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Withdrawing children from RE and collective worship

Information for parents

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Introduction:

We are often contacted by parents concerned about their children being indoctrinated with religion at schools. Sometimes the child is already at school, sometimes he or she is about to start and parents want to act pre-emptively.

Because of the Government's preoccupation with religion, any campaign to abandon or drastically reform RE is doomed to failure. Secular parents therefore need to consider the best option available under current arrangements, however unsatisfactory. Withdrawal is one possibility; we give some helpful advice on how to go about this.

This pack is designed to give parents the legal information they may need as well as specimen letters to send out. It covers both RE lessons and collective worship.

Two specimen letters are included. The first is one that could be sent to the head teacher to exercise the statutory right if less formal methods have failed. The second one alerts parents to their legal right of withdrawal. Secular parents are invited to circulate both letters.

Then there is information on the right of pupils aged 16 or over to take themselves out of collective worship. There are other battles to be fought in education and the pack finishes with some information about these and what you can do to help.

If you require more information or help, contact us at admin@secularism.org.uk or 020 7404 3126. Our website www.secularism.org.uk will have updates on our campaigns, as will the weekly free Newline email. You can subscribe to this on the website at <http://www.secularism.org.uk/lists/?p=subscribe>.

Parents in Scotland can find information specific to them here: <http://www.thinkhumanism.com/phpBB3/viewtopic.php?f=16&t=2275>

Our continuing campaigns are funded by our members. We receive no government or other funding. If you are not already a member, please consider joining (details can be found at the end of the pack). If you are already a member but do not have a standing order, please consider starting one.

WITHDRAWING CHILDREN FROM RE LESSONS

Secularists often want proselytising RE lessons removed from the school timetable. One of the major arguments against this removal is that it would be a disservice to pupils not to teach them at least the basics about the world's different religions. Most secularists would be happy with pupils being taught *about* world beliefs, provided that no one religion was given special preference or presented as the 'right' one, and that the non-religious position was also covered (and given no less respect than the religious ones).

Because of the Government's preoccupation with religion, any campaign to abandon or drastically reform RE is doomed to failure. Secular parents therefore need to consider the best option currently available, however unsatisfactory. Withdrawal is one possibility; this guide contains advice on how to go about it, but also looks at difficulties that may result.

Parents have the statutory right under **Section 71 of the School Standards and Framework Act 1998** to withdraw their children from RE lessons and acts of Collective Worship at all maintained schools, including faith schools. Currently, less than 1% of parents exercise this right and most of them are Muslims, unhappy at their children being taught about other faiths.

Until now, secularists have perhaps been deterred from taking action because they feel isolated. This would become less of a problem if they persuade other parents to join them. And once other pupils hear about this opt-out, they would soon employ 'pester power' to persuade their parents to withdraw them from Collective Worship, and, hopefully, from RE too. In one school where such a campaign was mounted, the school even agreed to allow children to withdraw from Collective Worship to start ten minutes later than the rest.

We should add a note of caution. The Society would suggest withdrawal only if the child is genuinely keen on the idea themselves, and is unlikely to be bullied (especially if they are the only one, or one of a small number). Parents may also want to consider their motives in this. It would be all too easy for parents frustrated at RE and CW to unwittingly draw children into their own battle with the school.

If the latest information we are receiving applies widely, perhaps the largest fly in the ointment arises where RE is offered as a GCSE examination. One member has informed us that when contemplating removing his child from RE, he was told by the school that: "RE is an easy GCSE subject which can be studied with nominal homework in only half the time a normal subject takes up. Removing children from this subject would merely reduce the number of GCSEs they could get". Making RE the easiest subject by far is just another insidious way of putting further pressure on pupils to take it seriously, despite being the *least* favourite subject (according to a survey).

We are reliably informed however that it *is* possible to do well in this examination while taking a well-argued non-believing stance. We also know of a number of well-informed, articulate and non-believing pupils (mainly sons and daughters of members) who take RE but we rather suspect that, because of their relentless questioning, their schools wish that they didn't.

An alternative tactic may be opting out of Collective Worship but attending RE, and encouraging the open expression of atheist/secularist views in RE lessons.

If parents find religion being taught as fact in RE lessons, as it is in many, they ought to complain to the Head Teacher. We should insist that teachers say: "*Christians* (or whoever) believe" And, hopefully, it may be possible to encourage the school to give some positive coverage to non-religious ideas. One parent contacted us recently because she had persuaded her child's school to include a secular speaker in a series of talks by religious leaders and we were able to provide her with such a speaker.

