

## **Memorandum on Education Bill, 1902.**

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# Memorandum

ON

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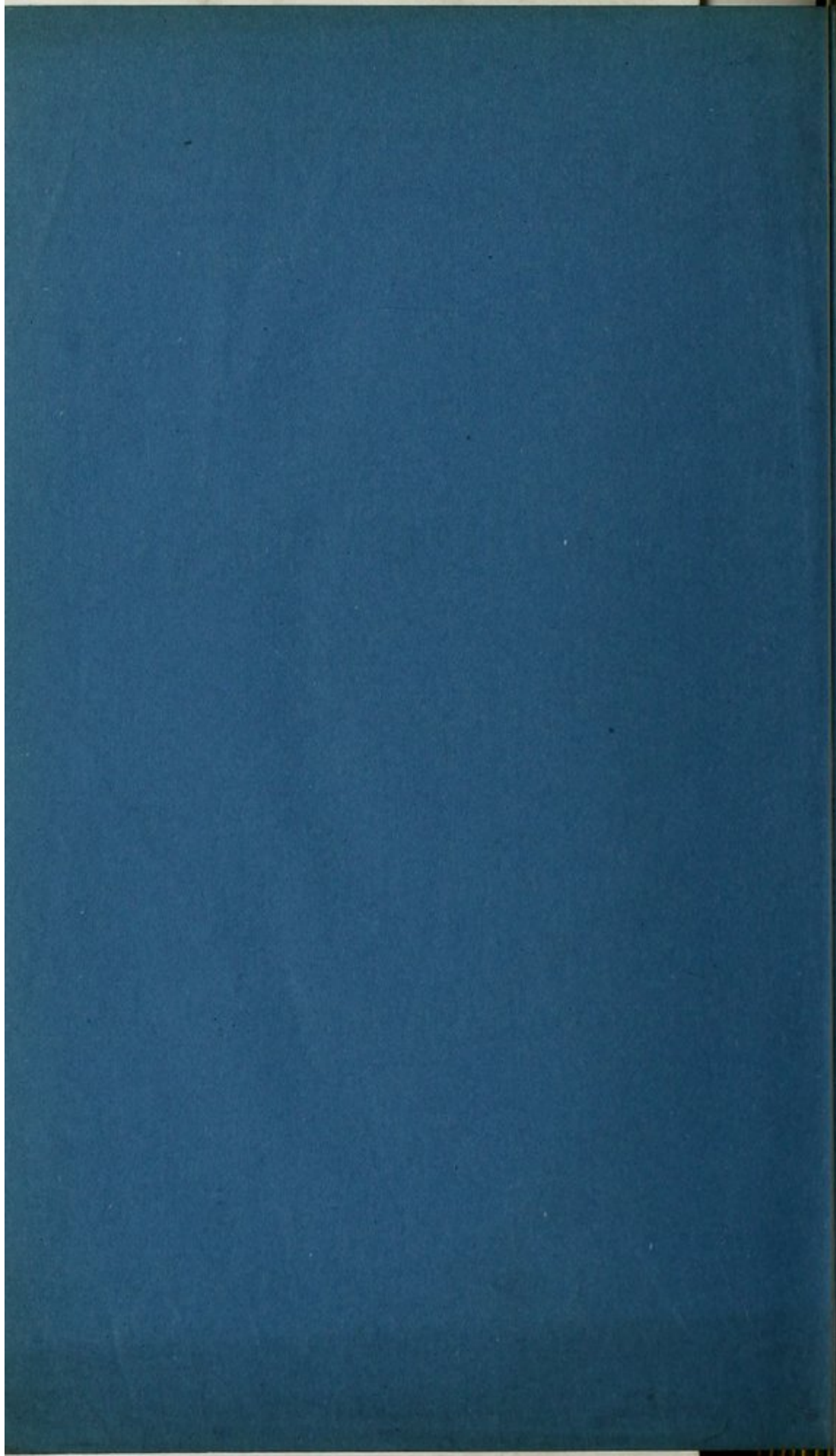
## EDUCATION BILL,

1902.

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PRICE SIXPENCE.

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# Memorandum on Education Bill.

## CLAUSE I.

For the purposes of this Act the council of every county and of every county borough shall be the local education authority.

Provided that the council of a borough with a population of over ten thousand, or of an urban district with a population of over twenty thousand, shall, as respects that borough or district, be the local education authority for the purpose of Part III. of this Act, and for that purpose as respects that borough or district, the expression "local education authority" means the council of that borough or district.

Why is there a different standard of population for the borough and the urban district?

In Lancashire there are many urban districts with over 10,000 and less than 20,000 inhabitants possessing either a School Board or a school attendance committee. For example: Failsworth, Worsley, Tyldesley, Atherton, Levenshulme, Ramsbottom, Royton, West Houghton, Hindley, and others. It is not apparent why these and similar urban districts should be less competent to exercise the powers of an elementary education authority than boroughs with the same population.

An element of arbitrariness is inherent in any scheme based on a population standard. It would be different if the Government were to take the existing units of local authority, including the Rural District Councils, as the basis of their scheme, giving powers of grouping for the smallest areas in accordance with the lines laid down for the smaller School Boards in the Act of 1870.

## PART II.—HIGHER EDUCATION.\*

### CLAUSE II.

The local education authority may supply or aid the supply of education other than elementary, and for that purpose may apply the residue under section one of the Local Taxation (Customs and Excise) Act, 1890, including any balance thereof which may remain unexpended at the end of a financial year, and may spend such further sums as they think fit: provided that the amount raised by the authority for the purpose in any year out of rates under this Act shall not exceed the amount which would be produced by a rate of *twopence* in the pound, or such higher rate as the Local Government Board may fix by Provisional Order made as respects any particular county or county borough on the application of the council of that county or county borough.

This clause is substantially the same as the operative clause in the Bill of 1901.

It is purely permissive in character, prescribing no duties and offering no inducements to the councils to exercise their powers. The local education authority "*may* supply or aid the supply of education other than elementary," it *may* levy a rate up to 2d. in the £, it may allot, etc., the whisky money to secondary education. On the other

\* See also p. 29.



hand, the council of the county or county borough may apply to the Local Government Board to fix a higher rate by Provisional Order.

The claim of the Bill to be one for the improvement of education is not at all borne out, so far as this part of the measure is concerned. The great need in this connection is better organisation with a view to the development of higher teaching in a systematic manner (see later). And, so far from making any adequate financial provision, the Bill, if this clause is taken in conjunction with Clause 18, which transfers the evening schools to the secondary authority, together with higher elementary education for children over 15 and the maintenance of pupil teachers' centres and training colleges, will in almost every case compel them either to cut down work to which the technical committees are already pledged or to apply for a Provisional Order.

This being so, it cannot be said that the Bill promotes the co-ordination of primary and secondary education. Secondary education, at present in a chaotic or inchoate condition, must be reduced to some kind of order before it can be co-ordinated; and the Bill by leaving out this stage entirely or proceeding to take it for granted conveys an essentially false impression of the problem.

The single authority which was above all things to co-ordinate is prevented from doing anything of the sort; and it also turns out that instead of one authority there is (1) a multiplication of authorities, (2) that these authorities will be so constituted and their functions so separated as to make co-ordination extremely difficult, and (3) that even if these various bodies were disposed to make voluntary arrangements for common action, the provisions for separate rating in respect of higher education and for separate systems of management as between the denominational and undenominational schools are positive obstacles to the creation of a unified and harmonious system of education.

In a county borough area alone will the authority have the same sphere for elementary and for other than elementary education. In the counties the elementary area will be much smaller than the "other than elementary," and in the larger non-county boroughs and urban districts the authority has no control over higher education at all.

In Surrey there will be two authorities for secondary education—the Surrey County Council and the Croydon County Borough Council—and five authorities for elementary. In the ancient parish of Whalley, in Lancashire, Burnley, a county borough, will be independent for secondary education, and the rest of the parish will (subject to the provisions of Clause 3) be, for this purpose, under the Lancashire County Council; but there will be nine authorities for elementary education, namely, the Lancashire C.C., Burnley, Accrington, Bacup, Clitheroe, Colne, Haslingden, Nelson, and Rawtenstall. In Essex there will be two secondary authorities and eleven elementary. While the smaller areas are no doubt more suitable for elementary education, the absence of any provision for the representation of the elementary authorities on the secondary committees is fatal to the claims of the Bill as a measure of co-ordination.

### CLAUSE III.

The council of any non-county borough or urban district, who have power to adopt or have adopted Part III. of this Act, shall have power concurrently with the County Council to spend such sums as they think fit for the purpose of supplying or aiding the supply of education other than elementary: provided that the amount raised by the council for the purpose in any year out of rates under this Act shall



not exceed the amount which would be produced by a rate of *one penny* in the pound.

This clause gives powers to the smaller elementary authorities concurrently with those of the County Council for supplying and aiding secondary education within the limits of a penny rate. It appears that these bodies are free to spend the money without reference to any scheme of the County Committee. The opportunities for overlapping and friction are obvious.

The power of raising the penny rate, now possessed by Borough Councils and Urban District Councils under 10,000 and 20,000 respectively, is taken away by this clause, with the result that a large number of small towns, which have raised this rate and administered it in conjunction with the County Councils under the Technical Instruction Act, will be deprived of the right they have enjoyed for the past ten years, and the various agencies they have built up will be taken over by the councils. In the County of Surrey eleven urban districts which have been rating themselves for purposes of technical instruction will lose this power, viz.: Godalming, Barnes, Carshalton, Dorking, Epsom, Frimley, Leatherhead, Surbiton, Walton, Sutton, Weybridge, whilst in the West Riding 39 urban districts, with a population well over a quarter of a million, and in Lancashire 50 urban districts which at present exercise the rating power will lose it. It should be noted that no power is given for increasing the 1d. rate or for enabling the areas which formerly rated themselves to continue doing so.

