



# Education Act 1980

## 1980 CHAPTER 20

An Act to amend the law relating to education.

[3rd April 1980]

### Annotations:

#### Modifications etc. (not altering text)

- C1** Act amended by [Local Government Act 1985](#) (c. 51, SIF 81:1), **s. 18(2)**
- C2** Act applied by [Education \(No. 2\) Act 1986](#) (c. 61, SIF 41:1), **s. 51(10)**
- C3** Act amended by [Education Reform Act 1988](#) (c. 40, SIF 41:1), **ss. 163(1), 231(7), 235(6)**
- C4** Act modified by [Education Reform Act 1988](#) (c. 40, SIF 41:1), **ss. 231(7), 235(6), 236(2)(a)**  
Act modified (1.4.1994) by [1993 c. 35, s. 236\(3\)](#); S.I. 1994/507, art.4, **Sch.2**
- C5** Act applied (Canterbury and York except Channel Islands and Isle of Man) (1.8.1991) by [Diocesan Boards of Education Measure 1991](#) (No. 2, SIF 41:1), **s. 7(3)**; Archbishops' Instrument made 26.7.1991
- C6** Act: certain functions transferred (1.7.1999) by S.I. 1999/672, art. 2, **Sch. 1**
- C7** Act applied (1.6.2001) by S.I. 2001/1507, reg. 2, **Sch. 2 art. 2**
- C8** Act applied (1.4.2005) by [Central Sussex College \(Government\) Regulations 2005](#) (S.I. 2005/397), reg. 1, **Sch. 2 para. 2**
- C9** Act modified (7.4.2005) by [Education Act 2005](#) (c. 18), **ss. 96(2), 125(1)(b)**
- C10** Act Education Acts modified (temp.) (1.4.2007) by [Education and Inspections Act 2006](#) (c. 40), s. 188(3), **Sch. 6 para. 3(3)**; S.I. 2007/935, art. 5(bb)

#### Commencement Information

- I1** Act not in force at Royal Assent see [s. 37\(2\)](#); Act wholly in force at 1.7.1982

*School government*

**F1** .....

*Changes to legislation: There are currently no known outstanding effects for the Education Act 1980. (See end of Document for details)*

**Annotations:**

**Amendments (Textual)**

**F1** s. 1 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

**2** ..... **F2**

**Annotations:**

**Amendments (Textual)**

**F2** Ss. 2, 3, 4 repealed (savings in S.I. 1987/344, **Sch. 3 para. 1(4)(d)** for ss. 2 and 3(4)) by **Education (No. 2) Act 1986** (c. 61, SIF 41:1), s. 67(6), **Sch. 6 Pt. I** and ss. 2,3,4 are expressed to be repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

**3** ..... **F3**

**Annotations:**

**Amendments (Textual)**

**F3** Ss. 2, 3, 4 repealed (savings in S.I. 1987/344, **Sch. 3 para. 1(4)(d)** for ss. 2 and 3(4)) by **Education (No. 2) Act 1986** (c. 61, SIF 41:1), s. 67(6), **Sch. 6 Pt. I** and ss. 2, 3, 4 are expressed to be repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

**4** ..... **F4**

**Annotations:**

**Amendments (Textual)**

**F4** Ss. 2, 3, 4 repealed (savings in S.I. 1987/344, **Sch. 3 para. 1(4)(d)** for ss. 2 and 3(4)) by **Education (No. 2) Act 1986** (c. 61, SIF 41:1), s. 67(6), **Sch. 6 Pt. I** and ss. 2, 3, 4 are expressed to be repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39)

**F5** **5** .....

**Annotations:**

**Amendments (Textual)**

**F5** S. 5 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

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*Changes to legislation: There are currently no known outstanding effects for the Education Act 1980. (See end of Document for details)*

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*Admission to schools*

F66 .....

**Annotations:**

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**Amendments (Textual)**

**F6** S. 6 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

F77 .....

**Annotations:**

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**Amendments (Textual)**

**F7** S. 7 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

F88 .....

**Annotations:**

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**Amendments (Textual)**

**F8** S. 8 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

F99 .....

