

Department of Education and Science

Circular No. 3/89,
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V. PARENTAL RIGHT TO WITHDRAW A CHILD FROM RE AND COLLECTIVE WORSHIP

41. Nothing in the Education Reform Act affects parents' rights, as established in the 1944 Act, to withdraw their children from RE and collective worship if they wish. These rights are re-enacted, and extended to the parents of children at grant-maintained schools. To summarise:

- i. it cannot be a condition of attendance at any maintained school that a pupil attends, or abstains from attending, any Sunday school or place of worship;
- ii. if the parent asks that a pupil should be wholly or partly excused from attending any religious worship or RE given in the school, then the school must comply. This includes alternative worship given in a county school as a result of a determination by a SACRE;
- iii. a pupil may be withdrawn from the school premises to receive RE elsewhere, if the parent requests this, so long as the LEA (or in the case of a grant-maintained school, the governing body) is satisfied that this will not interfere with his or her attendance at school other than at the beginning or end of any school session;
- iv. where the parent of any pupil who is a boarder at a maintained school requests that the pupil be permitted to attend worship in accordance with the tenets of a particular religious denomination on Sundays or other holy days, or to receive religious education in accordance with such tenets outside school hours, the school's governing body shall make arrangements to allow the pupil reasonable opportunities to do so. These arrangements may be provided for on school premises, but are not to entail expenditure by the LEA or, in the case of a grant-maintained school, its governing body;
- v. if the parent of a pupil attending a county secondary school wishes him or her to receive RE according to the tenets of a particular religious denomination and this cannot conveniently be provided elsewhere, the LEA is required to allow such education within the school provided it does not consider that because of special circumstances it would be unreasonable to do so, and does not have to meet the cost;

- vi. where the parent of a child attending an aided or special agreement school wishes that child to receive RE according to the agreed syllabus and the child cannot conveniently attend a county or controlled school, the governors (or if they are unwilling to do so, the LEA) must make suitable arrangements unless the LEA considers that special circumstances would make it unreasonable to do so.

42. Nothing in the Act prevents any maintained school from allowing, at the request of parents, religious education to be provided or religious worship to take place according to a particular faith or denomination where parents have withdrawn pupils from the RE or collective worship provided in accordance with the law. The Secretary of State believes that governing bodies and head teachers should seek to respond positively to such request from parents:

- i. unless the effect would be that denominational worship replaced the statutory non-denominational collective worship;
- ii. provided that such arrangements can be made at no additional cost to the school; and
- iii. provided that the alternative provision would be consistent with the overall purposes of the school curriculum set out in Section 1 of the Act.

43. The Act does not prescribe how religious education should be taught or organised in schools. However, LEAs and schools should bear in mind that the way in which RE is organised must reflect the duty to teach the agreed syllabus or what is provided according to a trust deed, and that parents must be enabled to exercise their rights to request that their child should be excused from RE. This should not cause problems if RE is taught as a separate subject, whether timetabled throughout the year or in modular form; but particular care will be needed where schools, including primary schools, teach RE in an integrated form along with other subjects.

44. There will be occasions when spontaneous enquiries made by pupils on religious matters arise in other areas of the curriculum. Circumstances will vary, but in the Secretary of State's view responses to such enquiries are unlikely to constitute RE within the meaning of the legislation and a parent would not be able to insist on a child being withdrawn every time issues relating to religion and spiritual values were raised. To avoid misunderstanding, however, the Secretary of State will expect head teachers to establish with any parent wanting to exercise the right of withdrawal a working understanding of the religious issues about which the parent would object to his or her child being taught, directly or indirectly; the practical implications of withdrawal; and the circumstances in which the school can reasonably be expected to accommodate parental wishes.