#### CLAUSE IV.

(1) A council, in the application of money under this part of this Act, shall not require that any particular form of religious instruction or worship shall or shall not be taught or practised in any school or college.

(2) In a school or college receiving a grant from, or maintained by, a council under this part of this Act.

(a) A scholar attending as a day or evening scholar shall not be required, as a condition of being admitted into or remaining in the school or college, to attend or abstain from attending any Sunday school, place of religious worship, religious observance, or instruction in religious subjects in the school or college or elsewhere; and

(b) The times for religious worship or for any lesson on a religious subject shall be conveniently arranged for the purpose of allowing the withdrawal of any such scholar therefrom.

(2) The Conscience Clause does not, as the Bill stands, apply to boarding schools or training colleges where religious tests may still be imposed. The case would be met by leaving out the words "attending as a day or evening scholar."

### PART III.—ELEMENTARY EDUCATION.

#### CLAUSE V.

The following sections of this part of this Act shall apply only within the area of a local education authority for which it is adopted, and a local education authority may adopt it for their area by a resolution of that authority.

The provisions contained in the first schedule to this Act shall have effect with respect to the resolution of adoption.

This clause gives the authority the power of becoming the elementary education authority for its area.



The objections to this option may be summarised as follow :—

That it is almost as bad to hold a sword over the heads of School Boards as to execute them at once.

That option and the consequent diversity of system would make even more confusion than that which will be caused by compulsion.

That option is a direct invitation to the Church party everywhere to capture the County and Borough Councils, and that a struggle of this sort would be the worst augury for the success of any scheme for the real improvement of education.

That it is not a real option, but a practical compulsion, carrying with it all the wrangling and bitterness of sectarian controversy which will be caused by the nominal option superadded.

[Supposing the managers of denominational schools in any area were to decide to close their schools on a certain date unless the option were exercised. The option must either be exercised, upon which the ratepayers would bear the expense of maintenance only, or, the option not being exercised, the ratepayers must build new schools to replace the old ones and maintain them as well. There would be very few districts in which ratepayers would not compel their council to exercise the option if faced with these alternatives.]

On the other hand, the less a bad Bill is applied the better.

If it were certain that the other elementary clauses could be so improved as to be made the basis for real popular control of education, or even for real educational progress, the option should clearly be abolished. But such improvement in the Bill is not only uncertain but highly improbable.

The option clause will enable the localities to retain the School Boards if they wish to do so, a privilege which will, no doubt, be exercised—if the option is left—by many of the larger towns.

#### CLAUSE VI.

The local education authority shall throughout their area have the powers and duties of a School Board and school attendance committee under the Elementary Education Acts, 1870 to 1900, and the control of all secular instruction in public elementary schools, whether provided by them or not, and School Boards and school attendance committees shall be abolished in that area.

“Shall have the powers and duties of a School Board and school attendance committee” must be read in conjunction with the other clauses and the schedules. As they stand they are meaningless and misleading, some of the most important powers and duties being done away with.

“Control of all secular instruction in public elementary schools.”

One of the puzzles of the Bill is to draw the line between control and management. What “control” means as the Bill stands it is impossible to say, whether, for instance, in the case of the non-denominational schools the committee will have the right to appoint and dismiss the teachers or whether this must be left to the managers. A distinct line is evidently intended to be drawn between control and



management, but a study of Clauses 6, 7, and 8 tends to the view that the managers rather than the committee will control the schools. It is found, for instance, by experience that a small local body will never promote an outsider to a headship against an assistant known to them personally.

The chairman of the Association of School Board Clerks, speaking at the annual conference in May, said: "In regard to the control of the secular education in the voluntary schools the bill was not very clear. For the sake of the smooth working of the measure if it should be passed, either the word "full" should be inserted before the word "control" or the Bill should definitely indicate what control other than full control was intended. For instance, there ought to be no possibility of wrangling taking place after the Bill was passed as to whether the local education authority had or had not the power to decide on such important points as the scale of teaching staff, the scale of salaries of teachers, the selection of books and apparatus, the scale of expenditure on books and apparatus, and the charging of school fees."

What, again, is to be the relation of the committee to the Board of Education? Is it intended, as Mr. Chamberlain assumes, that a local code shall take the place of the Whitehall Code, and that central control is to be superseded by local control? Is the control of religious instruction in the non-denominational schools to be left absolutely in the hands of the managers? Apparently it is. If so, all managers will inevitably be appointed by the authority for religious reasons.

#### CLAUSE VII.

All public elementary schools shall be managed in the case of schools provided by the local education authority by managers appointed by that authority under section 15 of the Elementary Education Act, 1870, and in the case of schools not so provided, by the persons who are the managers for the purposes of the Elementary Education Acts, 1870 to 1900, and this Act.

The position of the managers of the undenominational schools may be construed in two entirely different ways. If the schools are really to be managed by managers to be appointed by the authority, *i.e.*, if these managers are to have all the powers usually included in the term management, they will practically be an independent body. If, on the other hand, they are to stand on the same footing as managers appointed under section 15 of the Act of 1870, the authority need delegate to them only such powers as it thinks fit, and may remove them at pleasure. Either interpretation is possible under the clause, and the matter, which is of extreme importance, should be made perfectly clear in the Bill, and not left to the judges afterwards.

#### CLAUSE VIII.

1. The local education authority shall maintain and keep efficient all public elementary schools within their area which are necessary, subject, in the case of a school not provided by them, to the following conditions:—

(a) The managers of the school shall carry out any directions of the local education authority as to the secular instruction to be given in the school.



(b) The local education authority shall have power to inspect the school, and the accounts of the managers shall be subject to audit by that authority.

(c) The consent of the local education authority shall be required to the appointment of teachers, but that consent shall not be withheld except on educational grounds.

(d) The managers of the school shall, out of funds provided by them, keep the school house in good repair, and make such alterations and improvements in the buildings as may be reasonably required by the local education authority.

(e) The local education authority shall have the right of appointing such persons as they think fit to be additional managers, so that the number of the persons so appointed, if more than one, does not exceed one-third of the whole number of managers.

SECTION 1.—It is most important to notice that neither here nor elsewhere is there any effectual provision for compelling the authority to supply a sufficient amount of fresh accommodation. This practically makes compulsory education an empty phrase, for if the accommodation does not exist children cannot be compelled to avail themselves of it. A deficiency of school places of only 5 per cent. is enough to cause the breakdown of the enforcement of school attendance. Even with the law as it stands at present the provision of school places often falls into arrears. For instance, a School Board on the outskirts of a big town may be tempted to make use of the schools across the border, or a School Board is persuaded to put off providing new schools by the promise of a new denominational school, which promise may be long in taking effect. (For further reference see Schedule 5.)

SECTION 1 (a).—This provision is interpreted by the Church party to mean that the whole of the secular teaching in their schools is to be controlled by the authority. But control of secular teaching means executive "management." It is clear, therefore, that such control should include the appointment and dismissal, as well as the supervision of the teachers, whereas the powers of the authority in this respect are confined to a veto on the appointment of teachers, which, in the nature of things, is bound to be formal. A question arises as to the effect of this sub-section on the provisions of the Code to which allusion has already been made. Suppose, for instance, that the authority gives directions that a subject, such as cottage gardening, shall be taught, and the managers reply, "Our teachers cannot teach it," what is to happen? How the committee are to enforce the carrying out of directions upon recalcitrant managers is not shown.

(b) "Shall have power to inspect" not "shall inspect"; "shall be subject to audit" not "shall be audited."

(c) Nothing but a formal power of approval or veto is contemplated. Mr. Chamberlain's statement that the committee can dismiss teachers is unfounded. They have no power whatever of superseding existing teachers if the managers wish to retain them. Again, if the authority were to make an adequate use of its powers of control, it would find it advisable to appoint special teachers for particular branches of work, each of them attached to a group of schools. Any reforms in this direction for denominational schools are negatived, as the authority cannot appoint or control the appointment of any part of the teaching staff. No provision is made for checking the practice of using the



teacher as a sort of parochial handyman, and the managers will be left free to impose the usual conditions—sexton, organist, etc.

(d) Supposing the funds are insufficient, what then? The Board of Education may take a lenient view; but if it enforces the authority's requirements all that can be done in case of default is to refuse to recognise a building as a public elementary school—a course which would result in the authority having to provide buildings of its own. The effect of such a provision is not unlikely to cause the authority to take a lenient view of the requirements; in fact, the ratepayers would insist on a lenient view being adopted—the children, it is needless to add, suffering for it—for the more the authority insist on improvements being carried out, the greater the risk they run of laying a heavy capital expenditure on the local ratepayers. (See Clause 13, section 1a.) In London if the same standard were applied to voluntary as board buildings nearly all the voluntary buildings would be at once closed.

In this connection the following passage from the speech of the Archbishop of Canterbury, addressed to both Houses of Convocation on July 3rd, 1901, may be recalled:—

“The representations that he had received made it clear that the repairs and improvements would cost a great deal more, particularly in towns, than they would have any chance of raising.”

If this is so, the Church of England is entering into a bargain which it is not prepared to carry out.

It may be mentioned that the following resolution was unanimously adopted at the annual congress of the General Association of Church School Managers and Teachers, held in May, 1902: “That a central school building fund should be established, so that by means of grants and loans from this fund for the purpose of supplementing local efforts existing church schools might be brought up to modern requirements, and new schools built in suburban districts where they were urgently needed.”

