

STANDING ADVISORY COUNCIL FOR RELIGIOUS EDUCATION 6TH MARCH 2013

Religious Education (RE) and Collective Worship in Academies and Free Schools Q&A

1. Are Free Schools subject to the same requirements as Academies?

Free Schools are Academies in law and have the same requirement to provide RE and collective worship. In this document, any reference to Academies includes Free Schools.

2. Do Academies have to provide RE?

Yes, under the terms of their Funding Agreement with the Secretary of State, all Academies have to provide RE for all their pupils, except for those whose parents exercise the right of withdrawal. The type of RE specified in the Funding Agreement depends on whether or not the Academy has a religious designation, and for converter Academies, on whether the predecessor school was a voluntary controlled (VC), Voluntary aided (VA) or foundation school.

3. Does an Academy with a religious designation have to follow a particular RE syllabus?

Other than for Academies where the predecessor school was a VC or foundation school, the model funding agreement specifies that an Academy with a religious designation must provide RE in accordance with the tenets of the particular faith specified in the designation. They may, in addition, provide RE that is in line with a locally agreed syllabus and teach about other faiths if they choose.

4. What is a Standing Advisory Council on Religious Education (SACRE)?

A SACRE is a permanent body which must be established by each local authority. LAs must appoint representatives to each of four committees, representing respectively:

☐ Group A: Christian denominations and such other religions and religious denominations as, in the authority's opinion, will appropriately reflect the principal religious traditions in the area

☐ Group B: the Church of England

☐ Group C: teacher associations

☐ Group D: the LA

5. What is the role of a SACRE in relation to Academies?

A Standing Advisory Council on Religious Education (SACRE) has a statutory remit to advise the Local Authority on Religious Education to be given in accordance with an agreed syllabus and to support the effective provision of collective worship. A SACRE also has within its powers to discuss any matter related to its functions as it sees fit and may therefore include the provision of RE in Academies in its discussions or address such matters as may be referred to it. An Academy or group of academies can be represented through co-option onto the local SACRE (or indeed any SACRE) if all parties are in agreement.

6. What is a locally agreed syllabus?

An agreed syllabus is a religious education syllabus that is designed by a local authority's Agreed Syllabus Conference ('ASC') primarily for use in the Local Authority's (LA) maintained schools but which may be adopted by a different local authority or Academy as its provision for Religious Education. The syllabus, like the provision for RE in Academies, must reflect that the religious traditions in Great Britain are, in the main, Christian while taking account of the teaching and practices of the other principal religions represented in Great Britain. There is a structure for establishing an ASC which is defined in law. An ASC must have four committees, comprising representatives from the Church of England, other Christian denominations and religions, teachers and the LA. Each Committee has voting rights in coming to an agreement on the syllabus, which it recommends to the LA for adoption. There is no requirement for an Academy to adopt a locally agreed syllabus. It may choose to adopt a different syllabus or develop its own, as long as it meets the requirements for such a syllabus as above. Academies are accountable for the quality of their curricular provision including RE.

7. What type of RE will an Academy that is not designated with a religious character provide?

The Funding Agreement for an Academy without a religious designation states that it must arrange for RE to be given to all pupils in accordance with the requirements for agreed syllabuses that are set out in section 375(3) of the Education Act 1996 and paragraph (5) of Schedule 19 to the School Standards and Framework Act 1998. This means a syllabus that reflects 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. It also means that an Academy without a religious designation must not provide an RE syllabus to pupils by means of any catechism or formulary which is distinctive of any particular religious denomination. This gives an Academy without a religious designation the freedom to design its own RE syllabus (within those constraints) and not be bound by the specific locally agreed syllabus that maintained schools are required to follow. However, Academies are free to follow the locally agreed syllabus if they choose or they can choose another from a different Local Authority area.

8. Are there any variations to the general position as described?

Some non-denominational Academies with a religious designation (e.g. those designated as 'Christian') have funding agreements specifying that they will use the locally agreed syllabus. Academies that opened early in the Academies Programme before around 2004 have a general requirement to provide RE and collective worship. However the detailed requirements may differ. It would be wise for the EFA to check the specific FA wording if they receive a query about the detailed requirement for RE in a very old Academy. The position is also different in former foundation or voluntary controlled faith schools that have converted to Academies and this is explained below.

