



# 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*Status: Point in time view as at 06/05/1992.*  
*Changes to legislation: There are currently no known outstanding effects for the Education Act 1944 (repealed 1.11.1996).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)*

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**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 .....
- 33, 34 .....

*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.

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- 40 Enforcement of school attendance.
- 40A .....

*Further Education*

- 41 Functions of local education authorities with respect to further education.
- 42 .....
- 43—46 .....
- 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.
- 66 .....
- 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.

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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.

##### **MISCELLANEOUS PROVISIONS**

- 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.
- 86 .....
- 87 .....

##### **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 .....
- 107 .....

## PART V

### SUPPLEMENTAL

- 108— .....
- 110 .....
- 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.
- 117 .....
- 118 Application to Isles of Scilly.
- 119 .....
- 120 Amendment of enactments.
- 121 Repeal of enactments.
- 122 Short title and extent.

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## 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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