



## BRIEFING PAPER

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# Religious Education in schools (England)

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## Summary

Religious Education (RE) must be taught by all state-funded schools in England. However, it has an unusual position on the curriculum: it is part of the basic curriculum but not the National Curriculum, and is one of two subjects (along with sex and relationship education) where parents have a legal right to withdraw their children from class.

This briefing introduces the rules around RE in state-funded schools, whether they are academies or free schools, or maintained by a local authority. It introduces concerns that have been raised about the quality of RE teaching, including the number of RE teachers with qualifications relevant to the subject. It also provides information on other related issues, such as the parental right of withdrawal from RE and the rules on collective worship in schools.

As schools policy is a devolved topic, this briefing provides information on the position in England. Information on the teaching of RE in [Scotland](#), [Wales](#), and [Northern Ireland](#) is available on the websites of the respective countries' Governments.

# 1. What is taught in Religious Education

## 1.1 Introduction

All state-funded schools must teach religious education (RE). Maintained schools without a religious character must follow the syllabus agreed by the local agreed syllabus conference (ASC), an occasional body which local authorities are required to establish and support.<sup>1</sup>

The Department for Education's [Governors' Handbook](#) provides information on the teaching of RE in other schools:

Voluntary aided schools with a religious character should provide RE in accordance with the trust deed or religious designation of the school, unless parents request the locally agreed syllabus.

Foundation schools and voluntary controlled schools with a religious character should follow the locally agreed syllabus, unless parents request RE in accordance with the trust deed or religious designation of the school.

RE is also compulsory in faith and non-faith academies and free schools as set out in their funding agreements.<sup>2</sup>

## Uptake of RE at GCSE level<sup>3</sup>

The total number of pupils entering RE GCSE has increased substantially in recent years from 164,000 in 2008 to almost 260,000 in 2014; a rise from 25% to 42% of pupils.

[Source: [Revised GCSE and equivalent results in England: 2013 to 2014](#), DfE]

## 1.2 RE in local authority maintained schools

Religious Education is a component of the basic curriculum (but not the National Curriculum) and is compulsory for all pupils in local authority maintained schools aged 5 to 18 years unless they are withdrawn from these lessons by their parents, or withdraw by their own choice after their 18<sup>th</sup> birthday. (The provision applies to school sixth forms, therefore, whereas no equivalent is in place for 16-18 year olds in sixth form colleges or other further education institutions.) They are not obliged to give a reason, and the school is expected to comply with the request. The statutory provisions relating to religious education are contained in sections 69 and 71 and schedule 19 of the *School Standards and Framework Act 1998*, as amended.

Non-statutory [guidance](#) for maintained schools provides further background on the position of the RE curriculum for maintained schools:

<sup>1</sup> Department for Children, Schools and Families, [Religious education in English schools: Non-statutory guidance 2010](#), p10 and p14

<sup>2</sup> Department for Education, [Governors' Handbook](#), September 2014, p51

<sup>3</sup> Section by Paul Bolton, Social and General Statistics

## 5 Religious Education in schools (England)

The key document in determining the teaching of RE is the locally agreed syllabus within the LA concerned (see 'Agreed syllabus', p.14). Schools designated as having a religious character are free to make their own decisions in preparing their syllabuses. LAs must, however, ensure that the agreed syllabus for their area is consistent with Section 375(3) of the Education Act 1996, which requires the syllabus to reflect that the religious traditions of Great Britain are in the main Christian whilst taking account of the teaching and practices of the other principal religions represented in Great Britain.<sup>4</sup>

The guidance sets out the following on the agreed syllabus:

The locally agreed syllabus is a statutory syllabus of RE prepared under Schedule 31 to the Education Act 1996 and adopted by the LA under that schedule. It must be followed in maintained schools without a designated denomination.

Once adopted by the LA, the agreed syllabus sets out what pupils should be taught and can include the expected standards of pupils' performance at different stages.

Every locally agreed syllabus must reflect that the religious traditions of Great Britain are in the main Christian, while taking account of the teaching and practices of the other principal religions represented in Great Britain.

The law does not define what the principal religions represented in Great Britain are. ASCs [agreed syllabus conferences] can decide which are the principal religions represented in Great Britain, other than Christianity, to be included in their agreed syllabus.

Agreed syllabuses in any community school and any foundation, voluntary-aided or voluntary-controlled school without a religious character cannot require RE to be provided by means of any catechism or formulary which is distinctive of a particular religious denomination.

This prohibition does not extend to the study of catechisms and formularies.<sup>5</sup>

Owing to its position as part of the basic curriculum but not the National Curriculum, Religious Education was not included in the Government's National Curriculum review. When the review was [announced](#) in January 2011, the Government stated that:

[...] it is essential to distinguish between the national curriculum and the wider school curriculum. There are a number of important components of a broad and balanced school curriculum for which, as is currently the case, it would be inappropriate to prescribe national programmes of study. This applies, for example, in the case of religious education (RE), where what is taught needs to reflect local circumstances. Religious education will not, therefore, be considered as part of the review of the national curriculum. The government does not intend to make any changes to the statutory basis for religious education.<sup>6</sup>

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<sup>4</sup> Department for Children, Schools and Families, [Religious education in English schools: Non-statutory guidance 2010](#), p10

<sup>5</sup> *Ibid.*, p14

<sup>6</sup> Department for Education, [National curriculum review launched](#), 20 January 2011

## 1.3 RE in academies and free schools

Academies and free schools are state funded schools that are independent of the local authority. They operate in accordance with the funding agreement between the individual academy trust and the Secretary of State.