(e) “Shall have the right to,” not “shall appoint.” So that a committee need not appoint additional managers unless it chooses.

In most cases in which the right of appointing is exercised, particularly in country districts, the authority will not know who are the most suitable persons to appoint, and will naturally be inclined to accept the suggestions of the existing managers.

## SECTION 2.

If any question arises under this section between the local education authority and the managers of a school that question shall be determined by the Board of Education, and compliance with this section shall be one of the conditions required to be fulfilled by an elementary school in order to obtain a Parliamentary grant.

This section constitutes the Board of Education a Court of Appeal in the event of disputes between committees and managers.

With regard to the ex-School Board managers, the power of appeal given to them gives them an independent status quite different from their dependent position under Section 15 of the Act of 1870.



If the Bill passes as it stands, it is clear that the Board of Education will have its hands full in deciding upon the differences between managers and committees, and that many questions will have to be taken to the courts before decisions can be given. The Bill is so sketchy and vague that it is certain to give rise to constant litigation. The final shape of our education system will in fact be determined by the Board and the Law Courts.

#### CLAUSES IX. AND X.

Where the local education authority or any other persons propose to provide a new public elementary school, they shall give public notice of their intention to do so, and the managers of any existing school, and the local education authority (where they are not themselves the persons proposing to provide the school) and any ten ratepayers in the area for which it is proposed to provide the school, may, within three months after the notice is given, appeal to the Board of Education on the ground that the proposed school is not required, or that a school provided by the local education authority, or not so provided as the case may be, is better suited to meet the wants of the district than the school proposed to be provided, and any school built in contravention of the decision of the Board of Education on such appeal shall be treated as unnecessary.

The Board of Education shall determine in case of dispute whether a school is necessary or not, and in so determining, and also in deciding on any appeal as to the provision of a new school, shall have regard to the interest of secular instruction, to the wishes of parents as to the education of their children, and to the economy of the rates, but a school actually in existence shall not be considered unnecessary in which the number of scholars in average attendance as computed by the Board of Education is not less than 30.

"Any other persons" than the authority as well as the authority itself may take the initiative in starting any new school; and the authority, the managers of any existing school, and any ten ratepayers within the area concerned, may appeal to the Board of Education against the proposal. Such appeal must be made on the ground that the school is not necessary, and the Board in deciding whether a school is necessary or not is to have regard to (1) the interest of secular education, (2) the wishes of parents as to the education of their children, and (3) to the economy of the rates.

Economy of the rates is really the only tangible point here, and as the authority will get an extra 5s. for every child in a denominational school, besides being relieved of the capital cost and upkeep, which otherwise would come on the parish, the consideration of economy will be strong enough to prevent the establishment of any new undenominational schools.

In every district where a new school is to be placed the authority is put at a disadvantage. The Bill provides that wherever a body of people are dissatisfied with the existing school they have only got to start a new one, get thirty children into it, and carry it on for a year to be able to quarter it on the authority for the rest of time.

#### CLAUSE XI.

If the local education authority fail to fulfil any of their duties under the Elementary Education Acts, 1870 to 1900, or this Act, in any part of their area, the Board of Education may, after holding a public inquiry, make such order as they think necessary or proper for the purpose of compelling the authority to fulfil their duty, and any such order may be enforced by mandamus.



The power of declaring default is abandoned by the Board of Education (see schedule) so that the most powerful lever for keeping the local authorities up to the mark will be done away with. An order to be enforced by mandamus is to be substituted. The Bill does not say whether the County Council as a whole or only the committee will be liable to imprisonment.

It may here be pointed out that the Board of Education divests itself of two of its greatest powers for raising and maintaining the standard of teaching and administration :—

1. The power of declaring default.
2. The power to compel local authorities to provide sufficient school places.

## PART IV.—GENERAL.

### CLAUSE XII.

1. Any council in the exercise of powers under this Act shall, except as respects the raising of a rate or borrowing money for the purposes of this Act, or the adoption by them of part three of this Act, act through an education committee or education committees, constituted in accordance with a scheme made by the council and approved by the Board of Education.

2. Every such scheme shall provide—

(a) For the selection and appointment by the council of at least a majority of the committee; and

(b) For the appointment by the council, on the nomination, where it appears desirable, of other bodies, of persons of experience in education, and of persons acquainted with the needs of the various kinds of schools in the area for which the council acts.

3. Any such scheme may, for all or any purposes of this Act, provide for the constitution of a separate education committee for any area within a county, or for a joint education committee for any area formed by a combination of counties, boroughs, or urban districts, or of parts thereof. In the case of any such joint committee, it shall suffice that a majority of the members are selected and appointed by the councils of any of the counties, boroughs, or districts out of which or parts of which the area is formed.

4. Before approving a scheme, the Board of Education shall take such measures as may appear expedient for the purpose of giving publicity to the provisions of the proposed scheme, and may, if they think fit, hold a public inquiry.

5. If a scheme under this section has not been made by a council and approved by the Board of Education within twelve months after the passing of this Act, that Board may, subject to the provisions of this Act, make a Provisional Order for the purposes for which a scheme might have been made.

6. In Wales and Monmouthshire any county governing body constituted under a scheme made in pursuance of the Welsh Intermediate Education Act, 1889, shall be the education committee under this Act of the council of the county or county borough, unless any other scheme is proposed by the council.

At this stage it comes out that the authority, for all practical purposes, is not the council but the committee, which is to be constituted by means of a scheme which the council is to frame, which scheme must be approved by the Board of Education. The powers of the council itself are limited to raising a rate—does this include appropriating it?—borrowing money, exercising its option under Part III., and framing a scheme. For the rest it is to “act through” the body constituted by the scheme. Thus financial and administrative responsibility are absolutely divorced instead of being



united in the same hands. The shadowy powers conferred upon the council seem hardly to be realised by those who see in the Bill a measure for "municipalising" education.

SECTION II.—(a) The Bill does not provide for the appointment of a majority of Councillors as did the Bill of 1901, but leaves the council free to select outsiders to form the majority. A council which has had Part III. forced upon it, or which possesses a majority with denominational prepossessions, or which objects from one reason or another to exercise responsibility under the statute, will, therefore, be enabled to select the whole of its nominees from outside its own ranks. Nothing is said about the appointment of women who will lose their place on the disestablished School Boards, nor about the time for which (a) the council's nominees, and (b) the nominees of the interests are to serve, or the conditions under which they will retire—whether by thirds or all together.

(b) The minority is not to be co-opted by the majority, or appointed at the discretion of the council. The council is, "where it appears desirable," to accept nominations from a variety of more or less vaguely specified bodies and interests. The wording of the sub-section is such as to make it clear that the actual scheme of selection will be determined by the Board of Education.

The stages of attenuation by which the latest scheme has been evolved are instructive :—

STAGE 1.—TECHNICAL INSTRUCTION ACT, 1889.—(1) "For the purposes of this Act the expression 'local authority' shall mean the council of any county or borough, and any urban sanitary authority within the meaning of the Public Health Acts." Here the local representative body is subjected to no restrictions in respect of the form in which its powers are to be exercised. It is not compelled to form a committee. It may do so.

STAGE 2.—TECHNICAL INSTRUCTION ACT, 1891.—The next reference to a committee appears in the concluding paragraph of Section II :—

"Where a council shall have referred to a committee the question of appropriating to purposes of technical or manual instruction any sum consisting of the whole or any part of such moneys [whisky money] this section, unless and until the council otherwise direct, shall, *until the committee shall have made their report* and the council shall have arrived at a decision thereon."

There is nothing in the Act to make the appointment of such a committee compulsory, and so the law still stands in respect of technical instruction.

STAGE 3.—*The Bill of 1896* (dropped) prescribes that :—

I.—(1) Every County Council shall appoint an education committee for the purposes of this Act, and the County Council *acting by* that committee shall be and is in this Act referred to as the education authority for the county.

(2) The number of the members of the committee shall be fixed by the County Council.

(3) The County Council may appoint persons, whether members of the council or not, to be members of the committee, provided that a majority of those members shall be members of the council.



(4) A member of an education committee shall hold office for three years, and one-third, as nearly as may be, of the members of an education committee shall retire annually at such time and in such order as may be fixed by the County Council, and their places shall be filled by a new appointment, but retiring members may be re-appointed.

Here the council are compelled to form a committee, the majority of whom must consist of its own members, the rest being chosen by the council at their unfettered discretion. There is no scheme, no reference to the Education Department is prescribed, and the council is to determine the size of the committee. "Acting by" this body, the councils were to carry out the administration of the Act, or, in other words, the committee was to be the actual authority enjoying a status of independence quite different from any other committees.

STAGE 4.—THE BILL OF 1901.—The Bill introduces the "scheme," and provides for its approval by the Board of Education. A majority of the members of the committee are to be members of the council, and "there are to be other members, male or female, not members of the council"—how appointed the Bill does not say. The composition of the minority and their tenure of office are presumably left to the Board of Education.

SECTION V.—Under this section the Board of Education by withholding its approval for twelve months, may deprive the Council of the power to draft a scheme and may make its own scheme by Provisional Order. (For the procedure governing Provisional Orders, see Clause XVI.)

