

Status: Point in time view as at 01/09/1999.

Changes to legislation: Education Act 1996, SCHEDULE 31 is up to date with all changes known to be in force on or before 18 March 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 31

Section 375.

AGREED SYLLABUSES OF RELIGIOUS EDUCATION

Duty to convene conference to reconsider agreed syllabus

- 1 (1) Where the agreed syllabus for the time being adopted by a local education authority was adopted by them on or after 29th September 1988 but before 1st April 1994, they shall, within the period of five years beginning with the date on which they adopted the syllabus, convene a conference for the purpose of reconsidering the syllabus.
- (2) Sub-paragraph (1) does not apply where the authority have already convened such a conference on or after 1st April 1994 in pursuance of paragraph 12(3) of Schedule 5 to the ^{M1}Education Act 1944.

Marginal Citations

M1 1944 c. 31.

- 2 (1) 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 1st April 1994).
- (2) No such conference shall be convened later than the end of the period of five years beginning with the date (falling after 31st March 1994) on which—
- (a) the authority adopted the syllabus, or
 - (b) the authority gave effect to a recommendation under paragraph 10(2) below (or under paragraph 13 of Schedule 5 to the Education Act 1944) that the syllabus should continue to be the agreed syllabus.
- 3 On receipt by a local education authority of written notification of any such requirement as is mentioned in section 391(3), the authority shall cause a conference to be convened for the purpose of reconsidering any agreed syllabus to which the requirement relates.

Constitution of conference

- 4 (1) A conference convened under this Schedule shall consist of such groups of persons (“committees”) appointed by the local education authority which convenes the conference as are required by sub-paragraph (2).
- (2) Those committees are—
- (a) a committee of persons representing such Christian denominations and other religions and denominations of such religions as, in the opinion of the authority, will appropriately reflect the principal religious traditions in the area;

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- (b) except in the case of an area in Wales, a committee of persons representing the Church of England;
 - (c) a committee of persons representing such associations representing teachers as, in the opinion of the authority, ought to be represented, having regard to the circumstances of the area; and
 - (d) a committee of persons representing the authority.
- (3) Where a committee is required to be appointed by virtue of sub-paragraph (2)(b), the committee required to be appointed by virtue of sub-paragraph (2)(a) shall not include persons appointed to represent the Church of England.
- (4) The number of persons appointed under sub-paragraph (2)(a) to represent each denomination or religion required to be represented shall, so far as is consistent with the efficient discharge of the committee's functions, reflect broadly the proportionate strength of that denomination or religion in the area.
- 5 Any sub-committees appointed by the conference shall each include at least one member of each of the committees constituting the conference.
- 6 On any question to be decided by the conference or by any sub-committee of the conference, a single vote shall be given for each of the committees constituting the conference.
- 7 (1) Before appointing a person to represent any religion, denomination or associations as a member of a committee, the local education authority shall take all reasonable steps to assure themselves that he is representative of the religion, denomination or associations in question.
- (2) No proceedings under this Schedule shall be invalidated on the ground that a member of a committee did not represent the religion, denomination or associations which he was appointed to represent, unless it is shown that the authority failed to take the steps required by sub-paragraph (1).
- 8 A person appointed as a member of a committee—
- (a) may resign his membership, or
 - (b) may be withdrawn from membership by the local education authority if, in their opinion, he ceases to be representative of the religion, denomination or associations which he was appointed to represent or (as the case may be) of the authority.
- 9 Where a person resigns or is withdrawn from a committee, the local education authority shall appoint someone in his place in the same manner as that in which they made the original appointment.

Reconsideration of agreed syllabus

- 10 (1) This paragraph applies where a local education authority cause a conference to be convened for the purpose of reconsidering any agreed syllabus under any of paragraphs 1 to 3.
- (2) If—
- (a) the conference—
 - (i) unanimously recommend that the existing syllabus should continue to be the agreed syllabus, or

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- (ii) unanimously recommend a new syllabus to be adopted in substitution for the existing syllabus, and
 - (b) it appears to the local education authority that the syllabus or, as the case may be, the new 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, the authority may give effect to the recommendation.
- (3) If—
- (a) the authority report to the Secretary of State that the conference are unable to reach unanimous agreement, or
 - (b) 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)(b) prevents them from giving effect to the recommendation, or
 - (c) it appears to the Secretary of State that the authority have failed to exercise their power under sub-paragraph (2) to give effect to the unanimous recommendation of the conference,
- the Secretary of State shall proceed in accordance with paragraph 12.

^{F11}

Textual Amendments

F1 Sch. 31 para. 11 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para. 188, **Sch.31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**

Preparation of new syllabus by appointed body

- 12 (1) Where required by paragraph 10 to proceed in accordance with this paragraph, the Secretary of State shall appoint a body of persons having experience in religious education to prepare a syllabus of religious education.
- (2) The appointed body shall, so far as is practicable, be of a representative character which is the same as that required by paragraph 4 in the case of a conference.
- 13 (1) The appointed body shall—
- (a) give the local education authority, the conference and every committee constituting the conference an opportunity of making representations to it;
 - (b) after considering any such representations made to it, prepare a syllabus of religious education; and
 - (c) transmit a copy of that syllabus to the authority and to the Secretary of State.
- (2) Subject to sub-paragraph (1)(a), the appointed body may conduct its proceedings in such manner as it thinks fit.
- 14 The syllabus prepared by the appointed body shall be deemed to be the agreed syllabus adopted for use in the schools for which, or for the class or description of pupils for which, it was prepared—
- (a) as from such date as the Secretary of State may direct, and
 - (b) until a new syllabus is adopted for use in those schools, or for pupils of that class or description, in accordance with this Schedule.

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Special provisions applicable where order under section 27(1)(b) applies

F2 15

Textual Amendments

F2 Sch. 31 para. 15 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para. 188, **Sch.31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**

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