Requirements for academies and free schools broadly reflect the provisions that apply to local authorities and schools in the maintained sector. The requirements, including the type of RE that an academy provides, will be set out in their funding agreement. For schools without a faith designation, this will usually mirror the requirements for local authority maintained schools without a religious character. For example, the [model funding agreement](#) for mainstream academies and free schools states:

2.51. Subject to clause 2.49, where the Academy **has not been designated with a religious character** (in accordance with section 124B of the School Standards and Framework Act 1998 or further to section 6(8) of the Academies Act 2010):

a) provision must be made for religious education to be given to all pupils at the Academy in accordance with the requirements for agreed syllabuses in section 375(3) of the Education Act 1996 and paragraph 2(5) of Schedule 19 to the School Standards and Framework Act 1998;

b) the Academy must comply with section 70(1) of, and Schedule 20 to, the School Standards and Framework Act 1998 as if it were a community, foundation or voluntary school which does not have a religious character, except that paragraph 4 of that Schedule does not apply. The Academy may apply to the Secretary of State for consent to be relieved of the requirement imposed by paragraph 3(2) of that Schedule.

## 1.4 RE in faith schools

Schools with a religious character (often referred to as 'faith schools') in the state sector can be different kinds of schools, local authority maintained or academies, but are associated with a particular religion. They will follow a similar position in relation to the curriculum to other schools of their type, except, as the gov.uk website notes, "for religious studies, where they are free to only teach about their own religion."<sup>7</sup>

RE in schools with a religious character must be provided in accordance with the school's trust deed or, where provision is not made by a trust deed, in accordance with the beliefs of the religion or denomination specified in the order that designates the school as having a religious character. RE in a foundation or voluntary controlled school with a religious character must be provided in accordance with the locally agreed syllabus for the area. However, where parents request it, provision may be made in accordance with the school's trust deed or, where provision is not made by trust deed, in accordance with the beliefs of the religion or denomination specified in the order.

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<sup>7</sup> Gov.uk, [Faith schools](#) [accessed 29 January 2015]

Requirements for academies broadly reflect the provisions that apply to local authorities and schools in the maintained sector. The requirements including the type of RE that an academy provides will be set out in the funding agreement between the individual academy trust and the Secretary of State.

### 1.5 GCSE and A level RE

Alongside its broader curriculum reforms, the Coalition Government undertook reforms of subject content at GCSE, AS and A level. The Library briefing on [GCSE, AS, and A level reform](#), SN/SP/6962, provides details.

#### Consultation on revised content

As the Library briefing notes, on 7 November 2014 the previous Government launched a [consultation](#) on revised content for GCSE, AS and A level religious studies, to be introduced from September 2016. The consultation was open until 29 December 2014.

The [consultation document](#) noted that:

The religious studies GCSE and A level content has undergone an extensive period of informal consultation with subject experts, religious groups, higher education experts, awarding organisations and Ofqual in the run up to formal consultation. This consultation builds on the informal engagement, which included detailed discussions about the proposals and draft content, since the religious studies content development process began.<sup>8</sup>

The [draft subject content](#) for GCSE religious studies proposes that the subject's specifications would require students to:

- demonstrate knowledge and understanding of **two religions**
- demonstrate knowledge and understanding of key sources of wisdom and authority including texts which support contemporary religious faith
- understand the impact of religion on individuals, communities and societies
- understand significant common and divergent views between and within religions and beliefs
- apply knowledge and understanding in order to analyse questions related to religious beliefs and values
- construct well-informed and balanced arguments on matters concerned with religious beliefs and values set out in the subject content [...] <sup>9</sup>

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<sup>8</sup> Department for Education, [Reformed GCSE and A level subject content consultation](#), November 2014, p7

<sup>9</sup> Department for Education, [Religious Studies: GCSE subject content](#), November 2014, p3-4

The [proposed subject content](#) for religious studies at AS and A level stated that those qualifications must require students to demonstrate knowledge, understanding and skills through two of the following approaches, with each requiring an equal amount of teaching, learning and assessment: systematic study of one religion; philosophical, ethical and social scientific studies of religion; textual studies (one religion, not necessarily a religion studied for the other two approaches).<sup>10</sup>

The proposals were welcomed by many religious leaders, although concerns were raised about diminishing space on the curriculum, and about the possible impact on faith schools in teaching their own faith.<sup>11</sup> The absence of humanism from the curriculum was also criticised. In February 2015, a letter was published in the *Times*, signed by religious leaders including the former Archbishop of Canterbury, Baron Williams of Oystermouth, calling for humanism to be provided as an option for study at GCSE, AS and A level.<sup>12</sup>

## Government response and new content

The [Government response](#) to the consultation was published in February 2015.<sup>13</sup> An [analysis of the responses](#) was published on the same day.<sup>14</sup>

Content to be taught from 2016 is now available for:

- [GCSE Religious Studies](#)
- [AS and A level Religious Studies](#)

The Government [response](#) stated that, at GCSE level, it had decided that the study of two religions was “the right approach for GCSE as it will ensure students acquire both breadth and depth of knowledge, providing them with a broad and rigorous study of religions.”<sup>15</sup> The Government further stated that it had decided not to make humanism or other non-religious beliefs an option for study:

We believe this would not be a suitable addition to the content, given the nature and purpose of a qualification in religious studies. Students already have the opportunity to learn about non-religious worldviews, such as humanism and atheism, alongside religious beliefs and we have emphasised this opportunity in the content. However, as these are qualifications in Religious Studies, it is right that the content primarily focuses on developing students’ understanding of different religious beliefs. This is to stop current practice whereby students are rewarded for engaging in topical debates with virtually no understanding of religious teachings, beliefs or texts. A simultaneous focus on

<sup>10</sup> Department for Education, [GCE AS and A level subject content for Religious studies](#), November 2014

<sup>11</sup> See TES, [Religious Studies: pupils must study two faiths for new GCSE](#), 7 November 2014; Telegraph, [Nicky Morgan’s Trojan Horse curriculum ‘could lead to collapse of Religious studies’](#), 1 February 2015; Jewish Chronicle, [Faith lacking in religious studies plan](#), 2 October 2014

<sup>12</sup> Times, Pupils should have the option for the systematic study of humanism in GCSE, AS and A level religious studies, these religious leaders say, 5 February 2015

<sup>13</sup> Department for Education, [Reformed GCSE and A level subject content](#), February 2015

<sup>14</sup> Ofqual, [An analysis of consultation responses: developing new GCSE, A level and AS qualifications for first teaching in 2016 \(parts two and three\)](#), February 2015

