



# Education Act 1993

## 1993 CHAPTER 35

### PART VI

#### MISCELLANEOUS

##### *Religious education*

#### **254 Duty to reconvene conference on agreed syllabus of religious education**

- (1) Within six months of the commencement of this section the local education authority shall reconvene any conference—
  - (a) which they have convened for the purpose set out in paragraph 1 or 12 of the Fifth Schedule to the Education Act 1944 (procedure for preparing and bringing into operation an agreed syllabus of religious education) or section 11(8) of the Education Reform Act 1988 (standing advisory councils on religious education), and
  - (b) to which subsection (2) below applies.
- (2) This subsection applies to any conference—
  - (a) which has not made a recommendation under paragraph 9 or 13(2) of that Schedule, and
  - (b) in respect of which the authority have not made a report under paragraph 10 or 13(4) of that Schedule.
- (3) Where a conference is convened (or reconvened) after the commencement of this section, paragraph 2 of that Schedule shall have effect as if at the end of the proviso there were inserted “and the number of persons appointed to any committee under that sub-paragraph to represent each denomination or religion required to be represented shall, so far as consistent with the efficient discharge of the committee’s functions, reflect broadly the proportionate strength of that denomination or religion in the area”.

---

*Status: This is the original version (as it was originally enacted).*

---

## **255 Duty to constitute new standing advisory council on religious education**

- (1) Within six months of the commencement of this section the local education authority shall constitute a new council under section 11 of the Education Reform Act 1988 (standing advisory councils on religious education).
- (2) For the purposes of the constitution required by subsection (1) above (and of any subsequent constitution) that section shall have effect as if at the end of subsection (5) there were inserted “and the number of members appointed to any representative group under paragraph (a) of that subsection to represent each denomination or religion required to be represented shall, so far as consistent with the efficient discharge of the group’s functions, reflect broadly the proportionate strength of that denomination or religion in the area”.

## **256 Reconsideration of agreed syllabus**

- (1) For paragraph 12 of the Fifth Schedule to the Education Act 1944 (reconsideration of agreed syllabus) there is substituted—
  - “12 (1) A local education authority shall cause a conference to be convened at any time required by sub-paragraph (2) or (3) of this paragraph for the purpose of reconsidering any agreed syllabus for the time being adopted by them which was adopted before the appointed day.
  - (2) Where they adopted the syllabus before 29th September 1988, they shall convene a conference within the period of one year beginning with the appointed day.
  - (3) Where they adopted the syllabus on or after 29th September 1988, they shall convene a conference—
    - (a) within the period of five years beginning with the date on which they adopted it, or
    - (b) within the period of one year beginning with the appointed day, whichever is the later.
  - (4) A local education authority shall from time to time cause further conferences to be convened for the purpose of reconsidering any agreed syllabus for the time being adopted by them (whether adopted before, on or after the appointed day); and no such conference shall be convened later than the expiry of the period of five years beginning with the date on or after the appointed day on which—
    - (a) the authority adopted the syllabus, or
    - (b) the authority gave effect to a recommendation under paragraph 13 of this Schedule that the syllabus should continue to be the agreed syllabus.
  - (5) In this paragraph—
    - (a) “appointed day” means the day appointed for the commencement of section 256 of the Education Act 1993, and
    - (b) references to the date on which a local education authority adopt a syllabus include a reference to the date which the Secretary of State directs is to be the date from which a syllabus prepared under paragraph 11 of this Schedule is to be deemed to be the agreed syllabus.”

- (2) In paragraph 13 of that Schedule (procedure on reconsideration of agreed syllabus)—
- (a) in sub-paragraph (2), after “agreed syllabus” there is inserted “and it appears to the local education authority that the syllabus reflects the fact that the religious traditions in Great Britain are in the main Christian while taking account of the teaching and practices of the other principal religions represented in Great Britain”, and
  - (b) in sub-paragraph (4)—
    - (i) “either” is omitted, and
    - (ii) after “unanimous agreement” there is inserted—
      - “(aa) the conference unanimously recommend that the existing syllabus should continue to be the agreed syllabus but the local education authority consider that sub-paragraph (2) of this paragraph prevents them from giving effect to the recommendation”.

