

Curriculum for Wales Religion, Values and Ethics (RVE) guidance

Consultation response form

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Responses should be returned by **16 July 2021** to

Curriculum Realisation Unit
Curriculum and Assessment Division
The Education Directorate
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

or completed electronically and sent to:

e-mail: curriculumforwales@gov.wales

Question 1 – How well does the guidance explain the scope of RVE and its context within the Humanities Area ?

Not well at all	<input checked="" type="checkbox"/>	Not well	<input type="checkbox"/>	Acceptable	<input type="checkbox"/>	Well	<input type="checkbox"/>	Very well	<input type="checkbox"/>
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Please explain your answer (no more than 250 words).

We have serious concerns about this aspect of the guidance. As RVE is statutory and there will no longer be a right to withdraw, it is vital that the legislation is clearly explained. A failure to deliver the subject in line with the legislation in this context risks violating the freedom of religion or belief of pupils and their families, as well as undermining the purpose of the Curriculum and Assessment (Wales) Act. The guidance usefully explains that ‘philosophical convictions’ are views that ‘attain a certain level of cogency, seriousness, cohesion and importance’ meaning they are more than mere opinions or ideas. However, the section of the guidance dealing with the legal status of RVE gives incorrect definitions of both religion and non-religious philosophical convictions. It also uses examples of philosophical convictions that are neither religious nor non-religious. These are therefore examples that SACs, ASCs, and teachers will not need, and are likely to find highly confusing.

To make sure it serves its purpose and adequately clarifies what constitutes a non-religious philosophical conviction, the guidance must be amended so it explicitly features humanism – the primary non-religious worldview that is analogous to religion held by people in Wales – as an example of such a conviction. It should also point out that narrower non-religious beliefs that (i.e. that do not constitute worldviews), like atheism and agnosticism, may also be taught. The unhelpful reference to ‘hunting with hounds’ – which is not a philosophical conviction at all – should be deleted. And the reference to a deeply held conviction that corporal punishment should not be used in school should make it clear that this is an *areligious* belief that could be held by both religious and non-religious people and, as such, will not normally be covered in RVE.

Inclusive language

Part 1 of the document states that ‘Understanding the concept of religion will enable learners to build a well-rounded understanding of religion, and the significance of the different ways that it is defined.’ In order to ensure that non-religious perspectives are included, this should read:

‘Understanding the concepts of religion and non-religious philosophical convictions will enable learners to build a well-rounded understanding of religion, belief and the significance of the different ways that it is defined.’

The meaning of religion

The list of characteristics outlining the Welsh Government’s understanding of the term ‘religion’ is narrowly focused on monotheistic faiths and includes a reference to religious organisations that doesn’t make sense in the context of the guidance. The stipulation that religion always involves belief in and worship of a supreme being is erroneous. While many religions believe and worship in this way, many (for example many schools of Buddhism) do not. The definition must therefore be extended to include religions that involve a number of supreme beings, as well as non-theistic religions.

The legal definition of what constitutes a religion can be found in the 2013 Supreme Court case, *Hodkin v Registrar General of Births, Deaths and Marriages*. In the judgment, Lord Toulson defined, with majority agreement, religion as:

'A spiritual or non-secular belief system, held by a group of adherents, which claims to explain mankind's place in the universe and relationship with the infinite, and to teach its adherents how they are to live their lives in conformity with the spiritual understanding associated with the belief system. By spiritual or non-secular I mean a belief system which goes beyond that which can be perceived by the senses or ascertained by the application of science. I prefer not to use the word "supernatural" to express this element, because it is a loaded word which can carry a variety of connotations. Such a belief system may or may not involve belief in a supreme being, but it does involve a belief that there is more to be understood about mankind's nature and relationship to the universe than can be gained from the senses or from science. I emphasise that this is intended to be a description and not a definitive formula.'¹

Using this definition would be preferable.

The meaning of non-religious philosophical convictions

Even worse than the definition of religion, the definition of non-religious philosophical convictions is extremely problematic. First, it conflates non-religious philosophical convictions with philosophical convictions that are not religious because they have, in themselves, nothing to do with religion (i.e. philosophical convictions that are neither religious nor non-religious). The guidance unhelpfully refers to a European Court of Human Rights case which found that the refusal of parents to accept corporal punishment at their child's school constituted a philosophical conviction.² However, a philosophical conviction that corporal punishment is unjustifiable could clearly be held for religious or non-religious reasons, as well as for reasons that do not bear on a religious or non-religious worldview at all. Philosophical convictions of this kind are not covered by the Act – which refers only to 'non-religious philosophical convictions' throughout. They should not be included in RVE.

