



Education and Inspections Act 2006

2006 CHAPTER 40

PART 3

FURTHER PROVISIONS ABOUT MAINTAINED SCHOOLS

Miscellaneous

55 Right of sixth-form pupils to be excused from attendance at religious worship

- (1) Section 71 of SSFA 1998 (which, in relation to religious education and attendance at religious worship, makes provision for exceptions and special arrangements, and for special schools) is amended as follows.
- (2) For subsection (1) substitute—
 - “(1) If the parent of a pupil at a community, foundation or voluntary school requests that he may be wholly or partly excused from receiving religious education given at the school in accordance with the school's basic curriculum, the pupil shall be so excused until the request is withdrawn.
 - (1A) If the parent of any pupil at a community, foundation or voluntary school other than a sixth-form pupil requests that he may be wholly or partly excused from attendance at religious worship at the school, the pupil shall be so excused until the request is withdrawn.
 - (1B) If a sixth-form pupil requests that he may be wholly or partly excused from attendance at religious worship at a community, foundation or voluntary school, the pupil shall be so excused.”
- (3) In subsection (2), for “subsection (1)” substitute “ subsections (1) to (1B) ”.
- (4) In subsection (3), after “subsection (1)” insert “ or (1A) ”.
- (5) In subsection (5), after “voluntary school” insert “ and is not a sixth-form pupil ”.
- (6) After subsection (5) insert—

Changes to legislation: *Education and Inspections Act 2006, Cross Heading: Miscellaneous is up to date with all changes known to be in force on or before 21 April 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) View outstanding changes*

“(5A) Where a sixth-form pupil who is a boarder at a community, foundation or voluntary school requests that he be permitted—

- (a) to receive religious education in accordance with the tenets of a particular religion or religious denomination outside school hours, or
- (b) to attend worship in accordance with such tenets on Sundays or other days exclusively set apart for religious observance by the religious body to which the pupil belongs,

the governing body shall make arrangements for giving the pupil reasonable opportunities for doing so.”

(7) In subsection (6), after “subsection (5)” insert “ or (5A) ”.

(8) For subsection (7) substitute—

“(7) Regulations shall make provision for ensuring that, so far as practicable, every pupil attending a community or foundation special school—

- (a) receives religious education unless withdrawn from receiving such education in accordance with the wishes of his parent, and
- (b) attends religious worship unless withdrawn from attendance at such worship—

(i) in the case of a sixth-form pupil, in accordance with his own wishes, and

(ii) in any other case, in accordance with the wishes of his parent.”

(9) After subsection (7) insert—

“(8) In this section “sixth-form pupil” means any pupil who—

- (a) has ceased to be of compulsory school age, and
- (b) is receiving education suitable to the requirements of pupils over compulsory school age.”

Commencement Information

- I1** S. 55 in force at 9.2.2009 for W. by [S.I. 2009/49](#), [art. 2](#)
- I2** S. 55(1)-(7) in force at 1.9.2007 for E. by [S.I. 2007/1801](#), [art. 3\(b\)](#)
- I3** S. 55(8)(9) in force at 25.6.2007 for E. by [S.I. 2007/1801](#), [art. 2](#)

56 Charges for music tuition

(1) In section 451 of EA 1996 (prohibition of charges for provision of education) for subsection (3) substitute—

“(3) Regulations may prescribe circumstances in which subsection (2) does not apply in relation to tuition in singing or in playing a musical instrument.”

(2) In section 456 of EA 1996 (regulation of permitted charges), in subsection (6), after “tuition in” insert “ singing or in ”.

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Commencement Information

- I4** S. 56 in force at 25.5.2007 for E. by [S.I. 2007/935](#), [art. 6\(b\)](#) (with transitional provisions and savings in [S.I. 2007/1271](#), art. 5)

57 School funding

Schedule 5 contains amendments of Chapter 4 of Part 2 of SSFA 1998 (financing of maintained schools).

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Commencement Information

- I5** S. 57 in force at 8.2.2007 for E. by [S.I. 2006/3400](#), [art. 4\(a\)](#)
I6 S. 57 in force at 15.3.2010 for specified purposes for W. by [S.I. 2010/736](#), [art. 2\(a\)](#)
I7 S. 57 in force at 2.4.2010 for W. in so far as not already in force by [S.I. 2010/736](#), [art. 3\(a\)](#)

^{F1}58 Removal of requirement to issue code of practice as to relationships between local authorities and maintained schools in England etc

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Textual Amendments

- F1** S. 58 omitted (20.2.2014) by virtue of [School Standards and Organisation \(Wales\) Act 2013](#) (anaw 1), s. 100(4), [Sch. 5 para. 34\(2\)](#); [S.I. 2014/178](#), art. 2(g) (with art. 3)

Changes to legislation:

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2006/2990 art. 4 by [S.I. 2008/54 art. 2](#)
- specified provision(s) amendment to earlier commencing SI 2007/935 art. 7(n) by [S.I. 2007/1271 art. 4](#)
- specified provision(s) transitional provisions for earlier commencing SI 2007/935 by [S.I. 2007/1271 art. 5](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 11A inserted by [2010 c. 26 s. 7](#)
- s. 88(A1) inserted by [2015 c. 20 Sch. 16 para. 1\(2\)](#)
- s. 93A inserted by [2009 c. 22 s. 246](#)
- s. 93A(7) words inserted by [S.I. 2016/413 reg. 235](#) (This amendment comes into force on the day that section 93A of the Education and Inspections Act 2006 (c. 40) comes into force. That provision is still prospective)
- s. 162(5A)(aa) inserted by [2010 nawm 1 Sch. 1 para. 20\(a\)](#)