### CLAUSE XIII.

(1) The expenses of a council under this Act shall, so far as not otherwise provided for, be paid, in the case of the council of a county out of the county fund, and in the case of the council of a borough out of the borough fund or rate, and in the case of the council of an urban district as expenses incurred for the general purposes of the Public Health Acts. Provided that—

(a) The County Council may if they think fit charge any expenses incurred by them under this Act with respect to education other than elementary on any parish or parishes which in the opinion of the council are served by the school or college in connection with which the expenses have been incurred; and

(b) The County Council shall not raise any sum on account of their expenses under Part Three of this Act within any borough or urban district the council of which is the local education authority for the purposes of that part; and

(c) The County Council shall charge any expenses incurred by them in respect of capital expenditure on account of the provision or improvement of any public elementary school on the parish or parishes which, in the opinion of the council, are served by the school; and

(d) The County Council shall raise any expenses incurred to meet the liabilities of any School Board transferred to them exclusively within the area which formed the school district in respect of which the liability was incurred.

(2) All receipts in respect of any school maintained by a local education authority, including the annual Parliamentary grant, but excluding sums specially applicable for purposes for which provision is to be made by the managers, shall be paid to that authority.

(3) Separate accounts shall be kept by the council of a borough of their receipts and expenditure under this Act, and those accounts shall be made up and audited in like manner and subject to the same provisions as the accounts of a County



Council, and the enactments relating to the audit of those accounts and to all matters incidental thereto and consequential thereon, including the penal provisions, shall apply.

SECTION 1.—(c) This sub-section is serious. Poorer districts get the advantage of equalisation under the present rating system, but the Bill takes this away so far as capital expenditure in buildings is concerned which the parish or parishes served by the school must bear. How will this liability present itself to ratepayers whose intervention is invited by the Bill? Will it not put a premium on denominational buildings, the capital expenditure on which may be provided by paying a yearly rent? "There is nothing in the Bill," says Mr. Lyulph Stanley, "to prevent a Church of England or Roman Catholic congregation who desire a new parish room and Sunday school from forming themselves into a building company, letting the building to themselves as day school managers, at a rent calculated to yield 4 or 5 per cent., and then obtaining from the County Council, as cost of management of the school, the rent in question, thus getting their church equipment provided at the expense of the rates."

#### CLAUSE XVI.

1. Sections two hundred and ninety-seven and two hundred and ninety-eight of the Public Health Act, 1875 (which relate to Provisional Orders), shall apply to any Provisional Order made under this Act as if it were made under that Act, but references to a local authority shall be construed as references to the authority to whom the order relates, and, as respects a Provisional Order constituting an education committee, references to the Local Government Board shall be construed as references to the Board of Education.

2. Any scheme or Provisional Order under this Act may contain such incidental or consequential provisions as may appear necessary or expedient.

3. A scheme under this Act when approved shall have effect as if enacted in this Act, but may be revoked or altered by a scheme made in like manner.

The following are the provisions of the Public Health Act, 1895, which govern the system of Provisional Orders.—SECTION 297.—With respect to Provisional Orders authorised to be made by the Local Government Board under this Act, the following enactments shall be made:—

1. The Local Government Board shall not make any Provisional Order under this Act unless public notice of the purport of the proposed order has been previously given by advertisement in two successive weeks in some local newspaper circulating in the district to which such Provisional Order relates.

2. Before making any such Provisional Order, the Local Government Board shall consider any objections which may be made thereto by any person affected thereby, and in cases where the subject matter is one to which a local inquiry is applicable, shall cause to be made a local inquiry, of which notice shall be given in manner aforesaid, and at which all persons interested shall be permitted to attend and make objections.

3. The Local Government Board may submit to Parliament for confirmation any Provisional Order made by it in pursuance of this Act, but any such order shall be of no force whatever unless and until it is confirmed by Parliament.



4. If while the Bill confirming any such order is pending in either House of Parliament a petition is presented against any order comprised therein, the Bill, so far as it relates to such order, may be referred to a Select Committee, and the petitioner shall be allowed to appear and oppose, as in the case of private Bills.

5. Any Act confirming any provisional order made in pursuance of any of the Sanitary Acts or of this Act, and any order in Council made in pursuance of any of the Sanitary Acts, may be repealed, altered, or amended by any Provisional Order made by the Local Government Board and confirmed by Parliament.

6. The Local Government Board may revoke, either wholly or partially, any Provisional Order made by them before the same is confirmed by Parliament, but such revocation shall not be made whilst the Bill confirming the order is pending in either House of Parliament.

7. The making of a Provisional Order shall be *prima facie* evidence that all the requirements of this Act in respect of proceedings required to be taken previously to the making of such Provisional Order have been complied with.

8. Every Act confirming any such Provisional Order shall be deemed to be a public general Act.

SECTION 298.—The reasonable costs of any local authority in respect of Provisional Orders made in pursuance of this Act, and of the inquiry preliminary thereto as sanctioned by the Local Government Board, whether in promoting or opposing the same, shall be deemed to be expenses properly incurred for purposes of this Act by the local authority interested in or affected by such Provisional Orders, and such costs shall be paid accordingly; and, if thought expedient by the Local Government Board, the local authority may contract a loan for the purpose of defraying such costs.

### CLAUSE XVIII.

(1) In this Act, and in the Elementary Education Acts, the expression "elementary school" shall not include any school carried on as an evening school under the regulations of the Board of Education.

(2) The power to provide instruction under the Elementary Education Acts, 1870 to 1900, shall, except where those Acts expressly provide to the contrary, be limited to the provision of instruction given under the regulations of the Board of Education to scholars of not more than 15 years of age in a public elementary school.

(3) In this Act, unless the context otherwise requires, any expression to which a special meaning is attached in the Elementary Education Acts, 1870 to 1900, shall have the same meaning in this Act.

(4) In this Act the expressions "powers," "duties," "property," and "liabilities" shall, unless the context otherwise require, have the same meanings as in the Local Government Act, 1888.

(5) The power of a local education authority to supply, or aid the supply of, education other than elementary, shall include power to make provision for the purpose outside their area in cases where they consider it expedient to do so in the interests of their area.

(6) Population for the purposes of this Act shall be calculated according to the census of nineteen hundred and one.

(1.)—This clause shows how much must now be included in education "other than elementary," and affords a measure of the value of the 2d. rate which may be devoted to this subject. Nothing



is to be spent out of the elementary rates on evening schools—although the instruction given in them is largely elementary in character—the most popular subjects in such schools being reading, writing, and arithmetic.

In every borough over 10,000, and urban district over 20,000, the day instruction will be under one authority and the evening instruction under another, though the premises, teachers, and subjects taught are predominatingly the same. This is called co-ordination.

An attempt is being made in the Estimates to conceal the evening grants under the science and art grants, but the fact remains that the evening work is very largely elementary work, not in science or art at all, and any proper scheme of co-ordinated education, especially among the large class which does not continue its education in a secondary school proper, depends upon a close connection between the two branches.

Everyone agrees that the only way to make continuation schools a success is to get children into them as soon as they leave the day schools, *i.e.*, to interest them in the continuation schools while they are still in the day schools. How can this be done, where, as in so many cases under the Bill, the two sorts of education are under different authorities?

(2.) This carries out the "Cockerton" judgment. If children over 15 are kept at a public elementary school their instruction will, in many cases, be paid for by an authority differing from the authority which has educated them up to 15, and if by the same authority out of different funds and rates. "Under the regulation of the Board of Education" should be noticed. If the Board at any time limit the subjects to be taught or the facilities for teaching, even to children under 15, any teaching outside that limit becomes outside the existing law, and may not be provided for from the elementary education rates.

It should also be noted that a new "Cockerton case" is pending, and that the provision and maintenance of pupil teacher centres will also probably be made a charge on the "other than elementary" rates of the education authority. School Boards have of recent years been becoming thoroughly alive to the importance of this work, and have been making application for leave to carry it out in large numbers. If it is put on to a new authority or a new fund the work which is being done will be threatened, and the undertaking of new work made improbable.

Authorities which exercise their elementary powers will find the rate so much heavier than they expect, if they are to meet the new demands for denominational schools, that they will be disinclined to spend a penny more than is necessary on education other than elementary.

It is the gravest danger to put three such important parts of education as evening schools, the higher education of children who can afford only an elementary school education, and the training of pupil teachers into the sphere in which the authorities will wish to exercise such strict economy.

5. This power should be extended to the boroughs and urban districts which are empowered to raise the penny rate.



## [SCHEDULES TO THE BILL.]

SCHEDULE IV. PART 1.—The most important provisions of the Technical Instruction Acts, which are repealed, are as follow:—

Schools conducted for private profit are not eligible for aid.

The local authority shall be represented on the governing body of the school in proportion to the aid given by the authority.

Audit of the accounts of an aided school and personal liability of the managers to refund money not properly applied.

The power of *all* Borough and Urban District Councils to levy a penny rate.

SCHEDULE V. REPEAL OF ACT OF 1870.—Section 5, which is repealed, is as follows: “There shall be provided for every school district a sufficient amount of accommodation in public elementary schools (as hereinafter defined) available for all the children resident in such districts for whose elementary education efficient and suitable provision is not otherwise made; and where there is an insufficient amount of such accommodation, in this Act referred to as public school accommodation, the deficiency shall be supplied in manner provided by this Act.”

The part of section 18 which is repealed is as follows: “If at any time the Education Department are satisfied that a School Board have failed to perform their duty either by not maintaining or keeping efficient every school provided by them, or by not providing such additional school accommodation as in the opinion of the Education Department is necessary in order to supply a sufficient amount of public school accommodation in their district, the Education Department may send them a requisition requiring them to fulfil the duty which they have so failed to perform; and if the School Board fail . . . to comply therewith . . . such board shall be deemed to be a School Board in default, and the Education Department may proceed accordingly.”

If these clauses of the Act of 1870 be repealed there will be no way of calling the authority to account if they fail to supply sufficient school accommodation for their district, for Clause XI. of the Bill applies only when “the local authority fail to fulfil any of their duties under the Elementary Education Acts.”

