

Education (Assemblies) Bill [HL]

[AS BROUGHT FROM THE LORDS]

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[AS BROUGHT FROM THE LORDS]

A

B I L L

TO

Amend the School Standards and Framework Act 1998 to make provision regarding assemblies at state schools without a designated religious character in England; to repeal the requirement for those schools to hold collective worship; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Entitlement to spiritual, moral, social and cultural education in assemblies

(1) Chapter VI of Part II of the School Standards and Framework Act 1998 (religious education and worship) is amended as follows.

(2) For section 70(1) (requirements relating to collective worship) substitute—

“(1) Subject to section 71, each pupil in attendance at— 5

- (a) a community, foundation or voluntary school in Wales,
- (b) a foundation or voluntary school in England which is designated with a religious character, or
- (c) an Academy in England which is designated with a religious character, 10

must on each school day take part in an act of collective worship.”

(3) In section 70(2), for “community, foundation or voluntary school”, substitute “school to which subsection (1) applies”.

(4) After section 70, insert—

“70A Requirements relating to assemblies 15

- (1) This section applies to schools in England that are—
 - (a) maintained schools without a religious character;
 - (b) non-maintained special schools;
 - (c) City Technology Colleges; and
 - (d) Academies without a religious character. 20

(2) Each pupil in attendance at a school to which this section applies must on each school day take part in an assembly which is principally

directed towards furthering the spiritual, moral, social and cultural education of the pupils regardless of religion or belief.

- (3) Subject to subsection (4), no acts of worship or other religious observance may be organised by or on behalf of a school (whether or not forming part of the curriculum) in schools to which this section applies. 5
- (4) Staff or pupils of a school may arrange voluntary acts of worship on school premises, provided that—
- (a) subject to paragraph (b), pupils are permitted to decide whether to attend any such acts of worship; and 10
 - (b) for pupils aged under 16, a parent or guardian may request that their child should not attend.
- (5) In relation to any school to which this section applies—
- (a) the local authority responsible for education (in the case of maintained schools) and the governing body must exercise their functions with a view to securing, and 15
 - (b) the head teacher must secure,
- that subsections (2) and (3) are complied with.”

2 Consequential amendments

The Schedule to this Act has effect. 20

3 Extent, commencement and short title

- (1) This Act extends to England and Wales only.
- (2) This Act comes into force on the first day of September following the day on which it is passed.
- (3) This Act may be cited as the Education (Assemblies) Act 2022. 25

SCHEDULE

Section 2

CONSEQUENTIAL AMENDMENTS

School Standards and Framework Act 1998

- 1 The School Standards and Framework Act 1998 is amended as follows.
- 2 In section 71(1A) (exceptions and special arrangements; provision for special schools), after “voluntary school”, insert “in Wales”. 5
- 3 After section 71(1A) insert—
 - “(1AA) If the parent of any pupil other than a sixth-form pupil at—
 - (a) a voluntary or foundation school in England which is designated with a religious character, or 10
 - (b) an Academy in England which is designated with a religious character,
requests that he or she may be wholly or partly excused from attendance at any acts of worship or other religious observance organised by or on behalf of a school (whether or not forming part of the curriculum), the pupil shall be so excused until the request is withdrawn.” 15
- 4 For section 71(1B), after “voluntary school”, insert “in Wales”.
- 5 After section 71(1B) insert—
 - “(1C) If a sixth-form pupil at— 20
 - (a) a voluntary or foundation school in England which is designated with a religious character, or
 - (b) an Academy in England which is designated with a religious character,
requests that he or she may be wholly or partly excused from attendance at any acts of worship or other religious observance organised by or on behalf of a school (whether or not forming part of the curriculum), the pupil shall be so excused until the request is withdrawn. 25
 - (1D) For any pupils who have been withdrawn from attendance at any acts of worship or other religious observance organised by or on behalf of a school, the school must provide an assembly of equal educational worth, which shall be principally directed towards furthering the spiritual, moral, social and cultural education of the pupils.” 30 35
- 6 In section 71(7)(b), before “attends” insert “, in Wales,”.
- 7 Schedule 20 (collective worship) is amended as follows.
- 8 For paragraph 2(1) (general provisions as to collective worship) substitute—
 - “(1) This paragraph applies to—
 - (a) any community, foundation or voluntary school in Wales, 40

- (b) any voluntary or foundation school in England which is designated with a religious character, and
- (c) any Academy in England which is designated with a religious character.”
- 9 For paragraph 3(1) (nature of collective worship in community schools and foundation schools without a religious character), substitute— 5
- “(1) This paragraph applies to—
- (a) any community school; and
- (b) any foundation school which does not have a religious character, 10
- in Wales.”

Education Act 1996

- 10 The Education Act 1996 is amended as follows.
- 11 For section 342(5A), substitute—
- “(5A) Regulations shall make provision for securing that, so far as practicable, every pupil attending a school in England that is approved under this section receives religious education unless withdrawn from receiving such education in accordance with the wishes of the pupil’s parent.” 15
- 12 In section 391(1)(a)(i), at the start insert “in Wales,”. 20
- 13 In section 394(1), for “The council”, substitute “In Wales, the council”.
- 14 In section 578, after “2018” insert—
- “Education (Assemblies) Act 2022”.

Education (Special Educational Needs) (England) (Consolidation) Regulations 2001 (S.I. 2001/3455) 25

- 15 For regulation 5A of the Education (Special Educational Needs) (England) (Consolidation) Regulations 2001 (S.I. 2001/3455), substitute—
- “(5A) Arrangements must be made to ensure that, so far as practicable, every pupil attending a maintained special school receives religious education unless withdrawn from receiving such education in accordance with the wishes of his or her parent.” 30

Education (Non-Maintained Special Schools) (England) Regulations 2011 (S.I. 2011/1627)

- 16 For paragraph 24 of the Schedule to the Education (Non-Maintained Special Schools) (England) Regulations 2011 (S.I. 2011/1627), substitute—
- “(24) Arrangements must be made to ensure, so far as is practicable, that every registered pupil at the school receives religious education, unless withdrawn from receiving such education in accordance with the wishes of the pupil’s parent.” 35

Equality Act 2010

- 17 The Equality Act 2010 is amended as follows.
- 18 In paragraph 11(c) of Schedule 3 (services and public functions: exceptions), after “curriculum)” insert “that is—
- (i) in Scotland or Wales, 5
 - (ii) a voluntary or foundation school in England which is designated with a religious character, or
 - (iii) an Academy in England which is designated with a religious character”.
- 19 In paragraph 6 of Schedule 11 (curriculum, worship, etc.), after “school” insert “that is— 10
- (i) in Scotland or Wales,
 - (ii) a voluntary or foundation school in England which is designated with a religious character, or
 - (iii) an Academy in England which is designated with a religious character”. 15

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