



**A guide to
SACREs in England
(Standing Advisory Councils on Religious Education)
and SACs in Wales
(Standing Advisory Councils for Religion, Values and Ethics)**

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Section 1: What are SACREs/SACs and ASCs and why do they exist?

In England, Standing Advisory Councils for Religious Education (SACREs) advise local authorities responsible for education (as LEAs are now known) on matters connected with RE and collective worship, principally in community, voluntary controlled, and foundation schools. These include matters related to the quality of teaching: advising on teacher training; reviewing teaching methods and materials; and discussing Ofsted reports on RE, collective worship, and social, moral, spiritual, and cultural education (SMSC). SACREs generally meet once a term.

Religious education is statutory for all pupils aged 5-18. The subject is not, however, on the national curriculum. Instead the content of RE syllabuses is set locally. Agreed Syllabus Conferences (ASCs) are set up by SACREs every five years to review the locally agreed syllabus for religious education. They are normally made up of similar membership to the SACRE.

In Wales, following the Curriculum and Assessment (Wales) Act 2021, religious education will be renamed 'religion, values and ethics' (RVE) to more accurately reflect the broad scope of the subject's pluralistic requirement. This will be rolled out in nursery and primary settings from September 2022 and implemented over the period 2022 - 2026 in secondary schools. SACREs will be renamed Standing Advisory Councils for Religion, Values and Ethics (SACs).

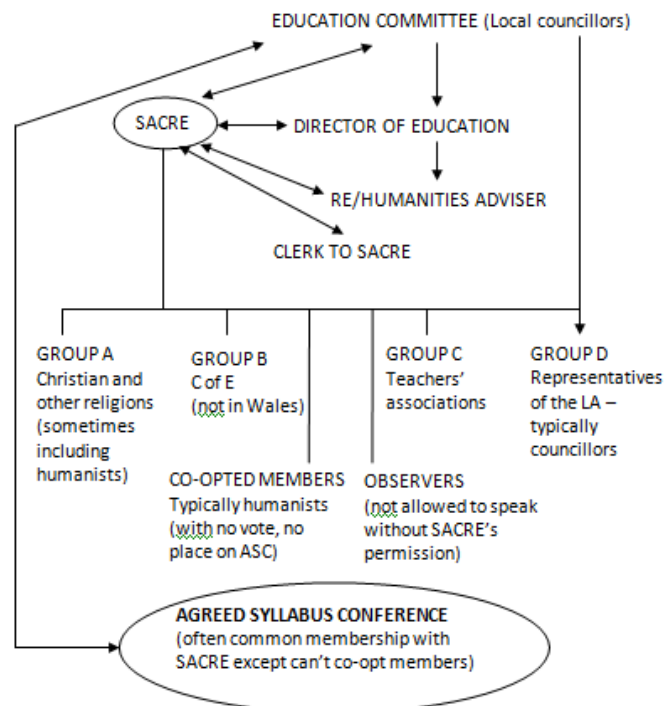
The 2021 Act requires that teaching and learning within the Curriculum for Wales:

1. must reflect the fact that the religious traditions in Wales are mainly Christian, while taking account of the teaching and practices of the other principal religions represented in Wales, and
2. must also reflect the fact that a range of non-religious philosophical convictions¹ are held in Wales.

¹ You can find our guide to what is, and is not, a non-religious philosophical conviction [here](#).

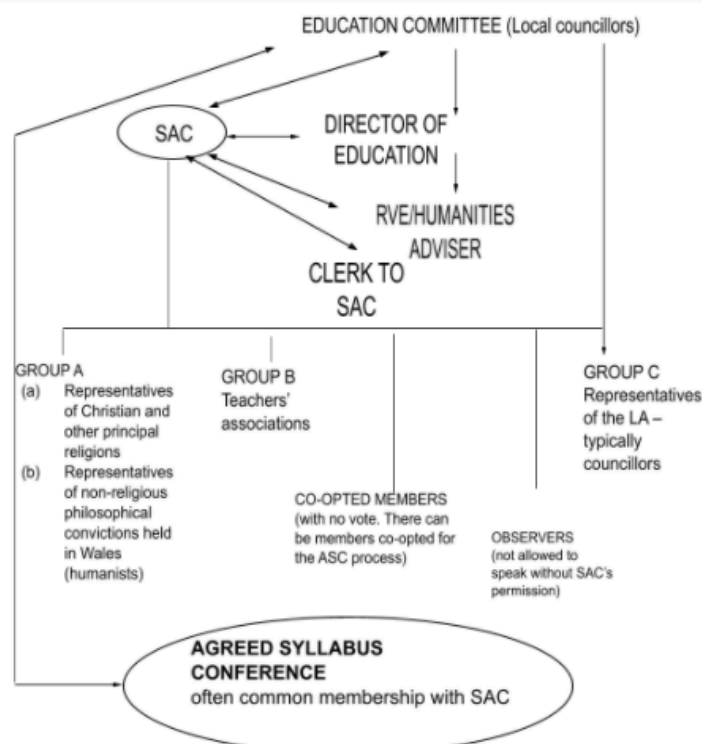
Who's who in England

Organisation of SACREs varies according to the size of the LA and its personnel – but it is usually something like this:



Who's who in Wales

Organisation of SACs varies according to the size of the LA and its personnel – but it is usually something like this:



The history of SACREs

The requirement for LEAs to appoint ASCs and their power² to appoint SACREs dates from the 1944 Education Act, which was a historic compromise between the Anglican and non-conformist churches, in which the Roman Catholics were also appeased. For the first time, Religious Instruction (RI) and a daily act of collective worship became legally required for all pupils (subject to parents' right to have their children excused). The RI in community schools (i.e. those without a religious character) could not be distinctively of any particular religious denomination but was almost always taught from a Christian perspective.³ Of course, RI and collective worship had existed in schools before the Act, and the law had required since 1870⁴ that they should not be specific to any denomination in Board (later 'provided', then 'county', and now 'community') schools, but they had not been compulsory by law.

The sensitive task of drawing up RI syllabuses was given to local committees appointed by LEAs on which the denominations, local politicians, and teachers were represented.⁵ In Wales each of the three groups got one vote, but in England, due to its being the established Church, the Church of England (CofE) formed a fourth group with its own vote. The Act gave LEAs the permissive power to set up SACREs to advise them on RI and collective worship.⁶ In fact, only about 10 SACREs were set up until the Education Reform Act of 1988 compelled LEAs to appoint them to oversee what is now called religious education (RE).⁷ SACREs are standing bodies, whereas ASCs are set up each time the syllabus needs revising (at least once every five years⁸). In practice, they usually include the same representatives (with the important caveat that ASCs cannot co-opt). The law on SACREs and ASCs is now contained in the Education Act 1996 and the School Standards and Framework Act (SSFA) 1998, and is little changed from the 1988 Act.

Humanist membership of SACREs and ASCs

In 1994 the Government issued guidance¹ prohibiting the appointment of humanists to group A of SACREs and ASCs, saying that 'The inclusion of representatives of belief systems such as humanism, which do not amount to a religion or a religious denomination on group A of an agreed syllabus conference or group A of a SACRE would be contrary to the legal provisions...'. Most humanist members then became co-opted or Observers or moved to another group.

