

# Appendix 1: What does the law in England say about RE?

---

## **RE is locally determined, not nationally**

A locally agreed syllabus is a statutory syllabus of RE prepared by a local Standing Advisory Council on Religious Education (SACRE) and adopted by a local authority.<sup>6</sup>

This Agreed Syllabus builds on the good practice from the 2004 Non-statutory Framework for RE, produced by the then Qualifications and Curriculum Authority, and also the core ideas in the RE Council's Non-statutory Framework from 2013.<sup>7</sup>

## **RE is for all pupils**

RE must be provided for all registered pupils in state-funded schools in England, including those in the sixth form, unless withdrawn by their parents.<sup>8</sup> It is a necessary part of a 'broad and balanced curriculum.'

## **RE must be provided for all registered pupils from reception classes to sixth form**

The requirement to teach Religious Education does not apply to nursery schools and classes (although there is an expectation that RE is provided as a non-statutory entitlement through continuous provision).

## **RE in your school**

**Maintained schools without a religious character** should follow the locally agreed syllabus.

**Foundation schools and voluntary controlled schools with a religious character** should follow the locally agreed syllabus, unless parents request RE in accordance with the trust deed or religious designation of the school.

**Voluntary aided schools with a religious character** should provide RE in accordance with the trust deed or religious designation of the school, unless parents request the locally agreed syllabus.

**Church schools, church academies, church free schools** should provide a wide range of opportunities for learners to understand and to make links between the beliefs, practices and value systems of the range of faiths and worldviews studied; this can be achieved by using the Hertfordshire Agreed Syllabus.

In Church of England schools the students and their families can expect a religious education curriculum that is rich and varied, enabling learners to acquire a thorough knowledge and understanding of the Christian faith: for example through the Understanding Christianity resource. Church schools should use some form of enquiry approach that engages with, for example, Biblical text, and helps develop religious and theological literacy. Links with the Christian values of the school and spiritual, moral, social and cultural development are intrinsic to the RE curriculum and should have

a significant impact on learners (more is set out in 'Religious Education in Church of England Schools: A Statement of Entitlement').

The effectiveness of denominational education in Church schools is evaluated during the Statutory Section 48 Inspection.

### **Faith and non-faith academies and free schools**

Religious Education is compulsory as set out in the funding agreements. Academies may use their locally agreed syllabus, or a different locally agreed syllabus (with permission of the SACRE concerned), or devise their own curriculum.

### **Special schools**

Special schools should ensure that every pupil receives RE 'as far as is practicable.'<sup>9</sup>

### **RE is multi faith**

The RE curriculum drawn up by a SACRE, or by an academy or free school, 'shall 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'.<sup>10</sup>

An agreed syllabus must not require RE to be provided by means of any catechism, or formula which is distinctive of any particular denomination.

As education policy changes, the legal requirement for RE for all registered pupils remains unchanged. RE is an entitlement for all pupils, unless they have been withdrawn by their parents from some or all of the RE curriculum.

### **Right of withdrawal**

All parents have the right to withdraw their children from receiving RE. No teacher can be required to teach RE if s/he does not wish to do so (DfES Circular 1/94 para 44-49).

This was first granted when Religious Education was Religious Instruction and carried with it connotations of induction into the Christian faith. RE is very different today and is open to the exploration of a range of religious and non-religious worldviews. However, in the UK, parents still have the right to withdraw their children from RE on the grounds that they wish to provide their own Religious Education<sup>11</sup>. This is the parents' responsibility. It is good practice for schools to talk to parents to ensure that they understand the aims and value of the RE curriculum before honouring this right.

*6. Education Act 1996 Schedule 31*

*7. A Curriculum Framework for Religious Education in England (REC 2013)*

*8. School Standards and Framework Act 1998, Schedule 19; Education Act 2002, section 80*

*9. The Education (Special Educational Needs) (England) (Consolidation) (Amendment) Regulations 2006 Regulation 5A*

*10. Section 375(3) of the Education Act 1996*

*11. School Standards and Framework Act 1998 S71 (3)*