



Learning and Skills Act 2000

2000 CHAPTER 21

PART V

MISCELLANEOUS AND GENERAL

Support for 13 to 19 year olds: England

114 Provision of services

- (1) The Secretary of State may provide or secure the provision of services which he thinks will encourage, enable or assist (directly or indirectly) effective participation by young persons in education or training.
- (2) In securing the provision of those services the Secretary of State may, in particular—
 - (a) make arrangements with local authorities and other persons for the provision of services;
 - (b) direct local education authorities to provide services, to secure the provision of services or to participate in the provision of services.
- (3) Arrangements and directions under subsection (2) may include provision—
 - (a) for grants, loans and other kinds of financial assistance to be provided by the Secretary of State (whether or not on conditions);
 - (b) requiring persons with whom arrangements are made or to whom directions are given to have regard to guidance issued by the Secretary of State.
- (4) In this section “young persons” means persons who have attained the age of 13 but not the age of 20.
- (5) A direction under this section may be revoked or varied by a later direction.

Status: This is the original version (as it was originally enacted).

115 Consultation and coordination

- (1) Before providing or securing the provision of services of the kind mentioned in section 114(1) for residents of a particular place or area, the Secretary of State shall consult each of the following with responsibility for all or part of the place or area—
 - (a) a local authority,
 - (b) a Health Authority,
 - (c) a chief officer of police,
 - (d) a police authority,
 - (e) a probation committee,
 - (f) a youth offending team, and
 - (g) a Primary Care Trust.
- (2) The Secretary of State shall also consult—
 - (a) any voluntary body which provides services for young persons in the place or area concerned and which the Secretary of State thinks it appropriate to consult, and
 - (b) such other persons as he thinks appropriate.
- (3) Subsection (4) applies where the Secretary of State—
 - (a) provides or proposes to provide, or
 - (b) secures or proposes to secure the provision of,services of the kind mentioned in section 114(1) for the residents of a particular place or area.
- (4) Where this subsection applies, persons and bodies listed in subsection (1) with responsibility for all or part of that place or area shall—
 - (a) exercise their functions so as to support and assist the services provided, secured or proposed by the Secretary of State, and
 - (b) coordinate the exercise of their functions, so far as seems reasonable, with persons providing those services.
- (5) Subsection (4) shall not require persons or bodies to take action which would significantly interfere with the efficient or effective exercise of their functions.

116 Local education authorities

- (1) A local education authority—
 - (a) may enter into arrangements under section 114(2)(a) for the provision of services of the kind mentioned in section 114(1),
 - (b) shall comply with a direction given to it under section 114(2)(b), and
 - (c) may provide, secure the provision of or participate in the provision of services of the kind mentioned in section 114(1) otherwise than in accordance with paragraph (a) or (b).
- (2) Action which a local education authority takes in pursuance of subsection (1) may relate to services for a person from another area.
- (3) For the purpose of subsection (1) a local education authority may—
 - (a) incur expenditure;
 - (b) form companies;
 - (c) employ officers;

- (d) enter into agreements for the supply of goods or services;
 - (e) do anything else which they consider necessary or expedient.
- (4) Nothing in or done under section 114 shall prejudice any power of a local education authority to provide services or incur expenditure.

117 Educational institutions: information and access

- (1) Where a person is involved in the provision of services in pursuance of section 114(1), an educational institution to which this section applies shall, for the purpose of the provision of those services—
- (a) provide him on request with the name and address of a pupil or student;
 - (b) provide him on request with the name and address of a parent of a pupil or student;
 - (c) provide him on request with information in the institution's possession about a pupil or student;
 - (d) permit him to have access to a pupil or student on the institution's premises at reasonable times;
 - (e) make available to him, so far as is reasonably convenient, facilities on the institution's premises for providing services to individual pupils or students or groups of pupils or students.
- (2) Information shall not be provided under subsection (1)(c)—
- (a) in the case of a pupil or student who has not attained the age of 16, if a parent of his has instructed the institution not to provide information of that kind under this section, or
 - (b) in the case of a pupil or student who has attained the age of 16, if he has instructed the institution not to provide information of that kind under this section.
- (3) This section applies to the following institutions—
- (a) community, foundation and voluntary schools,
 - (b) community or foundation special schools (other than those established in hospitals),
 - (c) city technology colleges, city colleges for the technology of the arts and city academies,
 - (d) pupil referral units,
 - (e) institutions within the further education sector, and
 - (f) institutions in receipt of funding from the Learning and Skills Council for England.

