



# Apprenticeships, Skills, Children and Learning Act 2009

## 2009 CHAPTER 22

### PART 2

#### LEA FUNCTIONS

##### *The core and additional entitlements*

#### 45 Duties in relation to the core and additional entitlements

After section 17 of the [Education Act 1996 \(c. 56\)](#) insert—

##### *“The core and additional entitlements: England*

#### **17A Duties in relation to the core and additional entitlements**

- (1) A local education authority in England must exercise their functions in such a way as to secure that the core entitlement and the additional entitlement are satisfied in relation to persons in their area who are over compulsory school age but under 19.
- (2) A local education authority in England must exercise their functions with a view to securing that courses of study within all the additional entitlement areas are made available to persons in their area who are over compulsory school age but under 19.
- (3) Subsection (2) does not apply to the extent that an authority decide that making available a course of study within a particular entitlement area would involve disproportionate expenditure.
- (4) An authority may comply with subsection (2) by securing that courses of study are available either within or outside their area.

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*Status: This is the original version (as it was originally enacted).*

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- (5) Subsection (2) does not entitle a person—
- (a) to follow a course of study within a particular additional entitlement area, or
  - (b) to follow more than one course of study within different additional entitlement areas.
- (See section 17D for provision conferring entitlement in relation to the additional entitlement areas.)
- (6) In exercising their functions as required by this section, a local education authority in England must have regard to any guidance given from time to time by the Secretary of State.
- (7) In this section—
- “additional entitlement area” has the meaning given by section 17D(2);
  - “the additional entitlement” has the meaning given by section 17D;
  - “the core entitlement” has the meaning given by section 17C.
- (8) In this section and sections 17C and 17D “course of study” means a course of education or training leading to a qualification specified, or a qualification of a description specified, by the Secretary of State by order for the purposes of this subsection.
- (9) The references in subsections (1) and (2) to persons in a local education authority’s area who are over compulsory school age but under 19 do not include persons who are subject to a detention order.

### **17B Entitlement to education and training for 16 to 18 year olds**

A person who is over compulsory school age but under 19 may elect for either or both of—

- (a) the core entitlement (see section 17C), and
- (b) the additional entitlement (see section 17D).

### **17C The core entitlement**

- (1) The core entitlement is an entitlement to follow a course of study in each of the core subjects chosen by the person electing for the entitlement (the “chosen core subjects”).
- (2) The core subjects are—
- (a) mathematics;
  - (b) English;
  - (c) information and communication technology.
- (3) The core entitlement is satisfied in relation to a person if a course of study in each of the chosen core subjects is made available to the person at a school or institution.
- (4) A person’s entitlement to follow a course of study in one of the chosen core subjects ceases if—
- (a) a course of study in the subject is made available to the person, but

- (b) the person does not begin the course of study before reaching the age of 19.

#### **17D The additional entitlement**

- (1) The additional entitlement is an entitlement to follow a course of study in an additional entitlement area.
- (2) An additional entitlement area is an area specified by the Secretary of State by order for the purposes of this subsection.
- (3) The additional entitlement is satisfied in relation to a person if a course of study in one of the additional entitlement areas is made available to the person at a school or institution.
- (4) A person's entitlement to follow a course of study in an additional entitlement area ceases if—
  - (a) a course of study in the additional entitlement area is made available to the person, but
  - (b) the person does not begin the course of study before reaching the age of 19.”