The only clause retained in the Act of 1870 relating to this subject will be the unrepealed part of section 18, which is as follows:—

“The School Board shall maintain and keep efficient every school provided by such board, and shall from time to time provide such additional school accommodation as is, in their opinion, necessary in order to supply a sufficient amount of public school accommodation for their district.”

Thus if the authority say that in any place additional school accommodation is not, in their opinion, necessary, the Board of Education are powerless to interfere.

The sections quoted should not be repealed, and the sections depending upon them, 6, 8-11, 16, 63-66, and giving the Board of Education powers against the authority, should also be left in the



Act, with merely a modification in the method of proceeding against an authority in default.

PAGE 13, LINE 5.—“The first schedule, except the third part: the second schedule.” Presumably this is meant to be “the first schedule; the second schedule except the third part.” If the whole of the second schedule is repealed, some important rules for the election of the School Board in the metropolis will cease to exist.

PAGE 13, LINE 44.—“Section 43.”—The section provides that the local authority acting as a school attendance committee shall make such returns as the Education Department from time to time require. Why should this be repealed?

PAGE 13, LINE 50.—“Section 5.”—This section provides for the enforcement by the Education Department of the provision of public school accommodation without payment of fees: in the manner provided by Sections 9 and 10 of the Elementary Education Act, 1870, and every other section enabling them in that behalf, with respect to the supply of public school accommodation. Schedule 3 (5) puts the provision of free places on the same footing of “in their opinion necessary,” already explained on preceding page, and thus the power to enforce the provision of free education is practically abolished.

As already pointed out, the sections enforcing the provision of school accommodation on the authority should stand. This section should, therefore, stand also.

## GENERAL OBSERVATIONS.

The resolutions of Convocation, the diocesan bodies, etc., make it clear that the Church regards the Bill of this session as giving them an unequalled opportunity of freeing their schools, once for all, from financial pressure. Were it not for this Church pressure, it is doubtful if the Government would take in hand so large and complicated a question as the recasting of the whole local machinery of elementary education.

If their primary object was educational, they would have (a)—as regards elementary education—taken up the question of increasing the supply of efficiently trained teachers; (b) introduced a simple Secondary Education Bill.

The Church case is that the financial pressure is urgent. In spite of (a) the 5s. aid grant, under the Act of 1897, (b) the block grant, under the Code of 1900, which gives them a minimum of 21s., as against the 17s. or 18s. which many of the schools got before, and (c) the fact that they are almost openly treated with greater indulgence than the Board Schools by the Education Department, the same claim for more money is put forward as was urged before such assistance was given. The fact is that it is year by year more difficult to maintain voluntary subscriptions, the general level of which is only kept up by the hope of a relieving Bill, and by the fear that as the standard of efficiency rises, demands must ultimately be made which will make it necessary to hand the schools over to the School Boards.



## I.—WILL THE CHANGES BE EDUCATIONALLY SATISFACTORY ?

### THE VOLUNTARY SCHOOLS TO BE FINANCED BUT NOT IMPROVED.

It is evidently intended that there shall be as little interference as possible with the existing managers of voluntary schools. The Bill is regarded by the Church as restraining the Board Schools and as a financing measure for the Voluntary Schools. The money of the rate-payers will be used, but *without guarantees for increased efficiency*. It is stipulated that the managing body shall have not more than a third of its members appointed from outside, and all the powers in connection with the appointment and oversight of teachers will be left with them. "The control of all secular instruction," which is given to the Committee, may be capable of enforcement, but the Bill does not show how. It does not say what modifications, if any, are to be made in the Whitehall regulations, or show how the Committee is to enforce its will on dissentient managers. It must on no account be forgotten that the status of the managers in both sets of schools gives them great powers. It should be noted, too, that the intention expressed by Convocation to maintain and renew the school buildings is unlikely to be of much avail in cases where heavy expenditure on buildings is necessary—(see Appendix).

Under any conceivable scheme it would be difficult for a county authority to exert effective management over elementary education in the country districts. The principle to be borne in mind is that rural schools, voluntary or other, can only effectively be managed either singly or in small groups. The county area is too big for effective management, and admits only of the loosest form of control. The Church party know this, and welcome the county authority accordingly, and they would not submit to a scheme of management confined to an area small enough to admit of (a) direct management by the authority, or (b) control through managers appointed by and under the effective supervision of the authority.

In the towns there is apparently no more intention of securing popular management for voluntary schools than in the country districts. Control is the word used, but the voluntary schools are to be financed out of the rates and managed as at present, with only some illusory minority representation.

It must be insisted upon that the mere making of money grants to be administered by the existing managers of these schools affords no security whatever for raising the educational standard. The money may be absorbed (1) in taking the place of voluntary subscriptions, (2) in increasing the salaries of teachers who may be incompetent.

### LEVELLING DOWN (MAINLY IN THE TOWNS).

In any urban area with both board and voluntary schools, there is every likelihood of a grave loss of efficiency.

Supposing the school rate to remain stationary, the same amount of money will be spread over a larger number of schools, and the board schools will suffer.



Supposing it to be slightly raised, the proceeds will not be sufficient to level up the voluntary schools to the School Board standard.

Even with a largely-increased rate—and in how many towns will the ratepayers consent to heavy additions to their burdens under the conditions proposed?—the denominational schools will require so much assistance, if the demands of the local managers and the Board of Education are to be satisfied, that the board schools will almost inevitably be levelled down.

The only hope of levelling up the voluntary schools lies in management by persons responsible to the public, which will assure the ratepayers that their money is being spent in increasing educational efficiency.

### IS THE BILL REALLY A SINGLE AUTHORITY MEASURE?

Notwithstanding all this, the Government contend that the Bill is a great measure of simplification in that it sets up a single authority.\*

It will be said that all educationists are united on this point, and that only through a single authority can there be true improvement in education. Resolutions to this effect have been passed by a variety of bodies, but under the name of a single authority the most divergent schemes have been advocated, and no scheme which will hold water has been put forward.

Certain stock terms have been used, such as "establishing the principle of a single authority," "control of all grades of education by one authority," without thinking the matter out, or considering the actual powers and duties which would have to be given to such an authority to carry these phrases into effect.

Thus a single authority, to be efficient as such, must be given real responsibility for the supply of education of all grades. But it is impossible to say which under the Bill is the responsible body in elementary education, whether the managers, denominational or otherwise, the Committee, the Council, or Whitehall; whilst in secondary education no responsibility for supplying education is given at all.

Again, an effective single authority should have the power of *managing* the schools for which it is responsible. No such powers are given. The scheme of Birmingham University, which is believed to represent in some respects the views of Mr. Chamberlain and the Duke of Devonshire, specifically declares that the education authority shall not manage any school over which it exercises "control," and this principle is adhered to. The Bill might have set up a scheme under which a single authority would exercise the "control" of an Education Department for its area, raising funds and laying down the lines on which money should be expended, and supplemented by smaller local authorities which would undertake the work of "management" under its supervision. But there is neither real "control" nor real "management" in the bill.

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\* What is to be the position under the authority of boards of governors of grammar schools, councils of technical schools, committees of evening schools, and science and art classes? Apparently they are to be left, while School Boards are abolished.



Again, the authority should have the duty of inspecting its schools and reporting on them to the public. Under the Bill the duty of reporting to the public is not enforced, and inspection is optional.

Thus, with respect to responsibility for finance, provision of education, powers of management and inspection, the authority proposed fails to meet the claim for efficiency and simplification advanced by the Government themselves.

#### THE DEMAND FOR A SINGLE AUTHORITY.

Let us see, however, what are the grounds of the demand for a single education authority.

Certain interests and organisations advocate it for obvious reasons: the clergy, in order to obtain rate aid; some of the elementary teachers, because they believe that a single authority, removing many of the distinctions between elementary and other schools would enlarge the trained teacher's professional opportunities; some of the County Councils and their officials, from a natural desire to enlarge the boundaries of their jurisdiction; the Trade Unionists and Co-operators—who couple with the single authority the *ad hoc* method of election—largely from a genuine desire to keep a direct hold over local administration, and to keep the higher education of the industrial classes in organic connection with the elementary schools.

The argument that appeals to the educationist is, of course, that unity and simplicity of administration might be secured under a single authority. To make the educational ladder easier, to avoid overlapping and undue competition, and perhaps to get the religious controversy out of education (which is not possible at present), might be amongst its specific advantages, whether the authority be elected *ad hoc* or constituted out of some existing body.

As to *overlapping* there is a great deal of exaggeration and misrepresentation. It is said, for instance, that good higher elementary education is unnecessary where there is an adequate supply of secondary schools. But every German town has its Realschule for students from 10 to 16, and its Höhere-Bürgerschule from 12 or 14 to 16. There is everywhere a considerable class who will not transfer their children to new schools at 12 or 13, but will keep them on at school till 14 or 15 if good higher elementary education is provided. The Government, at any rate, has been discouraging such education by every means in its power, even where there was no adequate supply of secondary schools. Also a great deal of the overlapping is temporary, and will disappear when secondary education is put on a proper footing. The School Boards found the secondary field empty and pushed into it. Technical education committees found that they could aid secondary schools and carry on any sort of classes, and did so, often by way of experiment. Clashing and friction have consequently been inevitable, but with time and wise guidance would disappear.

So far from there being any surplus of educational opportunity there is a tremendous deficiency, a deficiency, mainly in secondary education, which can be supplied without any change of machinery.



Efforts for secondary education are now being actively made by many of the Technical Instruction Committees, and if a simple Bill is wanted it should take the form of giving to the Technical Instruction Committee, or to a body formed on similar lines and not burdened by elementary education, further powers in connection with secondary education. This would be easy to do and of immense benefit. (See later.)

