

EXPLANATORY MEMORANDUM TO
THE EDUCATION ACT 1996 (AMENDMENT OF SECTION 19) (ENGLAND)
REGULATIONS 2007
2007 No.1507

1. This explanatory memorandum has been prepared by the Department for Education and Skills and is laid before Parliament by Command of Her Majesty.

This memorandum contains information for the Joint Committee on Statutory Instruments.

2. **Description**

- 2.1 These Regulations amend the definition of ‘Pupil Referral Units’ (PRUs) in section 19 of the Education Act 1996.

3. **Matters of special interest to the Joint Committee on Statutory Instruments**

- 3.1 None.

4. **Legislative Background**

- 4.1 Section 19 of the Education Act 1996 (*exceptional provision of education in pupil referral units or otherwise*) defines PRUs.

- 4.2 Subsection (1) requires every local education authority (LEA) to make arrangements for the provision of suitable education, at school or otherwise than at school, for children of compulsory school age who because of, for example, illness or exclusion from school, would not otherwise receive suitable education.

- 4.3 Subsection (2) provides that a school established and maintained by a LEA which is specially organised to provide education for such children, and “is not a county school or a special school”, shall be known as a PRU.

- 4.4 The School Standards and Framework Act 1998 (section 20) introduced a new categorisation of maintained schools, under which “community” schools were substituted for “county” schools. The consequential amendments effected by the SSFA did not include an amendment to the wording of section 19.

5. **Territorial Extent and Application**

- 5.1 This instrument applies to England.

6. European Convention on Human Rights

The Minister of State for Schools has made the following statement regarding Human Rights:

In my view the provisions of The Education Act 1996 (Amendment of Section 19) (England) Regulations 2007 are compatible with the Convention rights.

7. Policy background

7.1 There is no relevant policy background. These Regulations correct an oversight in previous legislation.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

9. Contact

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