



# Education Act 1944

## 1944 CHAPTER 31

### PART II

#### THE STATUTORY SYSTEM OF EDUCATION.

#### 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.**

- (1) It shall be the duty of every local education authority to secure that there shall be available for their area sufficient schools—
- (a) for providing primary education, that is to say, full-time education suitable to the requirements of junior pupils; and
  - (b) for providing secondary education, that is to say, full-time education suitable to the requirements of senior pupils, other than such full-time education as may be provided for senior pupils in pursuance of a scheme made under the provisions of this Act relating to further education ;

and the schools available for an area shall not be deemed to be sufficient unless they are sufficient in number, character, and equipment to afford for all pupils opportunities for education offering such variety of instruction and training as may be desirable in view of their different ages, abilities, and aptitudes, and of the different periods for which they may be expected to remain at school, including practical instruction and training appropriate to their respective needs.

- (2) In fulfilling their duties under this section, a local education authority shall, in particular, have regard—
- (a) to the need for securing that primary and secondary education are provided in separate schools;
  - (b) to the need for securing that provision is made for pupils who have not attained the age of five years by the provision of nursery schools or, where the authority

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*Status: This is the original version (as it was originally enacted).*

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consider the provision of such schools to be inexpedient, by the provision of nursery classes in other schools ;

- (c) to the need for securing that provision is made for pupils who suffer from any disability of mind or body by providing, either in special schools or otherwise, special educational treatment, that is to say, education by special methods appropriate for persons suffering from that disability; and
- (d) to the expediency of securing the provision of boarding accommodation, either in boarding schools or otherwise, for pupils for whom education as boarders is considered by their parents and by the authority to be desirable:

Provided that paragraph (a) of this subsection shall not have effect with respect to special schools.