



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

Careers education

81 Careers education: information and advice

- (1) Part 7 of the Education Act 1997 (c. 44) (careers education and guidance) is amended as follows.
- (2) In section 43 (provision of careers education in schools)—
 - (a) after subsection (2) insert—

“(2A) Subsection (2B) applies where, in the course of a programme of careers education provided, in pursuance of subsection (1), to registered pupils at a school in England falling within subsection (2) (a), (c) or (e), information or advice is given which—

 - (a) relates to any options available in respect of 16-18 education or training, or otherwise relates to the pursuit of particular careers (at any age), or
 - (b) relates to decisions or other steps to be taken in connection with any such options or careers.
 - (2B) Any such information must be presented in an impartial manner, and—
 - (a) any such advice must be advice which the person giving it considers will promote the best interests of the pupils concerned, and
 - (b) accordingly, in giving the advice, that person must not seek to promote, contrary to the pupils' best interests, the interests or aspirations of the school or of other persons or institutions.”;

(b) in subsection (3), after “subsection (1)” insert “(and, where applicable, subsection (2B))”;

(c) in subsection (6), at the end insert—

““16-18 education or training” means education or training suitable to the requirements of persons who have ceased to be of compulsory school age but have not attained the age of 18;

“training”, in connection with registered pupils at schools in England, includes a voluntary or other placement apt to enable the development of any skill or competency (whether or not taking place at a time when the person concerned is still such a pupil).”

(3) In section 45 (provision of careers information at schools etc.)—

(a) at the end of subsection (2) insert—

“and, in the case of any such school in England, the reference in subsection (1) to persons attending it is a reference to persons who are registered pupils there.”;

(b) after subsection (2) insert—

“(2A) Subsection (2B) applies where registered pupils at a school in England falling within section 43(2)(a) or (c) are provided, in pursuance of subsection (1), with access to materials of the kinds mentioned in that subsection.

(2B) The materials, taken as a whole, must present the pupils with (so far as relevant to them) a full range of—

(a) options available in respect of 16-18 education or training, and

(b) other options available to them (at any age) in terms of career opportunities,

and must not unduly promote any particular options over any others.”;

(c) in subsection (3), after “subsection (1)” insert “(and, where applicable, subsection (2B))”;

(d) in subsection (5), for “and careers education” substitute “, “careers education” and “16-18 education or training””.

(4) After section 45 insert—

“45A Guidance as to discharge of duties

(1) The persons responsible for discharging a relevant duty in relation to a school in England falling within section 43(2)(a), (c) or (e) must, in discharging the duty, have regard to any guidance given from time to time by the Secretary of State.

(2) A “relevant duty” means a duty under any of sections 43(3), 44(9) and 45(3).”