

**Public Document Pack  
SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Standing Advisory Council on Religious Education**

**Date: Tuesday, 26th February, 2019**

**Time: 2.15pm**

**Place: Board Room, Southend and Westcliff Hebrew Congregation, Finchley Road,  
Westcliff-on-Sea Essex SS0 8AD**

**Contact: Robert Harris**

**Email: [committeesection@southend.gov.uk](mailto:committeesection@southend.gov.uk)**

**NOTE: There will be a short tour of the Synagogue at 2.15pm and the meeting will  
start at 2.30pm**

**A G E N D A**

- 1 Apologies for Absence**
- 2 Declarations of Interest**
- 3 Minutes of meeting held 11th December 2018 (Pages 1 - 4)**  
Minutes attached.
- 4 Matters arising**
- 5 Membership**
- 6 Feedback on the Southend Agreed Syllabus Launch**  
Verbal update from RE Advisor (no papers)
- 7 NATRE: Legal Requirements (Pages 5 - 6)**  
Paper from RE Advisor attached
- 8 RE and Collective Worship in Academies and Free Schools (Pages 7 - 12)**  
Paper from RE Advisor attached
- 9 Date and time of next meeting**  
25<sup>th</sup> June 2019 at 2.30pm – Venue to be confirmed: Potentially at Our Lady of Lourdes.

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## SOUTHEND-ON-SEA BOROUGH COUNCIL

### Meeting of Standing Advisory Council on Religious Education

**Date: Tuesday, 11th December, 2018**  
**Place: Caxton Room - Tickfield Centre**

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**Present:** Mr K Ryan (Chair)  
Councillors B Arscott, M Davidson, N Folkard, D Garston and  
A Jones  
Mrs T Green, Mr B Werrett, Mr G Licence, Ms Y Bebb

**In Attendance:** Mr R Harris and Ms F. Neil

**Start/End Time:** 2.30 - 3.50 pm

#### **1 Apologies for Absence**

Apologies were received from Councillor Ware-Lane and Chalk.

Apologies were also received from Ms P. Draycott, Ms L Hopkinson, Ms Y Werrett, Mr S Tinning, Dr N Khoka, Mr T Bharj and Ms J Slater.

#### **2 Declarations of Interest**

There were no declarations of interest at this meeting.

#### **3 SACRE Membership**

The Clerk advised that there were three vacancies for the Church of England, 1 vacancy for Roman Catholic and one vacancy for the Salvation Army. There were also a significant number of vacancies within Group C – Associations representing Teachers.

The SACRE discussed the membership in general and suggested that the composition should be reviewed and updated / revised, in line with the general make-up of the Borough.

Resolved:

1. That the Chair, RE Advisor, Clerk and Director of Learning review the membership and composition of the SACRE, (this will include attendance throughout the academic year 2018).

2. That the Clerk further writes to the groups/organisations with vacancies and seek nominations for places.

#### **4 Agreed Syllabus Update and Next Steps**

The SACRE received an update from the RE Advisor presenting the locally agreed RE syllabus produced by RE Today and adopted by the Council. The next steps were highlighted which included the launch of the Syllabus on 8<sup>th</sup> January 2019 at the Tickfield Centre. A copy of the full Syllabus was circulated round at the meeting.

The SACRE discussed the Syllabus and asked a number of questions which the Chair and Re Advisor responded to.

The SACRE noted that all Headteachers and relevant RE providers had been invited to the launch. The Syllabus will also be available as a pdf document which teachers, etc can access and use. It will also be put on the schools learning network.

Resolved:

That an invitation to the launch of the RE Agreed Syllabus produced by RE Today be sent to the SACRE.

## **5 RE Advisor Update**

The SACRE received an update from the RE Advisor covering a range of matters, summarised below:

### **(a) Exam Results**

The SACRE noted that the RE exam results for A-Level, AS-Level and GCSE will be provided to the next meeting. The RE Advisor reminded members that this was an analysis of results and not the sum total of the provision of RE in schools (i.e. via school assemblies, etc).

### **(b) Religion and Worldviews**

The SACRE received and discussed a summary paper of the Commission for RE final report titled 'Religion and Worldviews: The Way Forward – A National Plan for RE' which was established to review the legal, educational and policy frameworks for RE and contains a number of recommendations on the way forward.

The SACRE briefly discussed the report with specific focus on the recommendation to change the name of the subject from Religious Education to Religion and Worldviews. Members expressed a number of different views regarding this recommendation but recognised that Religious Education does encompass other beliefs, worldviews and the wide aspects of moral and ethical issues.

The SACRE agreed to revisit the paper and discuss it further at the next meeting.

### **(c) Right of Withdrawal from RE**

The SACRE received and discussed a paper produced on behalf of WASACRE titled 'Guidance on Managing the Right of Withdrawal from Religious Education'.

The SACRE asked a number of questions and noted that there were not significant numbers in Southend of parents/pupils withdrawing from RE.

Resolved:

1. That the RE Advisor updates be noted.

2. That the Commission for RE report titled 'Religion and Worldviews: The Way Forward – A National Plan for RE' be discussed further at the next meeting.

**6 Any other business**

None.

**7 Date and time of future meetings**

Tuesday 26<sup>th</sup> February 2019 at 2.30pm - Board Room at Southend & Westcliff Hebrew Congregation, Finchley Road, Westcliff-on-Sea.

25<sup>th</sup> June 2019 at 2.30pm – Venue to be confirmed (Our Lady of Lourdes suggested).

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# Legal Requirements

## RE: statutory requirements and curriculum information

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The national curriculum states the legal requirement that:

**'Every state-funded school must offer a curriculum which is balanced and broadly based, and which:**

- **promotes the spiritual, moral, cultural, mental and physical development of pupils; and**
- **prepares pupils at the school for the opportunities, responsibilities and experiences of later life.**

**All state schools ... must teach religious education ... All schools must publish their curriculum by subject and academic year online'.**

(National Curriculum in England: Framework Document, DfE, September 2013, p.4)

Although there is not a National Curriculum for RE, all maintained schools must follow the National Curriculum requirements to teach a broad and balanced curriculum, which includes RE. All maintained schools therefore have a statutory duty to teach RE. Academies and free schools are contractually required through the terms of their funding agreement to make provision for the teaching of RE. Further information concerning RE in academies and free schools is given below.

The RE curriculum is determined by the local Standing Advisory Council on Religious Education (SACRE), which is responsible for producing the locally agreed syllabus for RE.

Agreed Syllabuses used in schools (maintained or academy), which are not designated with a religious character must 'reflect the fact 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'. Schools with a religious designation may prioritise one religion in their RE curriculum, but all schools must recognise diverse religions and systems of belief in the UK both locally and nationally.

In brief, legislation requires that:

- in maintained community, foundation or voluntary schools without a religious character, RE is taught in accordance with the local Agreed Syllabus;
- academies and free schools must teach RE within the requirements for a locally agreed syllabus, 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. The requirements are that a syllabus must 'reflect the fact 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';
- for foundation and voluntary controlled schools with a religious character, RE must be taught according to the Agreed Syllabus unless, parents request RE in accordance with the trust deed of the school; and
- in voluntary aided schools RE must be taught in accordance with the trust deed.  
RE must be included in the curriculum for all registered pupils, including all pupils in reception classes and sixth form, but excluding:
  - pupils in nursery schools or nursery classes in primary schools;
  - any person aged nineteen or above for whom further education is being provided at school; and
  - any person over compulsory school age who is receiving part-time education.

Continued overleaf /.....

## Additional Information

### Withdrawal from RE

#### Pupils

Parents may withdraw their children from RE lessons or any part of the RE curriculum and the school has a duty to supervise them, though not to provide additional teaching or to incur extra cost. Where the pupil has been withdrawn, the law provides for alternative arrangements to be made for RE of the kind the parents want the pupil to receive.

These arrangements will be made by the parents;

- the school is not expected to make these arrangements. This RE could be provided at the school in question, or by another school in the locality. If neither approach is practicable, the pupil may receive external RE teaching as long as the withdrawal does not significantly impact on the child's attendance. Schools should have a policy setting out their approach to provision and withdrawal.

*It is good practice to insert a line about this in your school prospectus, such as: 'RE is provided for all pupils, and is inclusive and broad minded. Parents do have the right to withdraw pupils from RE: if you wish to do this, make an appointment with the head teacher / RE subject leader. The school does not support selective withdrawal from RE'.*

#### Teachers

Teachers may withdraw from the teaching of RE unless they have been specifically employed to teach or lead and manage RE. An application to withdraw must be given in writing to the head and chair of governors. Pupils must not miss out on RE teaching because a teacher has withdrawn from teaching RE. The school must make alternative provision for the pupils to be taught RE.

(NATRE <https://www.natre.org.uk/about-re/legal-requirements/> accessed 18/02/2019)

**School inspection handbook January 2019 No. 180041; DRAFT FOR CONSULTATION – January 2019,**

#### Curriculum flexibility (P.41)

158. The curriculum sets out the aims of a programme of education. It also sets out the structure for those aims to be implemented, including the knowledge, skills and understanding to be gained at each stage. It enables the evaluation of pupils' knowledge and understanding against those expectations.

159. All pupils in maintained schools are expected to study the national curriculum subjects, religious education and age-appropriate sex education. <sup>58</sup> Academies are expected to offer all pupils a curriculum that is similar in breadth and ambition to the national curriculum, including the requirements to teach English, mathematics, science, and religious education.<sup>59</sup>

160. Schools taking radically different approaches to the curriculum will be judged fairly. The inspectorate recognises the importance of schools' autonomy to choose their own curriculum approaches. If leaders are able to show that they have thought carefully, that they have built a curriculum with appropriate coverage, content, structure and sequencing and are able to show that it has been implemented effectively, then inspectors will assess a school's curriculum

**Footnotes:** <sup>58</sup> Subject to parliamentary approval, the requirement to provide sex education will be replaced by relationships education (key stages 1 and 2), relationships and sex education (key stage 3 and 4) and health education (all key stages 1-4) from September 2020.

<sup>59</sup> See the Education Act 2002 for maintained schools and section 1A of the Academies Act 2010 for academies. All state-funded schools are required to teach a balanced and broadly based curriculum which promotes the spiritual, moral, social, cultural, mental and physical development of pupils at the school; and prepare pupils at the school for the opportunities, responsibilities and experiences of later life.

(School inspection handbook January 2019 No. 180041; OFSTED. P.41 © Crown copyright 2019)



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

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## **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 though 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 principle 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.

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