

St Mary's Primary School, a Catholic Voluntary Academy Guidelines for Right of Withdrawal from RE / Collective Worship – April 2020

What the law says

The requirement to provide Religious Education

Schools must ensure that religious education is provided as part of the school's basic curriculum. In schools with a religious character, such provision must be in accordance with the provisions of the school's trust deed and instrument of government. In Catholic schools this is therefore "in accordance with the teachings, doctrines, discipline and general and particular norms of the Catholic Church"

Whilst it is very rare that children in Catholic schools do not fully participate in the religious education curriculum and collective worship of the school, it is possible that the school receives a request that a pupil:

- (i) be withdrawn from religious education, or
- (ii) receive religious education which is different to that taught at the school.

The requirement to provide Collective Worship

Pupils in schools in England and Wales are required by law to take part in an act of collective worship on each school day which must be in accordance with the provisions of the school's trust deed and instrument of government. In Catholic schools this is therefore "in accordance with the rites, practices, disciplines and liturgical norms of the Catholic Church".

The right of withdrawal from Religious Education / Collective Worship

Parents of pupils are permitted, by law, to request that their child is withdrawn from receiving all or part of religious education / collective worship given at the school and any such request shall stand until such time that the parent's request is withdrawn.

What happens to the pupil if he/she is withdrawn from Religious Education / Collective Worship?

If pupils are withdrawn from religious education / collective worship, schools have a duty to supervise them, though not to provide additional teaching or to incur extra costs.

Depending on school resources, the withdrawn pupil may be moved to another venue within the school, for example, the library, or, perhaps in a very small school with limited resources, the pupil may remain in the RE classroom but will not participate in the RE lesson. If the pupil is moved to another venue within the school they must be supervised.

If a pupil is withdrawn and alternative arrangements cannot be made for the type of RE the parents' desire (see below), for example, due to resources/timetabling etc, it is the parents' responsibility to provide materials for their child which have clear outcomes and are connected to the faith/philosophy/world view of the parents.

A school is able to refuse a request that the pupil study other aspects of the National Curriculum during times they have been withdrawn from RE / collective worship as time is already given over to these subjects within the school's basic curriculum. It is important to bear in mind that the parental right to withdraw a child from RE was intended by Parliament to be a 'conscience clause' and not to be used as a general opt-out clause.

Care should be taken not to confuse a request for absence due to religious observance with a request to withdraw a child from RE / collective worship.

Off-site provision of religious education of a kind not provided by the school

What the law says

Where a pupil has been withdrawn from religious education and their parent(s) wants them to receive religious education of a kind which is not provided at the school during the periods of withdrawal, the parent may make alternative arrangements for the pupil to receive religious education of the kind they desire, to take place off the school's premises. Such an arrangement is only permitted where the school is satisfied that the alternative arrangements for religious education off the school site will not interfere with their attendance at school. Therefore, absence for this purpose is only permitted at the beginning or end of a school session.

If a child is receiving RE / collective worship off-site, then it is the parents' responsibility to supervise their child once they have left the school site. Depending on the particular circumstances it may be necessary for the school to continue to ensure that all safeguarding measures are in place which may include a risk assessment covering supervision, vehicles, DBS, route and timings.

Request for Religious Education in accordance with the Local Authority's Agreed Syllabus

What the law says

A parent may request that their child receives religious education in accordance with the local authority's agreed syllabus. Where that child cannot, with reasonable convenience, attend a school at which the local authority's syllabus is in use, the governing body must make arrangements for religious education in accordance with the local authority's syllabus to be given to those pupils at the school. This duty to make arrangements is subject to the fact that the governing body may refuse where it is satisfied that, because of any special circumstances, it would be unreasonable to make the arrangements. In the event that the governing body is unwilling to make the arrangements referred to, they should be made by the local authority in its stead.

Practical Implications

The right to withdraw is specifically linked to religious education and/or collective worship so that care will need to be taken where the school teaches religious education in an integrated form along with other National Curriculum subjects, from which there is no right of withdrawal.

The 2010 guidance provides that "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". It also provides that "where religious education is integrated in the curriculum, the school needs to discuss the arrangements with the parents or carers to explore how the child's withdrawal can be best accommodated".

In a Catholic school the expectation is that religious education and worship permeates throughout the life of the school and the whole school curriculum. Consequently, the level of integration of religious education and collective worship into the school curriculum is likely to be far greater than in community schools.

What the Catholic Church says about the teaching of Religious Education

It is important to remember that the RE curriculum in Catholic schools, which is set by the Bishops of England and Wales, always requires the teaching of other religions. Catholic schools recognise that parents have the right to seek an education which is in conformity with their own religious commitments and, as far as Catholic education is concerned, these commitments include that of educating young people about other religions as well as about Catholicism. For this reason Catholic schools should always seek to understand the nature of a request to withdraw so that any misunderstandings can be resolved.

Learning about other religions is required both by the Bishops' Conference of England and Wales, as outlined in the Religious Education Curriculum Directory 2012, and by the magisterium of the Catholic Church. The Catholic Church views the teaching of other religions as very important for several reasons:

(i) Learning about the religion and cultures of those who do not share the Catholic faith is one of the ways in which Catholic schools embody the call to love one's neighbour. As the Church says, "The love for all men and women is necessarily also a love for their culture. Catholic schools are, by their very vocation, intercultural."

(ii) It is required by the Bishops, who state that the Catholic nature of our schools entail "a willingness... to try to understand better the religion of one's neighbours, and to experience something of their religious life and culture."

(iii) Many of the children in Catholic schools are practising members of other faiths and so Catholic schools need to be places of hospitality for these children. It is an act of respect and courtesy that a Catholic school's RE curriculum helps them to reflect on the nature of their own religious identity. As the Church says, "All children and young people [including those of other faiths in our Catholic schools] must have the same possibilities for arriving at the knowledge of their own religion as well as of elements that characterise other religions."

(iv) It prepares the pupils in our Catholic schools for life in modern Britain, giving them an understanding of the beliefs of others. This in turn will improve social cohesion and contribute to the common good by increasing mutual respect between those of different religions, thereby contributing to the promotion of fundamental British Values in schools.

Catholic Education Service advice

In summary, parents have the absolute right to withdraw their children, in whole or in part, from receiving religious education and they also have the right to withdraw their children, in whole or in part, from collective worship. There is no requirement to provide reasons, written or otherwise, for making such a request and the request stands until such time that it is explicitly withdrawn by the parent.

However, our advice is that, where a request to withdraw is received by a school, the school should speak with the parent to try to understand the basis for the request. To avoid misunderstanding the school should establish the religious issues about which the parent objects to their child being taught (all the while respecting their right to withdraw their child without reasons). Once known, the school should discuss with the parent the practical implications of withdrawal and the circumstances in which it may be reasonable to accommodate their wishes. _____

Practical examples of how a school may reassure a concerned parent considering withdrawing their child may include inviting the parent to observe a RE lesson, time of worship or visiting speaker.

In order to fulfil the Church's mission in teaching religious education, including religions other than Catholicism, the ultimate aim in any discussion to reassure the parent is that they either reconsider making a request to withdraw their child from religious education and/or collective worship, or that they revoke a request which has already been made so that the pupil is able to continue receiving a balanced education which takes into account the major World religions, as well as the Catholic religion of the school.

In a case where the parent still wishes their child to be withdrawn the school must then seek to ensure that there is a clear understanding between the school and the parent about the types of activities from which the child will be withdrawn and those which they will not (because, for example, they are National Curriculum subjects), the type of work the pupil can undertake whilst withdrawn as well as who is responsible for monitoring and assessing how the work has been carried out.