

Bath and Wells Diocesan Board of Education

Policy Statement and Guidelines

Parental right of withdrawal from Collective Worship and/ or Religious Education

*Within this document, any italicised text indicates a direct quotation from the relevant government guidance on the law relating to collective worship and to religious education. In the case of collective worship, this is **Circular 1/94: Religious Education and Collective Worship**; and in the case of religious education it is **Religious Education in English schools: Non-statutory guidance 2010***

1. Collective Worship

Parents have been able to withdraw their children from collective worship since the 1944 Education Act and no recent legislation has affected this right. It is most recently confirmed in Section 71 of the School Standards and Framework Act 1998. The government guidance document which remains current in the case of collective worship is **Circular 1/94: Religious Education and Collective Worship**.

Collective worship in a Church of England School should be in accordance with the tenets and practices of the Church of England. In other words the law on collective worship in a community school, that it should be wholly or mainly of a broadly Christian character, does not apply in a church school, where it should be distinctively Christian.

The law states that in all maintained schools there must be a daily act of worship for all pupils, other than those in a nursery class or a nursery school. This can take place at any time during the school day and in any groupings.

In many schools in the Diocese of Bath and Wells there are significant numbers of children whose families are members of another faith and belief community, or who hold a non-religious worldview. It is the purpose and duty of every church school to be demonstrably distinctive as a Church of England school (or Church of England/ Methodist, or Church of England/ URC). In every one of these schools it is part of the mission of the church to welcome those of other faiths and beliefs, and of no faith. In most cases, the parents of these children will have chosen the school for their child, making a specific choice of the school because of the ethos and education it offers.

On occasions, the parent may make a request for their child to be withdrawn from collective worship.

The right of withdrawal from collective worship would normally be exercised through the physical withdrawal of the pupil from the place where the act of worship is taking place. Indeed the school could insist that this is the way the right is to be implemented. If, however, both the parent and the school agree that the pupil should be allowed to remain physically present during the collective worship, but not take part in it, nothing in the law prevents this.

Experience suggests that, to avoid misunderstanding, a head teacher will find it helpful to establish with any parent wanting to exercise the right of withdrawal:

- *the elements of worship in which the parent would object to the child taking part*
- *the practical implications of withdrawal*
- *whether the parent will require any advanced notice of such worship, and, if so, how much*

Where parents have withdrawn their children from collective worship and request religious worship according to a particular faith or denomination, the partners and head teacher will seek to respond positively to such requests providing:

- *such arrangements can be made at no additional cost to the school*
- *that the alternative provision would be consistent with the overall purposes of the school curriculum as set out in the Education Acts (see, for example, Part 6 of the Education Act 2002, and Circular 1/94)*

The Diocese of Bath and Wells affirms the guidance provided, and notes that *if the parent asks that a pupil should be wholly or partly excused from attending any religious worship at the school, then the school must comply*. This means that a parent may, for example, request their child does not take part in a carol service when otherwise the child takes part in daily collective worship.

2. Religious Education

The expectations for RE in Church of England schools are set out in the Statement of Entitlement document.¹

Parents have been able to withdraw their children from religious education since the 1944 Education Act and no recent legislation has affected this right. It is most recently confirmed in Schedule 19 of the School Standards and Framework Act 1998.

¹ <https://www.churchofengland.org/education/church-schools-academies/siamsschool-inspections/siams-resources.aspx>

The current government guidance on Religious Education is relatively recent: **Religious Education in English schools: Non-statutory guidance 2010**. This states: *Every maintained school in England must provide a basic curriculum (RE, sex education and the National Curriculum). This includes provision for RE for all registered pupils at the school (including those in the sixth form), except for those withdrawn by their parents (or withdrawing themselves if they are aged 18 or over).*

In Voluntary Controlled (VC) schools, Religious Education must be provided in accordance with the local Agreed Syllabus provided by the SACRE (Standing Advisory Council for Religious Education) of the local authority in which the school is situated. In academies which were formerly VC schools, this is normally also the case. *However, where the parent of any pupil at the school requests that RE is provided in accordance with the Trust Deed or religious designation of the school, the school should comply with the request.*

In Voluntary Aided (VA) schools (and academies which were formerly VA) the decision on the content of Religious Education rests with the Governing Body, and should be in line with the Trust Deeds of the school. Normally, the partners agree to adopt the Diocesan Syllabus where one exists.