SPECIMEN LETTERS

These letters may be copied and adapted where necessary by parents.

Letter to head teacher

(A letter as direct as this is suggested only after all verbal requests and attempts at negotiation have failed.)

Dear Head Teacher

As the parent(s) of XXXX, [I am/we are] writing formally to give notice that [I am/we are] requesting [his/her/them] being withdrawn from RE lessons and acts of Collective Worship at your school with immediate effect, in accordance with Section 71 of the School Standards and Framework Act 1998.

You are doubtless aware that the right to withdraw children from RE lessons and religious worship in schools is unconditional and can even be exercised in schools that are religious in nature.

I am confident that I can count on you to take all necessary action to ensure that this formal request is complied with, but emphasise that I wish my child(ren) to continue to attend assembly except for the Collective Worship element. I am sure I can count on you to ensure that this request will not result in XXXX being treated by staff in any disadvantageous way. I mention this only because is not unknown for such requests to result in children being excluded from the whole of assembly or, when withdrawn from RE, to be allocated some menial task. Clearly, such victimisation would be completely unacceptable.

***[I would however be grateful were the school to make arrangements for alternative lessons to be given to my child(ren) during RE lessons and, if length warrants it, during acts of Collective Worship. If alternative lessons are not provided, we ask that our child(ren) be given the opportunity for private study]*

***This may be omitted as being over-ambitious as, in practice, it is likely that the child will be asked to sit in with another class.*

As you know, there is no requirement for any explanation of this decision. It is final and [I am/we are] not prepared to enter into any further negotiations on the matter, save, if necessary, over the practical details of implementation. If you wish to raise any questions of this nature, [I/we] would prefer them to be made in writing.

Yours faithfully

Letter to other parents

This letter can be sent out to other parents to encourage them to join with you. The letter to the Head Teacher can be enclosed with it to give them some guidance.

Dear Parent

*I am writing to make sure you are aware that you have the legal right in accordance with **Section 71 of the School Standards and Framework Act 1998** to withdraw your child from RE lessons and acts of Collective Worship in publicly funded or maintained schools, even if your child goes to a faith based school.*

Withdrawal is easy; no confrontation is necessary. It simply entails writing a short letter similar to the sample enclosed expressing your desire to have your child withdrawn from RE lessons and acts of Collective Worship. No explanation need be given. The school is obliged to accede to your direction.

We took the decision to withdraw our child[ren] from Collective Worship and RE because we consider religious practice to be a private matter for the home and place of worship; we do not consider school to be an appropriate venue. Furthermore, many parents do not wish to inculcate their children with a particular religious belief, being happy to let the child reach his or her own conclusions in their own way.

We also disagree with the way RE is taught, especially the tendency to teach religion as fact, confusing evidence with faith. We are unhappy that children are discouraged, if not forbidden, from expressing a non-believer's views in RE lessons. Children are generally not allowed to challenge the claims of religion, nor to offer alternative explanations of events in the universe.

With the exception of RE and Collective Worship, school activities aim to exercise a child's intellectual capacity and encourage them to think independently. In our opinion, RE and Collective Worship are tantamount to indoctrination and therefore not in the child's interests.

We invite you also to write to the school to withdraw your child from RE and Collective Worship. If sufficient parents withdraw their children, we will be in a better position to press for the time to be used giving children additional teaching on academic subjects that will enhance their general education and career. Even if it is not possible to secure additional teaching time, pupils will be able to devote the time to private study.

If you wish to withdraw your child[ren] from RE, whether for the above reasons or ones of your own, we would encourage you to write to the school immediately. When writing your own letter, you are welcome to use the sample we have enclosed, or to adapt it.

We should emphasise that we are not seeking to remove any reference to religion at school; it has played an important part in the world's culture and has a place in such subjects as history and art. We would also be happy for our child[ren] to learn something about comparative religions, provided none were taught as being superior, and non-religious perspectives were also covered on an equal basis. We, perhaps like yourselves, hope that eventually RE will be removed from the school timetable leaving children to pursue their education without being held back by this unnecessary and far from harmless subject.

Yours faithfully

THE RELEVANT LAW FOR ENGLAND AND WALES

School Standards and Framework Act 1998 1998 Chapter 31 -

EXTRACT FROM <http://www.legislation.hmso.gov.uk/acts/acts1998/80031--o.htm#71>
(Our emphasis)

Exceptions and special arrangements etc.