<sup>15</sup> Department for Education, [Reformed GCSE and A level subject content: Government Consultation Response](#), February 2015, p23

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humanism would detract from an in-depth treatment of religion and the comparative study of two religions, and thus on the overall rigour and standard of the qualification. Introducing a systematic study of humanism at GCSE and A level could potentially lead to qualifications that are predominantly focused on the study of humanism at the expense of religion. Thus, whilst the subject content provides for the study of non-religious world views, it is intended that this should not form the focus for the majority of study.<sup>16</sup>

At AS and A level, the previous Government provided similar arguments for not including humanism or non-religious beliefs on the course.<sup>17</sup> Some adjustments were made to the original proposals, notably that the option to study 'Philosophical, Ethical and Social Scientific Studies of Religion' would be split into two separate areas of study: 'Philosophy of Religion' and 'Religion and Ethics'. Students will now choose three out of four areas of study (rather than two out of three previously) from the following:

- Systematic study of one religion;
- Philosophy of religion,
- Religion and ethics, and
- Textual studies.

The Government noted that:

The fields of philosophy and ethics can therefore now form up to 66% of A level study, rather than 50% of study previously, which allows for greater focus in these areas, whilst ensuring at least a third of time is spent engaging with the study of a religion or religious texts.

At the same time, we have strengthened the religious content and reference to primary texts so that students develop a solid grounding of religion whilst studying philosophy and ethics.<sup>18</sup>

### **Court challenge on the exclusion of humanism from the GCSE syllabus and DfE response**

On 9 November 2015 the British Humanist Association [announced](#) that three humanists and their children were taking the Government to court to challenge the decision to not include non-religious worldviews in the latest subject content for GCSE Religious Studies.<sup>19</sup>

The [judgment](#) was published on 25 November 2015; the court ruled that the Education Secretary had made an "error of law in her interpretation of the education statutes."<sup>20</sup> The judgment made clear that the conclusions were arrived at with reference to the position of schools or academies which do not have a religious character.<sup>21</sup>

The British Humanist Association welcomed the decision and [responded](#):

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<sup>16</sup> Ibid.

<sup>17</sup> Ibid., p29

<sup>18</sup> Ibid.

<sup>19</sup> British Humanist Association, [Parents sue Government over exclusion of Humanism from GCSE curriculum](#), 9 November 2015

<sup>20</sup> [R \(Fox\) -v- Secretary of State for Education \[2015\] EWHC 3404 \(Admin\)](#)

<sup>21</sup> Ibid. Verdict discussed in TES, [Education Secretary Nicky Morgan made 'error of law' over religious studies GCSE](#), 25 November 2015

While the Government will not be immediately compelled to change the GCSE, religious education syllabuses around the country will now have to include non-religious worldviews such as humanism on an equal footing, and pupils taking a GCSE will also have to learn about non-religious worldviews alongside the course.

In his judgment, Mr Justice Warby said, 'In carrying out its educational functions the state owes parents a positive duty to respect their religious and philosophical convictions... the state has a duty to take care that information or knowledge included in the curriculum is conveyed in a pluralistic manner... the state must accord equal respect to different religious convictions, and to non-religious beliefs; it is not entitled to discriminate between religions and beliefs on a qualitative basis; its duties must be performed from a standpoint of neutrality and impartiality as regards the quality and validity of parents' convictions.'

He found that GCSE specifications drawn up along the lines recommended 'would give priority to the study of religions (including some with a relatively very small following and no significant role in the tradition of the country) over all non-religious world views (which have a significant following and role in the tradition of the country)' and would therefore risk being unlawful.

Finally, he found that, if schools relied on the GCSE to deliver their legal obligation, 'the state would need to afford some additional educational provision [which included non-religious worldviews such as humanism] or fail in its duties.'

The Department for Education will now have to take action in response to the judgement against it. Further meetings will now take place between the parties to decide what steps must now be taken to ensure non-religious worldviews such as Humanism are included.<sup>22</sup>

On the following day, the Department for Education published a [statement](#) that the GCSE syllabus would not be amended as a result of the court's judgment:

There is no problem with the RS GCSE subject content. Today's judgment related to the introduction to the RS GCSE subject content. It concluded that a particular paragraph suggested that a school could rely entirely on the content of an RS GCSE syllabus to discharge its obligations with respect to teaching the basic curriculum subject of RE at key stage 4. The judge found that whilst that might be the case, it might not always be the case - and so it was wrong. The department will act to correct any misunderstanding.

Despite the claims in the BHA's press notice, the judge explicitly said that there was nothing unlawful in the RS GCSE subject content itself. The judge made clear that there was "no challenge" to the content of the GCSE. He also made clear that it would be lawful to give priority to the study of Christianity in the curriculum if we wanted to do that.

The judge made clear that there was no requirement in either domestic or human rights law to give "equal air time" to all

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<sup>22</sup> British Humanist Association, [Judge rules Government broke the law in excluding Humanism from school curriculum](#), 25 November 2015

shades of belief (directly contradictory to what BHA have said in its press release).

This judgment does not require the department to amend the content or structure of the reformed RS GCSE.<sup>23</sup>

On 28 December 2015, the Government published a [guidance note](#) for schools and awarding organisations about the GCSE, which stated that the judgment related to “a narrow, technical point,” and that:

The Government considers the judgment to have no broader impact on any aspect of its policy in relation to the RE curriculum or the RS GCSE subject content for schools with or without a religious character, nor on the current inspection arrangements.<sup>24</sup>

### 1.6 Religious Education Council of England and Wales review and non-statutory programme of study (October 2013)

The Religious Education Council of England and Wales’ [A Review of Religious Education in England](#), published in October 2013, provided a new [non-statutory national curriculum framework for RE](#) (NCFRE), and an analysis of the context and challenges facing RE. The document had a foreword by the then Education Secretary, Michael Gove, who welcomed the framework “as a national benchmark document for use by all those responsible for the RE curriculum locally.”<sup>25</sup>

The non-statutory framework provides a structure for RE education from early years through to Key Stage 4, designed to complement the previous Government’s National Curriculum reviews of which RE was not a part. The document states that the framework was designed to:

I. Complement the government’s National Curriculum Review, the aims of which are:

- to ensure that the new curriculum embodies rigour and high standards and creates coherence in what is taught in schools
- to ensure that all children are taught essential knowledge in the key subject disciplines
- beyond that core, to allow teachers greater freedom to use their professionalism and expertise

to help all children realise their potential.

