



Withdrawal from Religious Education

Name of Unit/Premises/Centre/School	The Toynbee School
Governors' Sub-Committee	Learning & Teaching
Reviewed Date	November 2018
Member of Staff Responsible	Mr Richard Law
Regularity of Review	3 Yearly

Introduction

“All pupils are entitled to receive RE as part of a broad and balanced curriculum at school which promotes their spiritual, moral, social and cultural development” - Religious education in English schools: Non-statutory guidance 2010, but the law gives parents¹ the right to withdraw their child(ren) from collective acts of worship and/or Religious Education lessons, in accordance with the 1988 Education Reform Act. At Toynbee School we respect that right.

In the UK, the law does not prescribe how religious education should be taught or organised in schools, only that schools should bear in mind that the way RE is taught should reflect the agreed syllabus of the Local Education Authority and the ethos of the school, as well as ensuring that students make good progress, learning about and from the world around them and that Teaching Standards are adhered to. At Toynbee, we believe the RE curriculum fulfils this criteria.

Objectives

1. To ensure that parents are aware they have the right to withdraw students from Religious Education classes and/or 'religious' assembly.
2. To ensure that when parents make a decision to withdraw students from either Religious Education classes and/or 'religious' assembly, they do so on the basis of an informed decision.
3. To ensure students receive a well-rounded education enabling them to progress and achieve their potential.

¹ In this document 'parent' and 'parental responsibility' relates to a child's biological or legal parents, carers and/or legal guardians and the legal responsibilities they have for that child.



Parental right to withdraw children from RE

Parents have the right to choose whether to withdraw their child from RE without influence from the school, although a school should ensure parents or carers are informed of this right and are aware of the educational objectives and content of the RE syllabus. If pupils are withdrawn from RE, schools have a duty to supervise them, though not to provide additional teaching or to incur extra cost. Suitable work relating to the child's religious education should be provided by the parents. Pupils will usually remain on school premise², unless the child is lawfully receiving religious education elsewhere.

Withdrawal Procedure

If a parent chooses to withdraw their child from RE, they need to:

- Inform the school of their request for their child(ren) to be withdrawn from RE and/or 'religious assembly' and whether they intend partial or total withdrawal for their child(ren)
 - This should be either in person or in writing to the Headteacher; verbal communication (e.g. on the telephone, through the student or a note in the journal) is not an adequate method.
- Parents will be invited to meet with the Subject Leader for RE and the Progress Director for the relevant Key Stage, to establish with the school their concerns³ about RE and to discuss the practical implication of withdrawal.
 - At the meeting, the Agreed Syllabus and Schemes of Work will be made available for the parents to read and ask questions about, should they choose to.
 - It is not envisaged that establishing the reason for withdrawal and practicalities of withdrawal from RE be either lengthy or a means to change parents minds, but a meeting with the relevant staff is necessary to ensure parents have all relevant and adequate information to make an informed choice.
- Parents of withdrawn children will be asked to provide suitable alternative work of a religious nature for their child(ren) to be completed at the time of the RE lesson. It will not be the responsibility of the teacher either to set or mark alternative work. Students who have been withdrawn will be allocated to

² Pages 27-28 Religious education in English schools: Non-statutory guidance 2010 3

³ Parents do not have to disclose their reason(s) for withdrawing their child from RE, but it is helpful for the school & subject leader to understand the reasons for the withdrawal so they may seek to improve religious education provision at the school.



different classes on an independent basis in order to ensure suitable supervision. These arrangements may need to change from week to week.

- If a student is withdrawn from assembly, the Tutor and Guidance Manager for their year group will also be informed to ensure adequate supervision during the assembly.
- In addition to the above, parents also have the right opt out of any visits to places of worship. Prior notification will be necessary to ensure adequate supervision is organised for the student. Whilst Toynbee School respects the rights of the parent to withdraw their child(ren) from RE, these rights do not apply to a parent's request to withdraw their child from a non-RE subject that may teach about religion or religious beliefs, e.g. History or English.

Conclusion

By following these guidelines, the withdrawal of children from Religious Education will be clear, efficient and safe for the children.

1988 Education Reform Act - Religious Education

Principal provisions

The National Curriculum (Section 2)

- (1) The curriculum for every maintained school shall comprise a Curriculum, basic curriculum which includes –
 - (a) provision for religious education for all registered pupils at the school; and
 - (b) a curriculum for all registered pupils at the school of compulsory school age (to be known as "the National Curriculum") which meets the requirements of subsection (2) below.
- (2) The curriculum referred to in subsection (1)(b) above shall comprise the core and other foundation subjects and specify in relation to each of them –
 - (a) the knowledge, skills and understanding which pupils of different abilities and maturities are expected to have by the end of each key stage (in this Chapter referred to as "attainment targets");
 - (b) the matters, skills and processes which are required to be taught to pupils of different abilities and maturities during each key stage (in this Chapter referred to as "programmes of study"); and
 - (c) the arrangements for assessing pupils at or near the end of each key stage for the purpose of ascertaining what they have achieved in relation to the attainment targets for that stage (in this Chapter referred to as "assessment arrangements").
- (3) Subsection (1)(a) above shall not apply in the case of a maintained special school.

