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## COMMISSION ON RELIGIOUS EDUCATION: INTERIM REPORT

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### RESPONSE FROM HUMANISTS UK, DECEMBER 2017

#### **OVERVIEW**

Humanists UK welcomes the interim report of the Commission on Religious Education, and supports many of the recommendations that it makes. Our response to the consultation on the report covers the following:

- **A national entitlement**, including discussion of complementary programmes of study and the range and specification of specific worldviews
- **Locally agreed syllabuses**, and the over-representation of Christian organisations within the current system
- **The role and function of SACREs**, including membership of SACREs
- **The right of withdrawal**, including the extension of this right to young people
- **The subject name**, particularly our support for 'Religions and Beliefs'

#### ***Summary of key recommendations***

- A national entitlement statement for RE should be introduced, to apply to all schools, including religious schools
- One single set of programmes of study and standards of attainment should be set for all schools to follow
- No minimum number of worldviews should be set, but there should be an explicit requirement that schools ensure pupils study a broad range of worldviews
- If individual religions are to be specified in programmes of study etc, humanism should be specified as the non-religious worldview for study
- Locally agreed syllabuses should be abolished and replaced by the national entitlement statement
- Consideration should be given to redefining the role of SACREs, but if they are to continue humanist representatives must be admitted as full members and the committee structure should be abolished
- Guidance for parents and schools should be produced on the right of withdrawal to tackle the rise of withdrawals motivated by prejudice
- The right of withdrawal should be extended to young people
- The name of the subject should be changed to 'Religions and Beliefs', 'Beliefs and Values', or something similar, to better reflect its inclusion of non-religious worldviews and broad discussion of values and ethics

#### **NATIONAL ENTITLEMENT**

##### ***On the principle of a national entitlement***

We strongly agree that 'There should be a national entitlement statement for RE which sets out clearly the aims and purpose of RE and what pupils should experience in the course of their study of the subject.' It 'should apply to all state-funded schools including academies, free schools, and schools of a religious character', as suggested in the interim report.

## ***Programmes of study and standards of attainment***

The entitlement - and indeed any entitlement - is too broad and too vague to stand alone, and is not intended to prescribe specific teaching to any meaningful extent. A great diversity of approaches to RE could therefore claim to comply with the entitlement, without necessarily being the kind of RE that the Commission would wish to promote. It is for this reason that programmes of study, as well as standards of attainment, are needed to complement the entitlement.

In our view, there should be one single set of programmes of study and standards of attainment to apply to all schools. This is not to say that all schools must teach the same thing, in the same way. A set of programmes can naturally accommodate a range of approaches to RE, in much the same way that GCSE subject content accommodates a variety of different specifications. But the use of a common set of programmes and common standards of attainment will better ensure that however RE is delivered, it is delivered in a way that meets the entitlement and what the Commission wants to see.

To avoid the existing problems associated with the drafting of syllabuses locally (see our section on locally agreed syllabuses below, and as explained in the interim report), programmes of study should be developed nationally by education specialists and syllabus-drafting experts. This, of course, is the case in all other subjects and we see no reason why religious education should be any different. Religion and belief experts - who may or may not identify with those religions and beliefs - must clearly play a role in ensuring that content is accurate, but any suggestion that such representatives of religions and beliefs should have control over the design of programmes of study, or decisions over the amount of time dedicated to different beliefs, must be resisted.

This is true not simply because competition for airtime is not conducive to coherent, continuous, and well-structured programmes of study, but also because representatives of religions and beliefs have a vested interest in presenting their particular worldview in its most positive and appealing light. This is unlikely to reflect the fact that there is at least as much diversity within religions and beliefs as there is between them, and may well produce sanitised, unrepresentative versions of religions and beliefs, out-of-step with the real world and seen as irrelevant by young people. If those involved in RE care first and foremost about the educational experience of students, this is clearly something to be avoided.

## ***Specifying worldviews***

The Commission has asked for views on whether or not a minimum number of religions and worldviews should be specified by the entitlement. **Our view is firmly that a minimum number should not be set, but that the national entitlement, along with any programmes of study or standards of attainment, include a form of words that make it explicit that students must gain a good understanding of a diversity of worldviews (including both religions and humanism).**

This is not to say that we support a systematic approach to RE that focuses on the in-depth study of one or two religions - an approach that might be jeopardised by a requirement to teach multiple worldviews. Rather, we believe that setting a minimum

number is likely to promote this unwelcome approach, and encourage an RE that looks at different religions systematically and in silos.

