



Education Act 2002

2002 CHAPTER 32

PART 6

THE CURRICULUM IN ENGLAND

General duties in respect of the curriculum

78 General requirements in relation to curriculum

- (1) The curriculum for a maintained school or maintained nursery school satisfies the requirements of this section if it is a balanced and broadly based curriculum which—
 - (a) promotes the spiritual, moral, cultural, mental and physical development of pupils at the school and of society, and
 - (b) prepares pupils at the school for the opportunities, responsibilities and experiences of later life.
- (2) The curriculum for any funded nursery education provided otherwise than at a maintained school or maintained nursery school satisfies the requirements of this section if it is a balanced and broadly based curriculum which—
 - (a) promotes the spiritual, moral, cultural, mental and physical development of the pupils for whom the funded nursery education is provided and of society, and
 - (b) prepares those pupils for the opportunities, responsibilities and experiences of later life.

Commencement Information

- II** [S. 78](#) wholly in force at 1.10.2002; [s. 78](#) not in force at Royal Assent, see [s. 216](#); [s. 78](#) in force for certain purposes at 26.7.2002 by [S.I. 2002/2002](#), [art. 2](#) and at 1.10.2002 insofar as not already in force by [S.I. 2002/2439](#), [art. 2](#) (with transitional provisions and savings in [Sch.](#))

Status: Point in time view as at 31/05/2005.

Changes to legislation: Education Act 2002, Cross Heading: General duties in respect of the curriculum is up to date with all changes known to be in force on or before 11 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

79 Duty to implement general requirements

- (1) The Secretary of State shall exercise his functions with a view to securing—
 - (a) that the curriculum for every maintained school or maintained nursery school satisfies the requirements of section 78, and
 - (b) that the curriculum for any funded nursery education provided otherwise than at a maintained school or maintained nursery school satisfies the requirements of that section.
- (2) Every local education authority in England shall exercise their functions with a view to securing—
 - (a) that the curriculum for every maintained school or maintained nursery school which they maintain satisfies the requirements of section 78, and
 - (b) that the curriculum for any funded nursery education provided, under arrangements made by them, otherwise than at a maintained school or maintained nursery school, satisfies the requirements of section 78.
- (3) The governing body and head teacher of every maintained school or maintained nursery school shall exercise their functions with a view to securing that the curriculum for the school satisfies the requirements of section 78.
- (4) The functions referred to in subsections (1) to (3) include in particular—
 - (a) functions conferred by this Part in relation to the National Curriculum for England, and
 - (b) except in relation to maintained nursery schools or the provision of funded nursery education otherwise than at a maintained school or maintained nursery school, functions relating to religious education and religious worship.
- (5) Any person providing funded nursery education under the arrangements mentioned in section 77(2)(b) shall secure that the curriculum for that funded nursery education satisfies the requirements of section 78.
- (6) In exercising any function which may affect the provision of sex education in maintained schools, every local education authority in England shall have regard to the guidance issued by the Secretary of State under section 403(1A) of the Education Act 1996 (c. 56).
- (7) Except to the extent provided in subsection (6), nothing in this section shall be taken to impose duties on a local education authority with regard to sex education.

80 Basic curriculum for every maintained school in England

- (1) The curriculum for every maintained school in England shall comprise a basic curriculum which includes—
 - (a) provision for religious education for all registered pupils at the school (in accordance with such of the provisions of Schedule 19 to the School Standards and Framework Act 1998 (c. 31) as apply in relation to the school),
 - (b) a curriculum for all registered pupils at the school who have attained the age of three but are not over compulsory school age (known as “the National Curriculum for England”),
 - (c) in the case of a secondary school, provision for sex education for all registered pupils at the school, and

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- (d) in the case of a special school, provision for sex education for all registered pupils at the school who are provided with secondary education.
- (2) Subsection (1)(a) does not apply—
- (a) in relation to a nursery class in a primary school, or
 - (b) in the case of a maintained special school (provision as to religious education in special schools being made by regulations under section 71(7) of the School Standards and Framework Act 1998).
- (3) The Secretary of State may by order—
- (a) amend subsection (1) so as to add further requirements (otherwise than in relation to religious education or sex education),
 - (b) amend subsection (1)(b) by substituting for the reference to compulsory school age (or to any age specified there by virtue of this paragraph) a reference to such other age as may be specified in the order, and
 - (c) amend any provision included in subsection (1) by virtue of paragraph (a) of this subsection.

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