In all forms of church school, the Religious Education provided should contribute to the Christian character of the school, while avoiding being confessional². This is an aspect of the school's work which is subject to Statutory Inspection of Anglican and Methodist Schools (SIAMS), whether VA, VC or academy.

As in the case with collective worship, it is the duty of all our church schools to demonstrate their distinctiveness through the content of the Religious Education offered. Schools may encounter individual families, or possibly larger groups within the community of the school, who request that their children are withdrawn from RE because they are members of another faith and belief community, or because they hold a non-religious worldview.

We wish our schools to be inclusive communities, but recognise that parents have the legal right to withdraw their children from religious education on the grounds of conscience. *However, the right of withdrawal does not extend to other areas of the curriculum when, as may happen on occasion, spontaneous questions on religious matters are raised by pupils or there are issues related to religion that arise in other subjects such as history or citizenship* (Non-statutory Guidance 2010). The Diocese of Bath and Wells affirms this guidance in cases where for example Christmas or another Christian festival is a theme for work produced by children in other subjects.

² Confessional RE is characterised by the expectation that young people should adopt the Christian faith

The guidance makes clear that no parent has a right to withdraw their child from such activities.

Any parent considering withdrawal must contact the head teacher to discuss any concerns or anxieties about the policy, provision and practice of religious education at the school.

Managing the right of withdrawal

The school will ensure that parents who want to withdraw their children from RE are aware of the RE syllabus being taught in the school and that it is relevant to all pupils and respects their own personal beliefs. The school may also wish to review such a request each year, in discussion with the parents.

The use of the right to withdraw should be at the instigation of parents (or pupils themselves if they are aged 18 or over), and it should be made clear whether it is from the whole of the subject or specific parts of it. No reasons need be given.

This guidance allows a parent to withdraw their child from a specific activity, such as a visit to a place of worship, and not to withdraw the child from the remainder of their RE.

Parents have the right to choose whether or not to withdraw their child from RE without influence from the school, although a school should ensure that parents or carers are informed of this right and are aware of the educational objectives and content of the RE syllabus. In this way, parents can make an informed decision.

It is our strong advice that, wherever possible, issues regarding withdrawal should be picked up through the induction process, prior to admission. Where a request for withdrawal is made the school leadership should ensure that they make full engagement with the family to explain how the child's education and experience will be affected as a result. However, the law makes clear -

Where parents have requested that their child is withdrawn, their right must be respected, and where RE is integrated in the curriculum, the school will need to discuss the arrangements with the parents or carers to explore how the child's withdrawal can be best accommodated.

If pupils are withdrawn from RE, schools have a duty to supervise them, though not to provide additional teaching or to incur extra cost. Pupils will usually remain on school premises.

Where a pupil has been withdrawn, the law provides for alternative arrangements to be made for RE of the kind the parent wants the pupil to receive. This RE could be provided at the school in question, or the pupil could be sent to another school where suitable RE is provided, if this is reasonably convenient.

If neither approach is practicable, outside arrangements can be made to provide the pupil with the kind of RE that the parent wants, and the pupil may be withdrawn from school for a reasonable period of time to allow them to attend this external RE.

Outside arrangements for RE are allowed as long as the LA is satisfied that any interference with the pupil's attendance at school resulting from the withdrawal will affect only the start or end of a school session. (Non-statutory Guidance 2010)

The right of withdrawal and duty to promote British values

Schools need to ensure that parental right of withdrawal requests do not hamper their responsibilities to provide equality for all and the active promotion of fundamental British values. However, it needs to be noted that teaching pupils to respect people of other faiths and beliefs should not be limited to RE or collective worship sessions. British values and SMSC should be embedded throughout a broad and balanced curriculum, as well as in the school's ethos and vision. It is suggested that information about the school's ethos and vision and its SMSC provision should be published on the school website.

Other issues

From time to time issues may arise which are outside the scope of the parental right of withdrawal from RE and collective worship. These include, for example, certain aspects of requirements under the Equality Act 2010 not to discriminate because of race, religion or belief. Where an issue arises from, for example, a uniform policy that requires pupils to dress (or not to dress) in a way that conflicts with a genuine requirement of their religion or belief, schools are advised, if necessary and appropriate, to explore with the parents of the pupils involved the nature of their concerns. The school could then consider the possible scope for flexibility in the application of the policy, seeking guidance as necessary from the Diocese.