As we have set out previously, we believe that a 'thematic' and broad approach to RE (i.e. one that involves the study of phenomena that arise in different worldviews in a comparative and simultaneous way) is preferable and better meets the subject's purposes than does an in-depth or systematic approach:

'Inclusive RE is often best served by a thematic approach because it enables the introduction of content on religions and beliefs that have a small number of adherents or that may not have any real prominence in the culture or traditions of our society, without the need to set aside disproportionate curriculum time to those religions and beliefs. In this way, a thematic syllabus can better ensure both breadth and depth of study, without having to significantly sacrifice one for the other. Critical enquiry in RE is often best served when students can consider the different perspectives of different religions and beliefs on various issues alongside each other, rather than in silos. And RE that promotes mutual understanding and respect is often best served by the propensity of the thematic approach for emphasising shared values whilst also introducing controversy with appropriate balance.'

Indeed, it is difficult to see how an RE course that only included meaningful study of one worldview, or even just a minority of the major religions and worldviews common in Britain today, could meet the most fundamental purpose of RE outlined in the Commission's draft national entitlement. Namely, that 'RE in schools should enable students to engage in an intelligent and informed way with the ideas, practices and contemporary manifestations of a diversity of religious and non-religious worldviews.'

Given this, it should not be necessary to specify a minimum number of worldviews, but the Commission will be aware that some schools with a religious character - albeit a minority - do currently teach this limited, narrow form of RE. The recent news that some religious schools have chosen to follow an unaccredited 'international GCSE' in Religious Studies, which requires the detailed study of only one religion rather than two, is evidence of this.<sup>1</sup>

**As above, therefore we would recommend that no minimum number is stated, but that schools are explicitly required to ensure that pupils gain a good understanding of a diversity of worldviews (including both religions and humanism).**

We also want to stress that if RE is to be systematic and particular religions are to be systematically specified in programmes of study, subject content, or standards of attainment (as they always are), provision should be made for the study of the 'big seven' worldviews, with humanism explicitly specified as a non-religious worldview. A great many syllabuses currently specify individual religions before requiring or providing an option for a 'non-religious worldview', 'secular worldview', or similar, 'where appropriate' (implying it may sometimes not be appropriate). This is **not** an equivalent

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<sup>1</sup> 'Faith schools teaching narrow, unaccredited "Religious Studies GCSE" in defiance of DfE rules', Humanists UK, November 2017: <https://humanism.org.uk/2017/11/24/faith-schools-teaching-narrow-unaccredited-religious-studies-gcse-in-defiance-of-dfe-rules/>

approach, it leads to uncertainty as to what specifically should be being taught, and fails to reflect that humanism is the most prominent and well-articulated non-religious worldview, and therefore the one most appropriate for study.

It is worth reiterating at this stage why humanism is the non-religious worldview in particular that most RE syllabuses choose to focus on, and why it is right that this is the case. This was explained in our response to the Commission's previous consultation:

'When discussing the inclusion of non-religious worldviews in RE, we are often asked the question of why Humanism should be included in particular. There are two main reasons for this.

The first is that it is the only non-religious worldview that is sufficiently well-articulated and the subject of a sufficient body of writing suitable for use in schools (see our response to question 16 for further detail on this).

The second is that it is the (explicit or implicit) worldview of the great majority of non-religious people in England. Not every person who meets the definition of a humanist would refer to themselves as such and some will even be unfamiliar with the term. This reflects the fact that non-religious people are not compelled by their beliefs to engage in any sort of formal practice or observance, join any organisation or even identify with any particular creed at all. The difference between religions and non-religious worldviews on this score should not mask the fact that the humanist outlook on life is widespread in Britain today, much more so than all the minority religions combined.

Atheism and agnosticism are not worldviews but positions merely on the existence of god. They are not equivalent to 'religions' but to 'theism'. Besides, humanists are by definition atheists or agnostics and so both terms would be discussed as part of the systematic study of Humanism.

Secularism is not a worldview but a political position, equivalent to (for example) feminism.

Non-theistic religions such as some versions of Buddhism are religions and we would advocate strongly for the inclusion of such religions *alongside* other religions and Humanism.

'Beliefs' such as nihilism, Confucianism and (the philosophical aspects of) Marxism do qualify as worldviews but (like many reputable but minor religions) are not widespread enough to merit inclusion over Humanism (or perhaps at all).

