English Apprenticeships (Consequential Amendments to Primary Legislation) Order 2015 (S.I. 2015/1852), arts. 1, **2(2)(a)**
- F9** Word in s. 15ZA(8) omitted (24.11.2015) by virtue of The English Apprenticeships (Consequential Amendments to Primary Legislation) Order 2015 (S.I. 2015/1852), arts. 1, **2(2)(b)**
- F10** Words in s. 15ZA(8) inserted (24.11.2015) by The English Apprenticeships (Consequential Amendments to Primary Legislation) Order 2015 (S.I. 2015/1852), arts. 1, **2(2)(b)**
- F11** S. 15ZA(9) substituted (1.9.2014) by Children and Families Act 2014 (c. 6), s. 139(6), **Sch. 3 para. 5(5)**; S.I. 2014/889, art. 7(a) (with savings and transitional provisions in S.I. 2014/2270 (as amended (1.4.2015) by S.I. 2015/505))

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**Modifications etc. (not altering text)**

- C1** S. 15ZA(6)(7) applied (1.4.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), **ss. 83(4)**, 269(4); S.I. 2010/303, art. 3, Sch. 2
- C2** S. 15ZA functions made exercisable concurrently (1.4.2011) by The Greater Manchester Combined Authority Order 2011 (S.I. 2011/908), arts. 1, 10, **Sch. 3 para. 6**
- C3** S. 15ZA functions made exercisable concurrently (1.4.2014) by The Barnsley, Doncaster, Rotherham and Sheffield Combined Authority Order 2014 (S.I. 2014/863), art. 1, **Sch. 2 para. 4**
- C4** S. 15ZA functions made exercisable concurrently (1.4.2014) by The Halton, Knowsley, Liverpool, St Helens, Sefton and Wirral Combined Authority Order 2014 (S.I. 2014/865), art. 1, **Sch. 2 para. 3** (with art. 8(4))
- C5** S. 15ZA functions made exercisable concurrently (15.4.2014) by The Durham, Gateshead, Newcastle Upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland Combined Authority Order 2014 (S.I. 2014/1012), arts. 1, 12(1), **Sch. 2 para. 3**
- C6** S. 15ZA functions made exercisable concurrently (1.4.2016) by The Tees Valley Combined Authority Order 2016 (S.I. 2016/449), arts. 1(a), 7, **Sch. 2 para. 3**
- C7** Ss. 15ZA-15ZC functions made exercisable concurrently (17.6.2016) by The West Midlands Combined Authority Order 2016 (S.I. 2016/653), art. 1(2), **Sch. 3 para. 3**
- C8** S. 15ZA functions made exercisable concurrently (9.2.2017) by The West of England Combined Authority Order 2017 (S.I. 2017/126), arts. 1(3), 25(1), Sch. 5 paras. 1, **3**
- C9** S. 15ZA functions made exercisable (3.3.2017) by The Cambridgeshire and Peterborough Combined Authority Order 2017 (S.I. 2017/251), arts. 1(2)(b), **10(b)**
- C10** S. 15ZA functions made exercisable concurrently (2.11.2018) by The Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority (Establishment and Functions) Order 2018 (S.I. 2018/1133), arts. 1, **18** (with art. 28)

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- s. 15ZA functions made exercisable concurrently by [S.I. 2024/402 art. 33](#)
- s. 15ZA(6)(7) applied by [2009 c. 22 s. 95\(6\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 95 repealed (1.9.2012) by 2011 c. 21, Sch. 18 para. 8; S.I. 2012/1087, art. 3)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13(2)(ba) substituted for s. 13(2)(aa)(b) by [2022 asc 1 Sch. 4 para. 8\(2\)](#)
- s. 15A(3A) inserted by [2022 asc 1 Sch. 4 para. 8\(3\)](#)
- s. 15B(3)(c) inserted by [2022 asc 1 Sch. 4 para. 8\(4\)](#)
- s. 17A functions made exercisable concurrently by [S.I. 2014/1012 art. 12\(1\)Sch. 2 para. 3](#)
- s. 17A functions made exercisable concurrently by [S.I. 2014/863 Sch. 2 para. 4](#)
- s. 17A functions made exercisable concurrently by [S.I. 2014/865 Sch. 2 para. 3](#)
- s. 17A functions made exercisable concurrently by [S.I. 2016/653 Sch. 3 para. 3](#)
- s. 17A-17D inserted by [2009 c. 22 s. 45](#)
- s. 17B-17D applied by [2009 c. 22 s. 86\(8\)](#)
- s. 457(4)(i)-(iia) repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 457(4)(iii) words repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 508(4) inserted by [2022 asc 1 Sch. 4 para. 8\(7\)](#)
- s. 537AA inserted by [2008 c. 25 Sch. 1 para. 8](#)
- s. 548(7A)(7B) inserted by [2008 c. 25 Sch. 1 para. 9\(5\)](#)
- s. 578(1) words repealed by [2005 c. 18 Sch. 19 Pt. 1](#)