**Annotations:**

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**Amendments (Textual)**

**F9** S. 9 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), Sch. 38 Pt. I, **Sch. 39** (with ss. 1(4), 561, 562, Sch. 39)

*School attendance orders*

F1010 .....

*Changes to legislation: There are currently no known outstanding effects for the Education Act 1980. (See end of Document for details)*

**Annotations:**

**Amendments (Textual)**

**F10** S. 10 repealed (1.10.1993) by 1993 c. 35, ss. 303(4), 307(1)(3), Sch. 19 para. 75, **Sch. 21 Pt.I**; S.I. 1993/1975, art. 9, **Sch. 1** and expressed to be repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39)

<sup>F11</sup>**11** .....

**Annotations:**

**Amendments (Textual)**

**F11** S. 11 repealed (1.10.1993) by 1993 c. 35, ss. 303(4), 307(1)(3), Sch. 19 para. 75, **Sch. 21 Pt.I**; S.I. 1993/1975, art. 9, **Sch. 1** and expressed to be repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

*Establishment, discontinuance and eration of schools*

<sup>F12</sup>**12** .....

**Annotations:**

**Amendments (Textual)**

**F12** S. 12 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

<sup>F13</sup>**13** .....

**Annotations:**

**Amendments (Textual)**

**F13** S. 13 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

<sup>F14</sup>**14** .....

**Annotations:**

**Amendments (Textual)**

**F14** S. 14 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), Sch. 38 Pt. I, **Sch. 39** (with ss. 1(4), 561, 562, Sch. 39)

*Changes to legislation: There are currently no known outstanding effects for the Education Act 1980. (See end of Document for details)*

F15 15 .....

**Annotations:**

**Amendments (Textual)**

**F15** S. 15 repealed and superseded (1.8.1992 in relation to primary schools and 4.8.1990 in relation to secondary schools) by Education Reform Act 1988 (c. 40, SIF 41:1), ss. 31(1), 231(7), 235(6)(and also expressed to be repealed and superseded (*prosp.*) by s. 237(2), Sch. 13 Pt. II of that act); S.I. 1988/1459, art. 5(1); S.I. 1991/409 art. 6(2); s. 15 is wholly repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), Sch. 38, Pt. I (with ss. 1(4), 561, 562, Sch. 39)

F16 16 .....

**Annotations:**

**Amendments (Textual)**

**F16** S. 16 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), Sch. 38 Pt.I (with ss. 1(4), 561, 562, Sch. 39)

*Awards and grants*

F17 17 .....

**Annotations:**

**Amendments (Textual)**

**F17** S. 17 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), Sch. 38 Pt. I (with ss. 1(4), 561, 562, Sch. 39)

F18 18 .....

**Annotations:**

**Amendments (Textual)**

**F18** S.18 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), Sch. 38 Pt.I (with ss. 1(4), 561, 562, Sch. 39)

F19 19 .....

**Annotations:**

**Amendments (Textual)**

**F19** S. 19 repealed (1.1.1999) by 1998 c. 30, s. 44(2), Sch.4(with s. 42(8)); S.I. 1998/3237, art. 2(c)

*Changes to legislation: There are currently no known outstanding effects for the Education Act 1980. (See end of Document for details)*

**20 Industrial scholarships.** <sup>X1</sup>

- (1) The Secretary of State may award industrial scholarships or make payments to any other person in respect of the award of such scholarships by that person.
- (2) In this section “industrial scholarships” means scholarships (however described) tenable by persons undertaking full-time courses of higher education provided by a university, college or other institution in the United Kingdom, being courses which appear to the Secretary of State or, as the case may be, the person awarding the scholarships to be relevant to a career in industry.
- (3) In subsection (2) above the reference to a full-time course includes a reference to a course consisting of alternate periods of—
  - (a) full-time study in the university, college or institution in question; and
  - (b) associated industrial, professional or commercial experience;
 and the reference in that subsection to a course provided by a university, college or institution in the United Kingdom includes a reference to a course provided by such a university, college or institution in conjunction with a university, college or other institution in another country.