Collective Worship (Section 6)

- (1) Subject to section 9 of this Act, all pupils in attendance at a maintained school shall on each school day take part in an act of collective worship.
- (2) The arrangements for the collective worship in a school required by this section may, in respect of each school day, provide for a single act of worship for all pupils or for separate acts of worship for pupils in different age groups or in different school groups.
- (3) The arrangements for the collective worship in a county or voluntary school required by this section shall be made –
 - (a) in the case of a county school, by the head teacher after consultation with the governing body; and
 - (b) in the case of a voluntary school, by the governing body after consultation with the head teacher.
- (4) Subject to subsection (5) below, the collective worship in every PART I maintained school required by this section shall take place on the school premises.
- (5) If the governing body of –
 - (a) an aided or special agreement school; or
 - (b) a grant-maintained school;are of opinion that it is desirable that any act of collective worship in the school required by this section should, on a special occasion, take place elsewhere than on the school premises, they may make such arrangements for that purpose as they think appropriate.
- (6) The powers of a governing body under subsection (5) above shall not be so exercised as to derogate from the rule that, in every such school as is there mentioned, the collective worship required by this section must normally take place on the school premises.



- (7) For the purposes of this section - "maintained school" does not include a maintained special school; and "school group" means any group in which pupils are taught or take part in other school activities.

School Provisions as to collective worship in county schools (Section 7)

- (1) Subject to the following provisions of this section, in the case of Special provisions a county school the collective worship required in the school by section 6 as to collective of this Act shall be wholly or mainly of a broadly Christian character worship in county schools.
- (2) For the purposes of subsection (1) above, collective worship is of a broadly Christian character if it reflects the broad traditions of Christian belief without being distinctive of any particular Christian denomination.
- (3) Every act of collective worship required by section 6 of this Act in the case of a county school need not comply with subsection (1) above provided that, taking any school term as a whole, most such acts which take place in the school do comply with that subsection.
- (4) Subject to subsections (1) and (3) above –
- (a) the extent to which (if at all) any acts of collective worship required by section 6 of this Act which do not comply with subsection (1) above take place in a county school;
 - (b) the extent to which any act of collective worship in a county school which complies with subsection (1) above reflects the broad traditions of Christian belief; and
 - (c) the ways in which those traditions are reflected in any such act of collective worship; shall be such as may be appropriate having regard to any relevant considerations relating to the pupils concerned which fall to be taken into account in accordance with subsection (5) below.
- (5) Those considerations are -
- (a) any circumstances relating to the family backgrounds of the pupils concerned which are relevant for determining the character of the collective worship which is appropriate in their case; and
 - (b) their ages and aptitudes.
- (6) Where under section 12 of this Act a standing advisory council on religious education determine that it is not appropriate for subsection (1) above to apply in the case of any county school, or in the case of any class or description of pupils at such a school, then, so long as that determination has effect -
- (a) that subsection shall not apply in relation to that school or (as the case may be) in relation to those pupils; and
 - (b) the collective worship required by section 6 of this Act in the case of that school or those pupils shall not be distinctive of any particular Christian or other religious denomination (but this shall not be taken as preventing that worship from being distinctive of any particular faith).

Religious Education required in the basic curriculum: further provisions (Section 8)

- (1) Section 2 (1) (a) of this Act is subject to section 9 of this Act.
- (2) The religious education for which provision is required by section 2 (1) (a) to be included in the basic curriculum for any particular further provisions, maintained school shall be religious education of the kind required by such of the provisions of sections 26 to 28 of the 1944 Act or sections 84 to 86 of this Act as apply in the case of that school.
- (3) Any agreed syllabus which after this section comes into force is adopted or deemed to be adopted under Schedule 5 to that Act (which, as amended by this Act, provides for the preparation, adoption and reconsideration of an agreed syllabus of religious education) shall reflect the fact that the religious traditions in Great Britain are in the main Christian whilst taking account of the teaching and practices of the other principal religions represented in Great Britain.

