

Curriculum consultation January 2019

Responses by 25 March 2019

Religious Education

Summary of proposals:

- Retain statutory requirement to teach RE in all maintained schools and Funded Nursery Settings but within the context of the new curriculum for Wales.

There is currently an exemption from RE for registered pupils in nursery classes. It is proposed that the exemption be repealed to ensure parity for all subjects / components of the AoLEs so that RE will be taught to 3-16 year olds.

- Retain existing provisions outlining the arrangements for teaching the agreed syllabus in specific schools and amending provisions around the adoption of an agreed syllabus by local authorities.
- Retain the existing provisions regarding the manner in which schools with a religious character deliver religious education.
- Amend the current provisions regarding the description of an Agreed Syllabus as well as membership of Committee A of Agreed Syllabus Conferences and Standing Advisory Councils on Religious Education to encompass non-religious views that are analogous to religious views

Existing Arrangements

- 1.1 At present, schools have a statutory duty to teach RE to all learners in maintained schools, including those in the sixth form, with an exemption for children in nursery classes.

RE in Schools

- 1.2 Community schools, foundation schools and voluntary schools without a religious character follow the Agreed Syllabus (paragraph 2 of Schedule 19 to the *School Standards and Framework Act 1998*).
- 1.3 Foundation and voluntary controlled schools with a religious character²³ must provide religious education in accordance with the Agreed Syllabus unless a parent requests that their child be provided with RE in accordance with the trust deed for the school or, if there is no trust deed, in accordance with the tenets of the religion.

- 1.4 Voluntary aided schools with a religious character must provide religious education in accordance with the trust deed for the school, or if there is no trust deed, in accordance with the tenets of the religion. However, if the parents so request it must be provided in accordance with the Agreed Syllabus (paragraphs 3 and 4 of Schedule 19 to the 1998 Act).

Agreed Syllabus

An Agreed Syllabus Conference develops the curriculum content for RE in each local authority area. The Conference must include members from a committee representing teachers; a committee representing the local authority; and a committee representing the Christian denominations and the other principle religious traditions pertinent to their area. All maintained community schools must teach RE according to the agreed syllabus recommended by the Agreed Syllabus Conference and adopted by the local authority.

²³ A school is has a religious character (i.e. a faith school) if it has been designated as having a religious character by an Order made under section 69 of the School Standards and Framework Act 1998.

New Proposed Arrangements

- 1.5 In keeping with *Successful Futures*, we propose that RE is retained as a statutory requirement from age 3 and forms part of the Humanities AoLE.
- 1.6 It is our intention also that RE reflects our historical and contemporary relationship in Wales to philosophy and religious views, including non-religious beliefs. Therefore the current legislation will be amended to ensure the agreed syllabus for RE takes account of non-religious world views which are analogous to religions (e.g. humanism).
- 1.7 Our approach will recognise the local responsibility of the Agreed Syllabus Conferences, local authorities and the place of the denominational syllabus in Voluntary Aided schools but make a clearer connection with a national approach.
- 1.8 We propose to amend the legislation relating to the adoption of an agreed syllabus to ensure that each Agreed Syllabus Conference and local authority must give due regard to a supporting framework to be produced by Welsh Government. This document will be developed with expert practitioners and key partners such as the Wales Association of Standing Advisory Councils for Religious Education (SACREs) and the National Advisory Panel for Religious Education and will clarify and further develop aspects relating to RE outlined in the statutory guidance to be produced for the Humanities AoLE. There will be regular consultation with SACRE members and key stakeholders throughout the development period.
- 1.9 Voluntary Aided schools with a religious character will continue to deliver their denominational RE and guidance will be developed by the relevant authorities to make the links with the Humanities AoLE.
- 1.10 There is currently an exemption from RE for registered pupils in school nursery classes. It is proposed that the exemption be repealed to ensure parity for all subjects / components of the AoLEs. We believe learners of all ages can benefit from knowledge of the broad spectrum of religious, philosophical and cultural traditions held by people in Wales. Those Funded Nursery Settings will also have to deliver the new curriculum for Wales, this will include the Humanities AoLE and they will be expected to give regard to the content of the statutory guidance document, as well as their locally agreed syllabus.
- 1.11 We propose to legislate to amend the current provisions regarding the description of an Agreed Syllabus as well as membership of Committee A of Agreed Syllabus Conferences and Standing Advisory Councils on

Religious Education (SACREs) to encompass non-religious views that are analogous to religious views. This is to clarify the current legislation and take account of the effect of the *Human Rights Act 1998* which means that references to religious views should be read as also encompassing non-religious views that are analogous to religious views. We have already written to Local Authority's Directors of Education setting out the action they need to take in response.

- 1.12 The following provision included in Schedule 19 of the Schools Standards and Framework Act 1998 will also be retained:

“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).”

- 1.13 At present all learners in school sixth forms must study Religious Education. In future, it is proposed that learners will have an entitlement to receive learning and schools must provide it if it is requested – it will be optional. It is important to note schools will not be prevented by the legislation to continue to provide Religious Education to sixth formers. However, there will be no legal obligations for sixth formers to attend if they do not wish to do so. Guidance will be made available for schools to support this new approach.

- 1.14 There is currently a right for parents to withdraw their children from RE. There is a need to determine the appropriate arrangements for this and the similar right to withdraw from sex education in the current system. This is discussed below.

Questions:

9. Do you agree with the proposed approach to RE?
10. Do you agree with our proposals to make RE optional for learners in sixth forms?

The Right to Withdraw from Religious Education and Relationships and Sexuality Education

1.15 The current legislation provides that:

A parent of a pupil at a school has the right to withdraw their child from RE (either wholly or partly);

A parent of a pupil at a school has the right to withdraw their child from sex education (either wholly or partly), unless it forms part of the National Curriculum programme of study; and

In both RE and RSE only a parent can request that a child be withdrawn. Therefore, a pupil of any age, including those in the sixth form, cannot withdraw them self at any point and must rely on the parent to do that for them.

1.16 These arrangements have been in place and unchanged for decades. Central to the new curriculum is the right of children and young people to have access to a curriculum which fulfils the four purposes.

1.17 We are therefore keen to explore potential approaches to modernise these arrangements. In considering a potential new approach we are keen to ensure the rights of children and young people are central to considerations but also that full consideration of the impact on all protected characteristics is given. We also want to ensure that any changes do not increase the burden on schools and teachers.

1.18 At this stage, we would welcome views on the case for change and any specific ideas of how to modernise this area.

Questions:

11. Should the right to withdraw from RE and RSE be retained?
12. If the right to withdraw is to be retained, should it remain with the parent (parent includes those with parental responsibility or those who have care of the child)?
13. If the right to withdraw is removed, what alternative, if any, should be in its place?