



Education and Skills Act 2008

2008 CHAPTER 25

PART 1

DUTY TO PARTICIPATE IN EDUCATION OR TRAINING: ENGLAND

CHAPTER 1

YOUNG PERSONS

Duty to participate in education or training

1 Persons to whom Part 1 applies

This Part applies to any person who is resident in England and who—

- (a) has ceased to be of compulsory school age,
- (b) has not reached the age of 18, and
- (c) has not attained a level 3 qualification (see section 3).

Modifications etc. (not altering text)

- C1** Pt. 1 Ch. 1 modified (28.6.2013) by [The Duty to Participate in Education or Training \(Miscellaneous Provisions\) Regulations 2013 \(S.I. 2013/1205\)](#), regs. 1(1), **8**

Commencement Information

- I1** S. 1 in force at 28.6.2013 with the substitution of the words “the first anniversary of the date on which the person ceased to be of compulsory school age” for “the age of 18” in s. 1(b) by [S.I. 2013/1204](#), **art. 2(a)**
- I2** S. 1 in force at 26.6.2015 in so far as not already in force by [S.I. 2013/1204](#), **art. 3**

Changes to legislation: *Education and Skills Act 2008, Cross Heading: Duty to participate in education or training is up to date with all changes known to be in force on or before 25 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) View outstanding changes*

2 Duty to participate in education or training

- (1) A person to whom this Part applies must—
- (a) be participating in appropriate full-time education or training (see section 4),
 - (b) be participating in training in accordance with a contract of apprenticeship [^{F1}or an apprenticeship agreement], or
 - (c) both—
 - (i) be in full-time occupation (see section 5), and
 - (ii) participate in sufficient relevant training or education in each relevant period (see sections 6 to 8).
- (2) For the purposes of this Part, a person who is in full-time occupation is to be taken to be participating in sufficient relevant training or education at any particular time if—
- (a) arrangements have been made (whether by means of enrolment on a course or courses, or otherwise) for the person to receive sufficient relevant training or education during the current relevant period, and
 - (b) where the arrangements call for the person to be participating in training or education at the time, the person is so participating.

Textual Amendments

- F1** Words in s. 2(1)(b) inserted (6.4.2011) by [Apprenticeships, Skills, Children and Learning Act 2009 \(c. 22\)](#), **ss. 37(2)**, 269(4); S.I. 2011/200, art. 3

Modifications etc. (not altering text)

- C1** Pt. 1 Ch. 1 modified (28.6.2013) by [The Duty to Participate in Education or Training \(Miscellaneous Provisions\) Regulations 2013 \(S.I. 2013/1205\)](#), regs. 1(1), **8**

Commencement Information

- I3** S. 2 in force at 28.6.2013 by [S.I. 2013/1204](#), **art. 2(b)**

Changes to legislation:

Education and Skills Act 2008, Cross Heading: Duty to participate in education or training is up to date with all changes known to be in force on or before 25 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.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 91(3)(c) inserted by [2022 asc 1 Sch. 4 para. 22\(3\)](#)