Unlike the devolved administrations of Wales, Northern Ireland and Scotland, England has no separate government of its own. Legislation for England is passed by the United Kingdom Parliament in Westminster, London. The UK Parliament can legislate for the UK as a whole and for any parts of it separately.

**UK system of government**

The United Kingdom is a parliamentary democracy which has:

- a constitutional sovereign (monarch) as head of state
- a legislature
- an executive
- a judiciary.

**Sovereign**

The United Kingdom has a hereditary constitutional monarch serving as head of state, who is Queen Elizabeth II. The monarch is also known as ‘the Crown’.

As head of state, the monarch is the ceremonial head of the executive government, the fount of justice (a symbolic role as the figure in whose name justice is carried out), the commander-in-chief of the armed forces, and the supreme governor of the Church of England.

The monarch presides at meetings of the [Privy Council](https://en.wikipedia.org/wiki/Privy_Council), which is the mechanism through which interdepartmental agreement is reached on those items of government business which, for historical or other reasons, fall to ministers as Privy Counsellors, rather than as departmental ministers. Ministers are responsible to Parliament for decisions and orders made by the Privy Council.

The public acts of the monarch are performed upon the advice of ministers or according to established convention. The monarch assents to legislation unless advised to the contrary by ministers.

**Legislature**

[Parliament](https://en.wikipedia.org/wiki/Parliament_of_the_United_Kingdom) is the legislature and the supreme legal authority in the UK which can create or end any law. Parliament consists of:

- the sovereign in Parliament
- the appointed or hereditary [House of Lords](https://en.wikipedia.org/wiki/House_of_Lords)
- the publicly elected (Members of Parliament).

Most Members of Parliament (MPs) represent political parties. They are elected from a choice of
candidates by a simple majority system in which each person casts one vote. The candidate with the most votes then becomes the MP for that constituency. Generally, a political party must win an overall majority in a general election in order to form a government and have its leader become Prime Minister. There are 650 seats in total. An overall majority is more than half the seats in the House of Commons [4] (326 or more).

General elections must be held every five years on the first Thursday in May, as required by the Fixed Term Parliaments Act 2011 [5]. There are two provisions that can trigger an election other than at five-year intervals:

- A motion of no confidence in the Government is passed by a simple majority in the House of Commons, and 14 days elapses without the House passing a confidence motion in any new Government formed.
- A motion for a general election is agreed by two-thirds of the total number of seats in the House of Commons.

The House of Lords is the second chamber or upper house of the UK Parliament. There are two types of Lord in the House of Lords:

- Spiritual Lords who are members of the clergy
- Temporal Lords, who are hereditary or life peers
  - Hereditary peers are those whose title is inherited
  - Life peers, who form the biggest proportion of the House of Lords, are appointed by the sovereign on the recommendation of the Prime Minister, or by an independent body – the House of Lords Appointment Commission. Their title cannot be inherited.

Executive

The executive comprises:

- the Prime Minister, who generally leads the political party with the largest number of seats in Parliament
- the Cabinet, which is selected by the Prime Minister and consists of about 20 ministers, usually heads of the government departments
- government departments and their agencies, responsible for putting government policy into practice and staffed by the civil service. Some UK government departments cover the whole of the UK; others do not. Information on the responsibilities of the ministerial departments [6] is available. Other regulatory and inspection functions are delivered by non-ministerial government departments reporting directly to Parliament.

Ministry for education

The Department for Education (DfE) [7] is the main ministerial department responsible for children’s services and education, including higher and further education [8] policy, apprenticeships and wider skills in England. Its aim is to ensure opportunity is equal for all, no matter what their background or family circumstances. The post of Minister of State for Universities, Science, Research and Innovation is a joint role between the DfE and the Department for Business, Energy and Industrial Strategy (BEIS) [9].

The department is supported by 18 agencies and public bodies [6]. Examples include Ofsted [10], the national inspectorate; the Office of Qualifications and Examinations Regulation (Ofqual) [11]; the Standards and Testing Agency (STA) [12], the Education and Skills Funding Agency (ESFA) [13], the Teaching Regulation Agency (TRA) [14] and the Office for Students (OfS) [15].
The Department for Education was formed in 2010, replacing the Department for Children, Schools and Families (DCSF). It gained responsibility for post-compulsory education in 2016.

**Judiciary**

The judiciary comprises the judges in the courts of law, those who hold judicial office in tribunals, and the lay magistrates who staff magistrates’ courts. Senior judicial appointments are made by the Crown (monarch). The judiciary has been subject to constitutional change; an independent supreme court [16] was established by the Constitutional Reform Act 2005 [17], and the judicial powers previously held by the House of Lords transferred to this body from 1 October 2009.

**Local government**

Local authorities are statutory bodies created by Acts of Parliament. Members are directly elected by their local communities to make and carry out decisions on local services.

**Structure of local government**

The structure of local government varies across England:

- In some areas, there are two tiers which have distinct functions, but overlap in some matters:
  - county councils
  - district, borough or city councils.
- In other areas, unitary authorities carry out all local government functions. There are three main types: unitary authorities in shire areas; London boroughs; metropolitan boroughs.

Responsibility for education, insofar as it is lies with local government, lies with 150 top-tier local authorities, either county councils or unitary authorities. The term ‘local education authority’ (LEA) was previously used to describe the function of the local authority in respect of education. This did not indicate a different type of body.

Within local authorities, education decision-making is shared between the executive (the locally elected mayor or leader, and the cabinet), scrutiny committees or panels, and the full council of elected members. Section 499 of the Education Act 1996 [18] requires local authorities to appoint representatives of the Church of England and the Roman Catholic Church to their committees dealing with education, while the School Standards and Framework Act 1998 [19] provides for representatives of parent governors to be involved in such committees.

Below the district council level, in some parts of England, a further tier of parish or town councils exists.

In London and metropolitan boroughs, some services, such as fire, police and public transport, are provided through ‘joint authorities’ (e.g. in London by the Greater London Authority).

Information on the structure and functions of local government in England is provided in this December 2018 House of Commons Library briefing [20] (SN07104).

**Devolution of powers to local government**

In 2014, the Government invited areas in England to come forward with proposals for the devolution of powers and funding to local government. The Cities and Local Government Devolution Act 2016 [21] provides the legislative basis for the ‘devolution deals’ which have been agreed with 12 areas. The deals agreed so far have many similarities in terms of powers to be devolved (see this May 2018...
House of Commons Library briefing [22] (SN07029)). The core powers devolved include:

- restructuring the further education [8] system, including the full devolution of the Adult Skills Budget from 2019/20
- business support
- the Work and Health Programme (providing specialised employment support for people with disabilities and long term unemployed people in England and Wales)
- EU structural funds
- fiscal powers
- planning and land use.

Article last reviewed January 2019.

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