Philosophical convictions on a narrow range of issues, such as vegetarianism, are 'beliefs' but not worldviews. They might meet the definition of a 'belief' under equality and human rights legislation but they would not merit inclusion in RE as they are not moral and ethical frameworks that seek to answer the major questions of meaning and purpose.

An argument could be made in terms of numbers for inclusion of the beliefs of individuals who are 'spiritual but not religious', who believe in some higher power or life force but in a non-defined way, or perhaps who believe in life after death –

all of which are common beliefs. But (unlike Humanism) such beliefs are rarely or never articulated in a way susceptible to study, except by sociologists of belief, and in any case exactly the same arguments could be made in favour of including the equally widespread – and sometimes indistinguishable – beliefs of vaguely religious individuals who are not particularly aligned to any one of the six principal religions, or who are aligned but whose beliefs fall well away from those of the established hierarchy.

We are not making a commentary on the legitimacy of studying any of the different religions, worldviews or other approaches we have referred to – young people are often very interested in smaller religions, alternative worldviews and cults, all of which can be prominent in media discourse, and good RE should engage with any questions they have about these different belief systems. All we have done is set out why Humanism should be included in particular.’

### ***Opposition to teaching a range of worldviews***

To pick up on our discussion of setting a minimum number of worldviews, we would also recommend that the Commission does not allow its visions and ambitions for the subject to be sabotaged by organisations or groups that are not prepared to endorse the teaching of a broad range of worldviews in RE. Such groups place themselves outside of the emerging consensus on RE. In taking this position, they frankly disregard the education of children in pursuit of vested interests, and, if accommodated, their position risks undermining the effort to reform the subject in the country as a whole. To allow organisations representing just 10% of schools in England to hijack the Commission’s work would be incredibly disappointing, not least given that such organisations are likely to go on endorsing their own form of RE regardless of what the Commission recommends. The Commission ought to be resilient to this opposition, and should recognise that progress has been made in a great many areas of both education and public life without necessarily needing the support of those uncompromising detractors. It may well be that the correct thing to do to solve such an impasse would be to accept that the ‘RE’ taught in some religious schools is not the ‘RE’ that we are talking about here and for there to be a clear distinction made between the two.

### **LOCALLY AGREED SYLLABUSES**

We set out our position on the current system of locally agreed syllabuses in our response to the Commission’s first consultation, and it remains the same as follows:

‘The current system by which RE syllabuses are set locally by agreed syllabus conferences (ASCs) and managed by 151 different standing advisory councils on RE (SACREs) in England and 22 SACREs in Wales has a number of significant flaws.

Firstly, and most obviously, the system is an unnecessarily fragmented one. Our country is more diverse than it ever has been before and the people in it more mobile. Indeed, a 2015 report published by Centre for Cities found that just 32% of people aged 35-54 still lived where they grew up. Clearly, even children in the most homogenous or insular communities are likely to find themselves having to co-exist with colleagues and neighbours from a range of different religious and non-religious backgrounds. If RE is to prepare children and young people for life

in modern Britain it must allow some flexibility to schools and teachers, yes, but it must be national in scope.

The fragmentation of RE is problematic in more ways than this, however. We explain above that we do not believe the nature of the RE experienced by children should be subject to the type of school they attend, and equally we do not see why it should also be subject to the local authority area in which they go to school. The quality of syllabuses varies considerably from local authority to local authority, and so too does the content. Furthermore, syllabuses lay out programmes of study that are intended to provide for the entirety of a child's time at school. As such, different types of content tend to be balanced *across* key stages rather than *within* them. If a child was to go from primary to secondary and in doing so move from one local authority to another, that balance would clearly be lost. More likely now, in England at least, is that in transitioning from primary to secondary a child would move from a school that is required to follow the local syllabus to one that is not. Given that around 70% of secondary schools are now academies this may even be the norm. The degree to which such a change would impact on a child's learning would naturally vary from case to case, but it nonetheless seems to be a problem that would be better avoided.

