

*Status: Point in time view as at 01/10/2002.*

*Changes to legislation: School Standards and Framework Act 1998, SCHEDULE 19 is up to date with all changes known to be in force on or before 17 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 19 **E+W**

Section 69.

#### REQUIRED PROVISION FOR RELIGIOUS EDUCATION

##### *Introductory*

- 1 (1) In this Schedule “the required provision for religious education”, in relation to a school, means the provision for pupils at the school which is required by [<sup>F1</sup>section 80(1)(a) or 101(1)(a) of the Education Act 2002] to be included in the school’s basic curriculum.
- (2) In this Schedule “agreed syllabus” has the meaning given by section 375(2) of [<sup>F2</sup>the Education Act 1996].

##### **Textual Amendments**

- F1** Words in [Sch. 19 para. 1\(1\)](#) substituted (1.10.2002 for E. for specified purposes and 19.12.2002 for W., 1.3.2003 for E. so far as not already in force) by [Education Act 2002 \(c. 32\)](#), [ss. 215\(1\), 216](#), [Sch. 21 para. 117\(2\)\(a\)](#) (with [ss. 210\(8\), 214\(4\)](#)); [S.I. 2002/2439, art. 3](#) (with [Sch.](#)); [S.I. 2002/3185, art. 4](#) Sch. Pt. I; [S.I. 2003/124, art. 2](#)
- F2** Words in [Sch. 19 para. 1\(2\)](#) substituted (1.10.2002 for E. and 19.12.2002 for W., 1.3.2003 for E. so far as not already in force) by [Education Act 2002 \(c. 32\)](#), [ss. 215\(1\), 216](#), [Sch. 21 para. 117\(2\)\(b\)](#) (with [ss. 210\(8\), 214\(4\)](#)); [S.I. 2002/2439, art. 3](#) (with [Sch.](#)); [S.I. 2002/3185, art. 4](#), Sch. Pt. I; [S.I. 2003/124, art. 2](#)

##### *Community schools and foundation and voluntary schools without a religious character*

- 2 (1) This paragraph applies to—
  - (a) any community school; and
  - (b) any foundation or voluntary school which does not have a religious character.
- (2) Subject to sub-paragraph (4), the required provision for religious education in the case of pupils at the school is provision for religious education in accordance with an agreed syllabus adopted for the school or for those pupils.
- (3) If the school is a secondary school so situated that arrangements cannot conveniently be made for the withdrawal of pupils from it in accordance with section 71 to receive religious education elsewhere and the local education authority are satisfied—
  - (a) that the parents of any pupils at the school desire them to receive religious education in the school in accordance with the tenets of a particular religion or religious denomination, and
  - (b) that satisfactory arrangements have been made for the provision of such education to those pupils in the school, and for securing that the cost of providing such education to those pupils in the school will not fall to be met from the school’s budget share or otherwise by the authority,

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the authority shall (unless they are satisfied that because of any special circumstances it would be unreasonable to do so) provide facilities for the carrying out of those arrangements.

- (4) If immediately before the appointed day the school was a grant-maintained school (within the meaning of the <sup>M1</sup>Education Act 1996), and in relation to the school or any pupils at the school the appropriate agreed syllabus as defined by section 382 of that Act was a syllabus falling within subsection (1)(c) of that section, then until—
- (a) the end of such period as the Secretary of State may by order prescribe, or
  - (b) such earlier date as the governing body may determine,
- the required provision for religious education in the case of the school or (as the case may be) those pupils is provision for religious education in accordance with that syllabus.
- (5) No agreed syllabus shall provide for religious education to be given to pupils at a school to which this paragraph applies by means of any catechism or formulary which is distinctive of a particular religious denomination (but this is not to be taken as prohibiting provision in such a syllabus for the study of such catechisms or formularies).

#### Commencement Information

**II** Sch. 19 para. 2 wholly in force at 1.9.1999; Sch. 19 para. 2 not in force at Royal Assent see s. 145(3); Sch. 19 para. 2(4) in force for certain purposes at 1.10.1998 by S.I. 1998/2212, art. 2, Sch. 1 Pt. I; Sch. 19 in force at 1.9.1999 in so far as not already in force by S.I. 1999/2323, art. 2(1), Sch. 1 (with arts. 3-5, Schs. 5-7).