II. Promote high-quality RE, which will inspire young people in the years ahead.

III. Provide a basis for developing locally agreed syllabuses and RE syllabuses in academies and free schools.

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<sup>23</sup> Department for Education, [Statement on the religious studies GCSE judicial review](#), 26 November 2015

<sup>24</sup> Department for Education, [Guidance for schools and awarding organisations about the Religious Studies GCSE](#), 28 December 2015. Also discussed in Department for Education, [Faith groups back move to protect religious education freedom](#), 28 December 2015

<sup>25</sup> Religious Education Council of England and Wales, [Review of Religious Education in England](#), October 2013, p5

IV. Support RE provided in schools with a religious character.<sup>26</sup>

The [framework document](#) provides more information, including substantive information on what children would be taught within the framework in early years education, at key stages 1-4 and also in 16-19 education. It states that the curriculum framework has three broad aims, to ensure that all pupils:

- Know about and understand a range of religions and worldviews;
- Express ideas and insights about the nature, significance and impact of religions and worldviews; and
- Gain and deploy the skills needed to engage seriously with religions and worldviews.<sup>27</sup>

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<sup>26</sup> Ibid., p11

<sup>27</sup> Religious Education Council of England and Wales, [A Curriculum Framework for Religious Education in England](#), October 2013, p11-12

## 2. Inspection and teaching

### 2.1 Reserved teachers

Certain types of faith schools are required to have teachers who have been chosen because of their suitability for teaching RE; these are known as 'reserved teachers'. Other teachers cannot be required to teach RE. Non-statutory [guidance on religious education](#) provides details:

#### **Foundation and voluntary-controlled schools with a religious character**

Foundation or voluntary-controlled schools designated as having a religious character must have teachers who have been selected for their suitability to teach RE ('reserved teachers'), but no more than one-fifth can be selected on that basis. No-one who is not a 'reserved teacher' can be disqualified from employment on the grounds of their religious opinions or practices. No teacher who is not a reserved teacher can be discriminated against in terms of pay or promotion on the grounds of their religious opinions or practices or on the basis of whether or not they teach RE. In dealing with reserved teachers, preference may be given when appointing or promoting teachers, or deciding about their remuneration, to teachers whose religious opinions or practices are in accordance with the tenets of that religious character or who are willing to teach RE at the school in accordance with those tenets.

In appointing a headteacher for such a school (where the head is not also to be a reserved teacher), the person's ability and suitability to preserve and develop the religious character of the school may be taken into account.

#### **Voluntary-aided schools with a religious character**

In voluntary-aided schools designated as having a religious character preference may be given when appointing or promoting teachers, or deciding about their remuneration, to teachers whose religious opinions or practices are in accordance with the tenets of that religious character or who are willing to teach RE at the school in accordance with those tenets.

Certain teachers cannot be required to teach RE. The category extends to teachers in community and foundation and voluntary schools without a religious character, and teachers in foundation and voluntary-controlled schools with a religious character who are not 'reserved teachers'.<sup>28</sup>

The Department for Education's [Equality Act Guidance](#), which is non-statutory advice, includes the following further information on reserved teachers, and other teachers and non-teaching staff in voluntary controlled and foundation schools with a religious character:

8.12 VC [Voluntary Controlled] and foundation schools must include reserved teachers where the number of teaching staff is more than two. Reserved teachers are selected according to their competence to teach RE according to the tenets of the school's

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<sup>28</sup> Department for Children, Schools and Families, [Religious education in English schools: Non-statutory guidance 2010](#), p17

faith and are specifically appointed to do so. This may include the headteacher.

8.13 The number of reserved teachers must not exceed one-fifth of the teaching staff (including the headteacher). For these purposes, where the total number of teaching staff is not a multiple of five, it will be deemed to be the next higher multiple of five. For example, if there were eight teachers at a school, for this purpose the total number would be deemed to be ten and the maximum number of reserved teachers would be two.

8.14 These teachers must not be appointed unless the foundation governors are satisfied that they are suitable and competent to give religious education. The foundation governors can insist on dismissing a reserved teacher who fails to give suitable and efficient religious education.

*Other Teachers and Non-teaching Staff*

8.15 Non-teaching staff and teachers other than those appointed as reserved teachers must not be treated unfavourably in any way because of their religion. This means they cannot be dismissed because of their religious opinions or attendance at religious worship, they cannot be required to deliver RE and cannot be subjected to a detriment for not giving RE or attending worship.<sup>29</sup>

In respect of “Voluntary Aided schools, Independent schools, Academies and Free Schools with a religious character”, the guidance notes that “A teacher appointed to teach RE may be dismissed by the governing body without the consent of the local authority if he fails to give such education efficiently and suitably.”<sup>30</sup>

## 2.2 How well is RE taught?

### Ofsted report (October 2013)

In October 2013, Ofsted published [Religious education: realising the potential](#), a report which was critical of the quality of teaching of RE in English schools. The sample of schools visited for the report did not include voluntary aided schools or academies with a religious designation, owing to separate inspection arrangements being in place.<sup>31</sup>

The announcement of the report stated that:

While inspectors identified examples of good practice they found that six out of ten schools examined in this report failed to realise the subject’s full potential.

The report finds low standards; weak teaching; a confused sense of purpose of what religious education is about; training gaps; and weaknesses in the way religious education is examined.<sup>32</sup>

The quality of teaching of RE at both primary and secondary levels was criticised in the report:

<sup>29</sup> Department for Education, [Equality Act Guidance](#), May 2014, p43

<sup>30</sup> As above, p44, para 8.18

<sup>31</sup> Information on the varying inspection arrangements currently in place relating to schools with a religious character is available in Ofsted, [School Inspection Handbook](#), August 2015, p70-72

<sup>32</sup> Ofsted, [More than half of schools failing pupils on religious education](#), 6 October 2013

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7. RE teaching in primary schools was less than good in six in 10 schools visited because of:

- weaknesses in teachers' understanding of the subject
- poor and fragmented curriculum planning
- weak assessment
- ineffective monitoring
- limited access to effective training.