Academisation has also resulted in the system of local syllabuses no longer representing an efficient or practical use of resources. The number of schools that are not required to follow a local syllabus has grown enormously in recent years and now around 20% of primary schools and 70% of secondary schools are academies, equivalent to about a quarter of all state-funded schools. Indeed, many local authorities do not have any maintained secondary schools left within their borders at all. One has to question the benefit of allocating time and resources, neither of which are in abundance at local authorities, to bodies that have so small a remit and achieve such little practical impact. Indeed, this appears to be a question that local authorities have been asking themselves, as is reflected in the lack of resources that tend to be made available to SACREs and ASCs. Many SACREs/ASCs have therefore resorted to simply re-approving their existing syllabus every five years so as to meet their statutory obligations or, only marginally better, to make minor and low-cost updates to it every five years. This is clearly not conducive to comprehensive, high-quality, and relevant RE.

Neither, do we think, is the composition of SACREs and ASCs, which are not set up to ensure the expertise required to draft high-quality syllabuses. None of the four groups that form SACREs and ASCs are dedicated to syllabus drafting specialists. Such specialists, it seems to us, are the people whose involvement in a SACRE or ASC is most important, and yet they are not formally represented. Further, whilst we recognise the importance of having religion and belief experts input into the drafting of syllabuses so as to ensure that content is accurate, we do not believe that the same people are best placed to oversee the design of the curriculum. This too often leads to the representatives of religions and beliefs jostling for airtime rather than focusing on what is best for the learner. It can also lead to content that presents an idealised version of the particular religions and worldviews, with insufficient attention paid to the differences within them, the history of how those denominations came to be, and the divergence of the values and moral positions of the rank and file vis a vis the hierarchy. It is even the case that some local syllabuses seek to emphasise having a religious faith as

a virtue, a message that is clearly not within the remit of the subject to promote. Birmingham's 2007 syllabus is perhaps the most ready example of this, entitled as it is 'Faith makes a difference'.

What is perhaps more concerning from our perspective, however, is the degree to which a number of SACREs and ASCs have been hostile to the involvement of humanists and the place of Humanism in RE. Correspondence shared with Humanists UK has revealed, for instance that one SACRE in Wales recently refused a humanist representative's application for membership by explaining that 'members were concerned that a non-religious body represented on SACRE could weaken the religious basis of the Group'. And another in England has stated that 'non-religious worldviews are not religions. As such they are taught in every other subject in school, particularly Science.'

In *(R) Fox vs Secretary of State for Education*, the High Court was clear that 'the state must accord equal respect to different religious convictions, and to non-religious beliefs; it is not entitled to discriminate between religions and beliefs on a qualitative basis'. Not including non-religious beliefs in a syllabus, or refusing to admit non-religious representatives to a SACRE, purely on the basis of them being non-religious, is unlawful and yet it is all too common throughout England and Wales. By way of another example, the High Court also stated that - in response to the Government's assertion that Humanism didn't have to be included at Key Stage 4 specifically, as long as it was included elsewhere in the syllabus - 'it is obvious that GCSE is a vitally important stage in the development of a young person's character and understanding of the world. I do not consider it could be said that a complete or almost total failure to provide information about non-religious beliefs at this stage could be made up for by instruction given at earlier stages.' Despite this, a survey conducted by Humanists last year found more than 100 locally agreed syllabuses that allowed or directed schools to use the Religious Studies GCSE as the entirety of their Key Stage 4 provision - something which in most cases would be unlawful.

A system in which no one involved in the drafting of syllabuses is required to possess legal expertise, and in which those that are involved may well have a vested interest in flouting the law, is not a suitable one.

All of the problems with the current system which we have outlined above can be addressed by having an RE syllabus that applies to all schools and is agreed and regularly reviewed at a national level by experts, with the input of religion and belief representatives. This would ensure that quality is maintained more consistently across schools and that there is continuity for children who move schools, both at standard and non-standard transition points. We would be willing to see SACREs continue as a channel for consultation between teachers and local religion and belief communities, provided that humanists are included equally with religious representatives on these bodies, but ASCs should be abolished.'

In addition, we believe it is worth noting that local determination is, and has been for some time, typically a fiction. A significant proportion of local authorities now buy in their syllabuses, either from elsewhere in the country or from national bodies such as RE Today Services (on which more below). And in any case, agreed syllabuses are often

heavily informed by the policies and positions of national religion and belief organisations, who largely dictate to their SACRE or ASC representatives, whether formally or informally, the content and nature of the RE that they would like to see. In fact, this point is worth expanding on.

### ***Christian over-representation in RE***

We have been concerned for some time now about the influence over RE exerted by Christian organisations, particularly those associated with the Church of England. We mention above the RE Today syllabus which has been and continues to be taken up by a number of local authorities. Setting aside our views on the quality of this syllabus, this situation raises a number of concerns.

