



Westminster
FAITH DEBATES

A New Settlement Revised: Religion and Belief in Schools

CHARLES CLARKE AND LINDA WOODHEAD





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Although this revised version is the result of three years of consultation with many interested and expert parties, the views expressed are our own.

More information can be found at
www.faithdebates.org.uk

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Contents

A) Introduction	4
B) Religious Education in the School Curriculum	12
C) Act of Collective Worship	32
D) Faith Schools	36
E) Conclusion and Summary of Recommendations	46
Appendix: Statistical description of schools today	52
Acknowledgements	58

(A) INTRODUCTION

The Wider Context

We are living through the single biggest change in the religious and cultural landscape of Britain for centuries, even millennia. It is not simply that the number identifying with non-Christian religions has been growing and the number who identify as Christian falling, but that those who say they have ‘no religion’ (but are not necessarily secular) are now the majority.¹ Britain is diverse in a new way. It is of central importance that all schools are equipped to help children handle these changes, changes that can otherwise be confusing, opaque and even dangerous.

Religious education has an important role to play. Not surprisingly, the way that religion is taught and learned is changing along with the wider culture. It has developed from confessional Christian ‘Religious Instruction’ in the 1940s to more multi-faith ‘Religious Education’ in the 1970s, and now it is changing again, along with the subject as it is taught in colleges and universities. We suggest below that it might now be called ‘Religion, Beliefs and Values’, because it has broadened to consider the inner diversity of religious traditions, as well as the beliefs and values of those who do not identify with any such tradition.

The recent wedding of Meghan Markle and Prince Harry provides a topical illustration. The sermon by Bishop Michael Curry was controversial. A poll commissioned by Theos probed the public reaction. It found a divide between churchgoing Christians (about 1 in 20 of the population and falling) who loved it, and those who say they have ‘no religion’ (about half the population and growing) who were unmoved.²

¹ Woodhead, L. 2016 ‘The Rise of ‘No Religion’ in Britain: The Emergence of a Cultural Majority’, *Journal of the British Academy*, 4, 245-61.

<https://www.britac.ac.uk/sites/default/files/11%20Woodhead%201825.pdf>

² <https://www.woolf.cam.ac.uk/research/publications/reports/report-of-the-commission-on-religion-and-belief-in-british-public-life>

Good religious education in schools supplies the tools to understand this. It explains the diversity of every religion, so people understand the difference between Pentecostalism and the Church of England (and why Michael Curry has a foot in both). It teaches how religion and politics are entangled, and how religion, race and imperialism are part of the context. It shows how and why Britain is shifting from a Christian to a ‘no religion’ majority, allowing people to understand their own commitments reflected in the wider cultural context.

RE also informs critical debate about the content of Curry’s sermon. It helps people identify its central values of self-sacrificial, Christ-like love; appreciate the theology and the history; articulate their agreement or disagreement and clarify their own commitments; better understand the religious history of this country and the world and their position within it.

The best RE in schools today does all these things, but the picture is far too patchy. Even where RE is well-resourced and supported by the headteacher, it is burdened by outdated legislation and other impediments. The law is hindering rather than helping.

Thus, although RE is compulsory at every stage of school, it differs from other subjects in having no nationally-agreed curriculum. That means no clear attainment targets that Ofsted can inspect against so no inspection. It has more unqualified teachers than other subject. And unlike all other subjects, the law allows parents to opt their children out of RE lessons and study trips. All this means that RE is now viewed by many as different from other academic subjects and not as serious.

Our contention is that the current legal relationship between religion, belief and schools is outdated in such a way that the law itself has become a barrier to schools’ ability to help their children understand their own situation and the world in which they are growing up.

What’s urgently needed, and what we call for in this pamphlet, is a reform of the law that undergirds the way religion is handled in schools.

Why the Time is Ripe to Change the Law

The publication of the Integrated Communities Strategy Green Paper on March 14th this year indicates that government thinking is changing, and shows why the time is right to change the laws governing the place of religion in schools.

Reforming anything to do with religion has been difficult in the past. That is why, despite calls for change since the 1960s, legal requirements in relation to the right place of religion in schools (notably the statutory act of collective worship, the legal requirement to teach religious education, and the basis of admission to faith schools) have lain quietly on the statute book since 1944, essentially unchanged with the exception of small adjustments in 1988 which resulted from wider education reforms.

But over these nearly 75 years, schools have changed almost beyond recognition while the map of religions and beliefs across the country has been transformed, the study of religion and theology in schools and HE has transformed, and new issues of community cohesion and contesting extremism have risen to the top of the political agenda.

Politicians proceed with great caution in considering change in this area. They fear taking steps that might create confusion and unnecessary conflict and whose social consequences could be unpredictable and damaging.

But the Green Paper from the new Education Secretary Damian Hinds and the then Communities Secretary Sajid Javid shows that the balance of judgment has changed, quite rightly. It sees that the effort to resist change has been damaging not only to education but to the cohesion of society. Action now has to be taken and the growing support for change makes it possible.

The evidence includes the first version of this pamphlet that we published in June 2015 'A New Settlement: Religion and Belief in Schools', and the level of discussion and support it has received. That was followed by the wide-ranging report of the Commission on Religion and Belief in British Public Life

(CORAB), chaired by Baroness Elizabeth Butler-Sloss,³ and 'RE for Real', Adam Dinham and Martha Shaw's research-based findings about the need for better religious literacy across society.⁴

After the BREXIT referendum the new Prime Minister Theresa May's first domestic policy initiative was a lecture at the British Academy in September 2016, proposing to remove the cap on faith-based admissions to free schools - mainly at the behest of the Catholic Church. This was associated with a government consultation, 'Schools That Work for Everyone',⁵ to which the government has responded recently by withdrawing the proposal to remove the cap for free schools but allowing for voluntary-aided schools, which have no cap, to be opened.⁶

In December 2016 came the publication of Dame Louise Casey's report (which David Cameron and Theresa May had asked her to carry out in July 2015) about what could be done to strengthen cohesion in the most isolated and deprived communities in the country. She devoted a chapter to the issues around faith. Her work made an impact and is continuing. Fifteen months later the Green Paper was published.

And throughout all this it became more and more clear that the law relating to religion in schools is increasingly breached. In 2004 the then Her Majesty's Inspector of Schools, Sir David Bell, had reported that 76% of secondary schools were failing to meet their legal requirements in relation to an Act of Collective Worship. In 2011 a poll commissioned by the BBC found that only 28% of pupils attended daily worship at their school, and 60% of the public did not think the legal requirement should be enforced. Our own research in a large sample of state schools in early 2016 suggested that about a third of all schools were in breach of the law.

³ <https://www.woolf.cam.ac.uk/research/publications/reports/report-of-the-commission-on-religion-and-belief-in-british-public-life>

⁴ <https://www.gold.ac.uk/media/documents-by-section/departments/research-centres-and-units/research-units/faiths-and-civil-society/REforREal-web-b.pdf>

⁵ https://consult.education.gov.uk/school-frameworks/schools-that-work-for-everyone/supporting_documents/SCHOOLS%20THAT%20WORK%20FOR%20EVERYONE%20%20FINAL.PDF

⁶ <https://www.gov.uk/government/consultations/schools-that-work-for-everyone>

In September 2017 The Religious Education Council, the National Association of Teachers of RE and RE Today published their ‘State of the Nation’ report based on detailed analysis of the School Workforce Census conducted by DFE which revealed serious breaches of the law in relation to the statutory provision of RE in all state schools.⁷ A quarter of all schools surveyed said a weekly RE lesson to ensure that pupils understand different religions and beliefs is not available, whilst in academies and free schools this rose to 34% for 11 to 13 year olds, and 44% for 14 to 16 year olds. Even 4% of schools with a religious character do not offer a weekly lesson.

The newly appointed Her Majesty’s Chief Inspector of Schools, Amanda Spielman, has become ever more forthright. Her first Annual Report in December 2017 stated that a growing number of independent conservative religious schools are deliberately choosing not to meet the legal requirements that set the expectations for shared values and tolerance, and that some illegal ‘schools’ have been created to avoid teaching the unifying messages taught in the vast majority of schools in England.⁸

She followed this in February 2018 with a speech at the Church of England Foundation for Educational Leadership in which she urged changes to the law in order to permit in certain circumstances the inspection of out-of-school-hours provision of religious teaching, in order to protect against indoctrination by extreme views. She expressed the hope that the Church of England would support such an approach.⁹ In February 2018, scandals around unregistered schools (mainly faith-based) surfaced in a BBC news documentary,¹⁰ with both Amanda Spielman and Louise Casey calling for more action by the Department for Education, a plea which the Green Paper appears to answer and government action is anticipated.

