



Apprenticeships, Skills, Children and Learning Act 2009

2009 CHAPTER 22

PART 4

THE CHIEF EXECUTIVE OF SKILLS FUNDING

CHAPTER 1

ESTABLISHMENT AND MAIN DUTIES

Education and training for persons aged 19 or over etc.

86 Education and training for persons aged 19 or over and others subject to adult detention

- (1) The Chief Executive must secure the provision of reasonable facilities for—
 - (a) education suitable to the requirements of persons who are aged 19 or over, other than persons aged under 25 who are subject to learning difficulty assessment,
 - (b) education suitable to the requirements of persons who are subject to adult detention, and
 - (c) training suitable to the requirements of persons within paragraphs (a) and (b).
- (2) This section does not apply to the provision of facilities to the extent that section [F183A or] 87 applies to the provision of those facilities.
- (3) Facilities are reasonable if (taking account of the Chief Executive's resources) their quantity and quality are such that the Chief Executive can reasonably be expected to secure their provision.
- (4) In discharging the duty under subsection (1) the Chief Executive must—

Status: Point in time view as at 01/09/2012. This version of this provision has been superseded.

Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009, Section 86 is up to date with all changes known to be in force on or before 04 April 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)

- (a) take account of the places where facilities are provided, the character of facilities and the way they are equipped;
 - (b) take account of the different abilities and aptitudes of different persons;
 - (c) take account of the education and skills required in different sectors of employment for employees and potential employees;
 - (d) take account of facilities the provision of which the Chief Executive thinks might reasonably be secured by other persons;
 - (e) act with a view to encouraging diversity of education and training available to individuals;
 - (f) act with a view to increasing opportunities for individuals to exercise choice;
 - (g) have regard to the desirability of enabling persons subject to adult detention to continue programmes of education or training which they have begun;
 - (h) have regard to the desirability of the core entitlement^{F2} ... being satisfied for persons subject to adult detention but aged under 19^{F2} ...;
 - (i) make the best use of resources.
- (5) For the purposes of this section a reference to the provision of facilities for education or training (except so far as relating to facilities for persons subject to adult detention) includes a reference to the provision of facilities for organised leisure-time occupation in connection with education or (as the case may be) training.
- (6) For the purposes of this section—
- “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.
- (7) In this Part, “organised leisure-time occupation” means leisure-time occupation, in such organised cultural training and recreational activities as are suited to the requirements of persons who fall within subsection (1)(a) or (b), for any such persons who are able and willing to profit by facilities provided for that purpose.
- [^{F3}(8) Section 17C of the Education Act 1996 (the core entitlement) applies for the purposes of subsection (4)(h).]

Textual Amendments

F1 Words in s. 86(2) inserted (1.9.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), **Sch. 18 para. 7**; S.I. 2012/1087, art. 3

F2 Words in s. 86(4)(h) omitted (15.1.2012) by virtue of [Education Act 2011 \(c. 21\)](#), **ss. 30(8)(a)**, 82(2)(b)

F3 S. 86(8) substituted (15.1.2012) by [Education Act 2011 \(c. 21\)](#), **ss. 30(8)(b)**, 82(2)(b)

Commencement Information

I1 S. 86 in force at 1.4.2010 by [S.I. 2010/303](#), art. 3, **Sch. 2** (with arts. 9-11)

Status:

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