



# Education Act 1997

## 1997 CHAPTER 44

### PART VII

#### CAREERS EDUCATION AND GUIDANCE

##### **[<sup>F1</sup>42B Information about technical education: access to English schools**

- (1) The proprietor of a school in England within subsection (2) must ensure that there [<sup>F2</sup>are opportunities] for a range of education and training providers to access registered pupils during the relevant phase of their education for the purpose of informing them about approved technical education qualifications or apprenticeships.

[ In complying with subsection (1), the proprietor must give access to registered pupils <sup>F3</sup>(1A) on at least two occasions during each of the first, second and third key phase of their education.]

- (2) A school is within this subsection if it provides secondary education and is one of the following—
- (a) an Academy;
  - (b) an alternative provision Academy;
  - (c) a community, foundation or voluntary school;
  - (d) a community or foundation special school (other than one established in a hospital);
  - (e) a pupil referral unit.

[ The proprietor of a school in England within subsection (2) must— <sup>F4</sup>(2A) (a) ensure that, during each of the first and second key phases of the education of each registered pupil—

- (i) on at least two occasions the pupil meets at least one provider to whom access is given (or any other number of such providers that may be specified for the purposes of that key phase by regulations under subsection (8)), and
- (ii) the pupil does not meet exactly the same provider or providers on each of those occasions, and

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- (b) ask providers to whom access is given to provide information that includes the following—
    - (i) information about the provider and the approved technical education qualifications or apprenticeships that the provider offers,
    - (ii) information about the careers to which those technical education qualifications or apprenticeships might lead,
    - (iii) a description of what learning or training with the provider is like, and
    - (iv) responses to questions from the pupils about the provider or approved technical education qualifications and apprenticeships.
- (2B) Access given under subsection (1) must be for a reasonable period of time during the standard school day.]
- (3) The proprietor of a school in England within subsection (2) must prepare a policy statement setting out the circumstances in which education and training providers will be given access to registered pupils for the purpose of informing them about approved technical education qualifications or apprenticeships.
- (4) The proprietor must ensure that the policy statement is followed.
- (5) The policy statement must include—
- (a) any procedural requirements in relation to requests for access;
  - (b) grounds for granting and refusing requests for access;
  - (c) details of premises or facilities to be provided to a person who is given access <sup>F5</sup>and the times at which the access is to be given;]
  - [ an explanation of how the proprietor proposes to comply with the obligations <sup>F6</sup>(d) imposed under subsection (2A).]
- (6) The proprietor may revise the policy statement from time to time.
- (7) The proprietor must publish the policy statement and any revised statement.
- (8) The Secretary of State may by regulations make provision supplementing subsection (1) <sup>F7</sup>or (2A)], for example provision about who is to be given access to pupils, to which pupils they are to be given access and how and when.
- (9) For the purposes of this section the relevant phase of a pupil's education is the period—
- (a) beginning at the same time as the school year in which the majority of pupils in the pupil's class attain the age of 13, and
  - (b) ending with the expiry of the school year in which the majority of pupils in the pupil's class attain the age of 18.
- [ For the purposes of this section—
- <sup>F8</sup>(9A) (a) the first key phase of a pupil's education is the period—
- (i) beginning at the same time as the school year in which the majority of pupils in the pupil's class attain the age of 13, and
  - (ii) ending with 28 February in the following school year;
- (b) the second key phase of a pupil's education is the period—
- (i) beginning at the same time as the school year in which the majority of pupils in the pupil's class attain the age of 15, and
  - (ii) ending with 28 February in the following school year;
- (c) the third key phase of a pupil's education is the period—

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- (i) beginning at the same time as the school year in which the majority of pupils in the pupil’s class attain the age of 17, and
- (ii) ending with 28 February in the following school year.]

(10) In this section “approved technical education qualification” means a qualification approved under section [F<sup>9</sup>A2D3 or A2D5] of the Apprenticeships, Skills, Children and Learning Act 2009.]