⁷ <https://www.natre.org.uk/uploads/Free%20Resources/SOTN%202017%20Report%20web%20version%20FINAL.pdf>

⁸ <https://www.gov.uk/government/collections/ofsted-annual-report-201617>

⁹ <https://www.gov.uk/government/speeches/amanda-spielman-speech-at-the-church-of-england-foundation-for-education-leadership>

¹⁰ <https://www.bbc.co.uk/news/uk-43126598>

Meanwhile the Commission on Religious Education, chaired by the Dean of Westminster, The Very Rev Dr John Hall, has been working on very timely recommendations, to be published this autumn, designed to improve the quality and rigour of religious education, and its capacity to prepare pupils for life in modern Britain. The Commission’s large, diverse and expert membership means that this report will help signal the consensus around change.¹¹

This sequence of events has eroded the idea that we can just go on as we are, that there is no real problem, and that nothing needs to be done. It seems increasingly implausible to suggest that better enforcement of the current law will do the trick, since that is now so out of date and breached in practice that such a policy would risk the provocation of bitter conflicts in the media and at school gates up and down the country.

The challenge now is to make it as easy as possible for the government to act in the confidence that there are solutions which command the confidence of wide sections of the faith and education communities, so minimising the prospects of damaging conflicts.

The 1944 Education Act made sense in its day and had aims that we share: to reflect the religious and cultural situation of its time, and to contest the violent extremism so frightening at the time by bolstering our liberal democracy against totalitarian threats, whether from right or left.

We should make 2019, the 75th anniversary of that Act, the year when the principles of the 1944 Act are updated in law in order to treat the place of religion and belief in schools in the right way for the current situation.

This pamphlet is intended to contribute to that process.

¹¹ <http://www.commissiononre.org.uk/>

'A New Settlement' 2015

In June 2015, the Westminster Faith Debates,¹² which we established in 2012 in order to raise the level of public and political debate about religion and belief, published 'A New Settlement: Religion and Belief in Schools.'¹³ This generated widespread interest and led to a series of consultations, all of which has led to this substantial revision and update.

'A New Settlement' 2015 was intended to promote discussion about the best way to update the legal settlement on religion and school education. We contended that the 1944 settlement reflected a different era and no longer served its purpose – to such an extent that there are now many areas of educational practice where the law is honoured more in the breach than the observance – with the effect that the best developments in the way religion is handled in schools were being inhibited, and the worst were going unchecked.

Our pamphlet made clear our standpoint that religion and belief are an inescapably important aspect of society which cannot be excluded from public life or play no part in the state education system. We were concerned at the way in which RE was being treated as an exception to wider reform and improvement in the curriculum, and at its patchy provision.

This was the basis on which we urged re-examination of the 1944 educational settlement in the light of contemporary beliefs and practices and change within the teaching of RE in schools, colleges and universities, so proposed a new educational settlement which can better foster genuine understanding of religion and belief today and allow young people better to explore their own and other peoples' religious and non-religious beliefs.

We identified the three most important aspects of the relationship between religion and schools as (1) the operation of the statutory 'wholly or mainly of a

broadly Christian character' act of collective worship, (2) the requirement for 'religious education' in the curriculum, and (3) the place and practice of 'faith schools'.¹⁴ We offered a series of recommendations in these different but related areas.

We argued that reform in relation to each area needs to be tackled in different ways and at different paces and does not necessarily need some 'big bang' transformation of all at once. But in each of these areas reform is necessary, on the basis of common principles and linkages, and a holistic approach can be useful. Indeed there is a strong case for a coherent and systematic approach rather than a piecemeal process of change. Nevertheless each step has integrity on its own and can be justified as such.

In light of the positive response to 'A New Settlement' 2015, we decided to continue our work in order to refine our proposals with the aim of giving them the best possible chance of getting the agreement necessary to make legislation possible.

We believed that no government would be likely to enact changes in the law in this area unless there was a demonstrable degree of consensus both within the education world and amongst faith communities. With that in mind we decided to explore the possibilities of such consensus and this second pamphlet proposes revised recommendations which we believe will command such support.

Our method was to ask a wide range of people in the several different areas with a stake in the subject for their reaction to our proposals. We carried out a large number of face-to-face meetings, workshops and seminars, and undertook and encouraged several pieces of research. We were assisted by an Advisory Board. More details can be found on the 'Westminster Faith Debates' website.¹⁵ The revised conclusions and recommendations which follow are a result of this work.

¹² <http://faithdebates.org.uk>

¹³ <http://faithdebates.org.uk/wp-content/uploads/2015/06/A-New-Settlement-for-Religion-and-Belief-in-schools.pdf>

¹⁴ For reasons we explain in Section D on Faith Schools below, we have decided to use this somewhat loaded term. We explain what it includes in that subsection.

¹⁵ <http://faithdebates.org.uk/category/education/>

(B) RELIGIOUS EDUCATION IN THE SCHOOL CURRICULUM

The central element of our recommendations is to raise the academic standard of religious education in schools. This change will also make it easier to deal with the other areas where we make recommendations: school assemblies and faith schools.

There is encouraging evidence of the high standards which many schools are now achieving in the teaching and learning of religion and belief, and of how Britain continues to be world-leading in this area in both school education and higher education. The best schools and departments are keeping pace with change in society and change in the subject area.

However there is also strong evidence that the current structures in the school sector are not driving academic excellence and that there are far too many schools that regard good teaching of RE as an irksome appendage to the rest of school life, with many ignoring their legal obligation altogether.

One consequence of the decision not to include RE in the National Curriculum when it was set up in 1988 (a decision informed by RE's anomalous status as a subject from which children could be opted out) was that it has increasingly been seen by many as 'second-class' subject, with a consequent decline in standards.

The recommendations of this section are intended to reverse such thinking and put academic excellence in teaching RE at the centre of attention.

B1 Setting the Syllabus

Our first two recommendations in the first version of this pamphlet (2015) addressed the way in which the RE syllabus should be determined:

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.

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.

It is important to emphasize again the gathering evidence that very many schools are not now teaching RE in accordance with the current law. This is happening with impunity and is a symptom of the declining status of RE which risks descending into an increasingly vicious circle of decline.

The RE Commission's 'State of the Nation' report sets out the dispiriting state of affairs, showing that 25% of all schools surveyed said a weekly RE lesson to ensure that pupils understand different religions and beliefs is not available, whilst in academies and free schools this rose to 34% for 11 to 13 year olds, and 44% for 14 to 16 year olds. Even 4% of schools with a religious character do not offer a weekly lesson.¹⁶

The case for action is compelling. There is a very widely held view that the current system of setting the RE syllabus is not working well enough to meet contemporary challenges.

¹⁶ <https://www.natre.org.uk/uploads/Free%20Resources/SOTN%202017%20Report%20web%20version%20FINAL.pdf>

We very much welcome the establishment of the Commission on Religious Education,¹⁷ to which we have given oral evidence. Its purposes are ‘to review the legal, education and policy frameworks for RE and the ultimate aim will be to improve the quality and rigour of religious education and its capacity to prepare pupils for life in modern Britain’. Its remit is ‘to consider the nature, purposes, and scope of religious education, to identify the enabling factors that currently promote high quality RE, and the barriers that currently limit it, to identify what changes are needed to ensure the highest quality provision of RE and to ensure that recommendations focus on realistic and specific proposals’. We are optimistic that its recommendations will offer good ways to raise the standard of RE across the country.

The response to our original proposal of an agreed national syllabus has been overwhelmingly positive. This appears to be for three main reasons.

The first is the growing lack of capacity and resource in the existing local SACRE system which is responsible for setting the syllabuses for RE (multiple ones, rather than the single national one we recommend), despite the commitment and high motivation of many SACRE and agreed syllabus conference members. Reductions in funding and the declining role of local education authorities have accelerated the process of decline, which has been charted by OFSTED.

The second is increasing doubt about the extent to which varying the syllabus by geographical locality is the right thing to do in principle when many RE issues seem national and global in character and it is important for children in all parts of the country to understand about these aspects of religion, even if a particular religion is not particularly prominent locally. This doubt has been reinforced by the public debate promoted by David Cameron as Prime Minister about ‘British values’.

