The legal basis of RE in the curriculum of maintained schools

Every maintained school in England must provide a basic curriculum (RE, sex education and the National Curriculum). This includes provision for RE for all registered pupils at the school (including those in the sixth form), except for those withdrawn by their parents (or

withdrawing themselves if they are aged 18 or over) in accordance with Schedule 19 to the

School Standards and Framework Act 1998.

Schools should ensure that parents who want to withdraw their children from RE are aware of the RE syllabus and that it is relevant to all pupils and respects their own personal beliefs.

They should be made aware of its learning objectives and what is covered in the RE

curriculum and should be given the opportunity to discuss this, if they wish. The school may also wish to review such a request each year, in discussion with the parents. However, the right of withdrawal does not extend to other areas of the curriculum when, as may happen on occasion, spontaneous questions on religious matters are raised by pupils or there are issues related to religion that arise in other subjects such as history or citizenship.

The use of the right to withdraw should be at the instigation of parents (or pupils

themselves if they are aged 18 or over), and it should be made clear whether it is from the

whole of the subject or specific parts of it. No reasons need be given.

Parents have the right to choose whether or not to withdraw their child from RE without

influence from the school, although a school should ensure parents or carers are informed

of this right and are aware of the educational objectives and content of the RE syllabus. In

this way, parents can make an informed decision. Where parents have requested that their

child is withdrawn, their right must be respected, and where RE is integrated in the

curriculum, the school will need to discuss the arrangements with the parents or carers to

explore how the child’s withdrawal can be best accommodated. If pupils are withdrawn

from RE, schools have a duty to supervise them, though not to provide additional teaching

or to incur extra cost. Pupils will usually remain on school premises.

Where a pupil has been withdrawn, the law provides for alternative arrangements to be

made for RE of the kind the parent wants the pupil to receive. This RE could be provided at

the school in question, or the pupil could be sent to another school where suitable RE is

provided if this is reasonably convenient. If neither approach is practicable, outside

arrangements can be made to provide the pupil with the kind of RE that the parent wants,

and the pupil may be withdrawn from school for a reasonable period of time to allow them

to attend this external RE.

Outside arrangements for RE are allowed as long as the LA is satisfied that any interference with the pupil’s attendance at school resulting from the withdrawal will affect only the start or end of a school session