



# Education Reform Act 1988

## 1988 CHAPTER 40

### PART I

#### SCHOOLS

#### CHAPTER I

#### THE CURRICULUM

#### *Religious education*

#### **6 Collective worship.**

- (1) Subject to section 9 of this Act, all pupils in attendance at a maintained school shall on each school day take part in an act of collective worship.
- (2) The arrangements for the collective worship in a school required by this section may, in respect of each school day, provide for a single act of worship for all pupils or for separate acts of worship for pupils in different age groups or in different school groups.
- (3) The arrangements for the collective worship in a county or voluntary school required by this section shall be made—
  - (a) in the case of a county school, by the head teacher after consultation with the governing body; and
  - (b) in the case of a voluntary school, by the governing body after consultation with the head teacher.
- (4) Subject to subsection (5) below, the collective worship in every maintained school required by this section shall take place on the school premises.
- (5) If the governing body of—
  - (a) an aided or special agreement school; or
  - (b) a grant-maintained school;

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are of opinion that it is desirable that any act of collective worship in the school required by this section should, on a special occasion, take place elsewhere than on the school premises, they may make such arrangements for that purpose as they think appropriate.

- (6) The powers of a governing body under subsection (5) above shall not be so exercised as to derogate from the rule that, in every such school as is there mentioned, the collective worship required by this section must normally take place on the school premises.
- (7) For the purposes of this section—  
“maintained school ” does not include a maintained special school; and  
“school group ” means any group in which pupils are taught or take part in other school activities.

**Modifications etc. (not altering text)**

- C1** S. 6 explained (1.4.1994) by 1993 c. 35, s. 138(2)-(4) (with s. 155(11)); S.I. 1994/507, art.3(1).  
S. 6 power to modify conferred (1.4.1994) by 1993 c. 35, s. 138(7)(b) (with s. 155(11)); S.I. 1994/507, art.3(1).

**7 Special provisions as to collective worship in county schools.**

- (1) Subject to the following provisions of this section, in the case of a county school the collective worship required in the school by section 6 of this Act shall be wholly or mainly of a broad Christian character.
- (2) For the purpose of subsection (1) above, collective worship is of a broadly Christian character if it reflects the broad traditions of Christian belief without being distinctive of any particular Christian denomination.
- (3) Every act of collective worship required by section 6 of this Act in the case of a county school need not comply with subsection(1) above provided that, taking any school term as a whole, most such acts which take place in the school do comply with that subsection.
- (4) Subject to subsections (1) and (3) above—  
(a) the extent to which (if at all) any acts of collective worship required by section 6 of this Act which do not comply with subsection(1) above take place in a county school;  
(b) the extent to which any act of collective worship in a county school which complies with subsection (1) above reflects the broad traditions of Christian belief; and  
(c) the ways in which those traditions are reflected in any such act of collective worship;  
shall be such as may be appropriate having regard to any relevant considerations relating to the pupils concerned which fall to be taken into account in accordance with subsection (5) below.
- (5) Those considerations are—  
(a) any circumstances relating to the family backgrounds of the pupils concerned which are relevant for determining the character of the collective worship which is appropriate in their case; and

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- (b) their ages and aptitudes.
- (6) Where under section 12 of this Act a standing advisory council on religious education determine that it is not appropriate for subsection (1) above to apply in the case of any county school, or in the case of any class or description of pupils at such a school, then, so long as that determination has effect—
- (a) that subsection shall not apply in relation to that school or (as the case may be) in relation to those pupils; and
  - (b) the collective worship required by section 6 of this Act in the case of that school or those pupils shall not be distinctive of any particular Christian or other religious denomination (but this shall not be taken as preventing that worship from being distinctive of any particular faith).

**Modifications etc. (not altering text)**

C2 Ss. 1-25 (Pt. I) except ss. 2(1)(a), 6, 9(3)-(10), 10(1) applied (9.5.1994) by S.I. 1994/1084, reg.9.

**8 Religious education required in the basic curriculum: further provisions.**

- (1) Section 2(1)(a) of this Act is subject to section 9 of this Act.
- (2) The religious education for which provision is required by section 2(1)(a) to be included in the basic curriculum for any particular maintained school shall be religious education of the kind required by such of the provisions of sections 26 to 28 of the 1944 Act or sections 84 to 86 of this Act as apply in the case of that school.
- (3) Any agreed syllabus which after this section comes into force is adopted or deemed to be adopted under Schedule 5 to that Act (which, as amended by this Act, provides for the preparation, adoption and reconsideration of an agreed syllabus of religious education) shall reflect the fact that the religious traditions in Great Britain are in the main Christian whilst taking account of the teaching and practices of the other principal religions represented in Great Britain.

**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.
- [<sup>F1</sup>(1A) It shall not be required, as a condition of any person attending any maintained school to receive further education, 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;

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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—

- (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.

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**Textual Amendments**

**F1** S. 9(1A) inserted (1. 8. 1993) by Further and Higher Education Act 1992 (c. 13), s. 12(4); S.I. 1992/831, art. 2, Sch.4.

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