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Religious Education in School: What does the legislation require?

RE is an entitlement for all registered pupils on the school roll (including Reception and Sixth Form), unless they have been withdrawn from the RE curriculum by their parents.

RE is the academic study of religions and worldviews, which can include Christianity, Judaism, Islam, Buddhism, Sikhism, Hinduism, Atheism and Humanism, as well as many others.

Religious Education in *all schools* in England must reflect the fact that “the religious traditions of Great Britain are in the main Christian whilst taking account of the teaching and practices of the other principal religions represented in Great Britain” (Section 375(3) of the Education Act 1996)

Religious Education **is not** a form of proselytization in Church of England schools; there is no expectation that any pupil/teacher studying/teaching RE comes from a Christian background, or that Religious Education is a form of ‘making Christians’.

If a parent wishes to withdraw their child from Religious Education, the School Standards Framework 1998 Act (Section 71) <http://www.legislation.gov.uk/ukpga/1998/31/section/71> states that:

If the parent requests that their child is excused—

(a) from receiving religious education given in the school in accordance with the school’s basic curriculum,

(b) from attendance at religious worship in the school, or

(c) both from receiving such education and from such attendance, the pupil shall be so excused until the request is withdrawn.

If the parent wishes to withdraw their child from Religious Education in order to provide an alternative form of Religious Education that reflects their own background/wishes, then:

The pupil may be withdrawn from the school during such periods of time as are reasonably necessary for the purpose of enabling him to receive religious education but the local education authority must be satisfied—

(a) that the parent of the pupil desires him to receive religious education of a kind which is not provided in the school during the periods of time during which he is so excused,

(b) that the pupil cannot with reasonable convenience be sent to another community, foundation or voluntary school where religious education of the kind desired by the parent is provided, and

(c) that arrangements have been made for him to receive religious education of that kind during school hours elsewhere

If this is the case, then:

A pupil may not be withdrawn from school unless the local education authority are satisfied that the arrangements will not interfere with the attendance of the pupil at school on any day except at the beginning or end of a school session (or, if there is only one, the school session) on that day.

The section goes onto say:

Arrangements may provide for making facilities for such education or worship available on the school premises, but any expenditure entailed by the arrangements shall not be met from the school's budget share or otherwise by the local education authority.

The key things to note here are as follows:

- a) Religious Education is distinctive from Collective Worship, and is not a form of Christian proselytization;
- b) The child may encounter elements of Religious Education in other curriculum areas from which a parent cannot withdraw their child (e.g. History or Citizenship);
- c) The leadership and management of a school have an obligation under the new Ofsted Handbook to ensure that they actively promote 'British Values' in school, one of which is explicitly stated as 'the mutual respect and tolerance of those with different faiths and beliefs' (Ofsted Handbook, 152);
- d) If the child is withdrawn the only obligation the school has to meet is to provide for their supervision during the time when Religious Education lessons are taking place – the school does not *have to* agree to provide the child with any alternative work to do in this time, and they should not incur any additional cost in providing supervision for the child.

The Department for Education has published documentation relation to Religious Education in England that may be helpful (RE in English Schools: Non Statutory Guidance, 2010):

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/190260/DCSF-00114-2010.pdf

The section relating to withdrawal from Religious Education is on pp. 27-9.

Collective Worship

If a parent wishes to withdraw their child from Collective Worship, this is a separate matter. Again, should this be the case, the school is obliged to provide supervision for the child during the Collective Worship session, but should not incur any additional cost in so doing.

Church of England Schools and Christian Distinctiveness

The Trust Deed of the school is clear that the education provided must be in accordance with the principles of Church of England; this includes, but is not exclusive to, Religious Education and Collective Worship. As a consequence, it is important that the school must operate within a Christian context where Christian values are promoted and children have the opportunity to attend Collective Worship and Religious Education lessons.

If you have any further concerns, please don't hesitate to contact Gillian Georgiou (Diocesan RE Adviser) on the details below.

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