



Phil Norrey
Chief Executive

To: The Chairman and Members of
the Standing Advisory Council
for Religious Education

County Hall
Topsham Road
Exeter
Devon
EX2 4QD

(See below)

Your ref :
Our ref :

Date : 27 May 2016
Please ask for : Gerry Rufolo 01392 382299

Email: gerry.rufolo@devon.gov.uk

STANDING ADVISORY COUNCIL FOR RELIGIOUS EDUCATION

Tuesday, 7th June, 2016

A meeting of the Standing Advisory Council for Religious Education is to be held on the above date at 10.00 am in the Committee Suite, County Hall, Exeter to consider the following matters.

P NORREY
Chief Executive

A G E N D A

PART I - OPEN COMMITTEE

- 1 Apologies for Absence
- 2 Minutes (Pages 1 - 6)
Minutes of the meeting held on 10 February 2016, attached.
- 3 Items Requiring Urgent Attention
Items which in the opinion of the Chair should be considered at the meeting as matters of urgency.
- 4 Devon SACRE Membership
Mr Pawson to report.
- 5 Annual Report
Mr Pawson to report.
- 6 Interfaith Focus: Faith and Belief Training, Interfaith Conference
Mr Roberts to report.

- 7 Learn/Teach/Lead Religious Education (LTLRE)
Mr Pawson to report.
- 8 Working Group: Assessment Project
Mr Roberts to report.
- 9 The Place of Non-Religious Worldviews in the RE Curriculum (Pages 7 - 12)
Mr Keith Denby to report and legal guidance attached.
- 10 Understanding Christianity
Tatiana Wilson to report
- 11 Educational Excellence Everywhere: the Implications of the Government Plans for Academies and the Future of SACREs
Ed Pawson to report.
- 12 Educating Ourselves
Gerry Winnall to report
- 13 National Developments
Mr Pawson to report on
- Religious Education Council
 - REC Commission: teacher recruitment, PR Group, All-Party
 - Parliamentary Group (APPG), RE Quality Mark
 - National Association of Teachers of Religious Education (NATRE)
 - New Examination Specifications, Teacher Surveys
- 14 Holocaust Memorial Day 2017
Ed Pawson to report
- 15 Remembering John Hull
Ed Pawson to report.
- 16 SW SACRE Conference (Monday, 7 March)
Mr Pawson to report
- 17 Dates of Future SACRE Meetings
PART II - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF PRESS AND PUBLIC ON THE GROUNDS THAT EXEMPT INFORMATION MAY BE DISCLOSED

Members are reminded that Part II Reports contain confidential information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s). Members are also reminded of the need to dispose of such reports carefully and are therefore invited to return them to the Democratic Services Officer at the conclusion of the meeting for disposal.

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

Membership

Members are reminded that Substitutes are permitted

Group A: Christian and Other Religion and Belief Communities, with the Exception of the Church of England

Group B: The Church of England

Group C Teachers' Associations

Group D Devon County Council

Councillor J Berry
Councillor C Channon
Councillor A Hannan
Councillor M Squires
Councillor R Younger-Ross

Co-opted Members

K Denby
Halsey
K Chape
M Hext
I Jamison
R Khreisheh
R Nathwani
B Lane
N Nation
C Singh
C Walmsley
Hammett
C Hulbert
E Pawson
T Pritchard
M Dearden
T Wilson
J Goody
W Harrison
J Roberts
S Shute
L Clay
Walshe
G Winnall
P Fletcher
T Griffiths
G Langtree
J Marshall
S Spence
G Tece

Declaration of Interests

Members are reminded that they must declare any interest they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.

Access to Information

Any person wishing to inspect any Reports or Background Papers relating to any item on this agenda should contact Gerry Rufolo on 01392 382299.

Agenda and minutes of the Committee are published on the Council's Website

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Induction loop system available

STANDING ADVISORY COUNCIL FOR RELIGIOUS EDUCATION

10 February 2016

Present:-

Group A: Christian and Other Religion and Belief Communities (with the exception of the Church of England)

Mr R Halsey, Miss M Hext, Mr B Lane and Mrs N Nation and Ms V Rain

Group B: The Church of England

Mr M Dearden, Ms P Hammett, Mrs C Hulbert and Mr E Pawson

Group C: Teachers' Associations

Ms L Clay, Mr P Cornish, Mr J Goody, Mrs W Harrison, Mrs S Shute and Dr G Teece (substitute for Dr K Walshe)

Group D: The County Council

Councillors Berry and Younger-Ross

Co-opted Members

Ms P Fletcher, Mrs T Griffiths, Mr J Marshall, Mr J Roberts and Mrs S Spence

Observer

Ms J Taylorson

Apologies:-

Mr K Denby (Group A) and Mr R Nathwani; Mrs T Wilson and Ms T Pritchard (Group B); Dr K Walshe (Group C); and Councillors Channon, Colthorpe Hannan and Squires (Group D) and Mr G Langtree (Co-opted).