Second, there is no real explanation of the kinds of non-religious philosophical convictions that should feature on a curriculum designed in line with the legislation. Given that the explicit requirement to include such convictions is a new one and was a key reason for changing the law in this area, this is a huge oversight. The section on non-religious philosophical convictions must be amended to make it clear that RVE should only include non-religious worldviews which are analogous in scope to religions, like humanism. Since humanism is the only prominent non-religious worldview in Wales, and the belief system of most non-religious people,³ it is vital that it is referenced in the framework. Indeed, this is precisely what Welsh Government has done in previous documents relating to the inclusion of non-religious perspectives in R(V)E. For instance, the former Education Minister's 2018 letter to Local Authority Directors of Education and the Welsh Government's 2019 Consultation on proposals to ensure access to the full curriculum for all

¹ *R (on the application of Hodkin and another) v Registrar General of Births, Deaths and Marriages* (2013), para. 57 <<https://www.supremecourt.uk/cases/docs/uksc-2013-0030-judgment.pdf>> [accessed 29 June 2021].

² *Campbell and Cousans v the United Kingdom* (1982) para. 36 <<https://hudoc.echr.coe.int/eng#%7B%22itemid%22%3A%5B%22001-57455%22%5D%7D>> [accessed 29 June 2021].

³ Polling conducted by YouGov on behalf of Humanists UK in 2017 showed a third of the UK population held humanist beliefs (see Humanists UK, 'New poll shows one in five are humanists and a third hold humanist beliefs', 15 June 2017 <<https://humanism.org.uk/2017/06/15/new-poll-shows-one-in-five-are-humanists-and-a-third-hold-humanist-beliefs/>> [accessed 15 July 2021]). As the numbers of non-religious rise, it is likely that the numbers of humanists will rise along with them. With respect to Wales specifically, in 2016, research showed that nearly a million had a humanist approach to life. Again, this number seems likely to have risen as the number of non-religious people has steadily increased over the past 5 years (see Humanists UK, 'Nearly a million Welsh adults have a humanist approach to life YouGov research shows' 30 June 2016 <<https://humanism.org.uk/2016/11/30/nearly-a-million-welsh-adults-have-a-humanist-approach-to-life-yougov-research-shows/>> [accessed 15 July 2021].

learners, both of which refer to ‘non-religious world views which are analogous to religions (for example, humanism)’.⁴

The guidance should also point out that narrower non-religious beliefs, such as atheism and agnosticism – which are non-religious philosophical convictions but are not substantive worldviews – should be also taught. Since the guidance will need to refer to non-religious philosophical convictions, non-religious worldviews, and worldviews (which include religions) all these terms should be defined in the glossary.

The legal requirement for RVE to be objective, critical, and pluralistic

The legal requirement for objective, critical, and pluralistic teaching needs to be clearly explained. This is particularly important because the freedom of religion or belief of learners and their families will no longer be protected by the right to withdraw from RVE lessons. It must be explained that to comply with this legal duty, teaching ‘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; its duties must be performed from a standpoint of neutrality and impartiality.’⁵

Schools, teachers, SACs’ and ASCs must be clear that, under human rights law, they are ‘forbidden to pursue an aim of indoctrination that might be considered as not respecting parents’ religious and philosophical convictions.’⁶ But also that indoctrination – i.e., teaching that is biased towards a particular perspective or perspectives – need not be intentional to breach the law. As highlighted in *Fox v Secretary of State for Education*, although ‘the boundary is clearly crossed if the state pursues an “aim of indoctrination” ... it may [also] be crossed by conduct falling short of that extreme.’⁷ In other words, if the state (including its representatives in schools, SACs, and ASCs) does not take ‘sufficient care’ that information is conveyed in an ‘objective, critical, and pluralistic’ way, it will still violate the requirement.⁸ In the context of voluntary aided faith schools, which will need to provide RVE in line with the agreed syllabus where this is demanded by parents, this is especially important. Faith-based RVE cannot adequately comply with the requirement to be objective, critical, and pluralistic, so the alternative provision will need to be qualitatively different from the provision designed in accordance with religious trust deeds.

