



Education Act 1944 (repealed 1.11.1996)

1944 CHAPTER 31 7 and 8 Geo 6

PART II

THE STATUTORY SYSTEM OF EDUCATION

SUPPLEMENTARY PROVISIONS AS TO PRIMARY, SECONDARY AND FURTHER EDUCATION

Ancillary Services

54 Power to ensure cleanliness.

- (1) A local education authority may, by directions in writing issued with respect to all schools maintained by them or with respect to any of such schools named in the directions, authorise a medical officer of the authority to cause examinations of the persons and clothing of pupils in attendance at such school to be made whenever in his opinion such examinations are necessary in the interests of cleanliness . . . ^{F1}.
- (2) Any such examination as aforesaid shall be made by a person authorised by the local education authority to make such examinations, and if the person or clothing of any pupil is found upon such an examination to be infested with vermin or in a foul condition, any officer of the authority may serve upon the parent of the pupil . . . ^{F1} a notice requiring him to cause the person and clothing of the pupil to be cleansed.
- (3) A notice served under the last foregoing subsection shall inform the person upon whom it is served that unless within the period limited by the notice, not being less than twenty-four hours after the service thereof, the person and clothing of the pupil to whom the notice relates are cleansed to the satisfaction of such person as may be specified in the notice the cleansing thereof will be carried out under arrangements made by the local education authority; and if, upon a report being made to him by that person at the expiration of that period, a medical officer of the authority is not satisfied that the person and clothing of the pupil have been properly cleansed, the medical officer may issue an order directing that the person and clothing of the pupil be cleansed under such arrangements.

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Education Act 1944 (repealed 1.11.1996), Section 54. (See end of Document for details)

- (4) It shall be the duty of the local education authority to make arrangements for securing that any person or clothing required under this section to be cleansed may be cleansed (whether at the request of a parent . . . ^{F1} or in pursuance of an order issued under this section) at suitable premises by suitable persons and with suitable appliances; and where [^{F2}the council of any . . . ^{F3} district in the area of the authority][^{F2}the council of any inner London borough or the Common Council of the City of London] are entitled to the use of any premises or appliances for cleansing the person or clothing of persons infested with vermin, the authority may require the council to permit the authority to use those premises or appliances for such purposes upon such terms as may be determined by agreement between the authority and the council or, in default of such agreement, by the [^{F4}Secretary of State for Social Services].
- (5) Where an order has been issued by a medical officer under this section directing that the person and clothing of a pupil be cleansed under arrangements made by a local education authority, the order shall be sufficient to authorise any officer of the authority to cause the person and clothing of the pupil in the order to be cleansed in accordance with arrangements made under the last foregoing subsection, and for that purpose to convey him to, and detain him at, any premises provided in accordance with such arrangements.
- (6) If, after the cleansing of the person or clothing of any pupil has been carried out under this section, his person or clothing is again found to be infested with vermin or in a foul condition at any time while he is in attendance at a school maintained by a local education authority . . . ^{F1}, and it is proved that the condition of his person or clothing is due to neglect on the part of his parent . . . ^{F1}, the parent . . . ^{F1} shall be liable on summary conviction to a fine not exceeding [^{F5}level 1 on the standard scale.]
- (7) Where a medical officer of a local education authority suspects that the person or clothing of any pupil in attendance at a school maintained by the authority . . . ^{F1} is infested with vermin or in a foul condition, but action for the examination or cleansing thereof cannot immediately be taken, he may, if he considers it necessary so to do either in the interest of the pupil or of other pupils in attendance at the school . . . ^{F1}, direct that the pupil be excluded from the school . . . ^{F1} until such action has been taken; and such a direction shall be a defence to any proceedings under this Act in respect of the failure of the pupil to attend school . . . ^{F1} on any day on which he is excluded in pursuance of the direction, unless it is proved that the issue of the direction was necessitated by the wilful default of the pupil or his parent.
- (8) No girl shall be examined or cleansed under the powers conferred by this section except by a duly qualified medical practitioner or by a woman authorised for that purpose by a local education authority.

Textual Amendments

- F1** Words repealed by [Education Reform Act 1988 \(c. 40, SIF 41\)](#), ss. 231(7), 235(6), 237(2), **Sch. 13 Pt. II**
- F2** Words “the council of any inner London borough” to “London” substituted (in relation to I.L.E.A.) for words “the council of any district” to “authority” by [London Government Act 1963 \(c. 33\)](#), s. 32(7)
- F3** Words omitted by virtue of [Local Government Act 1972 \(c. 70\)](#), s. 179(3)
- F4** Words substituted by virtue of [S.I. 1968/1699](#), art. 5(4)(a)
- F5** Words substituted by virtue of [Criminal Law Act 1977 \(c. 45, SIF 39:1\)](#), s. 31(5)(6) and of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), s. 45

Status:

Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Education Act 1944 (repealed 1.11.1996), Section 54.