RE Today Services is owned and run by Christian Education, an organisation formed by the merger of the National Christian Education Council and the Christian Education Movement. It is, in other words, an overtly Christian organisation. It is also an organisation that has been commissioned by the Church of England to develop its 'Understanding Christianity' project, which aims to develop children's thinking about Christianity in line with the Church's ambition to provide every child with 'a life enhancing encounter with the Christian faith'.

For those invested in RE as a critical, objective, and pluralistic subject, the fact that a Christian organisation is responsible for setting the syllabus in so many schools is deeply troubling. The fact that the same organisation is responsible (and getting paid) for producing resources that accompany such syllabuses seems a conflict of interest too far.

To give just one example of this in action, in November 2017 Kent launched its new syllabus, or rather a member of RE Today launched Kent's syllabus on its behalf. To coincide with the launch, the Church of England's Canterbury Diocese published guidance to its schools instructing them to 'develop their plans using the Understanding Christianity materials.' According to the Diocese, the Kent (RE Today) agreed syllabus and the Understanding Christianity resource are fully compatible.

To be clear, then, RE Today is getting paid by local authorities to draft their agreed syllabuses. In drafting those syllabuses, it is ensuring that they are compatible with a resource that it is also getting paid to produce, on behalf of the Church of England (an organisation that is explicit in stating that a significant - though not necessarily the only - motivation for its involvement in education is its evangelising mission). This is entirely inappropriate, and the Commission should be mindful of this commercial interest in considering submissions that defend the status quo with regard to locally agreed syllabuses.

## **THE ROLE AND FUNCTION OF SACRES**

### ***Membership***

We would encourage the Commission to be careful in its consideration of responses under question 48 of its consultation document, and of responses regarding the membership of SACREs more generally.



The law states that SACREs **must** include 'a group of persons to represent such Christian denominations and other religions and denominations of such religions as, in the opinion of the authority, will appropriately reflect the principal religious traditions in the area'. And case law has established that, for these purposes, 'religions' and 'religious traditions' are to be read as including humanism.<sup>2</sup> Despite this, of course, some local authorities and SACREs continue to refuse humanists full membership on the grounds that humanism is not a religion.

No doubt there will be responses to this consultation that leave the 'representatives of non-religious worldviews' box unticked for that reason. However, whether it is this or some similar reason that certain respondents wish to see non-religious representatives excluded from SACREs, such exclusion is unlawful. We would therefore ask that, in considering responses to this consultation, the Commission has regard to the law (in particular human rights law) first and foremost, and views any submission on this and all other issues in that context.

### ***SACREs without a syllabus function***

The Commission has asked what might become of SACREs were locally agreed syllabuses to be abolished. But given how many ASCs either buy in external syllabuses or simply re-approve previous versions, in many ways we already know what would happen to SACREs if they lost their syllabus-drafting function.

It is currently the case, for instance, that many SACREs are largely, or in some cases, entirely unfunded by the local authority, are frequently inquorate, and as a result of academisation have so few maintained schools obliged to follow the local syllabus that their 'watching brief' on local RE is all but obsolete. In addition, SACREs' role in advising on collective worship in maintained schools and, as necessary, making determinations has also withered away, on account both of academisation and of the fact that (understandably) so few secondary schools comply with the requirement in the first place.

If local determination of RE was brought to an end, this decline would only intensify, and could likely only be reversed by a) a significant injection of funding for SACREs and b) a reimagining of their purpose so as to make them more impactful. Even given these conditions, however, there is no guarantee that SACREs could remain healthy without an important statutory function to justify their existence. The Commission must be mindful of this in its vision for an expanded role for SACREs, therefore, and, if it deems these problems insurmountable, should be prepared to recommend no longer requiring local authorities to constitute SACREs at all.

### ***Committee structure***

Before setting out the problems with the current committee structure, we want to stress that we are not commenting here on whether or not the groups or organisations within each committee should be represented on SACREs. Our comments here relate only to the committee structure itself, and not to membership.

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<sup>2</sup> See *R (Fox) v Secretary of State for Education*, paragraphs 38-39 for a summary of the jurisprudence: <https://www.judiciary.gov.uk/wp-content/uploads/2015/11/r-fox-v-ssfe.pdf>

The principal problem with the committee structure is its 'block vote' system. As set out in section 390(7)<sup>3</sup> and 391(4)<sup>4</sup> of the Education Act 1996, as well as in the corresponding guidance, 'on any question to be decided by a SACRE, its constituent groups each have a single vote'. In other words, there are four votes within each SACRE. There are two important issues with this 'block vote' system.