93 Annual Report

MR GOODY IN THE CHAIR

Mr Pawson reported that submission of the Annual Report 2014/15 to SACRE had been deferred until the June meeting as information on last year's exam results was still not available from Babcock LDP. While it was preferable for it to be presented to the November meeting this was likely to be the situation in future years.

94 Election of Chair and Vice-Chair

RESOLVED that Miss M Hext and Mrs C Hulbert be elected Chair and Vice-Chair respectively until the meeting in November 2016.

95 Interfaith Focus - Faith and Belief Training and the Interfaith Conference

(a) Faith and Belief Training

Mr Roberts reported on the three Faith and Belief training workshops held over October/November 2015 at the Exeter Community Centre designed to help build people's communication skills amongst Devon's diverse faith and belief communities. He indicated that the workshops had proved successful and that another series was being arranged for Spring 2016.

Mr Pawson reported that he was building a data base of speakers to make presentations in schools and local communities and publicise their availability. He

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thanked Jude Taylorson, Chairman of the Devon Faith Belief Forum for her help in organising the sessions.

(b) Interfaith Conference

Mr Pawson reported on this Conference held on 14 November at the Mint Methodist Church, Exeter marking the Inter Faith Week 2015 on teaching British Values with contributions from local Faith and Belief Groups, which had been open to the public, teachers and school leaders, parents and young people. The event had been well attended and received helping to establish and improve inter faith links.

Plans would be made for a similar multi-faith event in 2016 with the co-operation of the Exeter Anglican Diocese with the aim of promoting interfaith dialogue at all levels.

96 Minutes

RESOLVED that the minutes of the meeting held on 3 November 2015 be signed as a correct record.

97 Devon SACRE Membership

Mr Pawson reported the resignations of Ian Jamison (Group A - Pagan rep) and Rev Master Myfanwy McCorry (Group A - Buddhist rep) and welcomed Ms Jude Taylorson (Buddhist Community) to this meeting as an observer. A nomination would be sought from the Buddhist Community for submission to SACRE in due course. Mr Pawson also welcomed Ms Rain (Pagan Community) and Mr Cornish, Principal Newton Abbot College to the meeting.

Vacancies within the Teachers' Associations (Group C) were also noted.

RESOLVED

(a) that Viannah Rain be appointed as the Pagan representative in place of Mr I Jamison (Group A);

(b) that Mr P Cornish be appointed as the Secondary Schools headteachers representative (Group C); and

(c) that Dr G Teece be re-designated as the named substitute for Dr K Walshe; and Mr Roberts be re-designated as a Co-opted member.

98 Learn/Teach/Lead Religious Education (LTLRE) - Devon SACRE Support

Mr Pawson reported on SACRE's annual conference arranged for 20/21 October 2016 at St Mellion, Cornwall for teachers and others, details of which would be publicised shortly. He also reported on new and proposed Hub Group area arrangements and changes in leadership and the benefits of inviting a Hub Leader to join SACRE (within the Teachers' Associations - Group C).

The meeting discussed funding arrangements for the LTLRE Hubs and Devon SACRE support including a £500 annual grant from SACRE (within the Development Plan), and other sources of funding including the St Luke's Trust and Jerusalem Fund. Councillor-Younger Ross also referred to the County Councillors' local devolved budgets as a potential source of additional funding for the LTLRE project.

RESOLVED that a nomination be sought for the appointment of a Hub Leader to join SACRE (Group C).

99 **SW SACRE Conference (Monday, 7 March 2016)**

Mr Pawson reported on arrangements for the SW SACRE Conference on Monday, 7 March 2016 at Dillington House, Somerset for which SACRE delegate funding was available. The programme included an address from the new Chief Executive of the Religious Education Council (REC).

Mr Pawson also referred to the NASACRE annual conference - Shaping the Future - on 17 May 2016 in Westminster, London with The Rt Hon Baroness Elizabeth Butler Sloss GBE and Professor Adam Dinham as key speakers.