Question 2 – Is the guidance, as a whole, clear and helpful for you in your role?

Very unclear	<input checked="" type="checkbox"/>	Slightly unclear	<input type="checkbox"/>	Neither clear nor unclear	<input type="checkbox"/>	Slightly clear	<input type="checkbox"/>	Very clear	<input type="checkbox"/>
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⁴ Kirsty Williams, Letter to Local Authority Directors of Education, 3 May 2018 <https://humanism.org.uk/wp-content/uploads/KW_0783_18-en.pdf> [accessed 29 June 2021]; Welsh Government, *Consultation on proposals to ensure access to the full curriculum for all learners*, October 2019, para. 22 <https://gov.wales/sites/default/files/consultations/2019-10/consultation-document-ensuring-access-to-the-full-curriculum_0.pdf> [accessed 29 June 2021].

⁵ *R(Fox) v Secretary of State for Education* (2015) para. 39 <<https://www.judiciary.uk/wp-content/uploads/2015/11/r-fox-v-ssf.pdf>> [accessed 17 June 2021].

⁶ *Kjeldsen, Busk Madsen and Pedersen v Denmark* (1976) para. 53 <<https://hudoc.echr.coe.int/fre#%22itemid%22:%22001-57509%22>> [accessed 29 June 2021].

⁷ *R(Fox) v Secretary of State for Education* (2015) para. 29 <<https://www.judiciary.uk/wp-content/uploads/2015/11/r-fox-v-ssf.pdf>> [accessed 29 June 2021].

⁸ See also *Folgerø v Norway* (2007) <<https://hudoc.echr.coe.int/fre#%22fulltext%22:%22folgero%22,%22documentcollectionid%22:%22GRANDCHAMBER%22,%22CHAMBER%22,%22itemid%22:%22001-81356%22>> [accessed 29 June 2021].

Please explain your answer.

As noted in our answer to Question 1, the guidance fails to adequately explain the legal framework underpinning the subject. As a result, it is likely to mean that school leaders, teachers, SACs, and ASCs are unable to adequately carry out their legal duties with respect to the subject.

What's more, although the guidance states that there will be separate statutory guidance on the constitution of SACs and ASCs, we are also concerned about the section on this subject in this guidance. We are concerned that the way in which it frames the issue will mean that humanist representatives will continue to be excluded from these bodies. The guidance says that local authorities 'must take all reasonable steps to secure that the membership of [SACs and ASCs] is numerically proportionate to the strength of each religion, denomination, or conviction in its local area'. It also says that non-religious representatives may be appointed in the same way as 'persons who represent holders of religious beliefs'. However, it does not explain the pitfalls of using Census data for this purpose.

Local authorities often use data from the Census to determine this number. Research shows that the biased nature of the religion question in the Census – which asks 'What is your religion?' rather than whether you have a religion – greatly underestimates the number of non-religious people.⁹ And, because there is no 'humanist' option, the Census is completely unable to record how many humanists there are in any one area. Humanists generally tick the 'No religion' box, which is the one box that applies to them. A tiny number write in 'Humanist' under the 'Other religion' box, but most do not do this because the 'No religion' box answers the question as to what their religion is, whereas the 'Other religion' box incorrectly suggests they have a religion. For this reason, unreliable Census data is regularly used as a reason to refuse humanist membership SACREs. And, unless changes are made to the guidance, this seems likely to continue to be the case in the future.

If the Welsh Government wishes to assist SACs and ASCs to carry out their duties in line with the Four Purposes and the inclusive rationale which underpins the Curriculum for Wales, it must tackle this issue and make sure that every such body has at least one non-religious representative on Group A. One representative is not enough to be proportional but, sadly, would be substantial progress over the status quo. Although existing groups will usually have multiple religious representatives, this could be easily achieved by stipulating that local authorities must appoint at least one religious and one non-religious representative.

Question 3 – Does the guidance offer relevant information to support practitioners when designing their school curriculum for RVE?