8. In the secondary schools visited, the quality of teaching was rarely outstanding and, at Key Stage 3, was less than good in around half of the lessons observed. Common weaknesses included:

- an over-emphasis on a limited range of teaching strategies, which focused mainly on preparing pupils for assessments or examinations
- limited opportunities for pupils to reflect and work independently
- over-structured and bureaucratic lesson planning with insufficient stress on promoting effective learning.<sup>33</sup>

The then schools Minister, Elizabeth Truss, commented on the report in a response to a Parliamentary Question in March 2014:

**Elizabeth Truss:** Religious education (RE) remains very important for pupils' understanding of the rich diversity of faiths and communities in the UK and their part in shaping the values and traditions of this country. Since the publication of Ofsted's report the Department for Education has announced that we are establishing a subject expert group for RE, chaired by David Francis from RE:ONLINE. By working with schools to clarify the key challenges for them, the group will help make sure that teachers have the support and resources to deliver high quality RE teaching.

As part of reforms to non-EBacc subjects, Ofqual is considering how it could work with others to improve the content and rigour of the Religious Studies GCSE and A-level. Taken together, these represent significant steps towards improvements in the subject. In addition, we are working closely with the Religious Education Council (REC) in its efforts to improve the quality of teaching in the subject, in particular by highlighting best practice and helping teachers to strengthen their own approaches.

[[HC Deb 18 Mar 2014 c559W](#)]

### Ofsted report (June 2010)

A previous report, published by Ofsted in June 2010 and covering the years 2006-09, [Transforming religious education](#), discussed provision in a cross section of schools, but did not include voluntary aided schools, again owing to separate inspection arrangements being in place. Ofsted reported the following amongst its [key findings](#):

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<sup>33</sup> Ofsted, [Religious education: realising the potential](#), October 2013, p9-10

- Pupils' achievement in RE in the 94 primary schools visited was broadly similar to that reported in 2007. It was good or outstanding in four out of 10 schools and was inadequate in only one school.
- Students' achievement in RE in the secondary schools visited showed a very mixed picture. It was good or outstanding in 40 of the 89 schools visited but was inadequate in 14 schools.<sup>34</sup>

## 2.3 Training and support for RE teachers

The 2013 Ofsted report [Religious education: realising the potential](#) highlighted concerns that RE teaching suffered from a lack of teachers with specialist qualifications in the subject:

The high proportion of non-specialist teaching of RE in secondary schools remains a problem. In around a third of the schools visited, a lack of subject expertise limited the effectiveness of the teaching of RE.

[...]

The evidence indicates a link between access to training in RE and the overall effectiveness of the subject, particularly in primary schools. In the majority of cases, this was directly linked to the capacity of the local authority to provide such training and support. In nearly every case where such support was not available, it had a direct and negative impact on the effectiveness of the teaching and subject leadership. RE was generally better where the locally agreed syllabus was well conceived with clear accompanying guidance, but too often the capacity of local authorities to provide this support was diminishing.<sup>35</sup>

An earlier report by the All-Party Parliamentary Group on RE, [RE: The Truth Unmasked](#), published in March 2013, had picked up strongly on this theme. It stated that "about a half" of primary school teachers and trainee teachers lacked confidence in teaching RE, and that more than 50% of RE teachers in secondary schools had "no qualification or appropriate expertise in the subject."<sup>36</sup> It further stated that:

The inclusion of non specialists in the total number of RE teachers given by the DfE gives the false impression that we have enough RE teachers and skews the statistics regarding the need to train more RE specialists.<sup>37</sup>

The APPG report also raised the issue of continuing professional development (CPD) for RE teachers, particularly those in schools without a religious character, who were the "poor relations" of their counterparts in faith schools regarding CPD opportunities.<sup>38</sup> It argued that this was a particular concern considering the lack of subject training many RE teachers possessed:

Many young people in this country are for some of the time taught by teachers with no relevant qualifications or training, and

<sup>34</sup> Ofsted, [Transforming religious education: report summary](#), June 2010, p3

<sup>35</sup> Ofsted, [Religious education: realising the potential](#), p18-19

<sup>36</sup> APPG on RE, [RE: The Truth Unmasked, one-page summary document](#), March 2013

<sup>37</sup> *Ibid.*

<sup>38</sup> APPG on RE, [RE: The Truth Unmasked](#), March 2013, p29

there is more non specialist teaching in RE than in any other subject. This makes teachers' access to CPD even more important in RE, yet opportunities for this are fewer and are diminishing. This reflects the absence of any obligation on schools to match staff deployment to new subject areas with appropriate training.

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The report also noted the withdrawal of bursaries for RE, and “a radical reduction in applicant numbers for 2013/14.”<sup>40</sup>

### **Bursaries for RE teachers<sup>41</sup>**

The Government provides bursaries for students taking initial teacher training courses in priority subject areas. Priority areas are subjects considered to be of national importance or where there is an under-supply of teachers. Priority subjects and the level of bursary awards were reviewed annually. In the 2012/13 academic year RE was classified as an ‘other priority’ subject and trainee teachers who met specified eligibility requirements could access bursaries of £9,000 pa if they had a 1<sup>st</sup> class degree or £5,000 pa for a 2:1 degree – students with a 2:2 degree or less were ineligible for a bursary. The RE bursary was withdrawn in 2013/14 and in 2014/15. An article in SecEd, [Charities step in to fund RE teacher training after DfE rejects bursary plea](#), discussed the withdrawal of the bursary.

