

# Ensuring your Setting is Compliant

## Legal requirements

RE should be provided as part of the basic curriculum for all registered pupils attending a maintained school. Headteacher's are to make sure that their school is compliant, and should ensure that coordinators of RE are provided with the Agreed Syllabus.

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<b>Type of School</b> In schools where an agreed syllabus applies, religious education must be non-denominational, but teaching about denominational differences is permitted. [Education Act 1944 S26 (2)]	The Agreed Syllabus <b>MUST</b> be used	The Agreed Syllabus <b>MAY</b> be used and is excellent practice
<ul style="list-style-type: none"> <li>• <b>Community/Maintained Schools</b> are controlled by the local authority (LA). RE <b>must</b> be taught according to the requirements of the Agreed Syllabus of the LA. The headteacher, along with the governing body and the local authority, is responsible for the provision of religious education in community maintained schools.</li> </ul>		
<ul style="list-style-type: none"> <li>• <b>Early Years (Reception classes not including nursery classes or play groups)</b>. The law relating to religious education for pupils who are not yet in Key Stage 1 is different from that relating to subjects of the national curriculum. As religious education <b>must</b> be taught to 'all registered pupils at the school', <b>it includes pupils in reception classes, but not those in nursery classes or play groups.</b></li> </ul>		
<ul style="list-style-type: none"> <li>• <b>Foundation Schools</b>. RE is taught according to the requirements of the local Agreed Syllabus, <b>unless</b> the schools are of a religious character, in which case their RE is characterised by their <b>Trust Deed</b>. The headteacher, along with the governing body and the local authority, is responsible for the provision of religious education in foundation schools.</li> </ul>		
<ul style="list-style-type: none"> <li>• <b>Voluntary Aided Schools</b> are those schools originally founded by voluntary bodies, but aided from public funds. RE should be taught according to their Trust Deed, or with the beliefs or denomination specified in the designation of the school, to reflect the religious character of the foundation. A governing body may accept a recommendation from their diocese to adopt the locally agreed syllabus.</li> </ul>		

<ul style="list-style-type: none"> <li>• <b>Voluntary Controlled Schools</b> were originally founded by voluntary bodies, but are now controlled and entirely funded and <b>maintained/controlled by the LA</b>. RE should be taught according to the requirements of the local Agreed Syllabus, but parents may request that RE should be provided in accordance with the Trust Deed. The headteacher, along with the governing body and the local authority, is responsible for the provision of religious education in voluntary controlled schools.</li> </ul>		
<ul style="list-style-type: none"> <li>• <b>Special Schools</b> should provide RE for all their pupils as far as practicable, <b>according to the status</b> of the school. (Please see details under the main headings of types of school).</li> </ul>		
<ul style="list-style-type: none"> <li>• <b>Schools with Sixth Forms</b> should provide RE for all pupils in the sixth form in accordance with the local Agreed Syllabus. By the same law, religious education <b>must</b> be provided for all students in school sixth forms (but not those in sixth form colleges, which must provide religious education for all students wishing to receive it).</li> </ul>		
<ul style="list-style-type: none"> <li>• <b>Sixth Form Colleges</b> must provide religious education for all students wishing to receive it.</li> </ul>		
<ul style="list-style-type: none"> <li>• <b>Academies, City Technology Colleges and Free Schools</b> are required to provide RE and collective worship and do so under the terms of their funding agreement with the Secretary of State. The type of RE specified in the funding agreement depends on whether or not the academy, city technology college or free school has a religious designation and in the case of schools which are 'converter' academies, on whether the predecessor school was a voluntary controlled faith school or a foundation faith school. There is no requirement for an academy, city technology college or free school to adopt the locally agreed syllabus used in the LA's maintained schools. However, for those schools without a religious character it is good practice and government recommendation for these schools to use the principles of the locally agreed syllabus for their RE. SACRE recognises the independence of <b>Academies and Free Schools</b>. However, it commends this Agreed Syllabus to them as a constructive and collaborative way to meet their legal requirements in Religious Education.</li> </ul>		
<ul style="list-style-type: none"> <li>• <b>The funding agreement for a Non-Faith Academy</b> states that they <b>must arrange for RE to be given to all pupils in accordance with the requirements for agreed syllabuses that are set out in the relevant legislation</b>. This means a syllabus that reflects the fact that religious traditions in Great Britain are, in the main, Christian whilst taking into account of the teaching and practices of the other principal religions represented in Great Britain. It also means that these academies must not provide RE to pupils by means of any catechism or formulary which is distinctive of any particular religious denomination.</li> </ul>		

<ul style="list-style-type: none"> <li>• <b>For Denominational Academies with a Religious Character</b> (Church of England or Roman Catholic – but also Muslim and most Jewish academies), the religious education curriculum will be in line with the denominational syllabus. These academies may, in addition, provide RE that is in line with the locally agreed syllabus and teach about other faiths if they choose. 1996 Act, Ch 56, S376 (1); 1998 Act, Ch 31 S351 (1); The Designation of Schools Having a Religious Character (England) Order 1999</li> </ul>		★
<ul style="list-style-type: none"> <li>• <b>Free Schools</b> are independent schools; however, as a condition of their grant, they should make provision for pupils' entitlement to RE in accordance with the requirements for Agreed Syllabuses. A locally agreed syllabus must reflect 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'. [1996 Act, Ch 56 S375 (3)]. SACRE recognises the independence of <b>Academies and Free Schools</b>. However, it commends this Agreed Syllabus to them as a constructive and collaborative way to meet their legal requirements in Religious Education.</li> </ul>		★