**Exceptions, special arrangements and supplementary and consequential provisions
(Section 9)**

- (1) It shall not be required, as a condition of any pupil attending arrangements and any maintained school that he shall attend or abstain from attending any supplementary Sunday school or any place of religious worship.
- (2) For the purposes of subsections (3) to (10) below "maintained school" does not include a maintained special school.
- (3) If the parent of any pupil in attendance at any maintained school requests that he may be wholly or partly excused -
 - (a) from attendance at religious worship in the school;
 - (b) from receiving religious education given in the school in accordance with the school's basic curriculum; or
 - (c) both from such attendance and from receiving such education; the pupil shall be so excused accordingly until the request is withdrawn.
- (4) Where in accordance with subsection (3) above any pupil has been wholly or partly excused from attendance at religious worship or from receiving religious education in any school, and the responsible authority are 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 maintained 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; 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 in accordance with the arrangements.
- (5) In this section "the responsible authority" means -
 - (a) in relation to a county or voluntary school, the local education authority; and
 - (b) in relation to a grant-maintained school, the governing body.
- (6) A pupil may not be withdrawn from school under subsection (4) above unless the responsible authority are satisfied that the arrangements there mentioned are such as will not interfere with the attendance of the pupil at school on any day except at the beginning or end of the school session or, if there is more than one, of any school session on that day.
- (7) Where the parent of any pupil who is a boarder at a maintained school requests that the pupil be permitted -
 - (a) to attend worship in accordance with the tenets of a particular religious denomination on Sundays or other days exclusively set apart for religious observance by the religious body to which his parent belongs; or
 - (b) to receive religious education in accordance with such tenets outside school hours; the governing body of the school shall make arrangements for affording to the pupil reasonable opportunities for doing so.
- (8) Arrangements made under subsection (7) above may provide for affording facilities for such worship or education on the school premises, but the arrangements shall not entail expenditure by the responsible authority.
- (9) In this section -
 - (a) references to religious worship in a school include references to religious worship which under section 6 of this Act takes place otherwise than on the school premises; and
 - (b) references to religious education given in a school in accordance with the school's basic curriculum are references to such education given in accordance with the

provision included in the school's basic curriculum by virtue of section 2(1)(a) of this Act.

(10) Schedule 1 to this Act shall have effect for making amendments of the enactments there mentioned consequential on the provisions of this Chapter relating to religious education.

School Standards & Framework Act 1998 – Religious Education

71 Exceptions and special arrangements; provision for special schools.

- (1) If the parent of a pupil at a community, foundation or voluntary school requests that he may be wholly or partly 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.
- (2) In subsection (1)—
 - (a) the reference to religious education given in accordance with the school's basic curriculum is to such education given in accordance with the provision included in the school's basic curriculum by virtue of **[F1**section 80(1)(a) or 101(1)(a) of the Education Act 2002], and
 - (b) the reference to religious worship in the school includes religious worship which by virtue of paragraph 2(6) of Schedule 20 takes place otherwise than on the school premises.
- (3) Where in accordance with subsection (1) a pupil has been wholly or partly excused from receiving religious education or from attendance at religious worship and the local education authority are 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,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 in accordance with the arrangements.
- (4) A pupil may not be withdrawn from school under subsection (3) unless the local education authority are satisfied that the arrangements there mentioned are such as 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.
- (5) Where the parent of a pupil who is a boarder at a community, foundation or voluntary school requests that the pupil be permitted—
 - (a) to receive religious education in accordance with the tenets of a particular religion or religious denomination outside school hours, or
 - (b) to attend worship in accordance with such tenets on Sundays or other days exclusively set apart for religious observance by the religious body to which his parent belongs,the governing body shall make arrangements for giving the pupil reasonable opportunities for doing so.
- (6) Arrangements under subsection (5) 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.
- (7) Regulations shall make provision for securing that, so far as practicable, every pupil attending a community or foundation special school—
 - (a) receives religious education and attends religious worship, or
 - (b) is withdrawn from receiving such education or from attendance at such worship in accordance with the wishes of his parent.

Maintained schools

The right of parents to withdraw their children from religious education (RE) lessons is set out in section 71 of The School Standards and Framework Act 1998 ([School Standards and Framework Act 1998: regulation 71, - legislation.gov.uk](http://www.legislation.gov.uk/http://www.legislation.gov.uk/ukpga/1998/31/section/71)<http://www.legislation.gov.uk/ukpga/1998/31/section/71>).

Paragraph 1 explains that a parent of a pupil at a maintained school can request that their child is wholly or partly excused from:

- Receiving RE given in the school in accordance with the school's basic curriculum
- Attendance at religious worship in the school

The school must grant such requests.

Academies

Academy trusts must also comply with section 71 (1) of the School Standards and Framework Act 1998 (as above). The Department for Education (DfE) has guidance on RE in academies, which says:



Parents of children in academies have an equivalent right to parents of children in maintained schools, to withdraw their children from RE and/or collective worship.