Reference was also made to NASACRE's informative web site: <http://www.nasacre.org.uk/> and the All Parliamentary Group for RE and the need for it to hear the views from a broad range of SACREs.

100 **Working Groups - Assessment Project**

Mr Roberts reported on work taking place with Schools and their teaching staff etc. on the implementation of assessments without levels following SACRE's commitment to support and contribute to LTLRE's project (rather than develop its own scheme).

Discussion points with members included:

- financial support available from SACRE
- the complex governance arrangements in schools and the different practices of schools in their assessment of RE teaching and learning
- materials being developed for use by schools and the work of the Diocese in this respect relating to the syllabus and exemplars of good practice
- teaching and assessment issues throughout the 4 Key Stages (including the loss of a clear syllabus and assessment framework for KS 3) and the lack of guidelines particularly for KS 1 teaching, the need for further dialogue and the importance of sharing good practice
- the difficulties involved from pupil transition from primary to secondary
- the lack of government guidance and the need for a flexible approach and to avoid a prescriptive formula, bearing in mind the rapidly changing school environment.

The Chair thanked Mr Roberts for his update and noted that this remained a work-in progress for the SACRE Working Group.

101 **Promoting British Values and the Prevent Agenda**

Mr Pawson reported, that following recent guidance issued by Lambeth for its schools, he had drafted guidance on behalf of the Devon SACRE (previously circulated to SACRE members) for all schools/academies in Devon to support them in their provision of religious education, collective worship and pastoral support following recent terrorist events.

Members' discussion points included:

- circulation of the guidance to include the Chairmen of Governing Bodies as well as head teachers
- order of Appendix I and II
- consideration of inclusion of references to all 6 religions (alphabetic order) in Appendix 1
- re-draft of the third paragraph (second sentence) in the section headed Advice for Schools on Supporting the Needs of Pupils
- process for approval.

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Mr J Marshall gave an example of a situation in Plymouth which had highlighted the potential conflict in relation to a parent's right of withdrawal of the child from religious instruction and recent guidance in terms of the Prevent Agenda and promoting British Values. In this particular example after meeting local faith leaders the Parent had allowed her child to resume RE studies and the matter had been resolved satisfactorily.

Councillor Younger-Ross advised that in view of the difficulties encountered by Mr Marshall in seeking advice from the DfE in this instance support could be sought, in future, from the local MP who could make representations directly to the appropriate Government Minister.

RESOLVED that Mr Pawson, in consultation with the Chairman and Mr J Roberts be authorised to approve revised Guidance for circulation to Devon Schools.

102 Educating Ourselves

This item was withdrawn by Mr Pawson.

103 National Developments

Mr Pawson reported on the following:

- Religious Education Council (REC): and establishment of a commission on the future of RE
- All-Party Parliamentary Group (APPG): looking at the balance between academic achievement and Spiritual, Moral, Social learning;
- National Association of Teachers of Religious Education (NATRE) survey 2015: on legal compliance rates in meeting requirements for RE in KS 4, entries for GCSE RE courses, entries for the short RE Course, timetabling of and time for GCSE studies and mode of delivery.

In terms of the NATRE secondary survey the meeting noted that OFSTED did not inspect compliance of the RE curriculum (other than for the EBAC course) and SACRE had not raised this with the Education Funding Authority (EFA) as this could have a deleterious impact.

104 Holocaust Memorial Day 27 January 2016

Mr Pawson reported on the success of the Holocaust Memorial Day in Exeter with the theme 'don't stand-by' which had included participation of children from 10 schools across Devon, moving public talks from Kemal Pervanic survivor of the Bosnian genocide and Leslie Kleinman, survivor from the Auschwitz-Birkenau concentration camps. Mr Halsey referred to Jewish visitors to the City who had been very impressed by the Memorial Day events. The Chair congratulated Mr Pawson and colleagues from the City and County Councils for the work in making the day a great success.

105 Future SACRE Meetings

Agreed as:

Tuesday 7 June 2016
Tuesday, 1 November 2016
Wednesday, 8 February 2017

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(all 10.00am at County Hall).