And the third is widespread agreement about the advantages for the quality and profile of RE in schools which may be secured by a national syllabus against which pupil achievement, inspection, teacher training, Continuous Professional Development and teaching materials can be measured. A national syllabus will be important in giving more focus and priority to the quality of RE across the country.

¹⁷ <http://www.commissiononre.org.uk/terms-of-reference/>

However despite the broad consensus, some respected practitioners within the SACRE system continue to believe that the current local system remains the best way to operate.

We maintain that people who believe that the best approach to raising RE standards across the country is through strengthening the existing system of local SACREs need to address the issues raised above, in a more profound way than simply calling for better resourcing, necessary though that undoubtedly is. This would mean:

- setting out the ways in which a truly national system of local SACREs can be established in every locality in the country
- indicating how SACREs can best be resourced and strengthened at a time of declining educational roles for the local authorities and increased direct funding to academies
- addressing concerns about the constitutional make-up of SACREs, including the involvement of humanists and minority faiths, and the privileging of the Church of England
- explaining the ways in which locally agreed syllabi should relate to ideas such as ‘British values’ and highly diverse patterns of religion and belief across the country and indeed the world
- showing how an improved existing system can succeed in raising the standing, status and quality of RE across the country, with consequent benefits for teacher training, CPD and teaching materials.

The discussions that we have had since first publishing ‘A New Settlement’ convince us that there are no convincing responses to these issues, so that a strengthened local SACRE system of syllabus-setting will not succeed in meeting the challenge of developing RE.

So we continue to believe that our principal recommendation, that the RE syllabus be set nationally, is right and serves the interests of the high quality RE we need.

That said, there are a number of significant practical questions about the way in which a national system would operate, including deep and important concerns about the relationship between the state and religious freedom.

We **firstly** recommend that the recommended syllabus, programmes of study, curriculum or entitlement (the language here is a little elusive) which every pupil would be entitled to receive, would be enacted through statutory regulations in a similar way to those for Relationships and Sex Education (RSE) and Personal, Social, Health and Economic Education (PSHE). The entitled syllabus would be a minimum requirement and of course all schools would be entitled to offer a wider syllabus, and more study, inside or outside school hours.

However, **secondly**, we recommend that, in the case of RE, the importance of protecting the teaching of religion, belief and values from state control is paramount. Therefore the usual requirement, as in RSE, PSE and National Curriculum subjects, for the Secretary of State to take full account of ‘a wide range of experts and interested parties’¹⁸ is not sufficient.

We therefore suggest the establishment of a national ‘Advisory Council on Religion, Beliefs and Values’ (ACRBV) to set the syllabus and curriculum.

This ACRBV would consist of about 12-15 people, chiefly religious education professionals, appointed by the Secretary State under the requirement of maintaining professional independence and representing a balance between different faiths and beliefs. This would follow formal consultation and input from the relevant established professional bodies and representatives of religions, humanism and other belief systems. Members would be selected for their relevant expertise, and not in order to represent any particular faith or belief (just as in selecting teachers and lecturers, expertise rather than religious affiliation is the basis for appointment).¹⁹

The ACRBV would set the curriculum, which the Secretary of State would then implement through legislative regulations in Parliament. This process would need to be made absolutely clear, and be honoured by the Secretary of State, and it would of course be essential that the Department for Education

trusts the professionals to create the syllabus. The ACRBV would work in consultation with the relevant professional bodies and representatives of religions, humanism and other belief systems. It would have an obligation to take account of relevant expertise, and local views, for example through local SACREs.

The timing of formal reviews of the RE syllabus should take account of revisions and changes in the national curriculum.

Again like RSE and PSHE, we recommend that the regulations require the Secretary of State to issue guidance on delivering the subject, though this would be drafted and agreed by the ACRBV. Schools should be required to publish and make available their policies and practice in this area.

The quality and practice of this part of the curriculum would form part of the regular OFSTED inspections though RE would not need to become part of the National Curriculum.

There would of course be a number of advantages in placing RE within the National Curriculum, including recognizing the academic status of the subject. Indeed some are concerned that unless RE is part of the National Curriculum it will never rise above being a Cinderella subject that gets less resources, training bursaries and classroom time than other subjects. However we have concluded that a flexible approach to this issue is required to take full account of the diversity of the school system and progress change, given the urgency of the need to put RE on a better footing.

Thirdly, we recommend that the RE curriculum be simple, clear, and light touch in the framework it proposes. This will allow schools and teachers to have creative input, and to take account of local and regional factors. We see SACREs continuing to play an important role in helping resource RE, and in connecting schools to local faith and belief communities. As with other subjects, the form of this should be mainly determined by teachers themselves but for example Learning outside the Classroom, including visits to places of worship, should be part of the RE syllabus. The many excellent networks which exist through local SACREs and other linking organisations should be built up and supported.

¹⁸ <https://www.gov.uk/government/publications/personal-social-health-and-economic-education-pshe>

¹⁹ This is also important in order to allow the opt out of RE to be removed, see recommendation below.

We therefore recommend that:

Recommendation 1

The current arrangements for the local determination of RE, including the Agreed Syllabus Conferences, should be reformed. The RE curriculum in schools should be determined by a newly created national ‘Advisory Council on Religion Belief and Values’. This Advisory Council would be nominated by the Secretary of State and chiefly comprise professional RE educators, working in consultation with the relevant professional bodies and representatives of religions, humanism and other beliefs and taking account of local views and experience. Every member of the Council will be appointed on the basis of their own knowledge and experience and not in order to represent any particular faith or belief system. This new nationally agreed RE (or RBV) curriculum should be reviewed in line with changes in the wider national curriculum.

B2 Name

Our original recommendation here was that:

Consideration be given to using the phrase ‘Religious and Moral Education’ rather than ‘Religious Education’ in describing this part of the statutory curriculum.

This is the wording now used in Scotland, which was one of the reasons why we suggested it.

However we have been convinced by arguments that the label ‘RME’ does not go far enough in describing the subject as it has developed in many schools and universities.

It has also become clear to us that at the moment there is no consensus in England and Wales about such a change. Indeed there is a danger that any widespread discussion of this matter can both be a significant diversion from the need to focus on the substance, namely the curriculum itself, which is more important than its title. It may be that changing the name should follow change to the curriculum rather than preceding it.

Nevertheless, we have come to the view that it would be valuable to change the name of the subject to ‘Religion, Beliefs and Values’. The name has moved from ‘Religious Instruction’ (1944 Act) to ‘Religious Education’ (1988 Act) and we have no doubt that ‘Religion, Beliefs and Values’ would now better reflect both present-day society and how the subject has changed since 1988. It would signal more accurately what children should be learning and better reflect the dominant contemporary practice in teaching in schools at all levels across the country. ‘Religious Education’ was a stop-gap term that was never reflected in the wider academic landscape of the study of religion. It is also worth noting that in recent polling only one in seven respondents think state-funded faith schools should be able to teach religious education without being obliged to cover all belief systems – including non-religious beliefs.²⁰

²⁰ <https://www.tes.com/news/most-people-oppose-faith-based-admission-schools>

It may even be that controversy about the name of subject would be a valuable means of clarifying the issues which the school curriculum is trying to address.

We therefore now recommend that:

Recommendation 2

The name of this part of the statutory curriculum should be changed to ‘Religion, Beliefs and Values’.

B3 Which schools should be required to teach the syllabus?

In 2015 we recommended that:

The government discusses with the faith school providers, including academies and free schools, the merits of voluntary-aided and foundation faith schools adopting this nationally-agreed syllabus and, on the basis of such discussions, considers legislating to require all maintained schools to adopt this syllabus.

The government also discusses with faith school providers including academies and free schools, the importance of making a distinction within schools between religious instruction, formation and education, including agreement that religious instruction (even of a kind which does not include coercion, or distortion of other religions or beliefs) does not take place within the school day.

In addition, the government discusses with independent schools whether they should adopt this nationally-agreed syllabus and, on the basis of such discussions, considers legislating to require all schools to adopt this syllabus.

After consideration we think that the issues of religious instruction, formation and education which we raised are in fact better dealt with simply by focusing upon the academic excellence of the teaching of religion, beliefs and values and, as we argue below, by ensuring that all schools, including faith schools, are required to offer the national RE (or RBV) syllabus.