#### Textual Amendments

- F1** S. 42B inserted (2.1.2018) by [Technical and Further Education Act 2017 \(c. 19\)](#), **ss. 2(2)**, 47(2); S.I. 2017/1055, reg. 3(c)
- F2** Words in s. 42B(1) substituted (1.1.2023) by [Skills and Post-16 Education Act 2022 \(c. 21\)](#), **ss. 14(2)**, 36(3); S.I. 2022/1349, reg. 2
- F3** S. 42B(1A) inserted (1.1.2023) by [Skills and Post-16 Education Act 2022 \(c. 21\)](#), **ss. 14(3)**, 36(3); S.I. 2022/1349, reg. 2
- F4** S. 42B(2A)(2B) inserted (1.1.2023) by [Skills and Post-16 Education Act 2022 \(c. 21\)](#), **ss. 14(4)**, 36(3); S.I. 2022/1349, reg. 2
- F5** Words in s. 42B(5)(c) inserted (1.1.2023) by [Skills and Post-16 Education Act 2022 \(c. 21\)](#), **ss. 14(5)(a)**, 36(3); S.I. 2022/1349, reg. 2
- F6** S. 42B(5)(d) inserted (1.1.2023) by [Skills and Post-16 Education Act 2022 \(c. 21\)](#), **ss. 14(5)(b)**, 36(3); S.I. 2022/1349, reg. 2
- F7** Words in s. 42B(8) inserted (1.1.2023) by [Skills and Post-16 Education Act 2022 \(c. 21\)](#), **ss. 14(6)**, 36(3); S.I. 2022/1349, reg. 2
- F8** S. 42B(9A) inserted (1.1.2023) by [Skills and Post-16 Education Act 2022 \(c. 21\)](#), **ss. 14(7)**, 36(3); S.I. 2022/1349, reg. 2
- F9** Words in s. 42B(10) substituted (30.9.2022) by [Skills and Post-16 Education Act 2022 \(c. 21\)](#), **ss. 12(10)**, 36(3); S.I. 2022/965, reg. 3(7) (with regs. 4, 5)

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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. 24(2)(ga) inserted by [2008 c. 25 s. 161\(3\)\(b\)](#) (This amendment not applied to legislation.gov.uk. S. 161(3)(4)(11)-(13) repealed (1.4.2010 for E., 1.11.2010 for W.) without ever being in force by 2009 c. 22, Sch. 16 Pt. 4; S.I. 2010/1151, art. 2, Sch. 1; S.I. 2010/2413, art. 2)
- s. 24(2B)-(2D) inserted by [2008 c. 25 s. 9](#) (This amendment not applied to legislation.gov.uk. S. 9 repealed (31.5.2013) without ever being in force by 2009 c. 22 Sch. 16 Pt. 4; S.I. 2013/975, art. 2(c))
- s. 26A(1)(1A) substituted for s. 26A(1) by [2008 c. 25 s. 161\(11\)](#) (This amendment not applied to legislation.gov.uk. S. 161(3)(4)(11)-(13) repealed (1.4.2010 for E., 1.11.2010 for W.) without ever being in force by 2009 c. 22, Sch. 16 Pt. 4; S.I. 2010/1151, art. 2, Sch. 1; S.I. 2010/2413, art. 2)
- s. 26A(4)(5) inserted by [2008 c. 25 s. 161\(13\)](#) (This amendment not applied to legislation.gov.uk. S. 161(3)(4)(11)-(13) repealed (1.4.2010 for E., 1.11.2010 for W.) without ever being in force by 2009 c. 22, Sch. 16 Pt. 4; S.I. 2010/1151, art. 2, Sch. 1; S.I. 2010/2413, art. 2)
- s. 38(2B) inserted by [2022 asc 1 Sch. 4 para. 9\(3\)\(b\)](#)
- s. 39(1)(b)(c) substituted for s. 39(1)(b) by [2022 asc 1 Sch. 4 para. 9\(4\)\(b\)](#)
- s. 43(2ZA)(2ZB) inserted by [2009 c. 22 s. 250\(2\)](#) (This amendment not applied to legislation.gov.uk. S. 250 omitted (1.9.2012) by virtue of 2011 c. 21, s. 29(9)(d); S.I. 2012/1087, art. 3)