Exceptions and special arrangements; provision for special schools.

71. - (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 section 352(1)(a) of the Education Act 1996, 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.

<http://www.legislation.hmsso.gov.uk/acts/acts1998/80031-bk.htm#sch20>

SCHEDULE 20

SCHEDULE 20 COLLECTIVE WORSHIP

Introductory

1. In this Schedule "the required collective worship", in relation to a school, means the collective worship in that school which is required by section 70.

General provisions as to collective worship

2. - (1) This paragraph applies to any community, foundation or voluntary school.

(2) The arrangements for the required collective worship 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) For the purposes of sub-paragraph (2) a "school group" is any group in which pupils are taught or take part in other school activities.

(4) Subject to sub-paragraph (6), the arrangements for the required collective worship shall be made-

(a) if the school is a community school or a foundation school which does not have a religious character, by the head teacher after consulting the governing body;

(b) if the school is a foundation school which has a religious character or a voluntary school, by the governing body after consulting the head teacher.

(5) Subject to sub-paragraph (6), the required collective worship shall take place on the school premises.

(6) If the governing body of a community, foundation or voluntary school are of the opinion that it is desirable that any act of collective worship in the school required by section 70 should, on a special occasion, take place elsewhere than on the school premises, they may, after consultation with the head teacher, make such arrangements for that purpose as they think appropriate.

(7) The powers of a governing body under sub-paragraph (6) shall not be exercised so as to derogate from the rule that the required collective worship must normally take place on the school premises.

*Nature of collective worship in community schools and foundation schools
without a religious character*

3. - (1) This paragraph applies to-

(a) any community school; and

(b) any foundation school which does not have a religious character.

(2) Subject to paragraph 4, the required collective worship shall be wholly or mainly of a broadly Christian character.

(3) For the purposes of sub-paragraph (2), 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.

(4) Not every act of collective worship in the school required by section 70 need comply with sub-paragraph (2) provided that, taking any school term as a whole, most such acts which take place in the school do comply with that sub-paragraph.

(5) Subject to sub-paragraphs (2) and (4)-

(a) the extent to which (if at all) any acts of collective worship required by section 70 which do not comply with sub-paragraph (2) take place in the school,

(b) the extent to which any act of collective worship in the school which complies with sub-paragraph (2) 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 sub-paragraph (6).

(6) Those considerations are-

(a) any circumstances relating to the family backgrounds of the pupils which are relevant for determining the character of the collective worship which is appropriate in their case, and

(b) their ages and aptitudes.

(7) In this paragraph references to acts of collective worship in the school include such acts which by virtue of paragraph 2(6) take place otherwise than on the school premises.

Disapplication of requirement under paragraph 3(2)

4. - (1) This paragraph applies where a standing advisory council on religious education have determined (under section 394 of the Education Act 1996) that it is not appropriate for the requirement imposed by paragraph 3(2) to apply in the case of any school to which paragraph 3 applies or in the case of any class or description of pupils at any such school.

(2) While the determination has effect-

(a) paragraph 3 shall not apply in relation to the school or (as the case may be) the pupils in question, and

(b) the collective worship required by section 70 in the case of the school or pupils shall not be distinctive of any particular Christian or other religious denomination;

but paragraph (b) shall not be taken as preventing that worship from being distinctive of any particular faith.

Nature of collective worship in foundation schools with a religious character and voluntary schools

5. In the case of a foundation school which has a religious character or a voluntary school, the required collective worship shall be-

(a) in accordance with any provisions of the trust deed relating to the school, or

(b) where-

(i) provision for that purpose is not made by such a deed, and

(ii) the school has a religious character,

in accordance with the tenets and practices of the religion or religious denomination specified in relation to the school under section 69(4).

COMMENTARY

Commentary from <http://www.sln.org.uk/re/Law.htm> (an external website for which we are not responsible.)

From the Education Reform Act 1988, page 1:

The curriculum for a maintained school satisfies the requirements if it is a balanced and broadly based curriculum which:

a) promotes the spiritual, moral, cultural, mental and physical development of pupils at the school and of society; and

b) prepares such pupils for the opportunities, responsibilities and experiences of adult life.

1. RELIGIOUS EDUCATION

LEGAL REQUIREMENTS

The Education Reform Act (1988) prescribes for all schools a Basic Curriculum, comprising Religious Education and the National Curriculum.

