



Education Act 1944

CHAPTER 31

EDUCATION ACT 1944

PART I

CENTRAL ADMINISTRATION

- 1 †Appointment of Minister in charge of education and establishment of Ministry of Education.
- 2 Transfer of property and functions to Minister and construction of Acts and documents.
- 3 †Seal and acts of Minister.
- 4
- 5

PART II

THE STATUTORY SYSTEM OF EDUCATION

LOCAL ADMINISTRATION

- 6 Local education authorities.

THE THREE STAGES OF THE SYSTEM

- 7 Stages and purposes of statutory system of education.

Status: Point in time view as at 14/10/1991.
Changes to legislation: There are currently no known outstanding effects for the Education Act 1944 (repealed 1.11.1996). (See end of Document for details)

PRIMARY AND SECONDARY EDUCATION

Provision and Maintenance of Primary and Secondary Schools

- 8 Duty of local education authorities to secure provision of primary and secondary schools.
- 9 County schools, voluntary schools, nursery schools, and special schools.
- 10 Requirements as to school premises.
- 11, 12
- 13
- 14 Restrictions on discontinuance of voluntary schools by managers and governors.
- 15 Classification of voluntary schools as controlled schools, aided schools, or special agreement schools.
- 16 Transfer of county and voluntary schools to new sites, and substitution of new voluntary schools for old ones.

Management of Primary Schools and Government of Secondary Schools

- 17—21
- 22 Powers of local education authority as to use and care of premises of voluntary schools.

Secular Instruction and Appointment and Dismissal of Teachers in County and Voluntary Schools.

- 23
- 24 Appointment and dismissal of teachers in county schools and in voluntary schools.

Religious Education in County and Voluntary Schools

- 25
- 26 Special provisions as to religious education in county schools.
- 27 Special provisions as to religious education in controlled schools.
- 28 Special provisions as to religious education in aided schools and in special agreement schools.
- 29 Provisions as to religious instruction in accordance with agreed syllabus.
- 30 Saving as to position of teachers.

Transitional Provisions as to County and Voluntary Schools

- 31 Transitional provisions as to the separation of primary and secondary schools.
- 32
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Compulsory Attendance at Primary and Secondary Schools

- 35 Compulsory school age.
- 36 Duty of parents to secure the education of their children.
- 37 School attendance orders.
- 38
- 39 Duty of parents to secure regular attendance of registered pupils.

Status: Point in time view as at 14/10/1991.

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- 40 Enforcement of school attendance.
- 40A

Further Education

- 41 Functions of local education authorities with respect to further education.
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- 47 Interim provisions as to further education.

SUPPLEMENTARY PROVISIONS AS TO PRIMARY, SECONDARY AND FURTHER EDUCATION

Ancillary Services

- 48 Medical inspection and treatment of pupils.
- 49
- 50 Provision of board and lodging otherwise than at boarding schools or colleges.
- 51
- 52 †Recovery of cost of boarding accommodation and of clothing.
- 53 Provision of facilities for recreation and social and physical training.
- 54 Power to ensure cleanliness.
- 55 Provision of transport and other facilities.
- 56 Power to provide primary and secondary education otherwise than at school.
- 57—57B

Employment of Children and Young Persons

- 58 Adaptation of enactments relating to the employment of children or young persons.
- 59 Power of local education authorities to prohibit or restrict employment of children.
- 60, 61
- 62 †Duties of Minister and of local education authorities as to the training of teachers.
- 63 Exemption from building byelaws of buildings approved by the Minister.
- 64
- 65 Endowments for maintenance of voluntary schools.
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- 67 Determination of disputes and questions.
- 68 †Power of Minister to prevent unreasonable exercise of functions.
- 69 †Powers of Minister as to medical examinations and inspections.

PART III

INDEPENDENT SCHOOLS

- 70 Registration of independent schools.
- 71 Complaints.
- 72 Determination of complaints.
- 73 Enforcement.

Status: Point in time view as at 14/10/1991.

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- 74 Removal of disqualifications.
- 75 Proceedings before Independent Schools Tribunals and matters relating thereto.

PART IV GENERAL

GENERAL PRINCIPLE TO BE OBSERVED BY MINISTER AND LOCAL EDUCATION AUTHORITIES

- 76 Pupils to be educated in accordance with the wishes of their parents.

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- 77 Inspection of educational establishments.
- 78 Provision of certain ancillary services for pupils not in attendance at schools maintained by local education authorities.
- 79
- 80 Registration of pupils at schools.
- 81 Power of local education authorities to give assistance by means of scholarships and otherwise.
- 82 Powers of local education authorities as to educational research.
- 83 Powers of local education authorities as to educational conferences.
- 84
- 85 Power of local education authorities to accept gifts for educational purposes.
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ADMINISTRATIVE PROVISIONS

- 88 Appointment of chief education officers of local education authorities.
- 89
- 90 Compulsory purchase of land and other dealings in land by local education authorities.
- 91
- 92 Reports and returns.
- 93 Power of Minister to direct local inquiries.
- 94 Certificates of birth and registrars' returns.
- 95 Provisions as to evidence.
- 96 Provisions consequential on cessation of functions of former authorities.
- 97
- 98 Compensation of persons prejudicially affected by this Act.
- 99 Powers of Minister in default of local education authorities or . . . governors.