Arguable at the time, this ban became (in the view of Humanists UK) patently unlawful with the passage of the Human Rights Act 1998.⁹ Despite our strong representations, however, it took until 2010 for the Department for Education implicitly to amend its policy¹⁰ and until 2018 for an explicit change of policy in

² SACREs became mandatory under the 1988 Act.

³ *Education Act* (1944), Sections 25-30:

www.legislation.gov.uk/ukpga/Geo6/7-8/31/part/II/crossheading/religious-education-in-county-and-voluntary-schools/enacted - note that community schools were then called County schools.

⁴ *Elementary Education Act* (1870), Section 14(2):

www.educationengland.org.uk/documents/acts/1870-elementary-education-act.html

⁵ *Education Act* (1944), Fifth Schedule: www.legislation.gov.uk/ukpga/Geo6/7-8/31/enacted

⁶ *Education Act* (1944), Sections 29:

⁷ *Education Reform Act* (1988), Sections 11-13:

www.legislation.gov.uk/ukpga/1988/40/part/I/chapter/I/crossheading/standing-advisory-councils-on-religious-education/enacted

⁸ *Education Act* (1993), Sections 254 and 256:

www.legislation.gov.uk/ukpga/1993/35/part/VI/crossheading/religious-education/enacted

⁹ Almost identically worded circulars, in England circular 1/94 and in Wales circular 10/94, both called "Religious Education and Collective Worship".

¹⁰ In Religious Education in English Schools: Non-statutory Guidance 2010 an example appears to recommend co-opted, non-voting membership of SACREs for humanists and drops the explicit prohibition on full membership in

Wales that cites human rights grounds.¹¹ The latter change began with a [legal challenge by Humanists UK](#) to the refusal of one Welsh LA, the Vale of Glamorgan, to appoint a humanist to group A and, in 2019, was followed by a proposal by the Welsh Government to change the wording of the law so that it is clear that [humanists should be permitted to become full members of SACREs and ASCs in Wales](#)¹².

In England, [Humanists UK successfully challenged another LA, the Royal Borough of Greenwich](#), when it similarly refused to admit a humanist to Group A of the local SACRE but, following the threat of legal action, backed down and acknowledged that there is a legal basis on which humanists may be included as full members¹³ (with a vote in one of the groups, preferably group A).

Humanists UK encourages all humanist SACRE reps to apply for full voting membership on SACREs. Legal advice on the matter obtained by Humanists UK is available upon request.

The [Curriculum and Assessment \(Wales\) Act 2021](#) changes the composition and name of SACREs, which will be renamed Standing Advisory Councils for Religion, Values and Ethics (SACs) from 2022. Whilst there remains provision for co-option and the presence of observers, the Act enables the appointment of persons who represent holders of non-religious philosophical beliefs (e.g. humanists) in Group A in the same way as it permits the appointment of persons who represent holders of religious beliefs.

Several SACREs/SACs have appointed humanists as chairs. Humanists UK employs staff who can advise SACRE/SAC representatives and keep them informed via mailings and an annual meeting where they can share news, ideas, and problems. Humanists UK also provides [speakers for schools](#).

Which local authorities are responsible for education?

Since 2010 the term 'Local Education Authority' is not used, but has been replaced by the term 'Local Authority' (LA),¹⁴ so throughout the rest of this guide it should be assumed that where a Local Authority/LA is referred to, this means one that is responsible for education. Not every LA in England is responsible for education. In Greater London the London boroughs and the Common Council of the City of London are responsible (although as the only state-funded school in the City of London is a voluntary aided 'faith' school, it has decided to ignore its statutory duty and not appoint a SACRE); in the metropolitan counties it is the metropolitan borough councils; in the non-metropolitan counties it is the county councils; and elsewhere, it is the unitary authorities. In addition, the Council of the Isles of Scilly is an education authority. In total then, there are 152 local authorities responsible for education, and 151 SACREs.¹⁵ In Wales, all 22 principal areas are responsible for education and have a SAC.

the old guidance. Previously the DfE had responded to repeated challenges from Humanists UK by avoiding giving an opinion and referring the decision to individual LAs.

¹¹ Untitled circular (3 May 2018).

¹² A guide to Curriculum for Wales:

hwb.gov.wales/draft-curriculum-for-wales-2022/a-guide-to-curriculum-for-wales-2022/#proposals-for-legislation

¹³ Humanists UK:

humanism.org.uk/2019/08/02/english-council-backs-down-after-legal-challenge-to-exclude-humanist-from-re-body/

¹⁴ *Explanatory Memorandum to The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order* (2010), Paragraph 2.1: www.legislation.gov.uk/uksi/2010/1158/pdfs/uksiem_20101158_en.pdf

¹⁵ A full list of local authorities responsible for education can be found at en.wikipedia.org/wiki/Local_education_authority#List_of_local_authorities_responsible_for_education_by_region

Who sits on SACREs/SACs and ASCs?

For SACREs, the Education Act 1996 requires local authorities to appoint a SACRE consisting of groups of persons representative of (A) local Christian denominations and other religions; (B) (except in Wales) the Church of England; (C) local teachers' associations; and (D) the local authority. Each group has a single vote. The SACRE has the power to co-opt additional members. Numbers appointed to group A are to be broadly proportionate to the strength of that denomination or religion in the area.

In Wales, persons who represent holders of non-religious philosophical convictions (e.g. humanists) can be appointed in Group A of the SAC in the same way as persons who represent holders of religious beliefs. It is a matter for the local authority to decide on the appointment of appropriate persons. The final decision on an appointment is dependent on the LA's determination that such a representative would help ensure the relevant traditions of the area are appropriately reflected. The LA must take all reasonable steps to ensure that the membership of the group is broadly proportional to the strength of each religion, denomination, or conviction in its local area.

For ASCs, the law is identical, except that there is no provision for co-opted members. SACREs have a role in advising LAs when they consider that an ASC should be convened, but LAs are under a duty to review their syllabuses at least once every five years.¹⁶

It is also a requirement that meetings are to be held in public (except when confidential information is to be disclosed).¹⁷ It is as a consequence of this that SACREs/SACs and ASCs must be open to anyone who wishes to be an observer.

Note that it is the LA **not** the SACRE/SAC that determines whether an individual is to be a full member of the SACRE/SAC and ASC (some get confused on this point and think this is the responsibility of the SACRE/SAC), although many LAs in practice respect their SACRE's/SAC's opinion on this matter; and the SACRE/SAC *does* determine co-option.

The actual position

SACREs/SACs vary in their composition and practices: some have constitutions and criteria for membership, others are more pragmatic; some are well resourced, while others struggle to carry out their duties on a shoestring; some actively seek humanist representation while others resist it. As a result, it is difficult to generalise confidently about SACREs/SACs (like much else in the fragmented world of local religious education).

