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STATUTORY INSTRUMENTS

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**2003 No. 2037**

**The Independent Schools (Employment of Teachers in Schools with a Religious Character) Regulations 2003**

**Amendments to the School Standards and Framework Act 1998**

3. After section 124 there is inserted—

**“PART 5A**

**EMPLOYMENT OF TEACHERS AT INDEPENDENT SCHOOLS HAVING A RELIGIOUS CHARACTER**

**Employment of teachers at independent schools having a religious character**

**124A**

- (1) This section applies to an independent school which has a religious character.
- (2) Preference may be given, in connection with the appointment, promotion or remuneration of teachers at the school, to persons—
- (a) whose religious opinions are in accordance with the tenets of the religion or the religious denomination specified in relation to the school under section 124B(2), or
  - (b) who attend religious worship in accordance with those tenets, or
  - (c) who give, or are willing to give, religious education at the school in accordance with those tenets.
- (3) Regard may be had, in connection with the termination of the employment or engagement of any teacher at the school, to any conduct on his part which is incompatible with the precepts, or with the upholding of the tenets, of the religion or religious denomination so specified.

**Designation of independent schools as having a religious character**

**124B**

- (1) Subsections (3) and (5) of section 69 (which relate to the designation of foundation or voluntary schools as having a religious character) apply in relation to an independent school as they apply in relation to a foundation or voluntary school, but as if—
- (a) in subsection (3), the reference to Part 2 were a reference to this Part, and
  - (b) in subsection (5), the reference to subsection (4) of that section were a reference to subsection (2) of this section.
- (2) An order made under section 69(3) by virtue of subsection (1) shall specify, in relation to each school designated by the order, the religion or religious denomination (or as the case

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may be each religion or religious denomination) in accordance with whose tenets education is provided at the school or the school is conducted.”