As mentioned above, the legislative basis for the process that we recommend to set the syllabus nationally is similar to that which the government has put in place for PSHE and RSE. In both of these subjects there is a requirement that there is ‘universal coverage for all pupils and increased quality’²¹ and so the subjects are statutory in all schools.

²¹ <https://www.gov.uk/government/publications/personal-social-health-and-economic-education-pshe>

Upon further consideration of our original recommendations we think that the case for following in RE (or RBV) the approach taken towards RSE and PSHE, is even stronger and so the syllabus should be statutorily required in all schools, including denominational and independent schools.

The fundamental case for this is that there is a profound national interest in ensuring that the ways in which RE (or RBV) is taught, in all schools, reflects the values of our society as a whole and enables all young people as they grow up to share a common set of understandings of the nature and place of religion and belief within which they can form their own individual and personal outlook and value system. What is more, the light touch framework we envisage will not compromise independence.

Though some schools already teach RE (or RBV) well, that is within the context of the worrying decline in standards of RE across the country which we have already mentioned and so the challenges are increasing. There are schools of all denominations, both state-funded and independent, where the subject is not taught well and there are even some where a particular brand of belief is promoted at the expense of others. This can be exceptionally damaging. This applies both to some faith schools and to some independent schools.

The way in which religion is taught in a school is central to the promotion of inclusivity and community cohesion to which the government rightly gives priority. That is why it is essential that faith schools follow an RE (or RBV) syllabus which does indeed reflect the values of inclusivity set out by the government, and that the school is funded, and then inspected, on that basis. In general, of course, the overwhelming majority of faith schools do already teach in that way, but some do not.

If the country is to have confidence that faith schools can and should legitimately be supported by public funds, (and particularly those which select pupils for admission on the basis of their faith or that of their parents – see below) they need to know that religion is taught in accordance with the inclusive values which the country as a whole shares.

Very similar considerations apply to independent schools, of whom, again, the overwhelming majority give not the slightest reason for concern. But some schools do, and that is why a regime has to exist which includes all schools, not only those in the state sector. Existing good practice is likely to be unaffected, or will be strengthened.

The role of academies is particularly important here. They continue to be an increasingly significant part of all school education in this country, and we consider it very important that the government's funding agreements for academies properly enforce both the content of a proper RE syllabus and its practice, which is not currently the case, and is leading to legal appeals where RE is not offered.

We note, in addition, the considerable difficulties of inspecting at the moment where there is no set curriculum and therefore no clear targets against which to assess. This reinforces our argument that a nationally agreed syllabus be introduced.

In passing, we note Dame Louise Casey's Review again, and believe that our recommendations chime well with her assessment (Para 3.98) that: 'It is clear to us that radical change and a new approach across all schools is required, not just in relation to admissions but also to the fundamentals of what is taught in schools to grow tolerant, resilient pupils, capable of reflective, critical thinking.'²²

One final point should be made here. Both the Catholic Church and independent schools argue that it is inappropriate, even wrong, for the state, through legislation, to try and determine what is taught in their schools.

The Catholic Church maintains that it is for their Bishops to decide and their authority cannot be challenged by the state. In the case of independent schools, they maintain that their very independence, and the fact that they do not rely on state funding, entitles them to be uninfluenced by overall considerations of state policy, such as those relating to inclusion.

²² https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/574565/The_Casey_Review.pdf

We do not accept these arguments, sincerely held though they are. We respect independence and initiative. However, we consider that it is false to pretend that some schools are ‘islands’ in education and society which can opt out of considerations that pertain to the common good. We believe that the case for inclusivity in these matters, which is very much rooted in recent experience and actively argued by government and across public life, should be paramount.

We therefore conclude that:

Recommendation 3

The nationally-agreed ‘Religion, Belief and Values’ syllabus should be required in all state-funded schools with the option for schools with a religious character to complement the requirement with further provision as required by their religious designation.

and

Recommendation 4

OFSTED should ensure that all schools properly fulfil their duty to teach the nationally agreed RBV curriculum.

B4 Should the requirement for RE continue after age 14?

We recommended that:-

The legal requirement for Religious Education at Key Stage 5, after the age of 16, should be removed and that, within the context of a general reform of the curriculum at Key Stage 4, consideration should be given to modifying the legal requirement for Religious Education to a wider study of religious, spiritual, moral, ethical, social, and cultural values.

We continue to think that this approach recommended in ‘A New Settlement’ is right.

At Key Stage 5, after the age of 16, there remain enormous and unjustifiable inconsistencies between the legal requirement for schools, 6th form colleges and further education colleges. As a result the general problem of failure to obey the law is even greater than at younger ages.

We see no merit in seeking to enforce the law over the age of 16, and we have encountered few, if any, who do. Obviously schools and colleges which themselves wish to offer post-16 educational qualifications will continue to do so but they do not require the reinforcement of the law to do so.

Recent controversies about the e-bacc and other qualifications have no direct impact upon this argument which is not about the merits or otherwise of including RE (or RBV) properly within the national framework of qualifications (which we very much support) but about the legal requirement that RE (or RBV) is included in the school curriculum at that age.

We therefore maintain the view that the legal requirement for RE after the age of 16 should be abolished. We acknowledge that this will require primary

legislation and believe that the opportunity of general education legislation should be taken to implement this.

For Key Stage 4, essentially ages 14-16 which are highly pressed educational years in the current framework, we also would argue that the legal requirement should be modified into a wider study of religious, spiritual, moral, ethical, social, and cultural values. There will continue to be discussion about the best way to do that but, again, the legal status of the subject should be adjusted to follow the educational discussion and settlement.

We therefore continue to recommend that:

Recommendation 5

The legal requirement for RE at Key Stage 5, after the age of 16, should be removed.

Recommendation 6

Within the context of a general reform of the curriculum at Key Stage 4, consideration should be given to modifying the legal requirement for RE to a requirement for all pupils to study contemporary religious, spiritual, moral, ethical, social, and cultural values.

B5 Should parents continue to be able to withdraw their children from RE?

We recommended:

If these changes are agreed, the right of parents to withdraw their children from the Religious Education part of the curriculum should be abolished.

All pupils at a school should be taught about religion in a way that follows the agreed RE syllabus. However there is evidence that some children are being withdrawn from RE (and even other subjects) at many schools because their parents fear that their children will be exposed to faiths other than their own, or even just to broader discussion and teaching about religion than they find appropriate. This latest research shows that a majority of school leaders support the abolition of the parental right of withdrawal from Religious Education, and there is significant confusion about the operation of this right.²³

We believe that RE (or RBV) is a normal academic subject like History, English and others, and that the right to opt out is anachronistic, harking back to a time when it was confessional 'RP'. The right of withdrawal should be removed altogether once a national syllabus is established which secures the proper place of RE (or RBV) as a professional subject on the same basis as all others.

This would not affect the right of parents to withdraw children (or of children to withdraw themselves) from Acts of Collective Worship since where a school does organise an Act of Collective Worship, within the 'values and ethos' of the school, it is right that those who do not want to worship should not be required to do so. The same argument does not apply for studying RE (or RBV), which has not since 1988 been 'Religious Instruction', the previous legal

²³ Dr David Lundie: <https://davidlundie.wordpress.com/2018/04/20/religious-education-and-the-parental-right-of-withdrawal-survey-results/>

formulation within which the right to withdraw was conceived. It will be even less true with an RBV syllabus of the type which we have proposed.

Moreover we would argue that as recent controversies have indicated, the need for genuine inclusivity, which we address in more detail below, makes it important that all children can participate in the school activities and curriculum which encourage that.

So for that reason we recommend that:

Recommendation 7

The right of parents to withdraw their children from the Religion, Belief and Values part of the curriculum should be removed.

B6 Future role of SACREs²⁴

We recommended that:

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.

An important, though not the only, way to promote community cohesion and to counter radicalization across the school system is to make the kinds of curriculum change which we are proposing. OFSTED should re-establish a strong inspection system to ensure that all schools, faith or not, properly fulfil their duty to promote community cohesion.

Obviously a decision, which we recommend, to establish a national system of setting the RE (or RBV) curriculum, would have a significant impact on the work of SACREs, since, through Agreed Syllabus Conferences, they play a decisive role in setting the current RE syllabus in schools.

