



Education Act 1996

1996 CHAPTER 56

PART III

GRANT-MAINTAINED SCHOOLS

CHAPTER X

GENERAL AND MISCELLANEOUS

Religious opinions etc. of staff

304 Former county schools and certain schools established as grant-maintained schools

- (1) Subject to section 306, subsections (2) to (4) apply in relation to a grant-maintained school if—
 - (a) it was a county school immediately before it became grant-maintained,
 - (b) it was established in pursuance of proposals published under section 211, or
 - (c) it was established in pursuance of proposals published under section 212 and neither any trust deed relating to the school nor the statement required by paragraph 8 of Schedule 20 makes provision as to the religious education for pupils at the school.
- (2) No person shall be disqualified by reason of his religious opinions, or of his attending or omitting to attend religious worship—
 - (a) for being a teacher at the school, or
 - (b) for being employed (otherwise than as a teacher) for the purposes of the school.
- (3) No teacher at the school shall be required to give religious education.
- (4) No teacher at the school shall receive any less emolument or be deprived of, or disqualified for, any promotion or other advantage—

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- (a) by reason of the fact that he does or does not give religious education, or
- (b) by reason of his religious opinions or of his attending or omitting to attend religious worship.

305 Former voluntary schools and certain schools established as grant-maintained schools

- (1) Subject to section 306, subsections (2) and (3) apply in relation to a grant-maintained school if—
 - (a) it was a voluntary school immediately before it became grant-maintained, or
 - (b) it was established in pursuance of proposals published under section 212 and either any trust deed relating to the school or the statement required by paragraph 8 of Schedule 20 makes provision as to the religious education for pupils at the school.
- (2) No person shall be disqualified by reason of his religious opinions, or of his attending or omitting to attend religious worship, for being employed (otherwise than as a teacher) for the purposes of the school.
- (3) No teacher at the school shall receive any less emolument or be deprived of, or disqualified for, any promotion or other advantage—
 - (a) by reason of the fact that he gives religious education, or
 - (b) by reason of his religious opinions or of his attending religious worship.
- (4) Without prejudice to subsections (2) and (3), in the case of a school which was a voluntary school immediately before it became grant-maintained, any of the provisions of section 146 (saving as to position of teachers) which, immediately before the school became grant-maintained, applied in relation to a teacher in the school shall continue to apply in relation to him until he ceases to be employed as a teacher in the school.

306 Changes in religious character of schools

- (1) Where, in the case of a school in relation to which section 304(2) to (4) for the time being applies, proposals that the required provision for religious education should be provision for religious education in accordance with the tenets of a particular religion or religious denomination are approved under section 261—
 - (a) section 305(2) and (3) shall apply in relation to the school from the time at which the proposals fall to be implemented, and
 - (b) subject to subsection (2), section 304(2) to (4) shall cease to apply in relation to the school from that time.
- (2) Without prejudice to section 305(2) and (3), section 304(2) to (4) shall continue to apply in relation to any teacher who was employed at the school immediately before the proposals referred to in subsection (1) above fell to be implemented until he ceases to be employed as a teacher at the school.
- (3) Where, in the case of any grant-maintained school, proposals that the required provision for religious education should be provision for religious education otherwise than in accordance with the tenets of a particular religion or religious denomination are approved under section 261—
 - (a) section 304(2) to (4) shall apply in relation to the school from the time at which the proposals fall to be implemented, and

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- (b) section 305(2) and (3) shall cease to apply in relation to the school from that time.
- (4) In this section “the required provision for religious education”, in relation to a school, means the provision for religious education for pupils at the school which is required by section 352(1)(a) to be included in the school’s basic curriculum.