Firstly, it gives disproportionate influence to the Church of England. We do not dispute the fact that the law dictates that syllabuses 'reflect the fact that the religious traditions in Great Britain are in the main Christian'. However, this in no way entails that the Church of England (in particular) ought to hold as much sway over religious education as all other religions and beliefs put together. Religion and belief groups are represented on SACREs for one purpose only, and that is to advise on matters of religion and belief. The same is true for ASCs. Having a separate category for one particular religious denomination, and affording it greater influence and voting power over the work of the SACRE, betrays this purpose and is unwarranted. Indeed, it is the case in Wales, where the Church has been disestablished for almost a century, that there is only one committee for representatives of religion and belief, and no separate committee for the 'national church'. The fact that this is not the case in England, where of course the Church is still established, suggests that committee B only exists in order to reflect this established status. This is inappropriate and stands at odds with the responsibility of local authorities to ensure 'critical, objective, and pluralistic' RE.

Secondly, 'decisions within each committee do not require unanimity. Each committee must regulate its own proceedings, including provision for resolving deadlock.'<sup>5</sup> Unfortunately, this means that the views of representatives of minority religions and humanism can fail to be recorded by SACREs and ASCs.

If, for instance, an ASC chooses to exclude or relegate a particular religion or belief in its syllabus, and this decision (unlawful though it would be) is approved by a vote of the ASC, the dissenting votes within each committee would not be recorded. To state in this scenario, as the formal minutes would, that an ASC had unanimously voted to exclude that religion or belief would be misleading and damaging. Unfortunately, this happens frequently around the country. The abolition of the committee structure would ensure that a more accurate picture of the views of SACREs was presented.

## **RIGHT OF WITHDRAWAL**

### ***Removing the right of withdrawal***

Simply put, any reading of case law and any assessment of its implications leads to the conclusion that it is not possible to remove the right of withdrawal. The Commission suggests in its consultation document that if an RE syllabus was drafted so as to meet the highest standards in terms of being 'critical, objective, and pluralistic', the right of withdrawal could be removed. Whilst we very much support the ambition of meeting such a standard, and the additional change in law to prevent religious schools from teaching faith-based RE that would be required, the law is clear that the right of

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<sup>3</sup> <https://www.legislation.gov.uk/ukpga/1996/56/section/390>

<sup>4</sup> <https://www.legislation.gov.uk/ukpga/1996/56/section/391>

<sup>5</sup>

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/190260/DCS-F-00114-2010.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/190260/DCS-F-00114-2010.pdf)

withdrawal would still need to be maintained in order to fully guarantee the rights of parents.<sup>6</sup>

We would therefore encourage the Commission to focus its attention instead on a) improving RE so that withdrawal is seen as less desirable, and b) exploring how the right of withdrawal is managed and how parents can best be engaged with to clarify any misconceptions that they might have.

### ***Managing the right of withdrawal***

Regardless of the legal question, it is clear that both parents and schools should be given fuller guidance on religious education and the right of withdrawal. Even in the absence of evidence beyond the anecdotal, it is clear that misconceptions about the nature of the subject exist among some parents and correcting these misconceptions should be a priority for schools and the RE community more broadly.

One example of this having been done proactively is Staffordshire, which has produced a document to help schools manage withdrawal, including a template letter to parents setting out the value and purpose of RE. The document tackles head on, for instance, the issue of withdrawals motivated by a desire to avoid trips to mosques or teaching about Islam in general, advising parents:

‘visits to sacred spaces bring the agreed syllabus to life and underpin the role of RE in helping to prepare and equip pupils for life and citizenship in today’s diverse and plural Britain’.<sup>7</sup>

Such guidance ought to be more widely produced and more readily available to parents around the country, whether it comes from local authorities, central government, or national bodies such as the REC, NASACRE, and NATRE. To our minds it does not matter if multiple versions of such guidance are produced and made available by these different bodies, and indeed multiple statements of endorsement for the importance of RE and its purposes can only benefit the subject.