In time this body might come to form the basis of an effective single authority, or rather of a single co-ordinated system. As soon as the authority had become familiar with the administration of secondary education, it would be in a better position to become the Education Department responsible for the whole of the schools in its district, not, as proposed, a third and ineffective authority. A county authority alone, however, is not sufficient. There must also be smaller bodies working in conjunction with it, so as to secure effective management and due regard to local circumstances. (See "Difficulties of Area.") But such a change must be gradual. It will involve many intricate problems of local government; and it is by no means the most pressing question at the moment. Moreover, to burden the new authority with the elementary schools at this juncture would strangle its efforts for secondary education.

## II.—CONSTITUTION OF THE PROPOSED AUTHORITY.

(a) *What is its relation to the elected body—the County Council or County Borough Council?*

The elected council is described as "acting through" a committee, the majority of which is to be appointed by the council. In reality the powers of the council cease with the discharge of its rating functions and the selection of this majority. In respect to the policy and administration of education the council will not be acting through the committee, which will be almost a "sovereign body,"\* subject to no outside control, whether of the council, the rate-payers, or public opinion (for there is no provision for the meetings being open). This being so, the whole administration of education would seem to be removed at a single sweep from anything like effective popular criticism and control. Education becomes an affair to be settled between the local committee and the Board of Education.

It may be urged that the power to appoint a majority, coupled with the voice which the council will have in the selection of the bodies which will nominate the minority, will suffice for the purposes of popular control. Seeing, however, that the council has no powers to frame a policy or to review administration, its right of nomination gives it no real hold on education and no intelligible basis for the appointment and reappointment of its representatives. It is difficult to see how, under these limitations, the ratepayers are to have even

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\* Mr. Asquith, in the debate on the Bill of 1896.



the most shadowy powers of making their views as to education felt at election times. Equally difficult is it to understand on what principle the council is to frame its budget. Is it to accept the "precept" of the committee or is the committee to frame its estimates in the dark and subject to their being over-ridden?

With respect to the minority, it is doubtful whether the council will possess anything more than a nominal power of selection. The "scheme" is made by the council, but it must be "approved by the Board of Education," and the vice-president has made it clear that this approval is not to be a matter of form, but that the Board will itself lay down the lines of the scheme and indicate the provision to be made for the representation of the various "interests" affected.

The minority will, therefore, not be selected as aldermen are, on their personal merits. They will represent the interests affected, *i.e.*, church schools, diocesan associations, secondary schools, teachers, universities, university colleges. And this selection is not to be entrusted to the body which presumably knows most about the interests and men, and is best fitted to make judicious appointments; but the choice is left with the interests, and the status of the minority will be that of advocates, and generally sectarian advocates.

### III.—THE LOSS OF PARLIAMENTARY CONTROL.

The power reserved to the Board of Education of approving or framing schemes for the constitution of the education authority, that is, determining the "interests" to be represented, is a most dangerous one. The more independent the authority is made of the County or Town Council—and the Bill makes the dependence as slight as possible—the more important is it that the authority should represent the public, and that no interest as such should have a claim to put representatives upon it. The Board of Education cannot be trusted to secure the representative character of the authority.

Parliament should insist on one or other of two alternatives: either it should leave the power of co-opting quite free in the hands of the Town or County Council; or it should lay down some general principle for the selection of the minority, with a view to securing a fair proportion of representatives of public teaching bodies, the Councils being required to lay their schemes on the table of the House.

The disregard of Parliament which characterises the Bill is in accord with the general tendency of the educational policy of the Government, as to which a word may here be said. In the first place, the evening schools are no longer under the Code, which must be annually approved by Parliament; nor are they governed by the principle of the Act of 1870—"No rate aid without popular control." Indeed most of these schools, Sir John Gorst has admitted, are not under the Elementary Education Acts at all, though the larger part of the education they give is elementary.

The history of the "Directory" is another illustration of the tendency to remove education from the purview of Parliament. This document



which is not, like the Code, annually approved by Parliament, was at first merely a set of rules for artisans' classes under the Science and Art Department, but has little by little become a Code in itself, laying down conditions for the distribution of large sums of money for Science and Art teaching and secondary education. Year by year larger grants are being given to secondary schools, and, however well spent the money may be, it is obviously most undesirable that this branch of administration should be removed from the cognisance and control of the House of Commons.

#### IV.—DIFFICULTIES OF AREA.

From the point of view of elementary education, it is certain that the best area is a comparatively small one, and the Urban and Rural District Council areas would be none too small for the purpose. Only in a comparatively small area can the education authority effectively manage its schools, and a small area is also a better guarantee for popular interest, and for the development of local methods of meeting local needs. While the Bill of 1896 was before the House, the Government realised this difficulty, and offered autonomy to non-county boroughs of a certain population. But this was only a half-measure, and, therefore, failed. Even under the compromise of the Bill which makes boroughs above 10,000 and urban districts above 20,000 independent it will be just as difficult to secure efficient administration and local interest in the rural and small urban districts remaining. If the education authority is intended to be merely a conduit pipe for local and imperial funds, the county area is as good as another, but it cannot be argued that it can be made an effective single authority for elementary education.

On the other hand, for secondary education an ideal scheme would probably allow no area to be independent of the county at all, and might even try to combine county with county so as to establish bodies sufficiently powerful and comprehensive to control education of the university as well as of the secondary grade. Even if the county boroughs only are allowed to be independent of their counties there will be much inconvenience. Each county borough is, for higher secondary and technological purposes, the natural centre of the area round it, but if it and the surrounding districts are under separate authorities the necessary correlation of institutions will be most difficult to secure. One of the most important parts of the work of education authorities in the future will be the establishment of scholarship schemes from secondary schools to places of higher learning, but if such places are generally found to be under another authority the difficulty of establishing these schemes will be great.

The authority proposed is, we must repeat, likely to be too large for elementary school purposes and too small for secondary and other higher education. A great deal of the want of definition as to duties and responsibilities in the present proposals is probably



due to a realisation of this fact. There is, however, no doubt that the difficulties should be realised and faced and decided if hopeless chaos is to be avoided. For estimating the value of the proposals made for this country it is well worth while contrasting the probable condition of one of the English counties under the Bill with that of a Swiss canton. For instance, in Staffordshire, Wolverhampton, Walsall, Burton, Hanley, and West Bromwich will, as county boroughs, be independent. Dudley, an island of Worcestershire in Staffordshire, is also a county borough. Smethwick (54,000), Longton, and Burslem may also become county boroughs. These will be the secondary authorities in addition to the county. There will be in addition eleven independent elementary authorities. The rest of the county will be under the county authority sitting at Stafford, which will be the only rating authority, the rating and distributing powers of all other local bodies (even of those 30 miles away from Stafford north and south) being sacrificed to it. In Switzerland there would be a supreme cantonal authority for the whole canton, no part of it excepted, while each commune would have its own local authority—the ordinary authority for purposes of local government—with full powers both of rating and spending. This system really combines the local responsibility which, as has been shown, is so important for elementary education, with the comprehensive powers equally necessary for higher education. The system proposed will do exactly the opposite. It will take away local responsibility without affording comprehensive oversight.

## V.—A POINT AS TO REPRESENTATION.

### THE CONTRAST BETWEEN SECONDARY AND ELEMENTARY SCHOOLS.

Under the new proposals the county authority is made responsible for the maintenance of denominational schools, and is given in return representation up to one-third on each of the local managing bodies of such schools.

It may be argued that the provisions of the Technical Instruction Acts, which give the county representation on the governing bodies of schools in proportion to the amount of their aid, have worked entirely satisfactorily, and that if this amount of representation satisfies the county with regard to secondary schools, the provisions of the Bill should satisfy them equally with regard to elementary schools.

It should, however, be pointed out (1) that the *power* of aiding under the Technical Instruction Acts is an entirely different thing, and one of less public moment, from the *duty* of maintaining elementary schools laid on the authority by the Bill. (2) That the schools aided under the Technical Instruction Acts are under management which is to a large extent genuinely representative of the locality, while the management of the majority of denominational schools is hardly representative at all.

As to (1), there is at present no *duty* of maintaining the supply of secondary education. The technical instruction committees may assist



a school or not, just as they like, and they need only assist such schools as they consider to be managed in accordance with their wishes.

As to (2), schemes made by the Charity Commission under the Endowed Schools Acts all recognise that there should be a representative element in management. In new schemes the County Council is invariably represented, and in most cases the District Councils, and in smaller schools the Parish Councils also appoint governors for the schools.

For instance, a new scheme has lately been made for a secondary school at Edmonton in Middlesex. The governing body consists of 13 representative and four co-opted governors. Of the 13 representative governors, one is appointed by the vicar and churchwardens of Edmonton, three are appointed by the Urban District Council of Edmonton, three by the Urban District Council of Southgate, two by the School Board of Edmonton, three by the Middlesex County Council, and one by the senate of London University.

Contrast the composition of a body of managers of the average denominational school : The minister of the parish for the time being ; his curate or curates if appointed by the minister ; the churchwardens of the parish if members of the Established Church ; and a small number of other persons being *bonâ fide* members of the Established Church and subscribers of not less than 10s. annually to the funds of the school.

The contrast in the representative character of the two bodies is sufficiently obvious.

It has been argued in support of the Government proposal that a similar plan has worked well under the Welsh Intermediate Act. But the Welsh Act does not deal with elementary education. Moreover, the appointed representatives are chosen by various representative bodies for the purposes of education, whereas under the Bill they would, to a large extent, be nominees of denominational interests.