118 Inspection

- (1) Her Majesty's Chief Inspector of Schools in England—
- (a) shall advise the Secretary of State on request about matters relating to services provided in pursuance of section 114(1),
 - (b) may give the Secretary of State other advice about those matters,
 - (c) shall, when requested to do so by the Secretary of State, inspect and report on the provision of those services, and

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- (d) may undertake such other inspections of the provision of those services as he thinks fit.
- (2) A request under subsection (1)(c)—
 - (a) may be general or in relation to specific matters,
 - (b) may relate to a specific person or institution providing services, or to a specific class of person or institution, and
 - (c) may relate to a specific area.
- (3) A reference in subsection (1) to the provision of services includes a reference to the management and use of resources in providing services.
- (4) Subsections (5) to (7) apply to an inspection under subsection (1)(c) or (d) of services provided by a person or institution in pursuance of section 114(1).
- (5) A person carrying out or participating in the inspection shall have the same powers as an Inspector of Schools under the following provisions of the School Inspections Act 1996—
 - (a) section 3(3)(a) and (b) (right of access), and
 - (b) section 42 (computer records).
- (6) Section 42A of the 1996 Act (publication of reports) shall apply.
- (7) A person who wilfully obstructs a person in carrying out or participating in the inspection—
 - (a) shall be guilty of an offence, and
 - (b) shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.

119 Information: supply by Secretary of State

- (1) The Secretary of State may supply information, including social security information, to any civil servant or other person for the purpose of the provision of services of the kind mentioned in section 114(1).
- (2) In this section “social security information” means personal information about a young person which is obtained by the Secretary of State in the course of the exercise of a function under—
 - (a) the Social Security Contributions and Benefits Act 1992, or
 - (b) the Social Security Administration Act 1992.
- (3) For the purposes of subsection (2) “personal information” means, in relation to a young person—
 - (a) his name, address and date of birth, and
 - (b) the name and address of a parent of his.
- (4) A person commits an offence if he discloses information supplied to him under subsection (1) unless the disclosure is made—
 - (a) for the purpose of the provision of services in pursuance of section 114(1),
 - (b) in accordance with an enactment or an order of a court,
 - (c) for the purpose of actual or contemplated proceedings before a court,
 - (d) with consent given by or on behalf of the person to whom the information relates, or

- (e) in such a way as to prevent the identification of the person to whom it relates.
- (5) It is a defence for a person charged with an offence under this section to prove that he reasonably believed that his disclosure was lawful.
- (6) A person guilty of an offence under this section shall be liable—
 - (a) on conviction on indictment, to imprisonment for a term not exceeding two years, to a fine or to both, or
 - (b) on summary conviction, to imprisonment for a term not exceeding six months, to a fine not exceeding the statutory maximum or to both.

120 Information: supply by public bodies

- (1) For the purpose of the provision of services in pursuance of section 114(1), any of the persons or bodies mentioned in subsection (2) may supply information about a young person—
 - (a) to the Secretary of State;
 - (b) to any other person or body involved in the provision of those services.
- (2) Those persons and bodies are—
 - (a) a local authority,
 - (b) a Health Authority,
 - (c) the Learning and Skills Council for England,
 - (d) a chief officer of police,
 - (e) a probation committee,
 - (f) a youth offending team, and
 - (g) a Primary Care Trust.

121 Supplementary

- (1) In sections 114 to 120—
 - “local authority” has the meaning given by section 579(1) of the Education Act 1996 (interpretation),
 - “Health Authority” has the meaning given by section 8 of the National Health Service Act 1977,
 - “parent”, in relation to a child, means a person who has parental responsibility for him within the meaning of section 3 of the Children Act 1989,
 - “probation committee” means a committee established under section 3 of the Probation Service Act 1993,
 - “police authority” has the meaning given by section 101 of the Police Act 1996,
 - “young person” has the meaning given by section 114(4), and
 - “youth offending team” means a team established under section 39 of the Crime and Disorder Act 1998.
- (2) The power under section 114 shall not be used to provide or secure the provision of services outside England.

122 Careers services

The following shall be inserted after section 10A of the Employment and Training Act 1973 (careers services)—

“10B Inspection

- (1) Her Majesty’s Chief Inspector of Schools in England—
 - (a) shall advise the Secretary of State on request about matters relating to services provided in England in pursuance of section 8 or 9,
 - (b) may give the Secretary of State other advice about those matters,
 - (c) shall, when requested to do so by the Secretary of State, inspect and report on the provision of those services by any person or institution, and
 - (d) may undertake such other inspections of the provision of those services by persons or institutions as he thinks fit.
- (2) A request under subsection (1)(c)—
 - (a) may be general or in relation to specific matters,
 - (b) may relate to a specific person or institution providing services, or to a specific class of person or institution, and
 - (c) may relate to a specific area.
- (3) An inspection under subsection (1)(c) or (d) may not relate to services provided for persons who have attained the age of 20.
- (4) A reference in subsection (1) to the provision of services includes a reference to the management and use of resources in providing services.
- (5) Subsections (6) to (8) apply to an inspection under subsection (1)(c) or (d) of services provided in pursuance of arrangements under section 10(1) of this Act.
- (6) A person carrying out or participating in the inspection shall have the same powers as an Inspector of Schools under the following provisions of the School Inspections Act 1996—
 - (a) section 3(3)(a) and (b) (right of access), and
 - (b) section 42 (computer records).
- (7) Section 42A of the 1996 Act (publication of reports) shall apply.
- (8) A person who wilfully obstructs a person in carrying out or participating in the inspection—
 - (a) shall be guilty of an offence, and
 - (b) shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.”