



Education (Scotland) Act 1980

CHAPTER 44

EDUCATION (SCOTLAND) ACT 1980

PART I

PROVISION OF EDUCATION BY EDUCATION AUTHORITIES

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- 1 Duty of education authorities to secure provision of education.
- 2 Secretary of State may prescribe standards, etc., for education authorities.
- 2A Assessment of secondary school pupils.
- 3 Fees not to be charged in public schools, etc: exceptions.
- 4 Duty of education authorities to provide child guidance service.
- 5
- 6 Social activities, physical education, etc.
- 7 Provision of educational facilities to be in accordance with schemes.
- 8 Religious instruction.
- 9 Conscience clause.
- 10 Safeguards for religious beliefs.
- 11 Provision of books, materials and special clothing free of charge.
- 12 Library service.
- 13 Provision of hotels.
- 14 Power to provide education elsewhere than at an educational establishment.
- 14ZA Meaning of pupil in sections 12 to 14.
- 14A Education in social work establishments.

Transference of schools to education authorities

- 15 Transference of endowed schools to education authorities.

Status: Point in time view as at 01/04/1996.

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- 16 Transference of denominational schools to education authorities.

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- 17 Provision, maintenance and equipment of schools and other buildings.
18 Improvements as to premises of educational establishments for the safety of pupils.
19 Power of Secretary of State to prescribe standards for premises, etc., of educational establishments.
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- 21 Management of denominational schools.

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- 22 Discontinuance and moves of educational establishments.

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28D Appeal committees.
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28G Application of sections 28A to 28F and Schedule A1 to young persons.

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- 28H Reference to appeal committee, and appeal therefrom of decision to exclude pupil.

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- 28I Information as to schools.
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- 29

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- 30 Duty of parents to provide education for their children.
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- 37 Power of education authority where not satisfied that parent is providing efficient education for his child.

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- 38 Making of attendance orders.
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- 40 Period of operation of attendance orders.
- 41 Failure to comply with attendance order.

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- 42 Reasonable excuses.

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- 43 Prosecutions and penalties.
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- 48A Abolition of corporal punishment of pupils.

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- 49 Power of education authorities to assist persons to take advantage of educational facilities.
- 50 Education of pupils in exceptional circumstances.
- 51 Provision of transport and other facilities.
- 52 Recovery of cost of board and lodging.

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Provision of food and clothing

- 53 Provision of school meals.
- 54 Provision of clothing for pupils at public schools.
- 55 Provision of food and clothing for pupils at schools other than public schools.
- 56 Condition of provision of clothing by education authorities.

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- 57 Medical and dental examination and inspection.
- 58 Power to ensure cleanliness.

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- 61 Examination and assessment of children and young persons.
- 62 Recording of children and young persons.
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- 64 Provisions supplementary to section 63.
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- 65G Attendance of certain children and young persons with special educational needs at establishments outwith United Kingdom.

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- 68 Power to require submission to medical examination.
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- 70 Powers to enforce duty of education authorities and other persons.

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- 71 Advisory councils.

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- 72 Expenses of Secretary of State.
- 73 Power of Secretary of State to make grants to education authorities and others.

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- 73A Transfer or delegation of functions relating to student support.
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- 73E Supply of information in connection with student loans.
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- 75 Examination of accounts.
- 75A Assisted places at grant-aided and independent schools.
- 75B Incidental expenses of and provision for pupils holding assisted places.
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- 77 Power of Secretary of State to make regulations with respect to certain institutions providing further education.

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- 78 Appointment of director of education.

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- 79 Education authorities may receive and administer bequests.
- 80 Funds for behalf of public schools etc., to be transferred to education authorities.
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- 87B Selection of teachers.
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- 91 Committee to consider pay and conditions of teaching staff employed in providing school education.
- 92 Composition of committee established under section 91.
- 93 Publication of settlements and awards in relation to teaching staff employed in providing school education.
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- 110 Provisions as to beneficiaries and teachers.
- 111 Accounts and audit of educational endowments.
- 112 Procedure in preparation of reorganisation schemes.
- 113
- 114 Effect of schemes.
- 115, 116
- 117 Cost of publishing scheme, etc.
- 118 Information by governing bodies.
- 118A Income plans under schemes.
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- 121 Judgment of Court of Session final.
- 122 Interpretation of Part VI.

PART VII

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- 123 Work experience in last year of compulsory schooling.
- 124
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Children and young persons in accommodation

- 125A Welfare of children and young persons in accommodation provided for purposes of school attendance.

Careers services of education authorities

- 126 Provision of services by education authorities.
127 Records of vocational advice.
128 Control of education authorities by Secretary of State.

Examinations Board

- 129 Establishment of Board to conduct examinations, etc.

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- 130 Saving as to persons in the service of the Crown.
131 Saving as to persons suffering from mental disorder and persons detained by order.
131A Consent of child to medical procedures

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- 132 Amendment of enactments.
133 Regulations, etc.
134 Notices.
135 Interpretation.
136 Transitional and savings provisions, amendments and repeals.
137 Short title, commencement and extent.