By early 2019, humanists were participating in the work of over 100 SACREs in a wide range of authorities of all political persuasions, from large cities such as Leicester and Leeds, to counties such as Hampshire, Essex, and Suffolk, and London boroughs such as Westminster, Wandsworth, Hounslow, Camden, and Merton. Some are full members, most are co-opted, a few attend as Observers. At any one time there are usually several humanists in the course of applying to SACREs/SACs. Some represent local humanist groups or have got themselves onto SACREs/SACs independently, while others have been nominated by Humanists UK. Some SACREs/SACs have requested humanists to assist their ASCs and working parties, or to represent them at the National Association of SACREs (NASACRE), where a humanist has also served on the Executive Committee. Humanist representatives have been elected as Chairs or Vice-Chairs of SACREs/SACs including

¹⁶ Education Act (1996), Schedule 31: www.legislation.gov.uk/ukpga/1996/56/schedule/31

¹⁷ *The Religious Education (Meetings of Local Conferences and Councils) Regulations* (1994): www.legislation.gov.uk/uksi/1994/1304/contents/made

Hounslow, Brent, Camden, Hammersmith and Fulham, Westminster, and York. Some humanist representatives have served on SACREs for over 25 years, and Humanists UK's Wales Humanists Coordinator is a member of WASACRE Executive and has been since July 2018.

By design, membership of SACREs in England is not particularly balanced and in practice their composition is often not particularly representative (of the community, or of the religions and beliefs studied in RE). In some areas it is difficult to find members of minority religions, humanists are unwelcome, and the local councillors and teachers who take an interest in RE tend to be religious believers – the effect of this may be an entirely Christian SACRE. It can be difficult in some places to employ a RE adviser or to get teachers to attend meetings – so SACREs can lack educational expertise.

The difficulties this can cause are obvious: the subject may be almost entirely in the hands of well-meaning amateurs (and even teachers are not necessarily experts in syllabus creation); and if the SACRE is entirely composed of religious believers, they may be largely unaware of the assumptions implicit in the language and questions they use for the subject.

Full membership of SACREs

Over 130 SACREs already have humanist members, with almost 100 including humanists within group A as **full voting members**. It is important to note that it is the local authority rather than the SACRE that determines whether an individual should be a full member of the SACRE or **Agreed Syllabus Conference (ASC)**.

What does the law say?

England

In 2023 the Bowen/Kent High Court judgment made it clear that humanists could sit on group A on SACREs and that a Local Authority should determine whether to admit a humanist as a full member of group A on exactly the same basis as they would determine whether to admit a religious representative. Kent County Council was found to have acted unlawfully by refusing Steve Bowen, Chair of Kent Humanists, a place on group A of its SACRE. In his decision, Mr Justice Constable concluded that it was 'unlawful' behaviour and that it is:

'clearly discriminatory to exclude someone from SACRE Group A solely by reference to the fact that their belief, whilst appropriate to be included within the agreed syllabus for religious education, is a non-religious, rather than a religious, belief.'

The judgment also stated that 'it is only those non-religious people who nevertheless have a belief system protected by the ECHR that may be eligible' [to join a SACRE]. In other words, 'generally non-religious' people cannot be appointed to SACREs. Only those representing protected belief systems can be. Humanism is protected by the ECHR.

Further information can be found in the more detailed documents below:

- [The Kent/Bowen High Court Judgment](#)
- [DfE guidance for local authorities about membership of SACREs](#)
- [High Court rulings on Religious Education and the Composition of Standing Advisory Councils on Religious Education](#), legal guidance from Professor Satvinder Juss

The Kent/Bowen judgment was based on the fact that **human rights law** interprets 'religion' as inclusive of non-religious worldviews. According to Article 9 of the European Convention on Human Rights (ECHR):

1. Everyone has the right to freedom of thought, conscience and religion; this right includes the freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.
2. Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.¹⁸

At the domestic level, the Human Rights Act (HRA) 1998 gives 'further effect to rights and freedoms guaranteed under the European Convention on Human Rights' and Section 3(1) states that:

'So far as it is possible to do so, primary legislation and subordinate legislation must be read and given effect in a way which is compatible with the Convention rights.'¹⁹

This means, when it comes to who can be included within group A, that the term 'religions' must be interpreted to include religious and non-religious worldviews such as humanism. Only if SACREs ensure that they understand the term in this way can they also ensure they meet the requirements of the HRA where the legal understanding of 'religion' encompasses both religious and non-religious beliefs.

Wales

In November 2018 the Welsh Government announced that humanists must be given the same right as religious representatives to sit on SACREs. In a letter to all local authority Directors of Education, the Welsh Government explained that its existing guidance, barring humanists from being full members of SACREs, does not 'comply with current legislation', specifically 'the Human Rights Act'. The latter change began with a legal challenge by Humanists UK to the refusal of one Welsh LA, the Vale of Glamorgan, to appoint a humanist to group A.

In Wales, following the Curriculum and Assessment (Wales) Act 2021 it is now explicit that persons who represent holders of non-religious philosophical convictions (e.g. humanists) can be appointed in Group A of the SAC in the same way as persons who represent holders of religious beliefs. It is a matter for the local authority to decide on the appointment of appropriate persons. The final decision on an appointment is dependent on the LA's determination that such a representative would help ensure the relevant traditions of the area are appropriately reflected. The LA must take all reasonable steps to ensure that the membership of the group is broadly proportional to the strength of each religion, denomination, or conviction in its local area.

Further support for the inclusion of humanists on SACREs followed the Commission on RE's extensive research into the status and aims of religious education. Its final report called for full inclusion of humanism on Local Advisory Networks for Religion and Worldviews (its proposed replacement for SACREs). The Commission's final report represents the views of a wide spread of the RE community and was supported by the Religious Education Council of England and Wales.

¹⁸ European Convention on Human Rights (www.echr.coe.int/Documents/Convention_ENG.pdf)

¹⁹ Human Rights Act (www.legislation.gov.uk/ukpga/1998/42/section/3)

Co-option to SACREs

Page 13 of *Religious Education in English Schools* makes it clear that humanists can be co-opted to SACREs: 'SACREs may co-opt members who are not members of any of the four groups – such co-opted members may provide educational expertise, young peoples' views or religious and non-religious views that reflect a diverse multi-cultural society.'²⁰

Before 1994, humanists used to sit on Group A, by a tactful stretching of the meaning of the word 'denomination', but after *Circular 1/94* and *Circular 10/94* were issued, most humanist representatives were – and still are – co-opted. Many local authorities and SACREs continue to take a cautious reading of the law as disallowing full membership.

The decision to co-opt is taken by the whole SACRE. Usually the decision in favour has been unanimous, or been agreed to by consensus, but sometimes a vote is taken. SACREs vote by groups. It is therefore necessary for three out of the four groups (A, B, C, and D) in England to vote in favour of co-option.

Co-opted members are co-opted to the whole SACRE. They are thus not a member of any one group and cannot contribute to group voting but can influence discussion and decisions. This is not an ideal situation, as some SACREs have separate meetings of the constituent groups to discuss the items on the agenda, during which much important discussion may occur and attitudes be decided. However, most SACREs do not take formal votes but instead decide things by consensus. Some SACREs are so small and informal that they never break up into groups or votes.

