



Education Act 1981

1981 CHAPTER 60

School attendance orders

15 Proposed school attendance order: choice of school

- (1) This section applies in any case where
 - (a) a local education authority propose to serve a school attendance order on the parent of a child under section 37 of the principal Act; and
 - (b) the authority maintain a statement for that child under section 7.
- (2) The order shall not be served until the expiry of the period of 15 days beginning with the date on which the authority serve on the parent written notice—
 - (a) of their intention to serve the order ;
 - (b) stating that if, before the expiry of that period, he selects a school at which he desires the child to become a registered pupil, that school will, unless the Secretary of State otherwise directs, be named in the order.
- (3) If, before the expiry of the period mentioned in subsection (2), the parent selects such a school, that school shall, unless the Secretary of State otherwise directs, be named in the order.
- (4) If the local education authority are of the opinion that—
 - (a) the school selected by the parent as the school to be named in the order is unsuitable to the child's age, ability or aptitude or to his special educational needs ; or
 - (b) that the attendance of the child at the school so selected would prejudice the provision of efficient education or the efficient use of resources ;the authority may, after giving the parent notice of their intention to do so, apply to the Secretary of State for a direction determining what school is to be named in the order.
- (5) Any direction under subsection (4) above may require the local education authority to make such amendments in the statement concerned as the Secretary of State considers necessary or expedient in consequence of his determination.

Status: This is the original version (as it was originally enacted).

- (6) Where the school to be named in the school attendance order in pursuance of a direction given by the Secretary of State under this section is a school maintained by a local education authority, it shall be the duty of the authority and of the governors of the school to admit the child to the school.