**257 Power of Secretary of State to direct standing advisory council to revoke determination or discharge duty**

After section 12 of the Education Reform Act 1988 (determination by advisory councils) there is inserted—

**“12A Power of Secretary of State to direct advisory council to revoke determination or discharge duty**

- (1) Where the Secretary of State is satisfied, either on complaint by any person or otherwise, that any standing advisory council on religious education—
- (a) have acted, or are proposing to act, unreasonably in determining for the purposes of subsection (1) or (5) of section 12 of this Act whether it is appropriate for the requirement for Christian collective worship to apply in the case of any school or any class or description of pupils at a school, or
  - (b) have failed to discharge any duty imposed under that section,
- he may give the council such directions as to the revocation of the determination or the withdrawal of the proposed determination or (as the case may be) the discharge of the duty as appear to him to be expedient; and the council shall comply with the directions.
- (2) Directions under subsection (1) above may provide for the making by the council of a new determination to take effect in place of the determination or proposed determination to be revoked or withdrawn by them.
- (3) In this section, “requirement for Christian collective worship” means the requirement imposed by section 7(1) of this Act or, as the case may be, section 138(2) of the Education Act 1993.”

**258 Access to meetings and documents of standing advisory council and conference on agreed syllabus of religious education**

- (1) This section applies to—
- (a) any conference convened for the purpose set out in paragraph 1 or 12 of the Fifth Schedule to the Education Act 1944 (procedure for preparing

---

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

---

and bringing into operation an agreed syllabus of religious education) or section 11(8) of the Education Reform Act 1988 (standing advisory councils on religious education), and

(b) any standing advisory council constituted under that section of that Act.

(2) Regulations may make provision—

(a) for meetings of conferences or councils to be, subject to prescribed exceptions, open to members of the public,

(b) requiring conferences or councils to give notice, in such manner as may be prescribed, of the time and place of such meetings, and

(c) requiring conferences or councils, at such time or times as may be prescribed,  
 (i) to make available for inspection, or  
 (ii) to provide on payment of such fee as they think fit (not exceeding the cost of supply),

copies of the agendas and reports for such meetings to members of the public.

(3) Regulations made under subsection (2) above may apply to—

(a) committees appointed by local education authorities under paragraph 2 of the Fifth Schedule to the Education Act 1944,

(b) sub-committees appointed by conferences under that Schedule, and

(c) representative groups on councils appointed under section 12(4) of the Education Reform Act 1988,

as they apply to conferences and councils.

## **259 Inspection of religious education**

(1) Section 13 of the Education (Schools) Act 1992 (religious education) is amended as follows.

(2) For subsections (1) to (3) there is substituted—

“(1) It shall be the duty of the governing body of—

(a) any voluntary school, or

(b) any grant-maintained school,

in which denominational education is given to any pupils to secure that that education is inspected under this section.

(2) It shall be the duty of the governing body of—

(a) any voluntary school, or

(b) any grant-maintained school falling within subsection (3) below,

to secure that the content of the school’s collective worship is inspected under this section.

(3) A grant-maintained school falls within this subsection if—

(a) it was a voluntary school immediately before it became grant-maintained,

(b) it was established in pursuance of proposals published under section 49 of the Education Act 1993 and either any trust deed relating to the school or the statement required by paragraph 8 of Schedule 3 to that Act makes provision as to the religious education for pupils at the school, or

---

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

---

- (c) it is a school in respect of which proposals for the required provision for religious education to be provision for religious education in accordance with the tenets of a particular religion or religious denomination are approved under section 98 of that Act.

(3A) In this section—

- (a) “denominational education”, in relation to a school, means any religious education which—
  - (i) is required by section 2(1)(a) of the Education Reform Act 1988 to be included in the school’s basic curriculum, but
  - (ii) is not required by any enactment to be given in accordance with an agreed syllabus,
- (b) “the required provision for religious education” means the provision for religious education for pupils at the school which is required as mentioned in paragraph (a)(i) above, and
- (c) references to collective worship are references to collective worship required by section 6 of that Act.”

(3) For subsection (7) there is substituted—

“(7) It shall be the general duty of a person conducting an inspection under this section—

- (a) if the inspection is conducted by virtue of subsection (1) above, to report on the quality of the denominational education provided by the school for pupils to whom denominational education is given by the school, or
- (b) if the inspection is conducted by virtue of subsection (2) above, to report on the content of the school’s collective worship,

and any such person may report on the spiritual, moral, social and cultural development of pupils at the school.”