We identify three main roles for SACREs in response to the changes we propose:

- a) to assist in the local delivery of the new RE (or RBV) curriculum, and to be consulted about the development of that curriculum
- b) to assist in strengthening links between RE (or RBV) and FE and HE institutions, and between RE (or RBV) local religion and belief
- c) to assist in developing, and then delivering, the faith aspects of the government's approach to community integration and cohesion.

²⁴ Charles Clarke, a co-author of this pamphlet, is the Patron of the National Association of SACREs (NASACRE). It needs to be particularly emphasised here, though true throughout, that the views expressed here are his personal views, not at all those of NASACRE.

As indicated earlier, engagement with the local higher educational and faith and belief communities is important and though the form of this should be mainly determined by teachers themselves, for example through Learning outside the Classroom, local SACREs have an important contribution to make through the often excellent networks which they have built up and supported.

Moreover, as the Advisory Council on Religion Beliefs and Values' (ACRBV) sets the syllabus and curriculum it should have the obligation to take close account of local and regional views. This should take place through properly resourced local SACREs with the responsibility to encourage strong engagement with the national process.

This role of SACREs in supporting schools should be extended to cover all schools in a local authority area, including academies and independent schools.

There is an important additional role for SACREs, properly resourced and with a somewhat different constitutional structure, in applying and developing the integration and community cohesion approaches which the government in seeking to promote.

The experience of SACREs, particularly where they have been properly resourced and respected locally, offers an excellent example of what can be achieved by putting faith at the core of approaches to community cohesion.

On the basis of this experience the role of SACREs should be developed to play a wider role in the context of the government's Integrated Communities Strategy.²⁵ We gave evidence to the consultation on that Green Paper which emphasised the potential positive contribution of re-constituted SACREs.²⁶

SACREs, particularly if re-constituted to meet contemporary requirements, would be the best body to advise local authorities about the best ways to do approach faith issues in relation to community cohesion. Properly resourced, they would be a better way of making this work practically in local communities than just leaving it to local government or setting up a whole set of entirely new organisations. Careful consideration should be given to the best ways in which SACREs could work to achieve this.

²⁵ <https://www.gov.uk/government/consultations/integrated-communities-strategy-green-paper>

²⁶ <http://faithdebates.org.uk/wp-content/uploads/2018/06/INTEGRATED-COMMUNITIES-SUBMISSION-FINAL.pdf>

One aspect of this will be to develop relations between universities, particularly their faculty and students engaged with religion and belief, and their local community, particularly schools.

We believe that many local authorities would very much welcome the contribution that developed SACREs could make to bringing faith into the centre of their community cohesion work and would be ready to fund that.

We therefore recommend:

Recommendation 8

In the new framework which we recommend the local Standing Advisory Councils on Religious Education (SACREs) would be asked to assist in the local delivery and implementation of the new RE (or RBV) curriculum, and to be consulted about the development of that curriculum. Local Agreed Syllabus Conferences should be abolished.

and

Recommendation 9

SACREs should be reconstituted and properly resourced in order to assist in developing, and then delivering, the faith aspects of the government's approach to community integration and cohesion, as well as strengthening links between the teaching of religion and belief in schools and higher and further education institutions.

(C) ACT OF COLLECTIVE WORSHIP

We originally proposed that:

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.

We selected this from what seemed to us to be four options, namely to:

- Maintain the current law, guidance and formal arrangements but for all practical purposes treat it as a dead letter, effectively unenforced and probably unenforceable which is broadly the current situation
- Maintain the current law, guidance and formal arrangements and put great effort into forcing schools to honour them
- Maintain the statutory requirement for some form of assembly which would promote spiritual, moral, social and cultural development, prefigured in the 1944 legislation and reinforced in the 1988 Education Act
- Abolish the statutory requirement altogether and leave the issue to governors and heads of every school to decide what is appropriate for the particular circumstances of their own school, subject to non-statutory government guidance and inspection by OFSTED.

We argued that the only two realistic options were the latter two, either to maintain a differently worded statutory requirement or to abolish the statutory requirement.

We opted for abolition as we felt that this approach would give rise to the least division and controversy.

The responses to our pamphlet included some that thought it might be possible to build upon the existing process whereby individual schools can seek a ‘determination’ from the local SACRE, and then Local Education Authority, to hold school assemblies that vary from the existing statutory guidance, for example through not being ‘wholly or mainly of a broadly Christian character, though not distinctive of any particular Christian denomination...’. In some parts of the country SACREs do significant work on this, and produce their own guidance, often very successfully, in promoting high quality ‘acts of collective worship’.

However we do not think that this approach would work. Such ‘determinations’ seem too cumbersome a means of dealing with the needs of the nearly 25,000 schools in England and Wales. Recent correspondence about the operation of this process for academies between NASACRE and the Department for Education illustrates this point.

The overall approach should be to find the best way of helping schools fulfil their obligations today, not to attempt to recast outdated protocols from 1944 or even 1988.

The response to our pamphlet demonstrated a very real and widely held concern that abolition of the statutory requirement altogether might easily lead to the disappearance of the school assembly altogether, despite the very widely shared view that the event is an important and central part of the school day. There was a fear that the sometimes acute pressure upon school time might be too great and could lead to marginalising the school assembly altogether.

It also became clear that important elements of Church of England opinion are strongly opposed to removing the statutory requirement.

On this basis we have decided to revise our previous recommendation in favour of maintaining the statutory requirement, but on the basis of a more inclusive wording that can command wide consent.

In order to consider the best formulation for such a statutory requirement we held a number of discussions and convened a seminar to address the question.

We had the benefit of a number of useful pieces of research, and carried out a survey of schools ourselves.²⁷

The current wording, set out in the introduction to Circular 1/94, which is the current guidance on the matter (itself not updated since 1994, nearly 25 years ago, and the most longstanding unamended piece of Department for Education guidance), states:

All maintained schools must provide religious education and daily collective worship for all registered pupils and promote their spiritual, moral and cultural development...

Collective worship in county schools and equivalent grant-maintained schools must be wholly or mainly of a broadly Christian character, though not distinctive of any particular Christian denomination...

In considering alternative wordings a number of issues arise, including whether it is necessary to mention an 'act of collective worship' or whether 'assembly' would suffice. Or could 'period of reflection' or 'gathering' be used. Should any particular religion, eg 'Christian' be specified, and should a particular frequency be specified?

On the basis of these debates we now propose that the current wording in the guidance of 1/94 should be replaced by:

All pupils in attendance at maintained schools and academies shall take part in a regular assembly or act of collective worship in keeping with the values and ethos of the school and reflecting the diversity and character of the school community.

The phrase 'act of collective worship' is needed in order to safeguard current practices and avoid any possible legal challenges to those, which some fear. And we recommend the word 'regular' rather than specific frequencies, such as 'daily', 'weekly' or 'monthly'. If necessary, further specification can be established in the regulations, for example for different Key Stages of education.

The main point of this new wording is to enable all schools to hold assemblies with which they are at ease. This will allow them to be more explicit and

reflective about what they do, and will help end the culture of non- or partial compliance, as well as making it easier to inspect assemblies. We believe that it will strengthen their basis, underline their importance, and put them on a more secure footing.

So we recommend that:

Recommendation 10

The current wording in Circular 1/94 be replaced by:-

'All pupils in attendance at maintained schools and academies shall take part in a regular assembly or act of collective worship in keeping with the values and ethos of the school and reflecting the diversity and character of the school community.'

²⁷ Our research is not yet published. Dr Alison Mawhinney circulated very useful papers from her research on the history and law relating to the subject.

(D) FAITH SCHOOLS

D1 Existence of Faith Schools

Our central recommendation regarding faith schools was that:

Children of families of faith should where possible be able to attend schools of that faith, and that their current right to be given priority in the admissions process should not be removed.

Nothing that we have heard since has led us to revise that view. It remains fundamental that families have the right to ensure that their children are educated within the context of their faith and belief systems.

We therefore continue to recommend that:

Recommendation 11

Children of families of faith should where possible be able to attend schools of that faith, and that their current legal right to be given priority in the admissions process should not be removed.

D2 Types of Faith Schools

However, our other recommendations on ethos and admissions systems seem increasingly salient, though they require considerable revision:

All faith schools, and possibly all schools in receipt of state funding, clearly advertise and explain the kind of religious (or non-religious) ethos and formation which they offer, so that prospective parents and pupils can make informed choices.

