



## **Guidance on the right of withdrawal from religious education and/or collective worship in schools in England**

**Note to users: As a result of The Curriculum and Assessment (Wales) Act 2021 and the introduction of the Curriculum for Wales, the parental right to withdraw a child from Religion, Values and Ethics (RVE) is in the process of being removed, as part of a phased roll out due to end in 2026. Whilst this phased roll out is taking place, we will not be including any reference to the position in Wales in this guidance.**

**If you have any queries relating to the position in Wales, please contact your diocese for assistance.**

### **What the law says**

#### **The requirement to provide Religious Education**

The local authority, governing body and head teacher of voluntary aided (VA) schools must ensure that religious education is provided as part of the school's basic curriculum<sup>1</sup>. In VA schools with a religious character, such provision must be in accordance with the provisions of the school's trust deed<sup>2</sup> and instrument of government. In Catholic schools this is therefore *"in accordance with the teachings, doctrines, discipline and general and particular norms of the Catholic Church"*<sup>3</sup>.

Academies are required by their funding agreement and Articles of Association to comply with similar requirements.<sup>4</sup>

#### **The requirement to provide Collective Worship**

Pupils in VA schools are required by law to take part in an act of collective worship on each school day<sup>5</sup> which must be in accordance with the provisions of the school's trust deed and instrument of government. In Catholic schools this is therefore *"in accordance with the rites, practices, disciplines and liturgical norms of the Catholic Church"*.<sup>6</sup>

<sup>1</sup> School Standards and Framework Act 1998, s.69(1).

<sup>2</sup> The term 'trust deed' is defined widely: see section 579(1) of the Education Act 1996.

<sup>3</sup> Schools Standards and Framework Act 1998, Schedule 19, paragraph.4; Instrument of Government, clause 2.

<sup>4</sup> *The Mainstream Academy and Free School: Supplemental Funding Agreement* (December 2020); *Academy articles of association: For use by Catholic academies* (February 2019).

<sup>5</sup> School Standards and Framework Act 1998, s.70(1).

<sup>6</sup> School Standards and Framework Act 1998, Schedule 20; Instrument of Government, clause 2.

Academies are required by their funding agreement and Articles of Association to comply with similar requirements.<sup>7</sup>

Whilst it is very rare that children in Catholic schools do not fully participate in the religious education curriculum and collective worship of the school<sup>8</sup>, schools may receive a request that a pupil:

- (i) be withdrawn from religious education and/or collective worship, or
- (ii) receive religious education which is different to that taught at the school.

**(i) The right of withdrawal from Religious Education and/or Collective Worship**

Parents of pupils in VA schools and voluntary academies<sup>9</sup> are permitted, by law, to request that their child is withdrawn from receiving all or part of religious education<sup>10</sup> and/or collective worship<sup>11</sup> given at the school and any such request shall stand until such time that a parent's request is withdrawn.

**Please notify the school directly if you wish to remove your child from any of the above. This can be done by telephone: 01628 472116 or by email: [office@stpetersrc.bucks.sch.uk](mailto:office@stpetersrc.bucks.sch.uk)**

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<sup>7</sup>*The Mainstream Academy and Free School: Supplemental Funding Agreement* (December 2020); *Academy articles of association: For use by Catholic academies* (February 2019)

<sup>8</sup> The CES Census Digest 2023 records that 0.04% of pupils in Catholic schools and academies in England were withdrawn from collective worship in 2023.

<sup>9</sup> Paragraph 2.V of the *Mainstream academy and free school: supplemental funding agreement December 2020 v7* provides that the Academy Trust must comply with s71(1)-(6) and (8) of the School Standards and Framework Act 1988 as if the Academy were a VA school.

<sup>10</sup> S.71(1) School Standards and Framework Act 1998

<sup>11</sup> S.71(1A) School Standards and Framework Act 1998

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