**Annotations:**

**Editorial Information**

**X1** S. 20 repealed (S.) by Education (Scotland) Act 1980 (c. 44), Sch. 5

<sup>F20</sup>**21** .....

**Annotations:**

**Amendments (Textual)**

**F20** S. 21 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

*School meals*

<sup>F21</sup>**22** .....

**Annotations:**

**Amendments (Textual)**

**F21** S. 22 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

**23** ..... <sup>F22</sup>

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*Changes to legislation:* There are currently no known outstanding effects for the Education Act 1980. (See end of Document for details)

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**Annotations:**

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**Amendments (Textual)**

**F22** S. 23 repealed by [Education \(Scotland\) Act 1980 \(c. 44\)](#), **Sch. 5**

*Nursery education*

<sup>F23</sup>**24** .....

**Annotations:**

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**Amendments (Textual)**

**F23** S. 24 repealed (1.11.1996) by [1996 c. 56](#), ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, [Sch. 39](#))

<sup>F24</sup>**25** .....

**Annotations:**

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**Amendments (Textual)**

**F24** S. 25 repealed by [Education \(Scotland\) Act 1980 \(c. 44\)](#), **Sch. 5**

<sup>F25</sup>**26** .....

**Annotations:**

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**Amendments (Textual)**

**F25** S. 26 repealed (1.11.1996) by [1996 c. 56](#), ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, [Sch. 39](#))

*Miscellaneous*

**27** ..... <sup>F26</sup>

**Annotations:**

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**Amendments (Textual)**

**F26** S. 27 repealed by [Education Reform Act 1988 \(c. 40, SIF 41:1\)](#), ss. 218(13), 231(7), 235(6), 237(2), **Sch. 13 Pt. II**

<sup>F27</sup>**28** .....

*Changes to legislation: There are currently no known outstanding effects for the Education Act 1980. (See end of Document for details)*

**Annotations:**

**Amendments (Textual)**

**F27** S. 28 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39)

**F28** **29** .....

**Annotations:**

**Amendments (Textual)**

**F28** S. 29 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

**F29** **30** .....

**Annotations:**

**Amendments (Textual)**

**F29** S. 30 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39)

**31** ..... **F30**

**Annotations:**

**Amendments (Textual)**

**F30** S. 31 repealed by Education (No. 2) Act 1986 (c. 61, SIF 41:1), s. 67(6), **Sch. 6 Pt. I** subject to a saving in Education Reform Act 1988 (c. 40, SIF 41:1), **ss. 225(1), 231(7), 235(6)**

**32** ..... **F31**

**Annotations:**

**Amendments (Textual)**

**F31** S. 32 repealed by Education (No. 2) Act 1986 (c. 61, SIF 41:1), s. 67(6), **Sch. 6 Pt. I**

**33 Discrimination by local education authorities.**

(1)

**F32**(2) In section 23(2) of the said Act of 1975 and section 18(2) of the said Act of 1976 (discrimination by education authorities) for the words “the Education (Scotland) Acts



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1939 to 1974” and “the Education (Scotland) Acts 1939 to 1975” respectively there shall be substituted the words “ the Education (Scotland) Acts 1939 to 1980 ”.

<sup>F33</sup>(3) .....

**Annotations:**

**Amendments (Textual)**

**F32** S. 33(1) repealed by [Education Act 1981 \(c. 60, SIF 41:1\)](#), [Sch. 4](#)

**F33** S. 33(3) repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), [Sch. 38 Pt.I](#) (with ss. 1(4), 561, 562, [Sch. 39](#))

**Modifications etc. (not altering text)**

**C11** The text of S. 33(2) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

<sup>F34</sup>**34** .....

**Annotations:**

**Amendments (Textual)**

**F34** S. 34 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), [Sch. 38 Pt. I](#) (with ss. 1(4), 561, 562, [Sch. 39](#))

*Supplementary*

<sup>F35</sup>**35** .....