The churches need to make strong and continued progress in addressing the very real concerns about fairness, and that changes to the current legal position should be considered as an urgent matter if faith bodies fail to make progress in the directions which they have set for themselves. We believe that there are legitimate concerns about using regular attendance at worship as a selection criterion and we recommend that this criterion be kept under review.

Further effort be given to developing alternative proposals for fairer admissions procedures to faith schools, procedures which balance the rights of families of faith to have their children educated in that faith with other considerations of fairness to others and serving the whole local community.

It became clear in our discussions and interviews that the term 'faith schools' was too general and even caused offence to some. Many in the Church of England saw their schools as essentially community schools, though with an ethos that reflected their Anglican character. Only a minority of these schools use faith as a means of selecting pupils. Moreover a significant number of senior Anglicans whom we consulted did not believe that Anglican schools ought to be able to select on the basis of faith, and said that they would be happy if there were no selection at all on the basis of faith.

On the other hand, it was also clear that other faiths, notably Catholicism and some parts of Judaism, continue to attach great importance to the ability to select pupils on the basis of their faith, or that of their parents. They see the

primary responsibility of their schools as provision of education for their own faith community, rather than for the wider society.

‘A New Settlement’ did not give sufficient consideration to these fundamental differences of approach and so we needed to rethink our position and in particular to analyse better the different types of faith schools.

We believe that faith schools have an important place in our society and school system, and we welcome the government’s commitment to encourage greater inclusivity as stated in their consultation paper in relation to free schools which are faith schools (‘free faith schools’).²⁸ The aim of government policy should be to help faith schools to flourish, in a way that promotes a tolerant and inclusive society which is well informed about religion and belief. It is right to make the stated values of inclusivity on the basis of religion or belief the test of policy as the government stated in that consultation paper. This approach should be strengthened and extended.

Faith schools can be defined by their admissions policy; governance arrangements and sponsorship; employment policy for selecting senior staff; ethos and values.

The nearly 7,000 faith schools in England have a wide range of different combinations of these characteristics.

The most important and significant difference is between schools that are in practice almost exclusively for members of a particular faith community, and those that are genuinely open to more than their own faith community (in shorthand, more inclusive and more exclusive faith schools). Policy change should focus upon the former, exclusive faith schools.

This approach distinguishes most Church of England schools which are inclusive from many (though not all) other faith schools which are not, and this important difference needs to be understood in considering the appropriate policy options, and made clearer in talk and policy about ‘faith schools’ which can be misleadingly general.

²⁸ https://consult.education.gov.uk/school-frameworks/schools-that-work-for-everyone/supporting_documents/SCHOOLS%20THAT%20WORK%20FOR%20EVERYONE%20%20FINAL.PDF

It has become ever clearer to us that there is a considerable difference between the majority of Church of England schools, which exist to serve the whole local community, and Roman Catholic and many other faith schools which exist primarily to educate the children of parents who share that faith, and to pass on that faith.

The Revd Nigel Genders, Chief Education Officer for The Church of England stated in September 2016:

Our (i.e. Church of England) schools are not faith schools for the faithful, they are Church schools for the community, and we don’t propose to change that.

This does not in any way prevent schools having a clear faith ethos, but they, like the vast majority of community schools, should be open to all, irrespective of their beliefs. Moreover this approach is carried through in practice. Mr Genders said in a letter to the Times in December 2016 that ‘more than half the 4,700 Church of England schools have no faith criteria for admissions’, and repeated that this approach would not change.

Quite apart from the fact that inclusivity is far more difficult to achieve in schools where there are faith criteria for admissions, there is clear evidence that the existence of such criteria is often complex, opaque and arbitrary.

Linda Woodhead and Dr Mairi Levitt undertook research into the operation of selection in Leicester schools.²⁹ It finds that the criteria for some faith schools, including many of the newest, are unduly complex and contorted. Simplification and clarity, or elimination of such selection criteria in favour of more inclusive ones, would be valuable in its own terms and critically important in building an inclusive system in the city. We suspect the Leicester experience is repeated in other parts of the country.

So the distinction between faith schools that admit pupils on the basis of faith criteria and those that don’t is fundamental. We remain of the view that the country needs to move strongly in the direction of reducing the number of schools in this country which include faith as a criterion for admission. It is

²⁹ Mairi Levitt and Linda Woodhead ‘Choosing a Faith School in Leicester’, *British Journal of Religious Education* (June 2018, pp.1-12). <http://faithdebates.org.uk/education/new-faith-school-study/>

important to emphasize that this is not a criticism of faith schools as such, but simply an observation that where admission on the basis of faith is taking place care is needed to look at the overall effect on society and integration. There is no reason at all that faith schools cannot continue to maintain a distinctive faith ethos and values – this does not depend on selection criteria.

It would, for example, be highly beneficial if the thinking of many of the Church of England's leaders were now put into effect, for example by adopting a strategy of phasing out all selection in their schools on the basis of faith, perhaps over a number of years.

In all churches it would be beneficial if there could be full transparency about the operation of admissions policy in their faith schools. We believe that such transparency should be a requirement of government support and funding.

The other defining factors of 'faith schools' are less difficult to address and are less significant in terms of inclusivity than admission on the basis of faith criteria. We think that it is entirely appropriate that they should have their own ethos, as long as it is made clear openly. It is completely acceptable that their governance arrangements should include representation from their sponsoring faith communities. And their education practice can reflect the belief system that motivates them, as long as it is explained clearly and transparently. Their employment policy is more complicated, and in some cases has led to injustice, but in principle it is reasonable to employ some people who understand and accept the religion in the school in which they teach.

The government has rightly committed itself to promote inclusivity, emphasizing the need for all faith schools to behave in an inclusive way. For example they stated that faith-based free schools should:

promote inclusivity, enhance understanding of other faiths and those with no faith; promote community cohesion and properly prepare children and young people for life in modern Britain.³⁰

³⁰ https://consult.education.gov.uk/school-frameworks/schools-that-work-for-everyone/supporting_documents/SCHOOLS%20THAT%20WORK%20FOR%20EVERYONE%20%20FINAL.PDF

And that they should be required to:

act inclusively by enabling pupils of all faiths and none to play a full part in the life of the school and not disadvantage pupils or parents of any faith (or none); and actively promote the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs. (ibid.)

This approach should inform government policy in relation to all faith schools, but it is particularly important in relation to those faith schools which include faith criteria in their admissions policy since the greatest concerns about inclusivity arise in relation to such schools. (It should be emphasized here that Levitt and Woodhead find that strict and complex faith criteria are being used in effect as a barrier to inclusion even when there is a legal requirement to admit 50% children of other faiths and none.³¹)

It is important to note in addition that diversity of ethnic minority background within schools should not be seen as implying diversity of religious belief (for example many Catholic schools have high ethnic diversity because of migration of Catholics from many countries, especially Eastern Europe but low religious diversity). The characteristics may be related but are not the same.

Our submission³² to the government consultation³³ on its proposals to remove the cap on faith-based admissions to faith-based free schools set out this view.

The values set out by the government³⁴ are indeed essential if the country is to have confidence public funds should legitimately support faith schools, and particularly those which select pupils for admission on the basis of their faith or that of their parents.

³¹ Mairi Levitt and Linda Woodhead 'Choosing a Faith School in Leicester', the British Journal of Religious Education (June 2018, pp.1-12). <http://faithdebates.org.uk/education/new-faith-school-study/>

³² <http://faithdebates.org.uk/wp-content/uploads/2018/06/INTEGRATED-COMMUNITIES-SUBMISSION-FINAL.pdf>

³³ https://consult.education.gov.uk/frameworks/schools-that-work-for-everyone/supporting_documents/SCHOOLS%20THAT%20WORK%20FOR%20EVERYONE%20%20FINAL.PDF

³⁴ https://consult.education.gov.uk/school-frameworks/schools-that-work-for-everyone/supporting_documents/SCHOOLS%20THAT%20WORK%20FOR%20EVERYONE%20%20FINAL.PDF

The measures which should be taken to promote inclusivity include:

- Establishing a national, high quality and professional RE (RBV) syllabus which should be taught in all schools, as discussed in Section B
- Funding and supporting local SACREs to provide professional assistance for twinning and the development of stronger relationships between schools and local faith communities
- Establishing twinning arrangements with other schools not of their faith. This needs to be done in a professional way with structured programmes across the whole local school community and should involve professional training for the teachers involved, preferably with input from the most successful existing twinning programmes such as Schools Linking,³⁵ based in Bradford, and from some development education centres
- Setting up mixed-faith multi-academy trusts, though paying close attention to the MAT's governance arrangements to ensure the full involvement and representation of parents and local communities, including both different faiths and no faith
- Placing at least one independent member or director who has a different religion or belief on the governing body.