It is worth noting that whilst some withdrawal is clearly motivated by prejudice, particularly against Muslims, some withdrawal is provoked by religious education being approached by teachers (including outside faith schools) in a manner that would more accurately be described as religious instruction. Humanists UK frequently receives contact from parents who have withdrawn or intend to withdraw their children from RE precisely as a result of this. As a point of fact, our standard practice is to encourage such parents **not** to withdraw their children from RE, but instead seek to address any concerns they have with the school – something that often leads to changes in practice and an amicable solution. However, it is also a fact that before providing whatever advice we are able to in these cases, we must first ask parents what type of school they go to. Herein lies a serious problem.

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<sup>6</sup> See the rulings of the Belgian Council of State in 1985 and 1990 regarding individual exemptions from religious education in schools in Flanders for context

<sup>7</sup> See: <http://www.stokesentinel.co.uk/news/parents-right-stop-children-visiting-767521>; or <https://www.thetimes.co.uk/article/staffordshire-schools-told-to-offer-virtual-tours-of-mosques-after-parents-ban-children-from-visits-6plzct02w>

What level of knowledge about the legal framework of RE can we realistically expect parents to have? If they know that there are religious schools and schools with no religious character, can we blame them for assuming that the former can all teach 'faith-based' or confessional RE, while the latter cannot? Ought we to expect that parents know the difference between voluntary controlled and voluntary aided schools, and their respective RE obligations? If the only thing that parents know about academies is that they do not have to follow the national curriculum, should they assume that such schools can teach whatever form of RE they like? Is it really reasonable to expect them to know that academies can decide what they teach in RE, but that this is subject to legal constraints, some statutory, some not? And equally, is it reasonable to expect parents to know what these constraints are?

The point of all these questions is that some of the misconceptions that parents have about RE are the product of an incredibly complicated education system and RE framework. It is a framework that allows some schools to provide the kind of RE that parents might justifiably wish to withdraw their children from, and grants others levels of freedom over their RE provision that might justifiably make parents nervous. Ultimately it is this issue that needs to be addressed if concerns about the right of withdrawal are to be dealt with. And we would suggest to the Commission that a recommendation to change the law so that all schools, including religious schools, must teach objective RE would be a good start.

### ***Allowing pupils to withdraw***

The Commission makes no mention in its interim report of the fact that the right of withdrawal is not currently afforded to young people. We dealt with this issue in our previous submission and will repeat our comments here. We hope the Commission will consider them carefully and move to recommend that the rights of children be afforded similar protection to those of parents:

'We do not believe it is right that only parents have the right to opt out their children from RE, while children themselves enjoy no such right. This limits the rights of children to freedom of thought, conscience, and religion, as is enshrined in Article 9 of the ECHR, and fails to reflect ECHR case law on Gillick competence, which establishes that once a child obtains sufficient understanding and intelligence to be mature enough to make up their own mind on the matter, a child's right to make their own decisions overrides their parents' rights over them. The lack of any opt out for children is also out-of-step with the fact that young people are able to withdraw themselves from collective worship at age 16. We therefore believe that a similar right of withdrawal should exist in relation to RE, though the age at which this right can be exercised should certainly be lower than 16, if indeed it should have a firm age attached to it at all.'

### **SUBJECT NAME**

Again, we set out our views on the subject name in our previous submission, and it remains our position. We restate them here but wish to emphasise them. In our view, it is completely unsustainable for the subjects to continue with its antiquated and misleading name:

'We believe that Religious Education should be as inclusive as possible, not just of all religions, but of humanism too.'

We have also stated that, whilst we do not wish to see the various religions and non-religious worldviews examined with any less rigour, we would like a subject that is more thematic and values-led, focusing on the study of important moral and ethical issues, different perspectives on those issues, and encouraging children to grapple with them.

Given this, it has long been our view that Religious Education should be renamed to more accurately reflect both the nature of the subject we want to see and its inclusive nature. Other names for the subject do exist, of course. In Scotland, 'Religious and Moral Education' is taught. This is not, in our view, the best solution, both because it fails to address the exclusion of non-religious worldviews, and because it might imply that moral questions are exclusively within the realm of religion, which is clearly not the case and presumably not the intention. In Wales, it has been proposed that RE be reformed into 'Religion, Philosophy, and Ethics', which (assuming this does not entail any downgrading of teaching about religions and non-religious worldviews) is better but still does not fully response these issues.

'Our preference would therefore be for a subject name along the lines of 'Beliefs and Values', or 'Religions and Worldviews', [we would also be willing to accept 'Religions and Beliefs'], as we believe these to be the most accurate and inclusive options.'

**For further evidence or information please contact:**

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