## VI.—THE FAILURE OF THE GOVERNMENT IN EDUCATION, AND THE SHORTCOMINGS AND DEFECTS OF THEIR POLICY.

The Government have had a splendid opportunity of improving national education since 1895, but have neglected it in almost every particular. There was most urgent need to improve the standard of teaching in elementary schools. Even more important was it to organise secondary education and to develop the higher elementary schools. Secondary education has been neglected, but with regard to higher elementary education the Government's policy has been one of active hostility. A short consideration of the history of the higher elementary minute of April, 1900, will show this most abundantly.

### HISTORY OF THE HIGHER ELEMENTARY MINUTE.

In 1900 the Block Grant Code was introduced, which levelled the grants to elementary schools, both up and down. Many schools which



had been earning 25s. or more, per child had to be content with the block grant of 21s. or 22s. This naturally caused much discontent in the higher grade schools, both board and voluntary, and demands were made for a scale of grants which would enable managers to offer the best inducements to children to stay at school after the minimum leaving age. Thereupon the Minute establishing higher elementary schools was hastily produced, in which liberal grants were offered to schools which gave a complete four years' course of instruction to children between 11 and 15. Besides the "principal grant" a "grant for practical work" was offered, which, in the words of the minute, "will only be awarded where special provision for such work as regards premises and equipment is made to the satisfaction of the Board." There was nothing whatever in the minute to show that a school might not receive the principal grant without the grant for practical work. The grant for practical work was an extra grant given where such work was taken. The minute was, however, very differently interpreted. Not only was no school recognised as a higher elementary school unless such practical work was taken, but it was made an essential for such practical work that two fully equipped laboratories, lecture room, preparation room, and manual instruction room should be provided. That is, a scheme of grants, which appeared to be going to establish a system of higher elementary education such as that which is possessed by Scotland and Germany, was used solely for the encouragement of a costly, and, for children of elementary school age, unnecessary science curriculum—the object apparently being to make the Minute useless.

The following facts will make this clear:—

1. The inconsistency between the policy of the board and the provisions of the minute was so glaring that in the Code of 1901 the minute was modified. It was made a general condition for recognition that "the premises must be specially equipped for practical instruction" and the two grants, general and practical, were thrown together.

2. Even the minute as modified did not explain the demands as to equipment, so this was set out in a circular, which states:—

"Every higher elementary school should be provided with suitable laboratories.

"(a) The laboratory accommodation must be sufficient to provide accommodation for the largest class in the school.

"(b) There should generally be one laboratory for chemistry and one for physics.

"In addition to the classroom and laboratories it is desirable that higher elementary schools should include at least one lecture room. . . . A small preparation room . . . should be provided in a convenient position for the lecture room.

"Other special rooms for cookery, laundry work, and manual instruction should be provided . . . ."

3. Extracts from a letter from the Board of Education to the London School Board, April 30, 1901:—

"The provision under the minute of the 6th April, 1900, of a grant for practical work in the first and second years presupposes that there will be sufficient accommodation in the chemical and physical laboratories for the scholars of those years. Otherwise the practical work required could not be properly conducted."

"The Board of Education do not agree that the laboratory accommodation and equipment of a higher elementary school should be inferior to those of a school of science."



[A school of science is a secondary school in which 13 hours a week must be devoted to science, art, and mathematics.]

4. Extracts from a letter from Professor Ramsay, of University College, London, to the London School Board:—

"I am in absolute agreement with the School Board that educational harm will be done by the attempt which is now being made to force young children to occupy themselves with practical chemistry and physics."

5. Letter from Professor Smithells, of the Yorkshire College, Leeds, to the London School Board:—

"I am convinced that for the teaching of children up to the age of 13, a 'laboratory,' in the ordinary sense of the word, is an unnecessary and may become a harmful extravagance. . . . There can be no good in placing such children in elaborately-fitted rooms for the performance of those simple experiments which alone are suited to their age and capacity."

6. Extract from a speech of Sir John Gorst on March 5th, 1901. Sir John Gorst in his speech condemns the specialisation which he insists on in the higher elementary schools:—

"There is a very remarkable divergence between the Northern Teutonic and Anglo-Saxon races and the Southern races like the French and Italians. The universal principle of the Northern nations was general education and the general development of intelligence up to a comparatively late age. That principle was carried out, too, in the most remarkable way in America. . . . The idea of a higher elementary school was that it should be a school giving a *general* education calculated to develop the faculties of the boys and girls between 10 and 14. I think that is a very early age to specialise."

On other occasions Sir John Gorst has used the view here expressed with regard to Teutonic methods as a reason for refusing to recognise such subjects as shorthand, type-writing, and book-keeping in elementary schools. He must, however, know perfectly well that no German or American educationist would approve the science curriculum on which he insists in higher elementary schools. The expense involved would be stated to be entirely unnecessary, and the teaching of the special science subjects in laboratories to children of 11 and 12 having very deficient nature knowledge would be condemned as a most grave educational mistake. Even without relying on specialist or Teutonic opinion, it must be clear that such instruction is, for girls especially, particularly out of place.

### THE BLOCK GRANT.

Mention should also be made of the effects of the block grant. Instead of grants varying in ordinary schools (not infants), from about 17s. to about 27s., according to the work done in a school, there are now two grants only of 21s. or 22s. Thus many schools are getting 3s. or 4s. more than they ever received before, and there is only an extra 1s. offered as an inducement to further effort. The consequence is that many schools are becoming absolutely lethargic. They know that the grant will not be withdrawn altogether, and that they are practically certain of a guinea a head no matter what the inspector's report may be. The grant has been a most dangerous experiment, as, although it undoubtedly gave greater liberty to schools to arrange their own work, it also gave them the liberty to neglect it. The incentive to exertion has been removed before the standard was high enough to admit of its being done safely. The grant has no doubt been a success as an extra gift to the less efficient schools, most of which are denominational. The gift was, however, at the expense of the more efficient schools, and this intensifies the scandal of the maladministration of the higher elementary minute, from which the best schools naturally expected to benefit.



## THE TRAINING OF TEACHERS.

We are far behind other nations both in the supply of trained teachers and in the method of training. Abroad practically all teachers are trained and the pupil teacher system is unknown, the rule being that all teachers shall go through a three or four years' training course after a good secondary education. In our system, as the following particulars show, only picked teachers are trained, and their training is deficient.

(a) *The Supply of Trained Teachers.*—Of the 143,379 persons teaching in elementary schools in 1900, only 64,038, or one for every 72·8 children was certificated, and of those certificated only 35,179 had been through the regular training course. Three-quarters of our teachers are untrained. This is not caused by any deficiency in the supply of those presenting themselves to be trained, but purely by the lack of institutions for training them. In the last examination for admission to training colleges for which the figures are available, 10,128 passed the examination, but there were places in the colleges for only 2,732. In 1871 there were 33 residential training colleges; this number has increased only to 44. Nor must it be overlooked that the present control of the training colleges, which is largely in the hands of the diocesan authorities, is not compatible with an efficient system of State education.

These figures show the urgent need for an increase in the supply both of places of training and of trained teachers.

One of the Chief Inspectors, reporting on the training colleges in 1900, says: "Now, a trained teacher to every 100 children in average attendance does not seem extravagant, but to meet such a demand 46,000 teachers will be required, or 10,000 more than we possess. At the present rate of increase it would be 25 years before this modest requirement could be satisfied, assuming that the average attendance (4,600,000) remains stationary, which, it is to be hoped, will do no such thing. The supply, therefore, of means of training cannot be said to be adequate to the need. More colleges are required. . . . Yet this is the seventh year that the Government, though they have had unrivalled opportunities, have done nothing.

(b) *The Method of Training.*—On this question the rough and comprehensive inquiry and reform are necessary. The pupil teacher system is largely condemned, but is almost essential at present to the voluntary schools, because it is cheap. Pupil teachers are still in many cases trained under over-worked teachers. For those who do not go to training colleges the system of working for examinations at the same time as they are forming habits as teachers is unsatisfactory. The majority of the colleges are still very poorly staffed, and the actual training given is extremely unsatisfactory. There is too much cram-work for examinations, too little time and opportunity for the development of intelligent methods of teaching, and professional training and general education are most unsatisfactorily mixed together. The courses should be extended, examinations discouraged, the buildings improved; teaching should be separated from training and the standard of both should be raised. Hardly any thing has, however, yet been attempted in this direction.



## SECONDARY EDUCATION.

The question of the organisation of secondary education is treated below. It may be said here that it would have needed only a very simple Bill to make the present technical instruction committees into authorities responsible for the supply of secondary education, with adequate powers of aiding the schools and dealing with endowments, as in Wales. The Treasury could not have stood in the way of a strong minister.

In view of the unanimous report of the Royal Commission on Secondary Education in 1895, which recommended a clear and definite policy, it is the more to be regretted that nothing has been done.

## THE DOLE POLICY.

In giving doles the Government has shown both earnestness and consistency. Besides the extra 5s. per child in voluntary schools given in 1897, there has been, as mentioned, further aid under the Block Grant Code. In 1900 the aid grant to the voluntary schools was £493,726, while the grant to the necessitous board schools was only £57,922. It is also an interesting fact that, in spite of the claim that subscriptions are being kept up, the proportion which they bear to the State grants is appreciably decreasing.

In 1895, in Church schools the voluntary subscriptions were equal to 24 per cent. of the State grant; in 1900 they were only equal to 19 per cent. The idea underlying the Act of 1870 was that denominational schools only justify their existence if they receive generous support from the bodies which maintained them under private management.