The RE bursary was reinstated for 2015/16 and eligible students are able to access £9,000 with a 1st class degree or a PhD and £4,000 with a 2:1 or a Master’s degree (as in 2012/13 students with a 2:2 degree or below are ineligible for a bursary).<sup>42</sup> The re-introduction of the RE bursary was [welcomed](#) by the Religious Education Council of England and Wales (REC) and the National Association of Teachers of RE (NATRE).<sup>43</sup>

RE bursaries will be [maintained](#) at 2015/16 levels in 2016/17. These bursary levels are on a par with those available for English, history, and music teachers, but significantly lower than those available to teachers of subjects such as physics, mathematics and languages.<sup>44</sup>

### **Statistical information on RE teachers’ qualifications<sup>45</sup>**

In November 2013, 47% of teachers taking RE classes in English state secondary schools had some form of relevant post-A level qualification in the subject: either a degree or higher qualification or B. Ed or PGCE specialising in RE. This was one of the lowest rates of any of the ‘major’ subjects, well below rates in maths (78%), English (80%), the sciences (66-91%), History (73%), Geography (67%) and French (67%). Among

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<sup>39</sup> *Ibid.* p33-34

<sup>40</sup> APPG on RE, [RE teachers lack training and support, concludes Parliamentary inquiry](#), 18 March 2013

<sup>41</sup> Section by Sue Hubble, Social Policy Section

<sup>42</sup> Department for Education, [The Initial Teacher Training bursary guide Academic year 2015/16](#), September 2015, Annex A, p37

<sup>43</sup> Independent Catholic News, [Government offers new funding for trainee RE teachers](#), 1 October 2014

<sup>44</sup> Department for Education, [Get Into Teaching: Bursaries and Funding](#) [accessed 9 November 2015]

<sup>45</sup> Section by Paul Bolton, Social and General Statistics

the subjects with similar numbers of teachers, only drama (54%) and ICT (45%) had similar rates to RE.

The situation is somewhat different when the data is based on the proportion of hours taught in the subject by qualification of the teacher. In this case, 72% of hours taught in RE in these schools were by a teacher with a relevant post A-level qualification in the subject. In other words, RE teachers with these qualifications tends to teach the subject more than those without such qualifications. While this rate was still below the levels for maths, English, the sciences and humanities (all in the 75-90% range), the gap was smaller. It was only just below the figures for French and German and well above ICT (61%).

[Source: [School workforce in England: November 2013](#), DfE]

## Government comment on teacher training

The following Parliamentary Questions from March 2014 set out the previous Government's position on the training of RE teachers:

**Mrs Glendon:** To ask the Secretary of State for Education what steps his Department is taking to ensure that a higher proportion of religious education lessons are taught by fully qualified subject specialists. [191441]

**Elizabeth Truss:** The Department for Education does not stipulate what qualifies as a fully qualified subject specialist for religious education (RE). It is for head teachers and governing bodies to decide whom they choose to employ and in what capacity.

The Government are committed to ensuring sufficient supply of new teachers for schools. This year, we have over-allocated places for initial teacher training (ITT) in RE. RE is also supported by the National College for Teaching and Leadership's Teaching Line, which provides information and advice for anyone who wants to apply for ITT. In addition, officials have met the National Association of Teachers of Religious Education (NATRE) to identify further ways of supporting recruitment to RE ITT.

**Mrs Glendon:** To ask the Secretary of State for Education what steps his Department is taking to implement the recommendations of the Ofsted report RE: Realising the Potential, published in October 2013; and if he will make a statement.<sup>46</sup> [191527]

## Organisations providing resources for RE teachers

An earlier response, given by Lord Nash, provides information on the establishment of [RE:ONLINE](#), a subject expert group on RE:

### Asked by Lord Taylor of Warwick

To ask Her Majesty's Government what steps they are taking to maintain the status of religious education teaching in schools; and what assessment they have made of the role of religious education in fostering inter-community relations.[HL6200]

### The Parliamentary Under-Secretary of State for Schools

**(Lord Nash) (Con):** The Government firmly believes in the importance of Religious Education (RE). To help maintain progress in improving RE teaching, we are establishing a subject expert

<sup>46</sup> [HC Deb 18 Mar 2014 c559W](#)

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group on RE chaired by Dave Francis from RE:ONLINE. By working with schools to clarify the key challenges in teaching RE, the expert group will help to ensure that support and resources are available for high quality RE teaching. In addition, as part of reforms to non-EBacc subjects, Ofqual is considering how it could improve the content and rigour of the Religious Studies GCSE.<sup>47</sup>

The [National Association of Teachers of Religious Education](#) (NATRE) provides resources and training for RE teachers.

## 3. Other relevant issues and reports

### 3.1 Right to withdraw a child from Religious Education

Section 71 of the *School Standards and Framework Act 1998*, as amended, provides for the right of withdrawal from Religious Education or collective worship in local authority maintained schools. There is no requirement to provide a reason and the school must comply with their request. Academies and free schools are bound by their funding agreements. Generally speaking, the DfE's model funding agreements include clauses that reflect the statutory provisions relating to religious education and collective worship. In independent schools, the school's policy on such issues determines whether parents or pupils have a similar opt-out.

The [guidance on RE](#) provided by the then Department for Children, Schools and Families in 2010, which remains in force, includes some additional information:

[...] 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.<sup>48</sup>

## 3.2 Collective worship

The general position on collective worship in English schools is set out in the Department for Education's [Governors' Handbook](#):

All maintained schools without a religious character must provide a daily act of broadly Christian collective worship for their pupils. In community schools and non-faith foundation schools, the headteacher is responsible for arranging this after consulting the governing body. In voluntary aided schools, voluntary controlled schools and foundation schools with a religious character, the governing body is responsible for arranging collective worship in accordance with the trust deed or religious designation of the school after consulting the headteacher.

In some maintained schools without a religious character, the family backgrounds of some or all pupils may lead the headteacher and governing body to conclude that broadly Christian collective worship is not appropriate. The headteacher can apply to the local SACRE to have the broadly Christian requirement disapplied and replaced by collective worship distinctive of another faith and should consult the governing body before doing so.

Academies and free schools without a religious character must also provide a daily act of broadly Christian collective worship by virtue of their funding agreement. An academy or free school wishing to have the broadly Christian requirement disapplied and replaced by collective worship distinctive of another faith should apply to the Secretary of State via the EFA.

