



# Education and Skills Act 2008

## 2008 CHAPTER 25

### PART 2

#### SUPPORT FOR PARTICIPATION IN EDUCATION OR TRAINING: YOUNG ADULTS WITH LEARNING DIFFICULTIES AND YOUNG PEOPLE IN ENGLAND

##### *Provision of support services*

#### **76 Supply of social security information relating to young persons**

- (1) Social security information may be supplied to a local education authority or other person involved in the provision of services for young persons in pursuance of section 68 or 70(1)(b) for the purpose of the provision of those services.
- (2) In this section “social security information” means personal information about a young person which is held for the purposes of functions relating to social security—
  - (a) by the Secretary of State, or
  - (b) by a person providing services to the Secretary of State in connection with the provision of those services.
- (3) For the purposes of subsection (2) “personal information”, in relation to a young person, means—
  - (a) the person’s name, address and date of birth, and
  - (b) the name and address of a parent of the young person.
- (4) A person to whom information is supplied under subsection (1) commits an offence by disclosing the information unless the disclosure is made—
  - (a) for the purpose of the provision of services in pursuance of section 68 or 70(1)(b),
  - (b) for the purpose of enabling or assisting the exercise of any function of a local education authority under Part 1,
  - (c) in accordance with section 17 or any other enactment or an order of a court or tribunal,

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*Status: This is the original version (as it was originally enacted).*

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- (d) for the purpose of actual or contemplated proceedings before a court or tribunal,
  - (e) with consent given by or on behalf of the person to whom the information relates, or
  - (f) 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 relating to a disclosure to prove that the person reasonably believed that the disclosure was lawful.
- (6) A person guilty of an offence under this section is liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding 2 years, to a fine or to both, or
  - (b) on summary conviction, to imprisonment for a term not exceeding 12 months, to a fine not exceeding the statutory maximum, or to both.
- (7) In subsection (6)(b) the reference to 12 months is to be read in relation to an offence committed before the commencement of section 282 of the Criminal Justice Act 2003 (c. 44) (increase in maximum term that may be imposed on summary conviction of offence triable either way) as a reference to 6 months.