



Education and Skills Act 2008

2008 CHAPTER 25

PART 1

DUTY TO PARTICIPATE IN EDUCATION OR TRAINING: ENGLAND

CHAPTER 5

ATTENDANCE NOTICES

Attendance notices

46 Attendance notice

- (1) This section applies where—
 - (a) a local education authority has given a notice to a person under section 45(2),
 - (b) this Part still applies to the person, and
 - (c) at any time after the date specified in the notice under section 45(2)(b), it appears to the local education authority that the person is, without reasonable excuse, failing to fulfil the duty imposed by section 2.
- (2) The local education authority may, before the end of the period of 6 months beginning with the day on which the notice under section 45(2) was given to the person, give the person a further notice in accordance with this section (an “attendance notice”) requiring the person to participate in education or training specified in the notice.
- (3) Subsections (6) and (7) of section 45 apply in relation to the giving of attendance notices as they apply in relation to the giving of notices under subsection (2) of that section.
- (4) The education or training specified under subsection (2) must satisfy section 47.
- (5) Where the education or training specified is education or training provided by means of a course, the attendance notice must specify—

Status: This is the original version (as it was originally enacted).

- (a) the school, college or other training or educational establishment at which the education or training is to be provided, and
 - (b) the name and description of the course.
- (6) Where the education or training specified is training provided in accordance with a contract of apprenticeship otherwise than by a course, the attendance notice must specify prescribed details of the contract of apprenticeship.
- (7) An attendance notice given to a person must specify—
 - (a) the place or places at which the person is required to attend,
 - (b) the time or times at which the person is required to attend,
 - (c) the person or persons to whom the person must present himself or herself,and may specify other prescribed requirements relating to the description of education or training specified in the notice.
- (8) An attendance notice must state—
 - (a) the period for which the notice has effect,
 - (b) the consequences of failing to comply with any requirement imposed by the notice, and
 - (c) such other matters as may be prescribed.
- (9) An attendance notice given by a local education authority to a person has effect for the period beginning with the day on which it is given and ending with—
 - (a) the last day on which the person is a person to whom this Part applies, or
 - (b) if earlier, the day on which it is revoked.