All registered pupils at a school, including sixth forms, are entitled to receive Religious Education [Section 2 (1) (a)].

In Sixth Form Colleges, the governors must ensure the Religious Education is provided on a regular basis for all who wish to receive it [1992 Further and Higher Education Act, Section 45]

In County Schools RE must be non-denominational and taught in accordance with the LEA's Agreed Syllabus [Section 26 of 1944 Act]. In Voluntary Controlled Schools, the Agreed Syllabus will be taught, except where parents have requested denominational teaching [Section 27 of 1944 Act].

Any new Agreed Syllabus 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 [Section 8 (3)].

All LEAs are required to establish a Standing Advisory Council on Religious Education (SACRE). The Council has the duty of advising the LEA on such aspects of Religious Education as methods of teaching, choice of materials and the provision of training for teachers. It may also require a review of an Agreed Syllabus [Section 11 (4)].

The 1993 Education Act amended schedule 5 of the 1944 Act to require that every LEA institute a review of its locally agreed syllabus within five years of the last review, and subsequently every five years after the completion of each further review.

Parents retain the right to withdraw their children from Religious Education [Section 9 (3)].

A headteacher is required under the Education (Individual Pupils' Achievements) (Information) Regulations 1992 to send parents an annual written report on their child's progress. Unless a pupil has been withdrawn from RE, reports must contain details of the pupil's progress in RE.

2. Collective Worship

LEGAL REQUIREMENTS

The Education Act 1988 introduced new requirements for collective worship in maintained schools and amended or re-enacted requirements of the Education Act 1944.

Unchanged is: the requirement for a daily act of collective worship for all pupils. In County schools this must not be distinctive of a particular denomination.

the right of parents to withdraw their children from this provision, and the right of teachers not to participate in collective worship without penalty to career opportunities.

Changed is: new arrangements for daily collective worship which may include separate gatherings in groups in which pupils are organised for other school activities (eg. year groups, house groups, tutor groups). This would exclude, without the special approval of SACRE (Standing Advisory Council on Religious Education), separate faith groups. Acts of worship may be held at any time during the school day.

the requirement that most acts of collective worship be "wholly or mainly of a broadly Christian character".

new machinery (SACRE) for schools to seek formal exemption from this requirement in favour of an alternative form of worship for the whole school or for a particular group of pupils.

Summary of principal provisions:

i) All pupils in attendance at a maintained school [including those above compulsory school age, but excluding special schools] shall on each school day take part in an act of collective worship [6 (1)].

ii) In Sixth Form Colleges the governors should ensure that on at least one day in each week an act of collective worship is held which students may attend. In addition to broadly Christian acts of worship, governors may provide acts of worship which reflect the practices of some or all of the religious traditions represented in Great Britain [1992 Further and Higher Education Act, Section 44].

iii) So far as practicable, all pupils in special schools should attend religious worship [1981 Act, 12 (4)].

Comment: The 1988 Act removes some of the 'impracticalities', such as a gathering of the whole school at one time, and at the beginning of the day.

iv) Arrangements 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 [6 (2)].

v) Arrangements shall be made-

a) in the case of a County school, by the headteacher after consultation with the governing body;

b) in the case of a voluntary school, by the governing body after consultation with the headteacher [6 (3)].

Comment: The right of headteachers not to participate in collective worship is safeguarded [1944 Act, 30]; heads do have a statutory duty, however, to secure appropriate arrangements for their pupils [1988 Act, 10 (1)].

vi) Collective worship shall take place on school premises, although in Aided schools exceptions may be made on special occasions [6 (4)(5)(6)]. County and Controlled schools may hold acts of worship off the school premises only if they are in addition to the daily statutory act of worship in school.

vii) For County schools, collective worship must be wholly or mainly of a broadly Christian character, reflecting the broad traditions of Christian belief without being distinctive of any particular Christian denomination. It is not necessary that every act of worship complies with this requirement, provided that, taking any school term as a whole, most such acts do comply [7 (1)(2)(3)].

viii) In determining the character and organisation of collective worship in relation to these principles, heads will need to take account of the family backgrounds, as well as the ages and aptitudes, of their pupils [7 (4)(5)].