It is particularly important to implement these measures for all those schools (Voluntary Aided, academy, free) which select pupils on the basis of faith. There is a strong case for implementing these measures in relation to all faith schools, but we do not think that the issues are as pressing for those faith schools whose admissions policies do not use faith criteria.

³⁵ <http://schoolslinking.org.uk>

The proposed changes to encourage inclusivity and community cohesion should be enforced through the academies' funding agreements and through inspection by OFSTED, whose powers of intervention should be strengthened where schools do not meet expectations, including in relation to uniform policy, food policy and curriculum though these are, of course, difficult subjects which should normally be left to the judgment of teachers and governors. We would recommend re-establishing the responsibility of OFSTED to inspect a school's approach to community cohesion.

In the event that 'faith schools', irrespective of their admissions policy, were not correctly carrying out their responsibilities to educate, including in RE (or RBV), in a way which promotes inclusivity and community cohesion, the normal range of OFSTED sanctions should apply and schools should lose the right to admit on the basis of faith where they do not meet the requirements which have been set out. Such schools would not become 'non-faith schools'. They would simply not be able to select pupils on the basis of faith.

We conclude in relation to the ethos of schools that:

Recommendation 12

All schools in receipt of state funding, including faith schools, should be required to publicise their ethos and explain clearly, as part of their overall statement on the curriculum, how they make provision to teach the nationally agreed RE curriculum, so that prospective parents and pupils can state their preferences on an informed basis.

And more generally for faith schools we recommend:

Recommendation 13

Faith schools which admit pupils on the basis of some faith criteria should be required by their sponsoring churches to promote inclusivity, including by using a national, high quality and professional RE (RBV) syllabus; developing stronger relationships between schools and all local faith communities; establishing twinning arrangements with other schools not of their faith and placing an independent member or director who has a different religion or belief on the governing body.

Recommendation 14

The churches and other faith bodies need to make strong and continued progress in reducing the numbers of their schools where faith is a criterion for admission.

Recommendation 15

The responsibility of OFSTED to inspect a school's approach to community cohesion should be re-established. If schools were not correctly carrying out their responsibilities the normal range of OFSTED sanctions should apply. In such cases OFSTED should be given the right to remove a school's right to admit on the basis of faith.

D3 Other Recommendations

'A New Settlement' included three other recommendations in this section, which concerned inspection regimes and employment. We recommended that:

The ability of faith schools to retain their own inspection process for the content of collective worship and religious formation should be reconsidered within the context of the overall changes we propose.

The inspection regime for independent schools should continue to be steadily tightened in the context of the curricular changes we propose.

The current arrangements which enable faith schools to discriminate in their employment should be kept under review, given legitimate concerns about their necessity and their effects.

We do not consider that these matters are central to the overall changes which we are recommending. Recommendations 3 and 4 above cover two of the above proposals and we continue to propose that:

Recommendation 16

The current arrangements which enable faith schools to discriminate in their employment should be kept under review.

(E) CONCLUSION AND SUMMARY OF RECOMMENDATIONS

The response to our original pamphlet, and the research and wide range of conversations and reports since, confirm our strong view that, nearly 75 years after the 1944 Act, the time is overdue for a new settlement in the relationship between religion and schools. The simple fact is that schools have changed enormously over the last 75 years, and so has religious and non-religious practice and its place in our society.

We believe that a wide range of important changes, such as improving teacher supply and quality, developing better course material, and ensuring that all teachers are religiously literate will only succeed if the legal relationship between religion and schools fits contemporary realities. That means that legislative change needs to happen.

Our recommendations represent our personal views, formed on the basis of our relevant expertise and consultation. We hope that they may be useful in informing a new settlement, and we conclude by listing the recommendations that we have come to in this revised version of A New Settlement (2018).

We recommend that:

CURRICULUM

Recommendation 1

The current arrangements for the local determination of RE, including the Agreed Syllabus Conferences, should be reformed. The RE (or RBV) curriculum in schools should be determined by a newly created national ‘Advisory Council on Religion Belief and Values’. This Advisory Council would be nominated by the Secretary of State and chiefly comprise

professional RE educators, working in consultation with the relevant professional bodies and representatives of religions, humanism and other beliefs and taking account of local views and experience. Every member of the Council will be appointed on the basis of their own knowledge and experience and not in order to represent any particular faith or belief system. This new nationally agreed RE (or RBV) curriculum should be reviewed in line with changes in the wider national curriculum.

Recommendation 2

The name of this part of the statutory curriculum should be changed to ‘Religion, Beliefs and Values’.

Recommendation 3

The nationally-agreed ‘Religion, Belief and Values’ syllabus should be required in all state-funded schools with the option for schools with a religious character to complement the requirement with further provision as required by their religious designation.

Recommendation 4

OFSTED should ensure that all schools properly fulfil their duty to teach the nationally agreed RBV curriculum.

Recommendation 5

The legal requirement for RE at Key Stage 5, after the age of 16, should be removed.

Recommendation 6

Within the context of a general reform of the curriculum at Key Stage 4, consideration should be given to modifying the legal requirement for RE to a requirement for all pupils to study contemporary religious, spiritual, moral, ethical, social, and cultural values.

Recommendation 7

The right of parents to withdraw their children from the Religion, Belief and Values part of the curriculum should be removed.

Recommendation 8

In the new framework which we recommend the local Standing Advisory Councils on Religious Education (SACREs) would be asked to assist in the local delivery and implementation of the new RE (or RBV) curriculum, and to be consulted about the development of that curriculum. Local Agreed Syllabus Conferences should be abolished.

Recommendation 9

SACREs should be reconstituted and properly resourced in order to assist in developing, and then delivering, the faith aspects of the government's approach to community integration and cohesion, as well as strengthening links between the teaching of religion and belief in schools and higher and further education institutions.

ACT OF COLLECTIVE WORSHIP

Recommendation 10

The current wording in Circular 1/94 be replaced by:-

‘All pupils in attendance at maintained schools and academies shall take part in a regular assembly or act of collective worship in keeping with the values and ethos of the school and reflecting the diversity and character of the school community.’

FAITH SCHOOLS

Recommendation 11

Children of families of faith should where possible be able to attend schools of that faith, and that their current legal right to be given priority in the admissions process should not be removed.

Recommendation 12

All schools in receipt of state funding, including faith schools, should be required to publicise their ethos and explain clearly, as part of their overall statement on the curriculum, how they make provision to teach the nationally agreed RE curriculum, so that prospective parents and pupils can state their preferences on an informed basis.

Recommendation 13

Faith schools which admit pupils on the basis of some faith criteria should be required by their sponsoring churches to promote inclusivity, including by using a national, high quality and professional RE (RBV) syllabus; developing stronger relationships between schools and all local faith communities; establishing twinning arrangements with other schools not of their faith and placing an independent member or director who has a different religion or belief on the governing body.

Recommendation 14

Churches and other faith bodies need to make strong and continued progress in reducing the numbers of their schools where faith is a criterion for admission.

Recommendation 15

The responsibility of OFSTED to inspect a school's approach to community cohesion should be re-established. If schools were not correctly carrying out their responsibilities the normal range of OFSTED sanctions should apply. In such cases OFSTED should be given the right to remove a school's right to admit on the basis of faith.

Recommendation 16

The current arrangements which enable faith schools to discriminate in their employment should be kept under review.

APPENDIX: STATISTICAL DESCRIPTION OF SCHOOLS TODAY

We are reproducing here the brief statistical description of schools in England today, including the place of faith schools in the English education system, in the same form as was published in our original pamphlet. Because a number of people told us that they found it a useful introduction to the system in England today, we replicate it here as a point of reference.

It is helpful to begin with a brief summary of findings about religion in England and Wales from the 2011 Census:³⁶

Christianity was the largest religion, in terms of the number identifying as 'Christian', with 33.2 million people (59.3 per cent of the population). Muslims made up the second largest religious group with 2.7 million people (4.8 per cent of the population).

14.1 million people, around a quarter of the population in England and Wales, reported having 'no religion'.

The religion question was the only optional question on the Census and 7.2 per cent of people did not answer the question.