## VII.—AN ALTERNATIVE TO THE GOVERNMENT PROPOSALS.

As an alternative to the heroic proposals that have been surveyed the Government might with little difficulty have conferred a great boon upon the country by a simple measure for the organisation of secondary education.

*The Present Conditions.*

County Councils under the Technical Instruction Acts already aid secondary education in fact, though nominally the aid is confined to technical instruction. (Several counties, *e.g.*, Surrey and Wilts, are supplying county secondary schools throughout their area.) Under these Acts also they have power to obtain representation on the governing or managing bodies of the schools they aid, in proportion to the aid which they give. Under the Board of Education Act they have the power of securing a survey of all schools in their area aided by them, through inspection by the Board of Education, or by a university acting as the Board's agent. The technical instruction committees of County or County Borough Councils are also recognised (under Clause VII. of the Directory) as responsible for all the schools in their area connected with the secondary branch of the Education Office. In the



hands of the Board of Education there is the power just mentioned of making an educational survey of any area, and there is also a system of grants under which any secondary school which gives four hours a week to science and five hours to mathematics may receive £2 10s. a head yearly on all pupils over 12. This is practically aiding secondary schools as such. It should also be noticed that the branch of the Board engaged in the work of inspecting secondary schools has also the power, hitherto possessed by the Charity Commission, of making schemes for the application of educational endowments.

*What More is Needed ?*

1. To remove the restrictions imposed in the Technical Instruction Acts, so as to enable a county to aid secondary education definitely as such. (This alone is done by the Bill, and by itself it is useless.)

2. To lay upon the county the duty of making adequate provision of secondary education. For this the power of obtaining a report from the Board of Education on the existing supply will be most valuable.

3. To enable the county (as was done in Wales) to deal with educational endowments through schemes made by the Board of Education. This would be much facilitated by the fact that for scheme-making purposes the Charity Commission and the Board of Education have now been united.

4. To limit after a certain date the aid from the Board of Education to schools which are included in and have an approved place in some county scheme.

5. To allocate the whisky money definitely to education.

6. To take away the restrictions on the amount of the rate which a county may devote to education.

7. To offer (as is done in Wales) the equivalent of a half-penny rate in State grants.

All these are quite simple proposals, for which we are ready, and which have for the most part already been incorporated in an Act of Parliament and worked successfully in Wales. Many counties are already doing much in spite of the existing limitation of powers. If the limitations were cleared away and an impetus given by the offer of the half-penny rate grant, the supply and organisation of secondary education would proceed rapidly. The advice, "Organise your secondary education," is as good now as when Matthew Arnold gave it, and it is a scandal that so little should be done, when so much could be done so easily.

## APPENDICES.

### I.—RESOLUTIONS OF CONVOCATION,

ADOPTED AT A MEETING OF BOTH HOUSES, 3RD JULY, 1901.

*(From the "Times" of 4th July.)*

That a national system of elementary education, working in accordance with the resolutions following, should take the place of the



present system, and should be administered by authorities representing and acting over large areas, embracing one or more administrative counties.

1. That all Government grants should be paid to this authority, who shall have power to levy an educational rate over the whole area towards the maintenance of all elementary schools in that area.

2. That the funds needed for capital expenditure on the school buildings belonging to any religious body, as well as for necessary extensions and structural alterations, be provided by the body to which the school belongs, but that the managers be not liable for any other expenditure.

3. That power of borrowing on the security of the buildings be secured by Statute.

4. That all schools be financed by this authority, and that in the future certified efficient schools should receive pecuniary assistance.

5. That in the management of schools belonging to religious bodies one-third of the managing committee be representatives of the educational authority of the area and of the parish, and the remaining two-thirds to be appointed as at present.

6. That the appointment and dismissal of teachers be in the hands of the managers, subject to confirmation by the local authority.

7. That opportunity should be given for opening new schools by means of a provision (similar to that accorded in Scotland) whereby, in considering the claims of any new school for a Parliamentary grant, the Board of Education shall have regard to the religious belief of the parents of the children.

8. That opportunity of denominational religious instruction should be secured by Statute in all elementary schools, when desired by a reasonable number of parents, provided this can be done without expense to the managers.

9. That elementary education, being a national concern, should be mainly provided for from Imperial sources.

These resolutions, it may be noted, do not wholly follow the policy laid down by the Archbishop of Canterbury in his Convocation speech. He said that "the country might fairly demand that the Church should maintain her own school buildings, and pay for the denominational religious instruction of her own children. If they could really maintain those two things, if they could take them both upon their back, they would occupy, in his judgment, an impregnable position. But the representations he had received from the country at large seemed to imply that they would not be able to take up both those burdens, and they had, therefore, to choose between the two. The laity would not be willing to pay for the religious instruction as well as for the maintenance of the buildings. The payment for the buildings was a very great legal advantage. The buildings were the property of the religious body, and as long as they held that property it would be very difficult to interfere with those buildings. It was always easier to defend property than anything else. But, on the other hand, the representations that he had received made it clear that the repairs and improvements would cost a great deal more, particularly in towns, than they would have any chance of raising, and he thought it would be far easier to pay for the denominational religious instruction. It was obviously a very difficult matter to choose which was the best course, but they had to consider which was the one that would obtain the most money from the supporters of the Church, and, for himself, he would rather go to the voluntary subscribers and say that they did



not ask them to pay for anything that was provided for by the rates, but for denominational religious instruction. If the religious instruction provided by the Church was distinctive from that provided by the State, he thought the subscribers would feel that to be a very reasonable demand, and would subscribe more readily than if they asked them to pay for the maintenance, repair, and extension of the school buildings."

#### AMENDED RESOLUTIONS.

The *Times* of October 29th, published the following:—

We are asked by the Archbishop of Canterbury to publish the following resolutions of the Joint Conference of Convocations of Canterbury and York, sitting in committee in July last, the substance of which was given in the *Times* of July 4th:—

1. That all schools be financed, as far as the cost of maintenance, exclusive of repairs of the structure in voluntary schools, is concerned, out of the public funds, whether Imperial or local, and that it be no condition of participation in these funds by voluntary schools whether any form of religious instruction be or be not taught in those schools.

2. That the funds needed for capital expenditure on the school buildings, as well as for necessary extensions and structural alterations, be provided by the body to which the school belongs, but that the managers be not liable for any other expenditure.

3. That the government of every school, and especially the appointment and dismissal of the teachers be left in the hands of the present committee of management, with the addition of certain members appointed by, or under rules made by, the local authority; such additional members not to exceed one-third of the whole number.

4. That whenever a reasonable number of parents desire that religious instruction in accordance with their own belief should be given to their children, opportunity for such instruction should be secured for them by Statute in all elementary schools, provided that this can be done without expense to the managers.

5. That, in view of the grave issues involved in the conclusions arrived at in the foregoing resolutions, a united effort be made by Churchmen to urge upon his Majesty's Government the necessity of introducing and pressing during the coming session legislation on the lines therein indicated.

*Note.*—It will be seen that in the second and presumably the authorised series of resolutions, those numbered 3, 6, 7, and 9 are either modified or disappear.

#### II.—SIR JOSHUA FITCH'S VIEW.

Sir Joshua Fitch, late Chief Inspector of Training Colleges, has communicated the following criticisms of the Education Bill to the *Manchester Guardian*:—

"My objections to the Bill are—

"1. That the Bill does nothing to secure or even to suggest improvement in education, or to secure for children better teaching or better opportunities for intellectual advancement.



"2. That it makes no provision at all for the training of teachers. [At present the School Boards cannot legally establish training colleges. There is nothing in the Bill to give them the power to do so, or to place such power in other hands.]

"3. That the School Boards, especially in county boroughs, have shown more of educational enterprise, and have done more for the improvement of elementary education than any other public bodies.

"4. That the proposal to supersede these popularly elected authorities by recognising in their stead committees chosen by co-optation but without rating powers or the right to carry into effect the measures which they recommend places new hindrances and restrictions on educational progress, seeing that the committees will only act in subjection to the discretion of larger bodies, who may or may not care about such progress.

"5. That so long as the promoters and friends of denominational schools provide a substantial annual contribution for their maintenance the State is justified in recognising such schools as integral parts of the national system of education and in subsidising them with liberal Imperial grants, and even with aid from the rates. But

"6. That if the voluntary 'managers' cease either to subscribe or to be the representatives of subscribers they have no longer any legitimate claim to control the school, to choose the teachers, or to use the influence which the school gives them in favour of the interests of any particular denomination.

"7. That Mr. Forster's Act of 1870 was based on the sound principle (a) that the co-operation of the religious bodies should be welcomed by the State, and that in consideration of the voluntary pecuniary aid thus afforded those bodies should be permitted to give the theological teaching they preferred and to manage the schools; (b) but that in all schools which derived their *whole* income from public funds the restriction in Clause 14 of the Act should apply, and the schools should not be employed for the furtherance of denominational interests.

"8. That it is highly necessary to keep intact these two principles and to make the Cowper-Temple Clause applicable to all schools which are not distinctly recognised as denominational and are not partly sustained by the contributions of religious bodies.

"9. When one remembers the generous—almost lavish—provision made in the American cities for education, their readiness to try new experiments, and the sympathy with which the whole population regards every new step in educational improvement, the prospect spreading out before us if this new Bill becomes law is somewhat disheartening. Certain portions of the Bill which concern technical and secondary instruction may prove the basis of a workable and useful reform. But in so far as elementary education is affected by the Bill affords little or no help. It gives no motive to managers—denominational or otherwise—to exert themselves and to raise the standard of general instruction. But it offers new encouragement and aid to the denominational system, and gives to that system, though it is less and less in favour of the nation as a whole, a fresh lease of life."