SCHEDULES

SCHEDULE A1 — Appeal Committees

- 1 An appeal committee set up under section 28D(1) of this...
- 2 An appeal committee shall consist of 3, 5 or 7...
- 3 The persons appointed shall comprise— (a) members of the authority...
- 4 The members of an appeal committee who are members of...
- 5 A person who is a member of any committee such...
- 6 A person shall not be a member of an appeal...
- 7 A person who is— (a) a teacher at a relevant...
- 8 For the purposes of paragraph 7 above, “relevant school...
- 9 An appeal committee constituted in accordance with this Schedule shall...

SCHEDULE A2 — Application of Certain Provisions of this Act to Recorded Children and Young Persons

- 1 Sections 28B and 28D of this Act and Schedule A1...
- 2 Sections 28C, 28E(1) to (6) and 28F(1) and (5) to...
- 3 In relation to a recorded child, for section 28A of...
- 4 (1) Sections 28A, 28B and 28D of this Act and...
- 5 Sections 28C, 28E(1) to (6) and 28F(1) and (5) to...
- 6 Section 28G of this Act shall not apply in relation...

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SCHEDULE 1 — Local Inquiries

- 1 The Secretary of State shall appoint a person to hold...
- 2 The person appointed shall notify the bodies and persons appearing...
- 3 The person appointed may by notice in writing require any...
- 4 The person appointed to hold the inquiry may administer oaths...
- 5 The inquiry shall unless the Secretary of State otherwise directs...
- 6 Any person who refuses or wilfully neglects to attend in...
- 7 The Secretary of State may make orders as to the...
- 8 Any order by the Secretary of State under paragraph 7...

SCHEDULE 1A — Revocation of Determinations for the Purposes of the Assisted Places Scheme

- 1 The proprietors or managers of a participating school may request...
- 2 On the expiry of the period of notice referred to...
- 3 Subject to paragraph 4 below, the Secretary of State may...
- 4 (1) If the Secretary of State— (a) is not satisfied...
- 5 A notice of revocation of a determination given under paragraph...
- 6 Revocation of a determination shall not affect the operation of—...

SCHEDULE 1B — Remuneration of Teaching Staff: The Committee

Procedure

- 1 The committee may, from time to time—
- 2 Subject to any standing orders made under paragraph 1(c) above...

General powers

- 3 Subject to the provisions of this Act, the committee or...
- 4 Without prejudice to the generality of paragraph 3 above, the...

Recovery of expenditure

- 5 Expenditure incurred by the committee shall be recoverable so far...
- 6 In so far as such expenditure is not defrayed from...

SCHEDULE 2 — Constitution of Independent Schools Tribunals

- 1
- 2 No officer of any government department and no person employed...
- 3
- 4 Where any complaint is required to be determined by an...
- 5 In this Schedule “sheriff principal” means the sheriff principal of...

SCHEDULE 3 — Transitional and Savings Provisions

General

- 1 Where any document refers expressly or by implication to an...
- 2 Any reference in any provision of this Act (whether expressed...

Children Requiring Special Education

- 3 Any reference in any enactment or other instrument passed or...
- 4 Any decision, made under the Act of 1962 before the...

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Savings

- 5 The repeal by the said Act of 1969 of sections...
- 6 The repeal by the said Act of 1969 of section...

SCHEDULE 4 — Amendment of Enactments

- 1
- 2

The Factories Act 1961 (c. 34)

- 3 In section 176(1) (interpretation), in the definition of “child” for...

The Public Expenditure and Receipts Act 1968 (c. 14)

- 4 In Schedule 3 (variation of fees), in paragraph 1(b) for...

The Social Work (Scotland) Act 1968 (c. 49)

- 5 In section 94(1) (interpretation), in the definition of “school age”...

The Sex Discrimination Act 1975 (c. 65)

- 6 In section 22 (discrimination by bodies in charge of educational...
- 7 In section 23(2) (other discrimination by education authorities), for the...
- 8 In section 25 (general duty in public sector of education)—...
- 9 In section 79 (educational endowments to which Part VI of...
- 10 In section 81(3)(b) (orders), for the words “128 of the...
- 11 In section 82(1) (interpretation), in the definition of “education authority”,...

The Race Relations Act 1976 (c. 74)

- 12 In section 17 (discrimination by bodies in charge of educational...
- 13 In section 18(2) (discrimination by education authorities), for the words...
- 14 In section 19 (general duty in public sector of education)—...
- 15 In section 78(1) (interpretation), in the definitions of “education authority”,...

The National Health Service (Scotland) Act 1978 (c. 29)

- 16 In section 15(1)(f) (supply of goods and services to local...
- 17 In section 39(5) (medical and dental health inspection, supervision and...
- 18 In section 108(1) in the definitions of “education authority” and...
- 19 In paragraph 10(b) of Schedule 15 (saving of amendments), for...

Schedule 5 — Enactments Repealed

SCHEDULE 6 — Postponement of The Commencement of Certain Provisions

- 1—15
- 16 Section 127(3) and (4).

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