Not relevant at all	<input type="checkbox"/>	Slightly relevant	<input checked="" type="checkbox"/>	Moderately relevant	<input type="checkbox"/>	Relevant	<input type="checkbox"/>	Very relevant	<input type="checkbox"/>
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Please explain your answer.

⁹ Humanists UK, 'New survey reveals how Census question leads people to tick a religious answer', 4 March 2021 <<https://humanism.org.uk/2021/03/04/new-survey-reveals-how-census-question-leads-people-to-tick-a-religious-answer/>> [accessed 29 June 2021].

There is some useful content within the RVE framework, which includes the section on spiritual development and the section featuring example learning journeys. But the guidance would benefit from more detailed exemplar material and the Welsh Government should give consideration to providing additional teaching resources and support. There must also be a clear pathway setting out professional learning in the subject. This is critical, especially in the area of non-religious philosophical convictions as this has not previously been a curriculum requirement and is likely to represent a gap in the knowledge of most current practitioners. Professional learning on non-religious worldviews as well as on how practitioners can best comply with the new legal requirements of RVE need to be prioritised and developed with subject matter experts. The numerous mistakes made in this version of the framework, particularly with regards to important legal definitions like that of non-religious philosophical convictions and religions, illustrate the Welsh Government's own lack of understanding in this area and highlight a need for proper engagement with experts as a matter of urgency.

Question 4 – Thinking about each section of the guidance, do you feel there are:

- any gaps in information? If so, what should be added?
- any sections that are particularly helpful? If so, in what way are they helpful and to whom?

As previously noted, the most serious gaps relate to the section of the guidance that deals with the legal framework for RVE, specifically the teaching of non-religious philosophical convictions and the failure to give humanism as the primary example of such a conviction, as well as the omission of a section outlining what it means to teach in a manner that is 'objective critical, and pluralistic'.

In addition, there is a need for an extensive glossary explaining all the key terms used in the framework. Many members of SACs as well as current practitioners may not understand the new areas of this framework (such as non-religious philosophical convictions). There also needs to be a section explaining equality law, freedom of religion or belief, and the relevant aspects of the United Nations Convention on the Rights of the Child. The latter is particularly important in light of the duty, enshrined in Section 64 of the Act, for schools to promote knowledge and understanding of the Convention.

Finally, in order to make sure that voluntary aided schools with a religious character adequately respect the rights of children and their families, the guidance should stipulate that such schools regularly inform parents of their right to demand agreed syllabus RVE as an alternative to the faith-based version of the subject. The fact that faith-based RVE cannot meet the legal standard for objectivity should be reiterated in this section of the document.

Question 5 – Does the guidance offer all practitioners sufficient support for their planning and teaching of RVE?

Insufficient	<input checked="" type="checkbox"/>	Somewhat insufficient	<input type="checkbox"/>	Neither insufficient nor sufficient	<input type="checkbox"/>	Somewhat sufficient	<input type="checkbox"/>	Sufficient	<input type="checkbox"/>
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Please explain your answer.

This question has largely been answered in our previous responses. In its present form, we believe that the guidance will be insufficient for teachers to plan and teach RVE which is comprehensive and complies with the law underpinning the subject. In addition, practitioners have asked for exemplar material and templates for planning at every stage of the curriculum and framework development so this must be included in the guidance.

Question 6 – Is additional support (e.g. professional learning and resources) needed to ensure the successful implementation of this guidance?

If so, please provide more detail.

Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	Not sure	<input type="checkbox"/>
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Please explain your answer.

Professional learning is essential. This is not only true for new areas of the curriculum – the legal duty of critical, objective and pluralistic RVE and the inclusion of non-religious philosophical convictions – but for thinking about more established areas (such as the way schools teach about major world religions) with respect to those areas. None of the key purposes of the new curriculum will be achieved without a suitable programme of professional learning for every school in Wales.

Question 7 – This question is aimed at local authorities and Standing Advisory Councils for religious education (SACs).

Is the guidance a helpful document for developing agreed syllabus conferences?

Not helpful at all	<input checked="" type="checkbox"/>	Slightly helpful	<input type="checkbox"/>	Somewhat helpful	<input type="checkbox"/>	Very helpful	<input type="checkbox"/>	Extremely helpful	<input type="checkbox"/>
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Is the guidance a helpful document for SACs?