**Annotations:**

**Amendments (Textual)**

**F35** S. 35 repealed (S.) by [Education \(Scotland\) Act 1980 \(c. 44\)](#), [Sch. 5](#) and s. 35 is wholly repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), [Sch. 38 Pt.I](#) (with ss. 1(4), 561, 562, [Sch. 39](#))

**36 Expenses.**

There shall be defrayed out of moneys provided by Parliament—

- (a) any expenses incurred by the Secretary of State under this Act; and
- (b) any increase attributable to this Act in the sums payable out of such moneys under any other Act.

<sup>F36</sup>**37** .....

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*Changes to legislation: There are currently no known outstanding effects for the Education Act 1980. (See end of Document for details)*

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**Annotations:**

**Amendments (Textual)**

**F36** S. 37 repealed (S.) by Education (Scotland) Act 1980 (c. 44), **Sch. 5** and s. 37 wholly repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

**38 Citation, construction, repeals and extent.** <sup>X2</sup>

(1) This Act may be cited as the Education Act 1980.

<sup>F37</sup>(2) .....

[<sup>F38</sup>(3) This Act shall, in its application to England and Wales, be construed as one with the Education Act 1996.]

(4) .....

(5) .....

<sup>F39</sup>(5A) .....

(6) .....

(7) [<sup>F40</sup>In this Act section 20 and this section extend to Northern Ireland,] but save as aforesaid this Act extends to England and Wales only.

**Annotations:**

**Editorial Information**

**X2** S. 38 repealed (S.) by Education (Scotland) Act 1980 (c. 44), **Sch. 5**

**Amendments (Textual)**

**F37** S. 38(2)(4)-(6) repealed (1.11.1996) by 1996 c. 56, ss. 582(1)(2)(3), 583(2), Sch. 37 Pt. I para. 47, **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

**F38** S. 38(3) substituted (1.11.1996) by 1996 c. 56, ss. 582(1)(3), **Sch. 37 Pt. I para. 47(3)** (with ss. 1(4), 561, 562, Sch. 39)

**F39** S. 38(5A) inserted (1.5.1991) by Education Reform Act 1988 (c. 40, SIF 41:1), **ss. 31(6)**, 231(7), 235(6); S.I. 1991/409, **art. 6(4)** and s. 38(2)(4)-(6) repealed (1.11.1996) by 1996 c. 56, ss. 582(1)(2)(3), 583(2), Sch. 37 Pt. I para. 47(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

**F40** Words in s. 38(7) substituted (1.11.1996) by 1996 c. 56, **ss. 582(1)**, (3), Sch. 37 Pt. I para. 47(4) (with ss. 1(4), 561, 562, Sch. 39)

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*Changes to legislation: There are currently no known outstanding effects for the Education Act 1980. (See end of Document for details)*

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## SCHEDULES

### <sup>F41</sup>SCHEDULE 1

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**Annotations:**

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**Amendments (Textual)**

**F41** Sch. 1 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

### <sup>F45</sup>SCHEDULE 2

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**Annotations:**

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**Amendments (Textual)**

**F45** Sch. 2 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

### <sup>F57</sup>SCHEDULE 3

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**Annotations:**

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**Amendments (Textual)**

**F57** Sch. 3 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

### <sup>F62</sup>SCHEDULE 4

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*Changes to legislation: There are currently no known outstanding effects for the Education Act 1980. (See end of Document for details)*

**Annotations:**

**Amendments (Textual)**

**F62** Sch. 4 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

F63 SCHEDULE 5

Section 19.

**Annotations:**

**Amendments (Textual)**

**F63** Sch. 5 repealed (1.1.1999) by 1998 c. 30, ss. 44(2), **Sch. 4**; S.I. 1998/3237, **art. 2**

**Modifications etc. (not altering text)**

**C60** The text of Sch. 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

SCHEDULE 6 F64

**Annotations:**

**Amendments (Textual)**

**F64** Sch. 6 repealed by Education (No. 2) Act 1986 (c. 61, SIF 41:1) S. 67(6), Sch. 6 Pt.I

F65 SCHEDULE 7

**Annotations:**

**Amendments (Textual)**

**F65** Sch. 7 repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, Sch. 39)

**Changes to legislation:**

There are currently no known outstanding effects for the Education Act 1980.