Officially, a representative should wait for a formal invitation to sit with one of the groups. However, some of our reps have simply turned up at the meetings of Group A.

Observers

A few SACREs refuse to even co-opt humanists; however, humanists can then be Observers instead. SACRE meetings, like most other council meetings, are open to the public and should be advertised locally (e.g. in libraries or on the council website). Anyone can go along and observe a meeting, and sometimes (with permission from the group) Observers have opportunities to speak and influence a SACRE. Some SACREs insist on having potential members observe for a period before inviting them to join as co-opted or full members, and sometimes regular Observers are eventually co-opted to SACREs, so it is worth treating Observer status as a possible probation period.

What about ASCs?

For ASCs, the rules are identical to those for SACREs/SACs, except that there is no provision for co-opted members.²¹ Often, humanist input into ASCs is valued by the SACRE/SAC and the LA so, if there is no humanist full member of the SACRE, they may try to involve the humanist in some other capacity.

Recognising their importance, sometimes an LA with a co-opted or Observer humanist on their SACRE will decide to invite the humanist to be a full member of Group A of the ASC. This is very useful; if the LA is happy to interpret the law as allowing this, then they should be equally happy to interpret the identical law for SACREs as allowing a full member humanist there as well!

²⁰ *Religious Education in English Schools: Non-statutory Guidance* (2010), page 13:

media.education.gov.uk/assets/files/religious%20education%20guidance%20in%20schools.pdf

²¹ *Education Act* (1996), Paragraph 4 of schedule 31: www.legislation.gov.uk/ukpga/1996/56/schedule/31/paragraph/4

How well does the SACRE/SAC system work?

This is, of course, a matter of opinion, and opinions will vary according to personal experience. But most of the humanist SACRE/SAC reps Humanists UK has discussed the issue with have indicated that while they are willing to work within the system as long as it persists, they do not think that the SACRE/SAC system is a good way of managing RE.

Many SACREs/SACs are poorly resourced and buy in only very limited specialist advice from consultants, and abandonment by Ofsted (Estyn in Wales, but it has the same problems) of inspection of SMSC makes it difficult for SACREs to have a clear idea of what is going on in local schools.²² While the religious composition of schools and individual class groups varies, and sensitive teaching will reflect that, the benefits of local syllabuses are unclear to many. During consultations on the non-statutory National Framework for RE, the now-defunct Qualifications and Curriculum Development Agency (QCDA) found that most RE teachers liked the Framework and favoured it becoming statutory. Ofsted reports reveal that some RE teachers are barely aware of either their local committee or local RE syllabus. Publishers and other resource providers and providers of Initial Teacher Education would undoubtedly prefer a national syllabus for RE - 151 different RE syllabuses in England (and 22 in Wales) makes provision unnecessarily complex.

Moreover, a string of reports in the last few years have endorsed the idea of a national syllabus or entitlement, including *A New Settlement: Religion and Belief in Schools* by Charles Clarke and Linda Woodhead (Westminster Faith Debates) (June 2015), *RE for REal* by Adam Dinham and Martha Shaw (November 2015), *Living with Difference*, the report of the Woolf Institute's Commission on Religion and Belief in British Public Life (December 2015), and *Religious Education for All* and *Religion and Worldviews: The Way Forward*, respectively the interim and final reports of the Commission on Religious Education (September 2017 and September 2018).

On the other hand, some humanists value the opportunity for local intercultural connections and to do something worthwhile in the community. A few humanists have achieved a lot locally – and humanism certainly tends to feature more strongly in syllabuses where there is a local humanist representative than where there is not – though it does sometimes appear even where there is no humanist on the SACRE, for example in the Kent and Bedford syllabuses. RE advisers generally favour local autonomy.

Section 2: Specific activity on which SACREs/SACs work

Religious education in England

The Editor of the *British Journal of Religious Education* described the Education Reform Act 1988 as 'the most obscure and complicated piece of RE legislation in the history of this country'. It was in many ways a backlash against the more liberal views of RE that began gaining currency in the 1970s and 1980s. Religious education (very different from Religious Instruction) had been moving towards a more open and objective study of belief systems, including non-religious ones. The 1988 legislation, which nowadays sits in the Education Act 1996, appears to have been partly aimed at excluding humanism. The law was further

²² In England, it is possible that the introduction of Ofsted's new education inspection framework (EIF) in September 2019, which focuses on curriculum breadth alongside SMSC, will improve this situation, but this remains to be seen.

complicated by *Circular 1/94* in England and *Circular 10/94* in Wales, issued as guidance to local authorities responsible for education by the DfE in 1994, but these have now been partially amended – see above.

The statute law for RE is largely now found in the Education Act 1996²³ and the SSFA 1998.²⁴

Religious education must be taught to all pupils in full-time education, except for those excused at the wish of their parents.

The nature of religious education varies depending upon the type of school:

In schools with no designated religious character:

- The 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’. We would argue that human rights law means this should be read as also including principal worldviews, e.g. humanism, and we have the strongest support for this interpretation in the judgement given in the case we brought against the DfE (see below).
- In addition, ‘No agreed syllabus shall provide for religious education to be given to pupils at a school to which this paragraph applies by means of any catechism or formulary which is distinctive of a particular religious denomination (but this is not to be taken as prohibiting provision in such a syllabus for the study of such catechisms or formularies)’.
- The Equality Act 2010 precludes discrimination in the delivery of the curriculum.²⁵
- In community, foundation, and voluntary schools without a religious character, the locally agreed syllabus that is set by the ASC and overseen by the SACRE must be taught.
- In academies and free schools without a religious character, the syllabus must be given ‘in accordance with the requirements for agreed syllabuses’, but it does not have to be an actual agreed syllabus – these schools are free to devise their own.²⁶ Many choose to teach the local or another agreed syllabus; however, contrary to what *Religious Education in English Schools* states, there is no requirement for them to do so.

In schools with a designated religious character:

- In foundation or voluntary controlled schools with a religious character, the locally agreed syllabus that is set by the ASC and overseen by the SACRE must be taught. However, if parents request that their children’s RE is taught in accordance with the trust deeds and faith of the school, then the children of those parents are instead taught confessional RE.
- In voluntary aided schools, academies, and free schools with a religious character, RE is set by the governors and is in accordance with the tenets of the faith of the school (i.e. the trust deeds). However, if parents request that their children are taught the locally agreed syllabus, as set by the ASC, then the children of those parents are instead taught the locally agreed syllabus.

²³ *Education Act* (1996), chapter III: www.legislation.gov.uk/ukpga/1996/56/part/V/chapter/III and schedule 31: www.legislation.gov.uk/ukpga/1996/56/schedule/31

²⁴ *Schools Standards and Framework Act* (1998), chapter VI: www.legislation.gov.uk/ukpga/1998/31/part/II/chapter/VI and schedule 19: www.legislation.gov.uk/ukpga/1998/31/schedule/19

²⁵ *Equality Act* (2010), section 85: www.legislation.gov.uk/ukpga/2010/15/section/85. Section 89 makes clear that this does not apply to the *content* of the curriculum, and paragraph 6 of schedule 11 exempts acts of worship. But the delivery of the curriculum is covered.

