



# Education Reform Act 1988

## 1988 CHAPTER 40

### PART I

#### SCHOOLS

#### CHAPTER I

#### THE CURRICULUM

#### *Religious education*

### **9 Exceptions, special arrangements and supplementary and consequential provisions**

- (1) It shall not be required, as a condition of any pupil attending any maintained school, that he shall attend or abstain from attending any Sunday school or any place of religious worship.
- (2) For the purposes of subsections (3) to (10) below “maintained school” does not include a maintained special school.
- (3) If the parent of any pupil in attendance at any maintained school requests that he may be wholly or partly excused—
  - (a) from attendance at religious worship in the school;
  - (b) from receiving religious education given in the school in accordance with the school’s basic curriculum; or
  - (c) both from such attendance and from receiving such education;the pupil shall be so excused accordingly until the request is withdrawn.
- (4) Where in accordance with subsection (3) above any pupil has been wholly or partly excused from attendance at religious worship or from receiving religious education in any school, and the responsible authority are satisfied—

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*Status: This is the original version (as it was originally enacted).*

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- (a) that the parent of the pupil desires him to receive religious education of a kind which is not provided in the school during the periods of time during which he is so excused;
- (b) that the pupil cannot with reasonable convenience be sent to another maintained school where religious education of the kind desired by the parent is provided; and
- (c) that arrangements have been made for him to receive religious education of that kind during school hours elsewhere;

the pupil may be withdrawn from the school during such periods of time as are reasonably necessary for the purpose of enabling him to receive religious education in accordance with the arrangements.

- (5) In this section “the responsible authority” means—
  - (a) in relation to a county or voluntary school, the local education authority; and
  - (b) in relation to a grant-maintained school, the governing body.
- (6) A pupil may not be withdrawn from school under subsection (4) above unless the responsible authority are satisfied that the arrangements there mentioned are such as will not interfere with the attendance of the pupil at school on any day except at the beginning or end of the school session or, if there is more than one, of any school session on that day.
- (7) Where the parent of any pupil who is a boarder at a maintained school requests that the pupil be permitted—
  - (a) to attend worship in accordance with the tenets of a particular religious denomination on Sundays or other days exclusively set apart for religious observance by the religious body to which his parent belongs; or
  - (b) to receive religious education in accordance with such tenets outside school hours;

the governing body of the school shall make arrangements for affording to the pupil reasonable opportunities for doing so.
- (8) Arrangements made under subsection (7) above may provide for affording facilities for such worship or education on the school premises, but the arrangements shall not entail expenditure by the responsible authority.
- (9) In this section—
  - (a) references to religious worship in a school include references to religious worship which under section 6 of this Act takes place otherwise than on the school premises; and
  - (b) references to religious education given in a school in accordance with the school’s basic curriculum are references to such education given in accordance with the provision included in the school’s basic curriculum by virtue of section 2(1)(a) of this Act.
- (10) Schedule 1 to this Act shall have effect for making amendments of the enactments there mentioned consequential on the provisions of this Chapter relating to religious education.