



# Children, Schools and Families Act 2010

## 2010 CHAPTER 26

### PART 1

#### CHILDREN AND SCHOOLS

##### *Exceptional provision for ill or excluded children etc*

### **3 Exceptional provision of education in short stay schools or elsewhere**

(1) Section 19 of EA 1996 (exceptional provision of education in short stay schools or elsewhere) is amended as follows.

(2) After subsection (1) there is inserted—

“(1A) In relation to England, subsection (1) does not apply in the case of a child—

- (a) who will cease to be of compulsory school age within the next six weeks, and
- (b) does not have any relevant examinations to complete.

In paragraph (b) “relevant examinations” means any public examinations or other assessments for which the child has been entered.”

(3) For subsection (3A) there is substituted—

“(3A) In relation to England, the education to be provided for a child in pursuance of arrangements made by a local authority under subsection (1) shall be—

- (a) full-time education, or
- (b) in the case of a child within subsection (3AA), education on such part-time basis as the authority consider to be in the child's best interests.

(3AA) A child is within this subsection if the local authority consider that, for reasons which relate to the physical or mental health of the child, it would not be in the child's best interests for full-time education to be provided for the child.”

(4) In subsection (3B)—

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**Changes to legislation:** There are currently no known outstanding effects for the Children, Schools and Families Act 2010, Cross Heading: Exceptional provision for ill or excluded children etc. (See end of Document for details)

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- (a) for “The education referred to in subsection (3A)” there is substituted “Regulations may provide that the education to be provided for a child in pursuance of arrangements made by a local authority in England under subsection (1) ”;
- (b) for “regulations” there is substituted “ the regulations ”.

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**Commencement Information**

**II** S. 3 in force at 1.9.2011 by S.I. 2011/1100, art. 2

**Changes to legislation:**

There are currently no known outstanding effects for the Children, Schools and Families Act 2010, Cross Heading: Exceptional provision for ill or excluded children etc.