

EDUCATION AND SKILLS ACT 2008

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Local education authority

Legal background

Part 1: Duty to participate in education or training: England

Sections 1 and 2: Duty to participate in education or training

14. The first two sections establish a duty on young people to participate in a form of education or training, and set out the young people to whom that duty applies. *Section 2* creates the central duty (“the duty to participate in education or training”) and details the ways in which young people may fulfil that duty. The eligible forms of education or training are:
 - a) appropriate full-time education or training;
 - b) a contract of apprenticeship; or
 - c) part-time education or training towards an accredited qualification as part of full-time occupation or alongside occupation of more than 20 hours a week.
15. *Section 1* sets out the people subject to the duty to participate in education or training. It applies to any person who is resident in England, has ceased to be of compulsory school age but not yet reached the age of 18, and has not attained a prescribed qualification at level 3.