With regard to academies (and also free schools) the exact requirements for collective worship will be detailed in the school's funding agreement with the Secretary of State for Education. Generally speaking, the current model funding agreements contain clauses that reflect the statutory provisions relating to religious education and collective worship in maintained schools.

Parents have a right to withdraw their child from collective worship at a maintained school in accordance with section 71 of the *School Standards and Framework Act 1998*, as amended. Sixth form students can withdraw themselves.

[Government guidance](#) on this issue provides more detail on what worship of a 'broadly Christian character' is taken to mean:

60. In the light of the Christian traditions of Great Britain, section 7(1) of the Education Reform Act (and the corresponding section of the Education Act 1993) says that collective worship organised by a county or equivalent grant-maintained school is to be 'wholly or mainly of a broadly Christian character'.

61. The [relevant legislation] then further defines collective worship of a 'broadly Christian character' as being worship which reflects the broad traditions of Christian belief. Any such worship

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<sup>48</sup> Department for Children, Schools and Families, [Religious education in English schools: Non-statutory guidance 2010](#), p28

should not, however, be distinctive of any particular Christian denomination.

62 It is open to a school to have acts of worship that are wholly of a broadly Christian character, acts of worship that are broadly in the tradition of another religion, and acts of worship which contain elements drawn from a number of different faiths. Section 7(3) of the Act qualifies section 7(1) by providing that within each school term the majority of acts of worship must be wholly or mainly of a broadly Christian character, but it is not necessary for every act of worship to be so (see also paragraph 124). Thus, whatever the decision on individual acts of worship, the majority of acts of worship over a term must be wholly or mainly of a broadly Christian character.

63 Provided that, taken as a whole, an act of worship which is broadly Christian reflects the traditions of Christian belief, it need not contain only Christian material. Section 7(1) is regarded as permitting some non-Christian elements in the collective worship without thus depriving it of its broadly Christian character. Nor would the inclusion of elements common to Christianity and one or more other religions deprive it of that character. It must, however, contain some elements which relate specifically to the traditions of Christian belief and which accord a special status to Jesus Christ.<sup>49</sup>

### 3.3 RE in performance tables and the English Baccalaureate

The English Baccalaureate (EBacc) is a performance measure for schools in England. It measures the achievement of pupils who have gained Key Stage 4 qualifications in 'core' academic subjects:

- English
- mathematics
- history or geography
- the sciences
- a language

The English Baccalaureate was introduced in the 2010 performance tables. Full information is available in a Library briefing, [SN/SP/6045](#).

The previous Government stressed that although the English Baccalaureate does not include RE, the teaching of RE in schools remains compulsory. The following response to a Parliamentary Question sets out the then Government's position on the inclusion of RE in the English Baccalaureate:

**Elizabeth Truss** [holding answer 22 January 2013]: The Department for Education has received correspondence from and had a number of discussions with representatives of faith groups and faith based education establishments, including the Church of England, on the inclusion of religious studies in the English Baccalaureate.

The Government fully recognise the importance of RE, both to pupils' wider knowledge and to society as a whole, and its value as a demanding subject. We know pupils themselves find that RE offers them opportunities to engage with real world issues and to

<sup>49</sup> Department for Education, [Collective worship in schools](#), 31 January 1994, p21

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develop their understanding and appreciation of the beliefs and views of others. The teaching of RE remains compulsory throughout a pupil's schooling. There is time in the curriculum for pupils to take a GCSE in other subjects alongside an English Baccalaureate if they wish to do so, including Religious Studies GCSE, which has shown an increase in uptake in recent years.

As RE is a compulsory subject, including it alongside other humanities subjects in the EBacc could reverse the recent increases in the take up of history and geography, which survey evidence suggests has been one of the positive impacts of the EBacc's introduction.<sup>50</sup>

However, concerns have been raised that exclusion from the English Baccalaureate is adversely affecting RE provision. A *Times Educational Supplement* report on a National Association of Teachers of Religious Education (NATRE) survey reported that:

One in four schools is cutting back on specialist RE teachers after the subject was excluded from the English Baccalaureate portfolio of desirable GCSEs, new research shows.

The poll of 625 schools by the National Association of Teachers of Religious Education (NATRE) shows the reduction in staff from the beginning of this term compared with one year ago. More than 80 per cent put the cut down to the EBacc, awarded to pupils achieving grades A\*-C in five traditional core subjects.<sup>51</sup>

An [analysis of the survey](#) of teachers by NATRE, published in July 2013, discussed the impact of the EBacc on the take-up of RE at GCSE level, as well as the position of RE courses on school league tables:

Religious Studies in the curriculum continues to decline since the introduction of the English Baccalaureate, especially at key stage 4 where the impact of the EBacc is at its greatest. The problem has become even more acute since the announcement that GCSE short courses would no longer count towards a school's average point score. This impact is seen in the reduction of specialist teaching staff, the reduction of past and planned examination entries, but also in the time provided on the timetable where schools report that even though the subject is legally compulsory for all students unless withdrawn by their parents, students, are not always receiving their entitlement to a religious education.<sup>52</sup>

The 2013 Ofsted report on RE, [Realising the potential](#), also drew attention to the absence of RE from the EBacc as one of the causes of decline in RE in schools:

other changes to education policy, such as the introduction in 2010 of the English Baccalaureate (the EBacc), have led to a decline in RE provision in some schools. (p4)

[...]

In relation to the exclusion of RE from the list of EBacc subjects and the removal of short courses from the headline measures of school performance, it is too early to come to a definitive conclusion about their impact on GCSE entries. Ofsted's survey

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<sup>50</sup> [HC Deb 23 Jan 2013 c327W](#)

<sup>51</sup> ["RE doesn't have a prayer after EBac omission"](#), *Times Educational Supplement*, 28 September 2012

<sup>52</sup> NATRE, [An analysis of a Survey of teachers on the impact of the EBacc on student opportunity to study GCSE RS: A Fifth Survey](#), July 2013, p2

evidence is inconclusive. However, the overall numbers entered for a GCSE qualification in religious studies in England fell from around 427,000 in 2012 to 390,000 in 2013. There has also been a significant shift away from short-course to full-course GCSE. In 2013 full-course GCSE numbers in England rose by around 10% to nearly 240,000, but short-course numbers fell by almost 30% to 150,000.