FINANCIAL PROVISIONS

- 100 Grants in aid of educational services.

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- 101
- 102 †Maintenance contributions payable by the Minister in respect of aided schools and special agreement schools.
- 103 Power of the Minister to make grants in respect of aided schools and special agreement schools transferred to new sites or established in substitution for former schools.
- 104
- 105 †Power of the Minister to make loans to aided schools and special agreement schools in respect of initial expenditure.
- 106
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PART V

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- 111 Revocation and variation of orders and directions.
- 111A Regulations: different provision for Wales.
- 112 Regulations to be laid before Parliament.
- 113 Notices.
- 114 Interpretation.
- 115 Saving as to persons in the service of the Crown.
- 116 Saving as to persons of unsound mind and persons detained by order of a court.
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- 118 Application to Isles of Scilly.
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- 120 Amendment of enactments.
- 121 Repeal of enactments.
- 122 Short title and extent.

SCHEDULES

FIRST SCHEDULE — LOCAL ADMINISTRATION

Part I — JOINT EDUCATION BOARDS

- 1 Where it appears to the Secretary of State for Education...
- 2 A joint education board so constituted shall be a body...
- 3 An order constituting a joint education board:—
- 4 An order constituting a joint education board shall be laid...
- 5 This Part of this Schedule applies to the council of...

Part II — EDUCATION COMMITTEES

- 1 Every local education authority shall, in accordance with arrangements approved...
- 2
- 3 Where it appears to the Secretary of State for Education...
- 4 In the following provisions of this Part of this Schedule...
- 5 Every education committee of a local education authority shall include...
- 5A (1) The Secretary of State may by directions to local...
- 6 At least a majority of every education committee of a...
- 7 Every local education authority shall consider a report from an...
- 8 A local education authority may authorise an education committee of...

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- 9 The minutes of proceedings of an education committee of the...
- 10 Every education committee of a local education authority may, subject...
- 11 Nothing in this Part of this Schedule shall require the...
Part

III.

SECOND — TRANSFER TO A LOCAL EDUCATION AUTHORITY OF
SCHEDULE AN INTEREST IN THE PREMISES OF A VOLUNTARY
SCHOOL

- 1 A local education authority and the . . . governors...
- 2 No such agreement shall take effect unless it has been...
- 3 The Secretary of State for Education and Science shall not...
- 4 Before approving any such agreement, the Secretary of State for...
- 5 An agreement under this Schedule may provide for the transfer...
- 6 Where any agreement made under this Schedule has been approved...
- 7 Where any person other than the . . . governors...
- 8 In this Schedule, the expression “premises” includes a teacher’s dwelling-house....

THIRD SCHEDULE — SPECIAL AGREEMENTS IN RESPECT OF CERTAIN
VOLUNTARY SCHOOLS

- 1 Where proposals for the establishment of a school or for...
- 2 If upon the application of any persons interested in any...
- 3
- 4 Any such agreement shall provide for the making of a...
- 5 The amount of the grant to be made in pursuance...
- 6 Where the agreement relates to proposals for the establishment of...
- 7 Any agreement made under this Schedule may provide for the...
- 8 Any agreement made by a local education authority under this...
- 9 Where a grant has been made in respect of any...
- 10 Where an agreement has been made under this Schedule in...
- 11 Where any local authority have, before the date of the...

FOURTH SCHEDULE — . . .

FIFTH SCHEDULE — PROCEDURE FOR PREPARING AND BRINGING INTO
OPERATION AN AGREED SYLLABUS OF RELIGIOUS
INSTRUCTION

- 1 For the purpose of preparing any syllabus of religious education...
- 2 For the purpose of constituting such a conference as aforesaid,...
- 3 Before appointing a person to represent any denomination or associations...
- 4 A person so appointed may resign his membership of any...
- 5 The conference shall consist of the committees aforesaid and it...
- 6 Where the local education authority propose to adopt more than...
- 7 Any sub-committees appointed by the conference shall include at least...
- 8 Upon any question to be decided by the conference or...
- 9 If the conference unanimously recommend any syllabus of religious education,...
- 10 If the authority report to the Secretary of State that...
- 11 The body of persons so appointed:— (a) shall give to...

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Reconsideration of agreed syllabus

- 12 Whenever a local education authority are of opinion (whether upon...
- 13 (1) The following provisions of this paragraph apply where a...

SIXTH SCHEDULE — CONSTITUTION OF INDEPENDENT SCHOOLS
TRIBUNALS

- 1 For the purpose of enabling Independent Schools Tribunals to be...
- 2 No person shall be qualified to be appointed to the...
- 3 Any person appointed to be a member of either of...
- 3A No appointment of a person to be a member of...
- 4 Where any appeal is required to be determined by an...

SEVENTH —

ULE.....

EIGHTH SCHEDULE — AMENDMENT OF ENACTMENTS.

PART I — ENACTMENTS AMENDED FROM DATE OF
COMMENCEMENT OF PART II OF THIS ACT.

PART II — ENACTMENTS AMENDED FROM DATE ON WHICH
SECTION FORTY-FOUR OF THIS ACT COMES INTO
OPERATION . . .

NINTH SCHEDULE —

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