Between 2001 and 2011 there has been a decrease in people who identify as Christian (from 71.7 per cent to 59.3 per cent) and an increase in those reporting no religion (from 14.8 per cent to 25.1 per cent). There were increases in the other main religious group categories (Muslim, Hindu etc.).

Additional research carried out by a number of surveys, including the British Social Attitudes Survey and by Woodhead and YouGov for the Westminster Faith Debates suggests that these shifts towards (a) greater religious diversity and (b) a higher proportion of religiously unaffiliated people ('nones') are underestimated by the 2011 Census, and are almost certain to continue. In the process, belonging to a religious group has become less common than being religious, spiritual or non-religious outside of traditional institutional frameworks. The influence of traditional religious authorities is likely to continue to diminish, and the authority of personal choice and new, more disorganised, forms of authority is likely to grow. The increasing power of more conservative and 'fundamentalist' elements of religion relative to less activist liberal or 'moderate' majorities is also likely to continue. A summary of these trends has been published by Woodhead (2016).³⁷

³⁶ http://www.ons.gov.uk/ons/dcp171776_290510.pdf

³⁷ <https://www.britac.ac.uk/sites/default/files/11%20Woodhead%201825.pdf>

Numbers and distribution of faith schools

The table opposite is drawn from the Department for Education's Statistics First Release (SFR 15/2014, Table 2c).³⁸

Table 1: SCHOOLS OF DIFFERENT CATEGORIES

	Primary	Secondary	Total State	Independent
Total (24,347)	16,788	3,329	20,117	2,411
Of which:-				
No religious character	10,577	2,696	13,273	
% non-faith schools	63% primary	81% secondary		
% Faith schools	6,211	633	6,844	
% faith schools	37% primary	19% secondary		
Of which:-				
CofE	4,394 (VC 2,235)	207 (VC 26)	4,601	1,000
Catholic	1,662	324	1,986	150
Other Christian	101	77 (VC51)	178	
% Christian schools	99.1% primary	96.1% secondary		
Jewish	36	12	48	60
Muslim	9	9	18	140
Sikh	5	3	8	
% non-Christian schools	0.9% primary	3.9% secondary		
Other	4	1	5	

These categorisations are not always straightforward and the recent development of 'academies' (which includes all 'free schools') complicates the situation further. For example, the table includes about 400 free schools which are either open or have been approved, and whose number may double in the next 5 years.

A number of immediate conclusions can be drawn which provide a helpful sense of perspective when considering the often controversial issues which arise in debates about faith schools.

- (1) 37% of all state primary schools and 19% of all secondary schools in England are faith schools. They have roots in every community in England. This is a reflection of the historical origins of our faith schools, as described above. The fact that these proportions remain so large means that any serious reform would be a major educational and political undertaking. This is not itself an argument against reform but is a serious factor to be taken into account when considering it. It helps to account for the previous reluctance to make changes.
- (2) The flip side of those figures is that 81% of all state secondary schools, and 63% of state primary schools do not have a religious character, i.e. are not faith schools. The overwhelming majority of children are educated in state schools with no religious character. What happens in regard to religion in these schools is by far the most important dimension of any discussion about the place of religion in education, simply because of the number of children involved.
- (3) The churches dominate the state faith school sector: 99.1% of all faith primary (state) schools and 96.1% of all faith secondary (state) schools are Christian in character. The proportion of non-Christian faith state schools is tiny.

³⁸ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/335176/2014_SPC_SFR_Text_v101.pdf

Types of faith school

Faith schools within the state system, where no student pays fees, fall into two broad categories in both of which the school building and site are owned by the church, foundation or trust.

In the first ('voluntary controlled') the local education authority funds repairs and capital projects and appoints a majority of the governing body, though the church appoints some governors. The local education authority employs the teachers and is also the admissions authority. Nearly all voluntary controlled schools are Church of England, but religious education normally follows the local agreed syllabus, like other local schools. The acts of collective worship vary from a very Christian focus to broadly inclusive.

In the second category ('voluntary aided') the governing body raises the cost of repairs and capital projects with 90% grant from the government. Most Catholic, Jewish, Muslim, Sikh and Hindu schools are voluntary aided. The sponsoring religious body appoints a majority of the school governors, and the governing body appoints and employs the teachers. The governing body is the admissions authority. Religious education and worship follow the practice of the sponsoring faith.

There is also a group of schools, 'Foundations with an Anglican trust' and 'Academies designated as having Church of England character' which are similar to voluntary aided schools except that the foundation or Trust owns the school. The trustees of Academies provide some set-up capital, and the government provides revenue and continuing capital funding. The church appoints only a minority of governors. In some schools religious education follows the locally agreed syllabus, though in others religious education and worship are distinctively Anglican and may follow a syllabus specified by the Diocese, though not usually in a strongly confessional sense.

It can be seen from the above description that 'voluntary controlled' faith schools are similar to local authority community schools in relation to school admissions policy, employment of teachers, the religious education curriculum

and general funding, although they might have a Christian ethos. Like Anglican Foundations and Academies, they do not usually have a strongly confessional character though they are expected to have a distinctively Christian character and are inspected accordingly.

Overall, 76.3% of all English state primary schools and 83.3% of all English state secondary schools either have no religious character or are 'voluntary controlled'. In practice these latter VA 'faith schools' are not all that different from non-faith schools.

There are no 'voluntary controlled' Catholic and Jewish Schools. 87.4% per cent of all Church of England secondary schools, 49.1% of Church of England primary schools, and 33.8% of 'Other Christian' secondary schools are not 'voluntary controlled'.

In addition to the state schools described above there are about 2,400 independent schools in England of which approximately 1,000 have a Church of England ethos. There are about 140 Muslim independent schools in the UK, mainly affiliated to the Association of Muslim Schools,³⁹ which acts as an umbrella body for registered Muslim schools in the UK, including 13 state-funded Muslim schools.

Although not state schools, there are also around 700 unregulated madrassas in Britain, attended by approximately 100,000 children of Muslim parents. These are essentially supplementary schools, in principle not dissimilar from Christian Sunday schools and Hebrew schools, which many children attend in addition to their other day school.⁴⁰

³⁹ <http://ams-uk.org/>

⁴⁰ <http://www.theguardian.com/education/2006/mar/22/schools.uk1>

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We would like to pay our respects to our friend and supporter Stewart Sutherland (the Lord Sutherland of Houndwood), who hosted the launch of the first version of this pamphlet in the House of Lords in 2015, and who sadly passed away in January 2018.

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Finally, we would also like to thank the remarkable group of people who make up our Advisory Board,⁴³ for whose unpaid time and commitment we are tremendously grateful. Of course we bear sole responsibility for the views and recommendations made here. We hope that they promote further constructive discussion and change.

Charles Clarke and Linda Woodhead
July 2018

<http://faithdebates.org.uk>

⁴¹ <http://faithdebates.org.uk/category/education/>

⁴² https://www.stgeorghouse.org/past_consultations/a-new-settlement-religion-belief-in-schools/

⁴³ Alan Brine, Priscilla Chadwick, Anne Davey, Bill Gent, Neil McKain, Joyce Miller, Simon Perfect, Jonathan Romain, David Whittington

About the authors...

The Rt Hon Charles Clarke

was Secretary of State for Education from 2002-2004, and is now a Visiting Professor in Politics and Faith in the Department of Politics, Philosophy and Religion at Lancaster University.

Linda Woodhead MBE DD

is Professor of Sociology of Religion in the Department of Politics, Philosophy and Religion at Lancaster University. Between 2007 and 2013 she was Director of the £12m AHRC/ESRC Religion and Society research programme. She is now co-director of the Institute for Social Futures at Lancaster University.

Charles and Linda founded and organised the Westminster Faith Debates. In the current phase of this work they are devoting their energies to helping bring change in how religion is handled in schools.

www.faithdebates.org.uk



Westminster
FAITH DEBATES

A New Settlement Revised: **Religion and Belief in Schools**

In 2015 Charles Clarke (former Education Secretary) and Professor Linda Woodhead (Lancaster University) published the first version of this pamphlet, explaining why the way that religion is handled in schools needs to change, and setting out a clear set of recommendations.

Since then they have been involved in extensive consultations and research with interested parties and experts, asking for their views on the 2015 recommendations.

This pamphlet is the outcome of these consultations. It updates the previous version of 'A New Settlement' and sets out a revised set of recommendations.