There is evidence, however, of a more significant reduction in the provision for RE in some schools. The headteachers of these schools cited decisions about the EBacc and short-course GCSEs as reasons for the changes they were making.<sup>53</sup>

## A strengthened EBacc: September 2015

The Conservative Government elected in May 2015 has announced plans to increase uptake of the EBacc significantly. The Government is currently consulting on proposals for the EBacc to be strengthened to that “at least 90% of pupils in mainstream secondary schools should be entered for the EBacc.”<sup>54</sup> The proposals are intended to apply to pupils who began secondary school in September 2015, and will therefore be sitting their GCSEs in 2020.

Initial reaction to the plans to expand the EBacc has raised concerns about the impact of subjects not included, such as RE. Section 2 of the [Library briefing](#) on the EBacc provides more information.

## 3.4 Teaching of creationism

The following PQ provides the previous Government’s position:

**Mr Godsiff:** To ask the Secretary of State for Education what penalties would be incurred by a free school, academy or other educational establishment which was found to be teaching or otherwise supporting creationism. [202221]

**Mr Timpson:** State-funded schools, including free schools and academies, should not teach creationism as an evidence-based scientific theory. Outside of science lessons, it is permissible for schools to cover creationism as part of religious education lessons, providing that this does not undermine the teaching of established scientific theory. Academies and free schools are required to teach a broad and balanced curriculum and the model funding agreement now prohibits the teaching of creationism as an evidence-based theory. Independent schools must comply with the independent school standards, and are subject to inspections by Ofsted or an alternative inspectorate.

All state-funded schools are subject to Ofsted inspections and a range of intervention powers are in place if required. In addition, any breach of academy or free school funding agreements in relation to creationism would be swiftly dealt with by the Department for Education and could result in the termination of the funding agreement.<sup>55</sup>

<sup>53</sup> Ofsted, [Religious education: realising the potential](#), October 2013, p20

<sup>54</sup> Department for Education, [Consultation on Implementing the English Baccalaureate](#), November 2015, p19

<sup>55</sup> [HC Deb 30 Jun 2014 c351W](#)

### 3.5 A new settlement? Clarke and Woodhead report on religion in schools

In June 2015, a [report](#) by the former Education Secretary, Charles Clarke, and Linda Woodhead, professor of sociology of religion at Lancaster University, called for a “new settlement” for religion in schools, both in the teaching of RE and more broadly.

The report argued that the changes in society that have taken place in relation to religion since the Second World War have not been reflected by change in schools, and that the settlement in place between church and state in education no longer serves its purpose.<sup>56</sup> Furthermore, it raised concerns about the practical application of the structures in place:

For example there can be a ‘nod and wink’ culture around the nature of the act of collective worship in school. The requirement that the act should be predominantly Christian, and possibly even promote a sense of ‘awe and wonder’, is sometimes honoured in form rather than substance. The status and quality of education about religion within schools is highly variable, and this, together with under-resourcing and controversy about the place of RE in the curriculum, have led to low morale. Some worry that aspects of the admissions procedures to some faith schools promote dishonesty in religious observance by families and children in a way that is distasteful at best.<sup>57</sup>

The report made 18 recommendations for reform, including the abolition of the requirement for an act of collective worship, and the creation of an agreed national syllabus for RE similar to the requirements for other subjects in the National Curriculum, determined by the Secretary of State and a proposed ‘National Standing Advisory Council on Religious Education (NASACRE)’.<sup>58</sup>

### 3.6 RE for REal report, Goldsmiths College

In November 2015, researchers at Goldsmiths College, University of London, published [RE for REal](#), a report that aimed to build on the Religious Education Council’s review of Religious Education in England (see section 1.6) and find a way to clarify what it described as the “policy muddle” surrounding RE.<sup>59</sup>

The report made several [recommendations](#), including that:

- A statutory National Framework for Religion and Belief Learning should be developed, applicable to all schools, balancing shared national approaches with school level determination;
- Religion and belief learning should be a compulsory part of the curriculum to age 16;
- The suggested framework content should reflect the real religious landscape of the UK.

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<sup>56</sup> Charles Clarke and Linda Woodhead, [A New Settlement: Religion and Belief in Schools](#), June 2015, p7

<sup>57</sup> Ibid.

<sup>58</sup> Ibid, p63-64. Recommendations in full can be read on pages 63-66 of the [report](#).

<sup>59</sup> Goldsmiths College, University of London, [RE for REal: The Future of Teaching and Learning about Religion and Belief](#), November 2015, p2

### 3.7 Commission on Religion and Belief in British Public Life report

The Commission on Religion and Belief in British Public Life ([CORAB](#)), convened by the Woolf Institute, Cambridge, published its report [Living with Difference](#) in December 2015. The report was wide-ranging and dealt with issues across the UK, but made several recommendations relating to religious education in England, including that:

- The non-statutory curriculum framework produced in 2013 by the Religious Education Council should be made statutory as part of the national curriculum, but under a modified subject name, pending future reform;
- The requirements for schools to hold acts of collective worship or religious observance should be repealed;
- In teacher education the attention given to religion and belief should be of a similar level to that given to reading and maths;
- State inspectorates should be concerned with every aspect of the life of faith schools, including religious elements currently inspected by denominational authorities.<sup>60</sup>

An [article](#) by Reverend Nigel Genders, the Church of England's Chief Education Officer, responded to the recommendations. The article supported a national framework for learning of the kind proposed in the Goldsmiths report, but was critical of the CORAB recommendations on admissions and collective worship, citing the popularity of Church of England schools and the importance of maintaining an opportunity for pupils to pause and reflect.<sup>61</sup>

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<sup>60</sup> Report of the Commission on Public Life and Belief, [Living with Difference: Community, Diversity and the Common Good](#), December 2015, p37-38

<sup>61</sup> CofEComms, [Church schools make a difference](#), 4 December 2015

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