²⁶ See e.g. the *Free Schools model funding agreement*:

www.education.gov.uk/schools/leadership/typesofschools/freeschools/guidance/b0074737/funding-agreement/single

The inclusion of humanism on the RE syllabus

As noted above, locally agreed syllabuses are expected to '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'. However, following a landmark judgement in the High Court (*R (Fox) v Secretary of State*), which found that the Government had made 'an error of law' when it claimed a GCSE syllabus that left out non-religious worldviews such as humanism would meet the statutory need for RE 'the state has a duty to take care that information or knowledge included in the curriculum is conveyed in a pluralistic manner' and 'must accord equal respect to different religious convictions, and to non-religious belief'.²⁷

As explained in legal guidance on the ruling written by Professor of Law at King's College London Satvinder Juss, this does not mean precisely identical curriculum time for each worldview, but it does require that religious and non-religious perspectives are treated as broadly equivalent. So, especially where 'a religion or non-religious worldview... has a particularly high local following' or is of greater local relevance, it may be given additional attention'.²⁸ In addition, 'an RE course which provides for the study of religions of a small size or little relevance without giving comparable attention to non-religious worldviews of the same or a greater size or relevance will be unlawful'.²⁹ This latter point is vital – the law is not just about granting each perspective respect but about content.

For this reason, for the purpose of developing the RE curriculum, the term 'principal religions' includes religious and non-religious worldviews such as humanism. Only if SACREs ensure that they understand the term in this way can they also ensure that any curriculum developed in line with the agreed syllabus will meet the requirements of the Human Rights Act 1998, where the legal understanding of 'religion' encompasses both religious and non-religious beliefs.

The inclusion of humanism at Key Stage 4

One further implication of the Fox ruling is that secondary schools that rely on GCSE Religious Studies as a way to teach the subject to pupils in Key Stage 4 may not be meeting their duty to provide RE in a way that accords equal respect to religious and non-religious worldviews unless they provide additional RE lessons. This is because there are no non-religious worldviews in the GCSE in comparable detail to religions.

RE is legally required for all pupils, and RE that is conveyed in a pluralistic manner and accords equal respect to different religious convictions and non-religious worldviews (e.g. humanism) is a core subject and an entitlement for all pupils throughout their schooling, including in the latter stages of secondary school. For schools offering GCSE short course RE in Year 9 and Year 10, there is still a requirement that there is identifiable RE in Year 11. The legal requirement to provide RE will not be satisfied (even for pupils studying for a GCSE in the subject) in the event that the syllabus covered does not include religious and non-religious perspectives on an equal basis.

The DfE's position

Despite the Fox ruling, the Department for Education has not adjusted the GCSE syllabus and has a policy of leaving it up to individual LAs to decide whether to include humanists on SACREs and ASCs and to individual

²⁷ *R(Fox) v Secretary of State for Education*, para 39. www.judiciary.uk/wp-content/uploads/2015/11/r-fox-v-ssfe.pdf

²⁸ Juss, Satavinder, *High Court ruling on Religious Education Legal guidance on what it means for local authorities, academies, schools, teachers, Agreed Syllabus Conferences, and SACREs* (2016) para 7b humanism.org.uk/wp-content/uploads/2016-04-28-FINAL-High-Court-ruling-on-Religious-Education-legal-guidance.pdf

²⁹ Juss, Satavinder, *High Court ruling on Religious Education Legal guidance on what it means for local authorities, academies, schools, teachers, Agreed Syllabus Conferences, and SACREs* (2016) para 7c

SACREs and ASCs whether to include humanism on their syllabuses.³⁰ For this reason, it is imperative that SACRE reps actively advocate for its inclusion and explain why the law supports this position. If you require support with this issue, please contact the Humanists UK office.

See also

- *Support for Humanism in Religious Education* (Appendix A)
- Humanists UK's table showing how regulations on RE and collective worship apply in different kinds of school: www.humanism.org.uk/uploads/documents/schools-with-a-religious-character.pdf

Agreed Syllabus Conferences (ASCs) in England

Local syllabuses have to be reviewed at least once every five years, and this usually entails finding out what changes RE departments in local schools would like and then the setting-up of an ASC – an opportunity to get humanism into a syllabus and into the classroom. Humanists have been invited to serve on ASCs and have taken a full part in conference proceedings and/or have participated in syllabus working groups. Because of the ambiguous legal position, they are sometimes listed officially as 'Observers'. However, on other occasions they are made full members of the ASC, even if they are not full members of the SACRE. Sometimes this leads to full membership of the SACRE as well.

The law

The law on this subject is outlined above, and also on pages 13 and 14 of *Religious Education in English Schools*.

Humanist participation in ASCs

Page 14 says 'There is no legal provision for an ASC to include co-opted members, but it can seek the advice it considers appropriate from those it considers appropriate, to inform the development of effective RE provision in its area'. The statement that an ASC may receive advice or comment from outside groups or individuals has been said by the DfE in communication with Humanists UK not to mean that 'other persons cannot, on invitation, attend such ASCs and participate in the proceedings provided they do not vote'. Many humanist representatives have participated in the work of drawing up agreed syllabuses of RE, establishing a clear precedent.

Working on the local syllabus

There are usually 15-30 members of an ASC (similar to a SACRE, and often the membership is more or less the same). Some ASCs conduct all their discussions as a full conference. The majority set up one or more working parties, which do the actual drafting and report back periodically to the full ASC.

Procedures followed by ASCs vary considerably. They include:

- in England, using the RE Council's [Curriculum framework for RE](#) published in 2013 as a basis of the syllabus.
- in some areas, basing the syllabus on previously published Government guidance, such as the [Religious education non-statutory national framework](#) published in 2004; the [key stage 3](#) and [key stage 4/5](#) non-statutory programmes of study and attainment targets published in 2007; and the 2010 [level descriptions](#) and [key stage 1/2 non-statutory programmes of learning](#). However, since none of these is adequately inclusive of humanism, we would strongly urge humanist representatives to resist over-reliance on the content of these older documents.
- adopting a syllabus that is already being used in another area or buying one from an external provider such as RE Today. Some ASCs decide not to write their own syllabus. Instead they inspect

³⁰ For an overview of the Department for Education's response to the Fox ruling see: www.thinkingabouthumanism.org/religion-in-schools/objective-critical-and-pluralistic/

several others, select one, and obtain permission (or buy the rights) from the original authority (or an external provider) to use it as their own locally agreed syllabus.

- purchasing the syllabus provided by [RE Today](#), which an increasing number of ASCs are doing. While this syllabus does include reference to humanism, the language and tone of the syllabus feels as though it is written from a very Christian perspective. Some humanists on ASCs have been able to persuade the ASC to include more inclusive introductions to the syllabus or a humanist appendix with additional material to provide teachers with further information about humanism and support them to provide a more inclusive RE.
- producing a joint syllabus with other local authorities.
- writing a syllabus from scratch, which can take some time.