#### Marginal Citations

**M1** 1996 c. 56.

#### *Foundation and voluntary controlled schools with a religious character*

- 3 (1) This paragraph applies to any foundation or voluntary controlled school which has a religious character.
- (2) Subject to sub-paragraph (4), the required provision for religious education in the case of pupils at the school is provision for religious education—
- (a) in accordance with any arrangements made under sub-paragraph (3), or
  - (b) subject to any such arrangements, in accordance with an agreed syllabus adopted for the school or for those pupils.
- (3) Where the parents of any pupils at the school request that they may receive religious education—
- (a) in accordance with any provisions of the trust deed relating to the school, or
  - (b) where provision for that purpose is not made by such a deed, in accordance with the tenets of the religion or religious denomination specified in relation to the school under section 69(4),
- the foundation governors shall (unless they are satisfied that because of any special circumstances it would be unreasonable to do so) make arrangements for securing that such religious education is given to those pupils in the school during not more than two periods in each week.

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- (4) If immediately before the appointed day the school was a grant-maintained school (within the meaning of the <sup>M2</sup>Education Act 1996), and in relation to the school or any pupils at the school the appropriate agreed syllabus as defined by section 382 of that Act was a syllabus falling within subsection (1)(c) of that section, then until—
- (a) the end of such period as the Secretary of State may by order prescribe, or
  - (b) such earlier date as the governing body may determine,
- that syllabus shall be treated for the purposes of sub-paragraph (2)(b) as an agreed syllabus adopted for the school or (as the case may be) those pupils.

#### Commencement Information

**I2** Sch. 19 para. 3 wholly in force at 1.9.1999; Sch. 19 para. 3 not in force at Royal Assent see. s. 145(3); Sch. 19 para. 3(4) in force for certain purposes at 1.10.1998 by S.I. 1998/2212, art. 2, Sch. 1 Pt. I; Sch. 19 para. 3 in force at 1.9.1999 in so far as not already in force by S.I. 1999/2323, art. 2(1), Sch. 1 (with arts. 3-5, Schs. 5-7).

#### Marginal Citations

**M2** 1996 c. 56.

#### *Voluntary aided schools with a religious character*

- 4 (1) This paragraph applies to any voluntary aided school which has a religious character.
- (2) The required provision for religious education in the case of pupils at the school is provision for religious education—
- (a) in accordance with any provisions of the trust deed relating to the school, or
  - (b) where provision for that purpose is not made by such a deed, in accordance with the tenets of the religion or religious denomination specified in relation to the school under section 69(4), or
  - (c) in accordance with any arrangements made under sub-paragraph (3).
- (3) Where the parents of any pupils at the school—
- (a) desire them to receive religious education in accordance with any agreed syllabus adopted by the local education authority, and
  - (b) cannot with reasonable convenience cause those pupils to attend a school at which that syllabus is in use,
- the governing body shall (unless they are satisfied that because of any special circumstances it would be unreasonable to do so) make arrangements for religious education in accordance with that syllabus to be given to those pupils in the school.
- (4) Religious education under any such arrangements shall be given during the times set apart for the giving of religious education in the school in accordance with the provision for that purpose included in the school's basic curriculum by virtue of [<sup>F3</sup>section 80(1)(a) or 101(1)(a) of the Education Act 2002].
- (5) Any arrangements under sub-paragraph (3) shall be made by the governing body, unless the local education authority are satisfied that the governing body are unwilling to make them, in which case they shall be made by the authority.
- (6) Subject to sub-paragraph (3), the religious education given to pupils at the school shall be under the control of the governing body.

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### Textual Amendments

- F3** Words in [Sch. 19 para. 4\(4\)](#) substituted (1.10.2002 for E. for specified purposes and 19.12.2002 for W., 1.3.2003 for E. so far as not already in force) by [Education Act 2002 \(c. 32\)](#), ss. 215(1), 216, [Sch. 21 para. 117\(3\)](#) (with ss. 210(8), 214(4)); S.I. 2002/2439, [art. 3](#) (with Sch.); S.I. 2002/3185, [art. 4](#), Sch. Pt. I; S.I. 2003/124, [art. 2](#)

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