Not helpful at all	<input checked="" type="checkbox"/>	Slightly helpful	<input type="checkbox"/>	Somewhat helpful	<input type="checkbox"/>	Very helpful	<input type="checkbox"/>	Extremely helpful	<input type="checkbox"/>
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Please explain your answer.

The guidance is statutory yet is to be used as a guide for local authority SACs when preparing the agreed syllabus for their local authority. SACs need clear guidance in this framework on how it should feed into the agreed syllabus. As teachers will need to have due regard to the curriculum, the humanities AoLE and the statutory RVE guidance, where does a locally agreed syllabus sit if the SAC decides to amend or rewrite the framework?

Local authorities retain the right to appoint members of SACs representative of the local beliefs, but there is no guidance on how this should be done to ensure appropriate representation across all religious and non-religious beliefs. Despite a letter from the Education Minister in 2018 instructing Local Authorities that humanists may sit on Committee A, the majority have not allowed this to happen. As a result, 15 of the 22 SACs currently have no non-religious representatives, despite the latest British Social Attitudes survey showing an overwhelming 67% of the population in Wales is now non-religious.¹⁰ As noted in our response to Question 2, the guidance needs to make clear the need for there to be both religious and non-religious representatives on SACs and ASCs to ensure a balanced approach to the new curriculum where religious and non-religious philosophical convictions are to be taught equally.

The requirement for schools of a religious character to offer non-denominational RVE when this is by a parent means they will need support in using the agreed syllabus and this should become a responsibility of the SACs – this change needs to form part of the guidance.

Question 8 – We would like to know your views on the effects that the RVE guidance would have on the Welsh language, specifically on:

- i) opportunities for people to use Welsh
- ii) treating the Welsh language no less favourably than the English language.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

¹⁰ British Social Attitudes Survey 2019 results available via British Social Attitudes Survey Information System, 'BSA Variable Analysis', Question: Which religion or denomination do you consider yourself as belonging to? Cross-tabs: region, year <http://www.britsocat.com/BodyTwoCol_rpt.aspx?control=CCESDMariginals&MapID=RELIGSUM&SeriesID=12> [accessed 24 June 2021].

Supporting comments

No response, falls outside our remit.

Question 9 – Please also explain how you believe the RVE guidance could be formulated or changed so as to have:

- i) positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language
- ii) no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

Supporting comments

No response, falls outside our remit.

Question 10 – We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

Wales Humanists is a part of Humanists UK. We want a tolerant world where rational thinking and kindness prevail. We work to support lasting change for a better society, championing ideas for the one life we have. Our work helps people be happier and more fulfilled, and by bringing non-religious people together we help them develop their own views and an understanding of the world around them. People with no religion now represent 67% of adults in Wales, and many of these share humanist beliefs.¹¹ Founded in 1896, Humanists UK is trusted to promote humanism by over 100,000 members and supporters and over 100 members of the All Party Parliamentary Humanist Group. Through our ceremonies, pastoral support, education services, and campaigning work, we advance free thinking and freedom of choice so everyone can live in a fair and equal society.

We have a long history of work in education, children’s rights, and equality, with expertise in the ‘religion or belief’ strand. We have been involved in policy development around the school and the curriculum for over 60 years. We also provide materials and advice to parents, governors, students, teachers and academics, for example through our Understanding Humanism website

¹¹ British Social Attitudes Survey 2019 results available via British Social Attitudes Survey Information System, ‘BSA Variable Analysis’, Question: Which religion or denomination do you consider yourself as belonging to? Cross-tabs: region, year <http://www.britsocat.com/BodyTwoCol_rpt.aspx?control=CCESDMar ginals&MapID=RELIGSUM&SeriesID=12> [accessed 24 June 2021].

[\(https://understandinghumanism.org.uk/\)](https://understandinghumanism.org.uk/) and our school speakers programme. We have made detailed responses to all recent reviews of the school curriculum in Wales (and the rest of the UK), and submit memoranda of evidence to MPs, civil servants and parliamentary select committees on a range of education issues.

We are an active member of many organisations working in education in the UK, including the Religious Education Council for England and Wales (REC), of which we are a founding member, and our Chief Executive is the Treasurer; the Welsh Association of Standing Advisory Councils on RE (WASACRE), of which our Wales Coordinator is an executive committee member and the Strategic Stakeholder Group for Curriculum reform.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here: