

NASACRE briefing

A New Settlement: Religion and Belief in Schools

NASACRE's role

It is not the role of NASACRE to predetermine the discussions of individual SACREs which may have wide and varied opinions on the issues raised by the proposals of Rt. Hon Charles Clarke and Prof Linda Woodhead. In the 2014 survey of members, though, SACREs were clear that NASACRE had a role in being an advocate for SACREs with government. The changes proposed would not see an end to SACREs per se but they would have a significant impact on what SACREs do and what statutory powers, if any, they would retain. Hence, this briefing paper sets out the issues as seen by NASACRE to help individual SACREs make their own response. It is important to recognise that there is no formal consultation on the proposals set out at the moment, despite its launch in Parliament. SACREs will need to have thoroughly discussed these proposals, though, before any such process takes place – given that consultation periods for statutory change often happen over a short period of time and may fall between SACRE meetings in some authorities.

What are the issues that SACREs should be discussing?

On 15th June, 2015, Rt. Hon Charles Clarke and Professor Linda Woodhead launched **A New Settlement: Religion and Belief in Schools** (the full document is available on the NASACRE website) as part of the Westminster Faith Debates in the House of Lords under the sponsorship of Lord Sutherland. The briefing paper focuses on three issues:

1. Collective Worship
2. Religious Education
3. Faith Schools

Salient recommendations

Act of Collective Worship

[1] The current requirement in statute for an Act of Collective Worship should be abolished, and the decision about the form and character of school assemblies should be left to the governors of individual schools. Schools should be required to set out their statement and strategy for promoting Spiritual, Moral, Social and Cultural Education, with school community assemblies as an important part of that strategy, upon which they would be inspected by OFSTED. The government should provide non-statutory guidance to help achieve this. (p63-4)

Comment

Whilst this proposal, if taken seriously by government, would not stop SACREs from offering advice and guidance in this area it would mean that there would be no role for SACREs in matters such as Determinations, which are required by the Education Act 1996.

SACREs may wish to ask the questions:

- How would the government ensure that individual schools and academies would take this new arrangement seriously if they are not taking the current settlement seriously, according to the report?
- How would it ensure that governing bodies acted with due diligence in relation to the ethos of such assemblies and their delivery so as not to be accused of pursuing a narrow or partisan agenda?
- If some schools or academies continued to have an act of collective worship as part of any assembly, especially in light of their foundation documents, would parents still have the right to withdraw their child from such assemblies?

Agreed Syllabuses

[3] The Religious Education syllabus in county and voluntary controlled schools should no longer be set by a system of agreed local syllabuses, but by an agreed national syllabus which would have a similar legal status to the requirements of other subjects in the National Curriculum.

[4] The nationally-agreed syllabus would be determined by the Secretary of State in agreement with a newly created 'National Standing Advisory Council on Religious Education (NASACRE)' comprising experts on religion and education, and after formal consultation and input from the relevant established professional bodies and representatives of religions, humanism and other belief systems. This nationally-agreed syllabus should be reviewed every 5/7 years. (p.64)

Comment

Local authorities would no longer have to convene an Agreed Syllabus Conference to review a syllabus and all locally agreed syllabuses would become void at the point of a nationally agreed syllabus being put in place. There is a question, though, as to the point of a nationally agreed syllabus which would have a similar status to the National Curriculum when, increasingly, schools do not have to follow the National Curriculum due to the Academisation programme being pursued by the government; although that also applies to locally agreed syllabuses as well.

The key questions for local SACREs would be:

- Given that the religious make-up of different parts of the United Kingdom is so diverse, how would a national document allow for a study of 'the local' in RE?
- Would the delivery of a national syllabus for RE be a requirement of any funding agreement between the DfE, EFA and academy chains or individual academies and free schools in light of the proposed removal of the parental right of withdrawal?

In terms of [4] there would be questions about how a national SACRE would be appointed and how a judgement would be made in terms of expertise in a particular religion or belief. Given the diverse nature of religious traditions and beliefs, who would be seen as an adequate voice for any one tradition? There is also question of which religions should be represented and how that decision would be made. In this model the Secretary of State would be exercising the judgment of Solomon. In terms of the proposed name it may be worth suggesting that this be a National Agreed Syllabus Conference (NASC) as opposed to the current suggestion. It would certainly clarify the function of the body. Agreed Syllabus Conferences are covered by Schedule 31 of the Education Act 1996, would similar requirements be made of the national body? Currently, all four Committees have to agree to the syllabus and a vote against or abstention by one Committee acts as a veto. Therefore, in the new proposed body would one Committee or group be allowed to veto the whole process?

Put more simply there are three questions that arise from the proposal:

- How would a decision be made as to which religions would be required to be taught as part of the National Agreed Syllabus and which non-religious belief systems should be included?
 - How would experts who would share the confidence of the broad spectrum of traditions from within each religion and non-religious world view be appointed to such a body?
 - Would any one 'committee' or 'group' have a veto over the whole process as currently happens in local agreed syllabus conferences? If so how would disputes be resolved?
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SACREs

[11] The local Standing Advisory Councils on Religious Education (SACREs) are given a new role which includes participating in the consultations about the content of the national RE curriculum, helping local implementation of the national RE syllabus, promoting community cohesion and educating for diversity, and advising on local availability of religious instruction. The Local Authority too can use the guidance when it goes through discussions about whether to adopt the syllabus recommended or not. If the syllabus varies widely from the guidance LAs have the right to ask why. In this case members of Committee D of the ASC are crucial as they are the LA representatives on the ASC. If they cannot answer that question the quality of the work of the ASC can be rightly called into question. (p.65)

Comment

The proposal is not to get rid of local SACREs but to see their role as being transformed. Clearly, SACREs will be involved in the consultation process about a national Agreed Syllabus but how they would exercise their functions otherwise is not clear. The key question has to be: how would SACREs themselves respond to this re-visioning of their role?

Of course SACREs currently have the role of supporting RE by having links with local initial teacher training providers, supporting CPD for teachers and recommending (or not) resources for schools to use to support the locally agreed syllabus. Would this role be retained by SACREs or would it pass to the government?

Key questions would be:

- To what extent would a SACRE be allowed to hold its local authority, schools and academies to account in ensuring pupils receive high quality religious education according to a national syllabus?
- Would any such role conflict with that of Ofsted?

What is not clear

The document does not make clear the next steps to be taken or what could be achieved by when in terms of a timetable. If government is going to re-look at the 1944 settlement for RE and collective worship, as reformed in 1988, there will be need to change primary legislation. This would involve widespread consultation, including SACREs and the other partners in RE and collective worship, such as the RE Council, the Church of England, other Christian denominations and other religious traditions as well as with teachers and their organisations. As this was not in the Queen's speech 2015 it would be at least another year before this could be progressed. Nevertheless, if there is appetite for change, the question is: will this new settlement satisfy that appetite?

Similarly, there is a proposal to remove the parental right to withdrawal if the recommendations in the briefing paper are adopted (Proposal 8). What is not clear is

how this would work in practice if not all schools or academies had to adopt a new nationally Agreed Syllabus. This could lead to confusion as to why some parents did have the right to withdraw and others did not. Therefore, SACREs might like to ask the question:

- If the right to withdraw from RE was removed in schools following a nationally agreed syllabus what would be the arrangements for schools and academies not following such a syllabus?

As with much legislation the devil is often in the detail.

Helping NASACRE respond to the proposals

It would be helpful if SACREs could give some time to the proposals set out, although there are more points in the briefing that may attract comment from SACRE members. When SACREs have considered a response it would be useful if they could be sent to NASACRE to ensure that its own position reflects that of the membership when speaking to government. As there is no current timetable of events it is difficult to know by what point this would be needed, nevertheless all SACREs should have had an opportunity to consider the proposals put forward by Rt. Hon Charles Clarke and Prof Linda Woodhead and respond to them by the end of the Autumn term 2015. Responses can be sent to NASACRE at secretary@nasacre.org.uk

A clarification

At times the document refers to NASACRE and means the current organisation of that name; at other times it refers to a National SACRE [as in (4) above]. In the latter case this is a typo that was not corrected before publication. As long as there is a National Association of SACREs the abbreviation NASACRE will relate only to that body.

The questions

Collective Worship:

- How would the government ensure that individual schools and academies would take this new arrangement seriously if they are not, according to the report, taking the current settlement seriously?
- How would it ensure that governing bodies acted with due diligence in relation to the ethos of such assemblies and their delivery so as not to be accused of pursuing a narrow or partisan agenda?
- If some schools or academies continued to have an act of collective worship as part of any assembly, especially in light of their foundation documents, would parents still have the right to withdraw their child from such assemblies?

Agreed Syllabuses:

- Given that the religious make-up of different parts of the United Kingdom is so diverse, how would a national document allow for a study of 'the local' in RE?

- Would the delivery of a national syllabus for RE be a requirement of any funding agreement between the DfE, EFA and academy chains or individual academies and free schools in light of the proposed removal of the parental right of withdrawal?
- How would a decision be made as to which religions would be required to be taught as part of the National Agreed Syllabus and which non-religious belief systems should be included?
- How would experts who would share the confidence of the broad spectrum of traditions from within each religion and non-religious world view be appointed to such a body?
- Would any one 'committee' or 'group' have a veto over the whole process as currently happens in local agreed syllabus conferences? If so how would disputes be resolved?

SACREs:

- To what extent would a SACRE be allowed to hold its local authority, schools and academies to account in ensuring pupils receive high quality religious education according to a national syllabus?
- Would any such role conflict with that of Ofsted?

The parental right to withdraw from RE

- If the right to withdraw from RE were removed in schools following a nationally agreed syllabus what would be the arrangements for schools and academies not following such a syllabus?