Collective worship in England

The SSFA 1998 (as amended) requires all pupils at community, foundation, or voluntary schools to take part each day in an act of collective worship, subject only to the right of their parents to have pupils below the sixth form excused and to the right of sixth formers to excuse themselves. The collective worship may be for the whole school or for separate groups. It must take place on school premises unless exceptionally the governors, with the head, decide otherwise. In schools without a religious designation 'collective worship shall be wholly or mainly of a broadly Christian character', which means that it must reflect 'the broad traditions of Christian belief without being distinctive of any particular Christian denomination', but this requirement is met if, taking any school term as a whole, most acts of collective worship comply with the requirement, so long as the extent of compliance reflects the family backgrounds, ages, and aptitudes of the pupils. However, if a SACRE determines that the 'wholly or mainly of a broadly Christian character' requirement is inappropriate to any school or 'class or description of pupils' at a school then it shall not apply; instead the relevant collective worship, while still not being 'distinctive of any particular Christian or other religious denomination', may be distinctive of a particular faith. In schools with a religious designation, collective worship must be in accordance with the school's trust deed or religious designation.

The following passages are taken from *Circular 1/94* which describes and interprets the legislation on collective worship. *Circular 1/94's* portions regarding RE and SACREs have been repealed, but the portion on collective worship remains the guidance in force on this matter. It refers to the Education Reform Act 1988, which has since been replaced by the SSFA 1998 (quoted above). Changes that result from this change in legislation are noted.

Aims

50. Collective worship in schools should aim to provide the opportunity for pupils to worship God, to consider spiritual and moral issues and to explore their own beliefs; to encourage participation and response, whether through active involvement in the presentation of worship or through listening to and joining in the worship offered; and to develop community spirit, promote a common ethos and shared values, and reinforce positive attitudes.

Meaning of Collective Worship

57. 'Worship' is not defined in the legislation and in the absence of any such definition it should be taken to have its natural and ordinary meaning. That is, it must in some sense reflect something special or separate from ordinary school activities and it should be concerned with reverence or veneration paid to a divine being or power. However, worship in schools will necessarily be of a different character from worship amongst a group with beliefs in common. The legislation reflects this difference in referring to 'Collective Worship' rather than 'corporate worship'.

58. Collective worship and assembly are distinct activities. Although they may take place as part of the same gathering, the difference between the two should be clear. Collective worship can, nevertheless, be related to the day to day life, aspirations and concerns of the school.

59. 'Taking part' in Collective Worship implies more than simply passive attendance. It follows that an act of Collective Worship should be capable of eliciting a response from the pupils, even though on a particular occasion some of the pupils may not feel able actively to identify with the act of worship.

Character of Collective Worship (other than at LEA-maintained voluntary and equivalent grant-maintained schools)

60. In the light of the Christian traditions of Great Britain, section 7(1) of the Education Reform Act (and the corresponding section of the Education Act 1993) says that Collective Worship organised by a county or equivalent grant-maintained school is to be 'wholly or mainly of a broadly Christian character'. [Note nowadays this is the law for all schools without a religious character For 'faith' schools, the worship is instead 'in accordance with the tenets or practices of the religious denomination'.]

61. The Act then further defines Collective Worship of a 'broadly Christian character' as being worship which reflects the broad traditions of Christian belief. Any such worship should not, however, be distinctive of any particular Christian denomination.

62. It is open to a school to have acts of worship that are wholly of a broadly Christian character, acts of worship that are broadly in the tradition of another religion, and acts of worship which contain elements drawn from a number of different faiths. Section 7(3) of the Act qualifies section 7(1) by providing that within each school term the majority of acts of worship must be wholly or mainly of a broadly Christian character, but it is not necessary for every act of worship to be so (see also paragraph 124). Thus, whatever the decision on individual acts of worship, the majority of acts of worship over a term must be wholly or mainly of a broadly Christian character.

63. Provided that, taken as a whole, an act of worship which is broadly Christian reflects the traditions of Christian belief, it need not contain only Christian material. Section 7(1) is regarded as permitting some non-Christian elements in the Collective Worship without thus depriving it of its broadly Christian character. Nor would the inclusion of elements common to Christianity and one or more other religions deprive it of that character. It must, however, contain some elements which relate specifically to the traditions of Christian belief and which accord a special status to Jesus Christ.

64. The extent to which and the ways in which the broad traditions of Christian belief are to be reflected in such acts of Collective Worship should be appropriate to the family backgrounds of the pupils and their ages and aptitudes. It is for the head teacher to determine this after consultation with the governing body.

65. Pupils who do not come from Christian families should be able to join in the daily act of Collective Worship even though this would, in the main, reflect the broad traditions of Christian belief. The law intends that, subject to the exceptions provided by section 9 of the 1988 Act (paragraph 83), all pupils will take part in such Collective Worship.

Parents are allowed to opt their children out of collective worship, except for in sixth form, at which stage pupils can opt themselves out. Currently, schools are not required to arrange alternative activities for the pupils, but merely to supervise them. However, in 2019, Humanists UK helped two parents win permission

to judicially review the failure of their children's school to provide an activity of equal educational worth to worship for those who had been withdrawn.³¹

The requirement for the daily worship to be 'wholly or mainly of a broadly Christian character' can be useful in supporting arguments in favour of diluting the worship. On the former ('wholly or mainly'), many schools have actually followed Humanists UK's advice and chosen to explicitly interpret this as saying that 51% of assemblies should be Christian with 49% being inclusive – and this is still in line with the law.

And on the latter ('broadly'), even the 51% of assemblies that are Christian can aim to present generic messages that are found in Christianity but also elsewhere, such as 'do unto others' and 'love thy neighbour'. Furthermore, in 2011 the government stated that 'The law requires schools to provide an experience of collective worship that is relevant to all pupils, no matter what their background or beliefs, to ensure collective worship is presented in a way that benefits the spiritual, moral and cultural development of all children and young people and of society. The purpose of the law is an educational one, not to indoctrinate or influence pupils' personal beliefs'.³² So if the school is failing to be inclusive to the beliefs of the non-religious, then it is failing to provide worship properly. Perhaps that is an oxymoron, and Humanists UK wouldn't agree with the wider defence of collective worship presented here – many community schools hold very evangelical worship. But nonetheless, citing this is still a powerful argument!

It is very much worthwhile to read the Accord Coalition's *Databank of Independent Evidence on Faith Schools*, which includes up-to-date research and opinion polls on collective worship, and their *Personal Testimonies and Media Reports of Discriminatory and Exclusive Practices by Faith Schools*. Both of these can be found at accordcoalition.org.uk/research.

