



# Education Act 2005

## 2005 CHAPTER 18

### PART 1

#### SCHOOL INSPECTIONS AND OTHER INSPECTIONS BY SCHOOL INSPECTORS

### CHAPTER 6

#### OTHER INSPECTIONS: ENGLAND AND WALES

#### *Inspection of religious education*

#### **47 Meaning of “denominational education”**

In this Part “denominational education”, in relation to a school, means religious education which—

- (a) is required by section 80(1)(a) or 101(1)(a) of the Education Act 2002 (c. 32) to be included in the school’s basic curriculum, but
- (b) is not required by any enactment to be given in accordance with an agreed syllabus.

#### **48 Inspection of religious education: England**

(1) It is the duty of the governing body of any voluntary or foundation school in England which has been designated under section 69(3) of the School Standards and Framework Act 1998 by the Secretary of State as having a religious character to secure that—

- (a) any denominational education given to pupils, and
- (b) the content of the school’s collective worship,

are inspected under this section.

(2) An inspection under this section is to be conducted by a person chosen—

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*Status: This is the original version (as it was originally enacted).*

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- (a) in the case of a voluntary controlled school, by the foundation governors after consultation with any person prescribed for the purposes of this subsection in relation to the religion or religious denomination that is specified in relation to the school under section 69(4) of the School Standards and Framework Act 1998, and
  - (b) in any other case, by the governing body after consultation with any person so prescribed.
- (3) Inspections under this section must be carried out at such intervals as may be prescribed.
- (4) It is the general duty of a person conducting an inspection under this section—
- (a) to report on the quality of the denominational education provided by the school for any pupils to whom denominational education is given by the school, and
  - (b) 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.
- (5) A person conducting an inspection under this section may do so with the assistance of such other persons chosen by him as are in his opinion fit and proper persons for carrying out the inspection.
- (6) In this section and section 49—
- “collective worship” means collective worship required by section 70 of the School Standards and Framework Act 1998 (c. 31);
  - “prescribed” means prescribed by regulations made by the Secretary of State.

#### **49 Procedure for inspections under section 48**

- (1) An inspection under section 48 must be carried out within such period as may be prescribed.
- (2) When the inspection has been completed, the person conducting the inspection must, before the end of the period prescribed for the purposes of this subsection, prepare in writing a report of the inspection.
- (3) The person conducting the inspection must, without delay, send the report to the governing body of the school concerned.
- (4) The governing body must—
  - (a) make any such report available for inspection by members of the public, at such times and at such a place as may be reasonable,
  - (b) take such steps as are reasonably practicable to secure that every parent of a registered pupil at the school—
    - (i) for whom the school provides denominational education, or
    - (ii) who takes part in acts of collective worship the content of which falls to be inspected under section 48,
 as the case may be, receives a copy of the report as soon as is reasonably practicable, and

- (c) provide a copy of the report, free of charge or in prescribed cases on payment of such fee as they think fit (not exceeding the cost of supply) to any other person who asks for one.

## **50 Inspection of religious education: Wales**

- (1) It is the duty of the governing body of any voluntary or foundation school in Wales which has been designated under section 69(3) of the School Standards and Framework Act 1998 by the Assembly as having a religious character to secure that—
  - (a) any denominational education given to pupils, and
  - (b) the content of the school’s collective worship,are inspected under this section.
- (2) An inspection under this section is to be conducted by a person chosen—
  - (a) in the case of a voluntary controlled school, by the foundation governors after consultation with any person prescribed for the purposes of this subsection in relation to the religion or religious denomination that is specified in relation to the school under section 69(4) of the School Standards and Framework Act 1998 (c. 31), and
  - (b) in any other case, by the governing body after consultation with any person so prescribed.
- (3) The person chosen need not be registered as an inspector under section 25.
- (4) Inspections under this section must be carried out at such intervals as may be prescribed.
- (5) It is the general duty of a person conducting an inspection under this section—
  - (a) to report on the quality of the denominational education provided by the school for any pupils to whom denominational education is given by the school, and
  - (b) 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.
- (6) A person conducting an inspection under this section may do so with the assistance of such other persons chosen by him as are in his opinion fit and proper persons for carrying out the inspection.
- (7) Schedule 6 makes further provision with respect to inspections under this section.
- (8) In this section (and that Schedule)—
  - “collective worship” means collective worship required by section 70 of the School Standards and Framework Act 1998;
  - “prescribed” means prescribed by regulations made by the Assembly.