

LEGAL FRAMEWORK, RIGHTS (INCLUDING THE RIGHT OF WITHDRAWAL) AND RESPONSIBILITIES (FOR HEADTEACHERS, GOVERNORS AND RE SUBJECT LEADERS)

The DfE's statutory guidance on the curriculum¹ makes it clear that '**All schools are required to teach religious education at all key stages**' (3.6).

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RE for all registered pupils at the school (including those in reception classes and the sixth form), except for those withdrawn by their parents (or withdrawing themselves if they are aged 18 or over) in accordance with Schedule 19 to the School Standards and Framework Act 1998.

In law, every state-funded school **must** offer a curriculum which is balanced and broadly based² and which:

1. promotes the spiritual, moral, cultural, mental and physical development of pupils at the school and of society, and
2. prepares pupils at the school for the opportunities, responsibilities and experiences of later life.

Governing bodies and headteachers, like local authorities, **must**:

- ensure that RE is provided as part of the school's basic curriculum, following the appropriate syllabus.
- provide an annual report to parents or carers giving brief particulars of progress and achievements in all subjects including RE (Regulation 6 of the Education (Pupil Information) (England) Regulations 2005, SI 2005/1437).
- In order to fulfil legal requirements in relation to this agreed syllabus, schools must provide religious education in accordance with the [statutory programmes of study](#).

The Right of Withdrawal from RE

The parent / carer of a pupil at a community, foundation or voluntary school or academy has the right to request that their child be excused from all or part of the RE provided. Where a pupil has been withdrawn, the law provides for alternative arrangements to be made for RE of the kind the parent wants the pupil to receive (Section 71(3) of the School Standards and Framework Act 1998).

For additional information refer to the following detailed documents:

- [Is my school compliant?](#)
- [Publishing information about the provision of RE on the school website](#)
- [Check list for Governors and headteachers](#)

¹ <https://www.gov.uk/government/publications/national-curriculum-in-england-framework-for-key-stages-1-to-4/the-national-curriculum-in-england-framework-for-key-stages-1-to-4>

² See Section 78 of the [2002 Education Act](#) which applies to all maintained schools. Academies are also required to offer a broad and balanced curriculum in accordance with Section 1 of the [2010 Academies Act](#).

- [Check list for Managing the right of withdrawal](#)
- [Check list for Managing, planning, teaching and supporting RE](#)
- [Check list for Monitoring and evaluating RE provision](#)
- [Check list for Planning RE post-14](#)
- [How RE supports spiritual, moral, social and cultural development](#)
- [How RE supports inclusion for pupils with Special Educational Needs & Disability](#)
- [How RE supports inclusion for gifted and talented pupils](#)
- [How RE supports inclusion for pupils from different backgrounds](#)
- [How RE supports community cohesion](#)

Publishing information about the provision of RE

Since September 2012, schools have been required to publish information in relation to each academic year, relating to the content of the school's curriculum for each subject and details about how additional information relating to the curriculum may be obtained. *Schools following the AMV syllabus should apply the [statutory programmes of study](#) to their curriculum arrangements for RE for each year group and publish this along with curriculum arrangements for other subjects.*

The DfE's statutory guidance on the curriculum³ makes it clear that 'All schools are required to teach religious education at all key stages' (3.6).

School leaders will want to emphasise in their documentation the vital role that high quality religious education can play in providing a well-rounded education for young people. Statements about the importance of RE can be found here: [The Importance of RE](#).

³ <https://www.gov.uk/government/publications/national-curriculum-in-england-framework-for-key-stages-1-to-4/the-national-curriculum-in-england-framework-for-key-stages-1-to-4>