A Private Members' Bill, [The Education \(Assemblies\) Bill](#), tabled by All-Party Parliamentary Humanist Group (APPHG) Vice-Chair Baroness Burt completed its passage through the House of Lords in November 2021 and passed the first stage in the House of Commons in December the same year. The Bill proposed to remove the requirement for schools without a religious character in England to hold collective worship. Instead, they would have to hold inclusive assemblies designed to be suitable for all children regardless of their religion or belief. These assemblies could include religious topics, but not in a way that presented any particular religion or belief as true. The Bill did not propose to alter the requirement that worship takes place in faith schools. However, it did specify that children who have been withdrawn from worship must be provided with a meaningful educational alternative. This alternative would be in line with the assembly provision outside of faith schools.

Unfortunately, as a private members' bill, it was unlikely the Education (Assemblies) Bill would become law, and indeed it fell at the end of the parliamentary session in May 2022. In light of this, recognising that statute currently requires 'worship' to take place, humanist members of SACREs should typically work to ensure that any such 'worship' is as inclusive as possible of those of all religious and non-religious beliefs, while staying within the confines of the law, and for them to be moments of reflection and contemplation, rather than worship.

Inclusive assemblies for students from all backgrounds can be found on Humanists UK's Assemblies for All website: assembliesforall.org.uk.

³¹ Humanists UK:

humanism.org.uk/2019/07/29/high-court-grants-parents-permission-to-challenge-school-worship-law/

³² Department for Education:

media.education.gov.uk/assets/files/pdf/4/4%20october%20letter%20to%20lord%20avebury%20about%20collective%20worship.pdf

‘Determinations’

From *Circular 1/94*

(Paragraph 68)

The requirements... that worship should be wholly or mainly of a broadly Christian character should be appropriate for most pupils across the country. The ‘determination’ procedure, however, allows these requirements to be lifted in respect of some or all of the pupils in a school where they are inappropriate. In determining this, the ...SACRE is to have regard to any circumstances relating to the faith backgrounds of the pupils which are relevant for deciding what character of Collective Worship is appropriate.

The determination procedure was intended mainly to allow schools with substantial numbers of members of non-Christian religions to provide appropriate forms of worship for the whole school or for the relevant pupils in a separate assembly. Some SACREs, notably in the London Boroughs of Brent and Ealing, have used the procedure to encourage or permit schools to apply, in order to have multi-faith worship of a broadly spiritual nature, or to hold spiritual worship. In Brent, almost every school has applied for and been granted a determination.

Although multi-faith or spiritual worship is still worship, and thus cannot be truly secular, it must surely be undogmatic and based upon shared values, and is therefore, in practice, much closer to secular in character. Some humanist representatives may wish to raise this possibility on their SACREs, stressing that assemblies that take into account the beliefs and backgrounds of the participants will be more effective in transmitting moral values and contributing to the spiritual development of pupils. They are also less likely to provoke requests to withdraw from teachers or parents, and thus should contribute positively to the cohesiveness of the school culture.

If you would like more advice on this, or details of the procedure to be followed by schools, please contact the Humanists UK office.

Religion, Values and Ethics in Wales

Following the Curriculum and Assessment (Wales) Act 2021, the new Curriculum for Wales is being introduced for nursery to year 6 in September 2022, and will be rolled out in secondary schools from 2022 through to 2026. It must be taught in all maintained schools in Wales. There are no Academies or Free Schools. Private schools are able to choose whether or not to teach it.

The curriculum is based on four core purposes, with the aim of supporting learners to become:

- ambitious, capable learners, ready to learn throughout their lives,
- enterprising, creative contributors, ready to play a full part in life and work,
- ethical, informed citizens of Wales and the world,
- healthy, confident individuals, ready to lead fulfilling lives as valued members of society.

The Areas of Learning Experience (AoLE) are divided into:

- Expressive Arts
- Health and Well-being
- Humanities
- Languages, Literacy and Communication

- Mathematics and Numeracy
- Science and Technology

The curriculum is designed for 3- to 16-year olds, through the five progression steps. The curriculum requirements are set out in legislation for all learners aged 3 to 16, to ensure all schools cover the same core learning, and to secure a consistency of approach for learners across Wales.

Mandatory elements which, with the exception of English, span the 3 to 16 learning continuum are:

- the cross-curricular skills of literacy, numeracy and digital competence,
- the names of the areas of learning and experience (AoLE or Areas),
- relationships and sexuality education (RSE),
- religion, values and ethics (RVE),
- Welsh,
- English – from age 7. Headteachers and providers of funded non-maintained nursery education have discretion over whether – and to what extent – they introduce English to learners between the ages of 3 and 7. This is to facilitate Welsh language immersion in the early years. Therefore, the expectation is that English medium and bilingual schools will continue to include English in their curricula.

Religion, Values and Ethics (RVE)

Following the 2021 Act, religious education will be renamed ‘Religion, Values and Ethics’ (RVE) to more accurately reflect the broad scope of the subject’s pluralistic requirement, and its position within the Humanities Area of Learning and Experience.

The 2021 Act requires that teaching and learning:

1. must reflect the fact that the religious traditions in Wales are mainly Christian, while taking account of the teaching and practices of the other principal religions represented in Wales, and
2. must also reflect the fact that a range of non-religious philosophical convictions are held in Wales.

The Welsh Government has provided statutory [RVE guidance](#) along with guidance on how the [legislation has changed](#) which states:

The Act makes it explicit that any agreed syllabus for RVE must reflect both religious beliefs and also non-religious beliefs which are philosophical convictions within the meaning of A2P1³³. These include beliefs such as humanism...

Religion, values and ethics (RVE) is a statutory requirement of the Curriculum for Wales and is mandatory for all learners from ages 3 to 16. There will be no parental right to request that a child is withdrawn from RVE.

RVE forms part of the Humanities Area, which also encompasses geography, history, and business studies. These disciplines share many common themes, concepts and transferable skills, whilst having their own discrete body of knowledge and skills.

In the Curriculum for Wales, RVE is objective, critical and pluralistic, both in content and pedagogy: it is not about making learners ‘religious’ or ‘non-religious’. The expression ‘objective, critical and pluralistic’ comes from European Convention on Human Rights case law. The Curriculum and Assessment (Wales) Act 2021 ensures that all learners must be offered opportunities through RVE to engage with different religions and

³³ Article 2, Protocol 1 (the right to education) in Schedule 1 of the Human Rights Act 1998.

non-religious philosophical convictions in their own locality and in Wales, as well as in the wider world. Humanism is the largest and most widespread non-religious belief and, as it is analogous to religious beliefs, provides an appropriate form of study in RVE and throughout the curriculum.

Agreed Syllabus Conferences - legislative changes in Wales

The legislative changes in the Curriculum and Assessment (Wales) Act 2021 relating to the roles and legal responsibilities of Agreed Syllabus Conferences (ASCs) and Standing Advisory Councils on RVE (SACs) are:

- The Act makes it explicit that any agreed syllabus for RVE must reflect both religious beliefs and also non-religious which are philosophical convictions within the meaning of A2P1³⁴.
- Provision for the appointment of persons who represent holders of non-religious philosophical convictions in the same way as the appointment of persons who represent holders of religious beliefs.

These are the only legislative changes within the Act relating to the roles and legal responsibilities of SACs and ASCs. The legislation relating to all their other existing roles and legal responsibilities remains unchanged.

The Act does not specify a date by which a first ASC must prepare and recommend an agreed syllabus. But a new syllabus replacing the current agreed syllabus must be adopted by an LA for use in schools and settings implementing the Curriculum for Wales. SACs and ASCs will, therefore, need to be constituted in sufficient time to feed through an agreed syllabus in line with the implementation of the Curriculum for Wales in 2022. The administration of this sits with the LA.

Aims of the agreed syllabus

The agreed syllabus is not designed to be a scheme of work, but rather a helpful guide and legal reference point for schools, to support them in designing an appropriate and relevant curriculum for their learners, which includes RVE within the Humanities Area. The approach of the Curriculum for Wales Framework is based on the principle of subsidiarity and, as such, each agreed syllabus should recognise and reflect the autonomy of each school or setting in realising its own curriculum. One of the intentions of this statutory RVE guidance is to provide the right balance between the central steer of the Curriculum for Wales Framework and the requirements of local determination for RVE. Therefore, the statutory RVE guidance has been written as the basis for the agreed syllabus. Should an LA wish to adopt or adapt this guidance as their agreed syllabus, it may do so. It will ultimately be the responsibility of the provider to ensure that non-denominational RVE is delivered pluralistically.

Agreed syllabuses should recognise that while the principal religions and their traditions in Wales should be taught in all schools, other beliefs (including non-religious philosophical convictions such as humanism and atheism) are now a recognised part of life in local areas in Wales and beyond. This is reflected in the Act which states that the agreed syllabus:

- must reflect the fact that the religious traditions in Wales are in the main Christian while taking account of the teaching and practices of the other principal religions represented in Wales, and
- must also reflect the fact that a range of non-religious philosophical convictions are held in Wales.

The agreed syllabus and the Curriculum for Wales Framework

ASCs have a legal duty to establish the relationship between the agreed syllabus and the Curriculum for Wales Framework. LAs, SACs and ASCs must have regard to the Framework, which includes statutory RVE guidance, when developing and adopting an agreed syllabus. The syllabus is the first point of reference for RVE provision in schools or settings, therefore it is essential for it to recognise and reflect the approach of

³⁴ Article 2, Protocol 1 (the right to education) in Schedule 1 of the Human Rights Act 1998.

the Framework and the principles set out therein, in order to create balance and maintain coherence across the Curriculum for Wales. The statutory RVE guidance enables ASCs to establish, with confidence, this relationship between the locally agreed syllabus and the Framework for learners aged 3 to 16. The guidance supports schools and settings to ensure that there is appropriate breadth and depth in RVE, while recognising the principle of subsidiarity.

The ASC is a separate legal body from a SAC. However, it has the same group structure as the SACs:

- Group A - a group of persons to represent: Christian denominations and other religions and denominations of such religions; and non-religious philosophical convictions. In appointing such persons, an LA in Wales must take all reasonable steps to ensure that the number of members appointed to the committee to represent a religion, denomination or non-religious philosophical conviction shall, so far as consistent with the efficient discharge of the committee's functions, reflect broadly the proportionate strength of that religion, denomination or non-religious philosophical conviction in the area.
- Group B - a group of persons to represent such associations representing teachers as, in the opinion of the LA, ought to be represented, having regard to the circumstances of the area.
- Group C - a group of persons to represent the LA.
- There is no legal provision for an ASC to include co-opted members, but it can seek the advice it considers appropriate from those it considers appropriate, to inform the development of effective RVE provision in its area.

Questions for agreed syllabus conferences and Standing Advisory Councils to consider

- Are religious and non-religious philosophical convictions appropriately represented?
- Would it be useful to identify faith and belief groups represented locally in the agreed syllabus?
- Would it be appropriate to offer schools and settings useful information about these faith and belief groups and how to contact them?
- Would it be helpful to include exemplar material and resources to support the locally agreed syllabus?
- Advice on engaging with sensitive issues in RVE.
- Guidance on what critical, objective and pluralistic RVE might look like.
- How will the parental right for non-denominational RVE in faith schools be supported by the agreed syllabus and the SAC?

Collective Worship in Wales

In Wales collective worship requirements are the same as those in England³⁵. However, unlike with Ofsted in England, Estyn, the school inspectorate in Wales, states in its inspection framework that 'In all schools that do not provide denominational education, inspectors should consider whether there are appropriate acts of collective worship'³⁶. This intent to inspect and report on schools acts of worship means there is likely to be more compliance with the requirement.

This is even more contradictory in Wales, as the new Act requires schools to 'promote knowledge and understanding of UN Conventions on the rights of children and persons with disabilities' and yet the concluding observations from the UNCRC from 2016 recommends that 'the State party repeal legal provisions for compulsory attendance at collective worship in publicly funded schools and ensure that children can independently exercise the right to withdraw from religious worship at school'.

³⁵ For more information, see the WASACRE website for information on collective worship:

<https://stgilescentre.org/wp-content/uploads/2020/12/Guidance-on-Collective-Worship-June-2012.pdf>
and on the right to withdraw: <https://drive.google.com/file/d/1u4lrlhIHGeDrKC2EYU3LpypJdsussTX0/view>

³⁶ Estyn published guidance on collective worship in non-denominational schools in 2017:

https://www.estyn.gov.wales/system/files/2020-07/NIA%2520Supplementary%2520guidance%2520-%2520collective%2520worship_0.pdf

Inclusive school assemblies

It is Humanists UK policy that collective worship should be scrapped, and replaced with school assemblies that are inclusive of children with no faith. In the meantime, we believe that joining in hymns and prayers in collective worship should not be compulsory, and children should have their own opt-out rights.

See also

- Inclusive assemblies for students from all backgrounds can be found on Humanists UK's Assemblies for All website: assembliesforall.org.uk.
- *A Better Way Forward*, which explains how Humanists UK's policies on collective worship relate to human rights, children's rights, and our policy and work on faith schools: www.humanism.org.uk/uploads/documents/Betterwayforward2006.pdf.

Table of types of school with a religious character:

www.humanism.org.uk/uploads/documents/schools-with-a-religious-character.pdf

Appendix A: The Schools Standards and Framework Act of 1998 (Collective Worship section):

70 Requirements relating to collective worship

(1) Subject to section 71, each pupil in attendance at a community, foundation or voluntary school shall on each school day take part in an act of collective worship.

(2) Subject to section 71, in relation to any community, foundation or voluntary school—

(a) the local education authority and the governing body shall exercise their functions with a view to securing, and

(b) the head teacher shall secure,

that subsection (1) is complied with.

(3) Schedule 20 makes further provision with respect to the collective worship required by this section, including provision relating to—

(a) the arrangements which are to be made in connection with such worship, and

(b) the nature of such worship.

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 section 352(1)(a) of the [1996 c. 56.] 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.

SCHEDULE 20 COLLECTIVE WORSHIP

Introductory

1In 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 [1996 c. 56.] 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

5In 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).