



# Education Act 1997

## 1997 CHAPTER 44

### PART VII

#### CAREERS EDUCATION AND GUIDANCE

#### **43 Provision of careers education in schools**

- (1) All registered pupils at a school to which this section applies must be provided, during the relevant phase of their education, with a programme of careers education.
- (2) This section applies to—
  - (a) county and voluntary schools;
  - (b) grant-maintained schools;
  - (c) maintained or grant-maintained special schools (other than those established in hospitals);
  - (d) city technology colleges and city colleges for the technology of the arts; and
  - (e) pupil referral units.
- (3) It is the duty of each of the following to secure that subsection (1) is complied with, namely—
  - (a) in the case of a school falling within subsection (2)(a) to (c), the governing body of the school and its head teacher,
  - (b) in the case of a school falling within subsection (2)(d), the proprietors of the school and its head teacher, and
  - (c) in the case of a pupil referral unit, the local education authority maintaining the unit and the teacher in charge of it.
- (4) Each of sections 496 and 497 of the Education Act 1996 (default powers of Secretary of State) shall, in relation to the duty imposed by subsection (3) above, have effect as if any reference to a body to which that section applies included a reference to the proprietors of a school falling within subsection (2)(d) above.
- (5) For the purposes of this section the relevant phase of a pupil's education is the period—

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- (a) beginning at the same time as the school year in which the majority of pupils in his class attain the age of 14; and
  - (b) ending with the expiry of the school year in which the majority of pupils in his class attain the age of 16.
- (6) In this section—
- “career” includes the undertaking of any training, employment or occupation or any course of education;
  - “careers education” means education designed to prepare persons for taking decisions about their careers and to help them implement such decisions;
  - “class”, in relation to a particular pupil, means—
    - (a) the teaching group in which he is regularly taught, or
    - (b) if he is taught in different groups for different subjects, such one of those groups as is designated by the head teacher of the school or, in the case of a pupil at a pupil referral unit, by the teacher in charge of the unit.

#### **44 Schools and other institutions to co-operate with careers advisers**

- (1) Where a careers adviser has responsibilities in relation to persons attending an educational institution to which this section applies, he shall on request be provided with—
- (a) the name and address of every relevant pupil or student at the institution; and
  - (b) any information in the institution’s possession about any such pupil or student which the careers adviser needs in order to be able to provide him with advice and guidance on decisions about his career or with other information relevant to such decisions.
- (2) If the registered address of a parent of any such pupil is different from the pupil’s registered address, subsection (1)(a) requires the parent’s address to be provided as well.
- (3) Paragraph (a) or (as the case may be) paragraph (b) of subsection (1) does not, however, apply to any pupil or student to the extent that—
- (a) (where he is under the age of 18) a parent of his, or
  - (b) (where he has attained that age) he himself,
- has indicated that any information falling within that paragraph should not be provided to the careers adviser.
- (4) Where a careers adviser has responsibilities in relation to persons attending an educational institution to which this section applies, he shall on request be permitted to have, in the case of any relevant pupil or student specified by him, access to that person—
- (a) on the institution’s premises, and
  - (b) at a reasonable time agreed by or on behalf of the head teacher, principal or other head of the institution,
- for the purpose of enabling him to provide that person with advice and guidance on decisions about his career and with any other information relevant to such decisions.
- (5) Such access shall include an opportunity for the careers adviser to interview that person about his career, if he agrees to be so interviewed.

- (6) Where a careers adviser has responsibilities in relation to persons attending an educational institution to which this section applies, he shall on request be permitted to have, in the case of any group of relevant pupils or students specified by him, access—
- (a) to that group of persons in the manner specified in subsection (4)(a) and (b), and
  - (b) to such of the institution’s facilities as can conveniently be made available for his use,
- for the purpose of enabling him to provide those persons with group sessions on any matters relating to careers or to advice or guidance about careers.
- (7) Any request made for the purposes of subsection (1), (4) or (6) must be made in writing to the head teacher, principal or other head of the institution in question.
- (8) This section applies to—
- (a) the schools listed in section 43(2)(a) to (d); and
  - (b) institutions within the further education sector.
- (9) It is the duty of each of the following to secure that subsections (1), (4) and (6) are complied with, namely—
- (a) in the case of a school falling within section 43(2)(a) to (c) or an institution within the further education sector, the governing body of the school or institution and its head teacher, principal or other head, and
  - (b) in the case of a school falling within section 43(2)(d), the proprietors of the school and its head teacher;
- and section 43(4) shall apply in relation to that duty as it applies in relation to the duty imposed by section 43(3).
- (10) For the purposes of this section—
- (a) a pupil at a school is a relevant pupil—
    - (i) at any time during the period which is the relevant phase of his education for the purposes of section 43, or
    - (ii) if he is over compulsory school age and receiving secondary education; and
  - (b) a person is a relevant student at an institution within the further education sector if he is receiving at the institution either—
    - (i) full-time education, or
    - (ii) part-time education of a description commonly undergone by persons in order to fit them for employment.
- (11) For the purposes of this section—
- (a) “careers adviser” means a person who is employed by a body providing services in pursuance of arrangements made or directions given under section 10 of the Employment and Training Act 1973 and who is acting, in the course of his employment by that body, for the purposes of the provision of any such services; and
  - (b) a careers adviser has responsibilities for any persons if his employment by that body includes the provision of any such services for them.
- (12) In this section “career” has the same meaning as in section 43.

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#### **45 Provision of careers information at schools and other institutions**

- (1) Persons attending an educational institution to which this section applies must be provided with access to both—
  - (a) guidance materials, and
  - (b) a wide range of up-to-date reference materials, relating to careers education and career opportunities.
- (2) This section applies to—
  - (a) the schools listed in section 43(2)(a) to (d); and
  - (b) institutions within the further education sector.
- (3) It is the duty of each of the following to secure that subsection (1) is complied with, namely—
  - (a) in the case of a school falling within section 43(2)(a) to (c) or an institution within the further education sector, the governing body of the school or institution and its head teacher, principal or other head, and
  - (b) in the case of a school falling within section 43(2)(d), the proprietors of the school and its head teacher;and section 43(4) shall apply in relation to that duty as it applies in relation to the duty imposed by section 43(3).
- (4) The persons who under subsection (3) above are responsible for discharging that duty in relation to an institution shall seek assistance with discharging it from a body providing services in pursuance of arrangements made or directions given under section 10 of the Employment and Training Act 1973.
- (5) In this section “career” and “careers education” have the same meaning as in section 43.
- (6) Nothing in this section applies to any primary school.

#### **46 Extension or modification of provisions of ss. 43 to 45**

- (1) The Secretary of State may by regulations extend the scope of operation of section 43 or section 44 by substituting for the period specified in section 43(5) or section 44(10) (a)(i) such other period as is specified.
- (2) The Secretary of State may by regulations make provision for extending the scope of operation of section 43, 44 or 45 to primary schools or to any specified description of such schools.
- (3) The Secretary of State may by regulations make provision for requiring—
  - (a) the governing bodies of institutions within the further education sector, and
  - (b) the principals or other heads of such institutions,to secure that a programme of careers education is provided for any specified description of persons attending such institutions.
- (4) The Secretary of State may by regulations amend the definition of “careers adviser” set out in section 44(11)(a).
- (5) In this section—

“careers education” has the same meaning as in section 43;

“specified” means specified in the regulations in question.