9. What is the position for former voluntary controlled and foundation schools with a religious designation that have converted to Academies?

Foundation or voluntary controlled schools with a religious designation that convert to Academies must arrange for RE in accordance with the requirements for agreed syllabuses (in the main Christian whilst taking account of the other principal religions etc as set out above) unless any

parents request that their children receive RE in accordance with the tenets of the school's faith. If any parents do request this, the Academy must make arrangements for those children to receive such RE unless, because of special circumstances, it would be unreasonable to do so. The Funding Agreement sets this out (by applying the relevant provisions of the Education Act 1996 and the School Standards and Framework Act 1998). In practice these Academies generally choose to follow the locally agreed syllabus.

10. Do all Academies have to offer a daily act of collective worship?

An Academy's Funding Agreement is drafted to mirror the requirements for acts of collective worship in maintained schools. Each pupil must take part in a daily act of collective worship unless they have been withdrawn by their parents, or if in the sixth form they have decided to withdraw themselves. This applies to Academies with and without a religious designation.

11. What kind of collective worship would an Academy with a religious designation provide?

Such an Academy must provide collective worship in accordance with the tenets and practices of the Academy's designated faith. It can also choose to reflect the other principal religions and those found in the local community.

12. Does the above apply to former voluntary controlled or foundation schools with a religious designation that have converted to Academies?

Yes. They must provide collective worship in accordance with the tenets and practices of the Academy's designated faith.

13. In an Academy without a religious designation, does the act of collective worship have to be broadly Christian in nature?

Such an Academy must provide collective worship that is wholly or mainly of a broadly Christian character. A school can reflect the religious backgrounds represented in its community, as long as the majority of provision is broadly Christian.

14. Can an Academy without a religious designation apply for exemption from providing broadly Christian collective worship?

Yes. A maintained school can apply to the local SACRE for an exemption not to provide broadly Christian collective worship for some or all of its pupils, having considered the family background of pupils attending the school. An equivalent provision applies to Academies but the Academy Trust would apply, through the EFA, to the Secretary of State for the determination. Such a determination does not mean that the Academy or school would be exempted from providing any collective worship. They would still be required to provide daily collective worship, but of a different character that is more appropriate given the family backgrounds of the pupils in the school. The Secretary of State may approach the local SACRE for its view when considering such an application.

15. Can parents withdraw their children from religious education and collective worship?

Yes. Parents of children in Academies have an equivalent right to parents of children in maintained schools, to withdraw their children from religious education and or collective worship. Please note

that pupils over compulsory school age (16) can opt out of collective worship if they wish however they cannot opt out of receiving Religious Education.

16. Who inspects RE and collective worship in Academies with a religious designation?

Religiously designated Academies are required by their funding agreement to arrange for the inspection of any denominational RE and collective worship. In line with the arrangements for designated maintained schools, Academies, when choosing an inspector, must consult the relevant religious authority.

- (a) CofE / Catholic: the appropriate diocesan authority;
- (b) Jewish (note this is non-denominational): the Jewish Studies Education Inspection Service;
- (c) Methodist: the Education Secretary of the Methodist Church;
- (d) Muslim: the Association of Muslim Schools;
- (e) Sikh: Network of Sikh Organisations;
- (f) Seventh Day Adventist: the Education Department of the British Union Conference of the Seventh Day Adventist

17. How is RE and collective worship inspected in Academies without a religious designation?

Section 48 inspections, section 5 and Ofsted subject survey visits of Academies follow the same format as those of maintained schools. Judgements about RE are made in relation to the requirements which are applied to RE in the funding agreement. Where an academy has chosen to follow a locally agreed syllabus that will be used as the basis for judging standards and provision. Where no alternative arrangement for judging standards and progress has been developed or adopted, the expectations set out in the non-statutory National Framework for Religious Education (2004) will be used as a benchmark for National Standards. The quality of the provision is judged in terms of how well it secures progress towards the expected pupil outcomes