Comment: In other words, schools will be expected to adopt a proper educational approach to worship, and not to assume a uniform level of understanding and commitment.

ix) Worship distinctive of any denomination (Christian or other religion) is not normally permitted on school premises. Parents may, however, request facilities for worship in accordance with the tenets of a denomination, and reasonable steps should be taken to accommodate such requests provided that no additional costs fall upon the authority [1944 Act, 26]. Pupils may be withdrawn from school for alternative worship only at the beginning or end of any school session [1988 Act, 9 (6)].

x) Worship distinctive of a faith or religion other than Christianity may be permitted in school, for all or part of the week, for large or small groups of pupils, but only if approval is given by SACRE on receipt of a written request from the headteacher, after consulting the governing body. Such requests should set out proposed alternative arrangements and relevant circumstances relating to the family background of the pupils concerned. Any determination by SACRE must be reviewed after five years, or earlier if requested by the school [7 (6); 12].

xi) Schools should ensure that relevant information is available to parents regarding arrangements for collective worship and rights of withdrawal.

The Right of Over 16s to Opt Out Collective Worship

It is now the legal right for all pupils aged 16 or over to withdraw themselves from collective worship at school, without the need for a parent's permission. However, this right does not extend to RE classes. This report from Newsline on November 3 2006 sums up the situation.

A Dramatic Week In Westminster As Faith School Discrimination Increases But Sixth Formers Get The Right To Opt Out Of Forced Worship.

An amendment (which was originated by the NSS) to allow sixth formers to opt out of collective worship (CW) without their parents' permission was approved in the House of Commons and will now become law. Honorary Associate Dr Evan Harris MP attempted to extend the opt-out to include religious education lessons, and for both CW and RE to students who were considered competent, even though under 16. When it became clear that it would not succeed, he withdrew the amendment. The Joint Committee on Human Rights believes such opt-outs are a child's right under the European Convention on Human Rights, but the Government dismissed this advice out of hand.

The Next Battle

Despite this victory, there are still battles to be fought in our schools.

For example, the careers of tens of thousands of staff in publicly-funded faith schools have been put at risk because the Government has swept aside long-standing legal bans on discrimination against staff who do not share the religion of the school or do not have a religion at all.

The Government is also proposing to scrap the right for parents to withdraw their children from Religious Education lessons. The NSS has attacked this proposal and will continue to fight against it becoming law. An NSS Press Release on May 7 2007 documents that the proposal came in a report, *A National Strategy for Religious Education* by the Religious Education Council of England and Wales, which is also suggesting a £60 million cash injection into RE teaching, which could be far better spent on general education.

Commenting on the proposals, Keith Porteous Wood, Executive Director of the National Secular Society, said: "If the government goes ahead with this suggestion, the National Secular Society will launch a human rights challenge. An increasing number of parents are contacting us to ask how they can protect their children from what they see as proselytising in schools. They are not made aware of their statutory right to withdraw their children from both Religious Education and Collective worship, and even when they do find out about it, schools can be obstructive and some even refuse to permit it, even though they have no legal right to do so."

Mr Wood added that “parents who do not practise any religion, probably the majority, were now becoming increasingly alarmed at the increasingly evangelical nature of religious education in some schools. Some of it, even employed brainwashing techniques – and this has been publicly defended by the highest educational authorities of the Church of England.

What You Can Do To Help

The NSS will continue to fight its campaign against religious encroachment in schools as well as in other areas of life including the work place, health, women’s and gay rights, and public services.

Our only source of funding for all of our campaigns, running the office, producing Newsline and the Bulletin as well as other activities is member subscriptions and donations. If you are not already a member, then please consider joining the NSS. You can join using a credit card on the website at <http://www.secularism.org.uk/join.html> or by sending a cheque to us at NSS, 25 Red Lion Square, London WC1R 4RL. Single annual membership is currently £29 or £45 for couples.

Alternatively, you can take out a monthly standing order so you can continue to support us without having to worry about renewing each year. An order for £5 a month or more will cover your subscription. There is a downloadable version on the website or, if you prefer, we can mail you one from the office.

If you are a lapsed member, you can renew in the same way.

You can also keep up to date with our campaigns and other activities by subscribing to the (free) weekly Newsline email. Subscribe here: <http://www.secularism.org.uk/lists/?p=subscribe>

Finally, do keep us informed about your actions. Let us know the school’s reaction, the way your child is treated, the reactions of other parents, and so on. If you need any further help or advice, contact us at admin@secularism.org.uk or by calling 020 7404 3126.

www.secularism.org.uk