The meeting started at 10.00am and finished at 12.36 pm, following an adjournment from
11.22 am to 11.35 am

Minutes of this Committee are published on the County Council's Website at:
[:http://www.devon.gov.uk/dcc/committee/minutes.html](http://www.devon.gov.uk/dcc/committee/minutes.html)

High Court ruling on Religious Education

Legal guidance on what it means for local authorities, academies,
schools, teachers, Agreed Syllabus Conferences, and SACREs

Dr Satvinder Juss
Professor of Law
King's College London

Summary and background

1. A ruling by the High Court in November 2015 in a case brought by three families against the Department for Education has extensive implications for the way religious education is taught in schools without a religious character. This legal note is intended to help local authorities, academies, schools, teachers, Agreed Syllabus Conferences, and SACREs understand the law as set out in the judgement and their duties in relation to it. It has been prepared with input from the lawyers who won the case.
2. The High Court ruled¹ that the Department for Education had made ‘an error of law’ in its specification of content for the new GCSE Religious Studies (RS) for English schools.² The error was in asserting that teaching the new RS GCSE would meet the legal requirements for the provision of Religious Education (RE) in general, and the consequent implication that it could therefore be used by schools as the entirety of their RE teaching at Key Stage 4.
3. The High Court said this assertion was unlawful because statutory RE in schools without a religious character must be ‘objective, critical and pluralistic’ and a syllabus that covered religions in detail but did not give pupils the opportunity to learn similarly about a non-religious worldview such as Humanism would not meet this requirement. As the judgement states:

‘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.’

(Paragraph 39)

4. In what follows we explain what the implications of this clarification of the law are for those who set RE syllabuses and/or teach RE.

What does this mean for RE at Key Stage 4?

5. The Court said the Government’s claim that the RS GCSE could form the entirety of a Key Stage 4 RE course was ‘false and misleading’ and would encourage others to act unlawfully³. This was because such a syllabus might not include non-religious worldviews

1. R (Fox) v Secretary of State for Education [2015]: <https://www.judiciary.gov.uk/wp-content/uploads/2015/11/r-fox-v-ssfe.pdf>

2. The Religious Studies GCSE Subject Content, February 2015: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/403357/GCSE_RS_final_120215.pdf

3. Paragraph 81.

to the extent required under the law for RE as a whole to be neutral, impartial, and pluralistic. It would not even be adequate to balance the GCSE with teaching about non-religious beliefs in earlier key stages. The judge said:

'...it is obvious that GCSE is a vitally important stage in the development of a young person's character and understanding of the world. I do not consider it could be said that a complete or almost total failure to provide information about non-religious beliefs at this stage could be made up for by instruction given at earlier stages.' (Paragraph 78)

6. The Government was required by the judge to clarify that using the RS GCSE as the entirety of the key stage 4 RE course might not be enough to fulfil the statutory requirements for RE. It has now done this. Technically this would mean that schools would have to provide additional teaching on non-religious worldviews alongside the GCSE course in order to meet those statutory requirements (see paragraph 8.d. below).'

What does it mean for RE syllabuses and teaching more generally?

7. As a statement of the current law, the judgement has significant implications for RE syllabuses in schools without a religious character:
 - a. RE syllabuses remain bound by the statutory requirement set out in the Education Act 1996 that they 'reflect the fact that the religious traditions in Great Britain are in the main Christian whilst taking account of the teaching and practice of the other principal religions represented in Great Britain'. However, the phrase 'principal religions' now has to be read as including non-religious worldviews and includes Humanism.⁴
 - b. The legal requirement for RE to be 'objective, critical and pluralistic'⁵ in line with the state's 'duty of impartiality and neutrality' means that non-religious worldviews cannot be excluded but it does not mean that strict 'equal air-time' must be given to all religions and non-religious worldviews. As outlined in 7.a. above, it is still acceptable in law for syllabuses to give more attention to Christianity than to other worldviews, religious or otherwise. Similarly, a syllabus may give more attention to a religion or non-religious worldview that has a particularly high local following or relevance. As the judgement states, 'an RE syllabus can quite properly reflect the relative importance of different viewpoints within the relevant society... region or locality'.⁶
 - c. What the law does require, however, is that 'equal respect' be given to different religions and non-religious worldviews. For example, an RE course which provides for the study of religions of a small size or little relevance without giving comparable attention to non-religious worldviews of the same or a greater size or relevance will be unlawful. The judgement states that a syllabus that 'give[s] 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)'⁷ would be unlawful. Such a syllabus would not afford 'equal respect', would not be pluralistic, and would therefore be unlawful.

4. Paragraph 22, citing section 3 of the Human Rights Act 1998.

5. Paragraph 31(5) and *passim*.

6. Paragraph 74.

7. Paragraph 77.

What does this mean in practice?

8. The need to accord equal respect means:
 - a. other than in the case of 7.b., above, if at any key stage it is compulsory to systematically study a module on one or more of the principal religions other than Christianity, then it should also be compulsory to systematically study a module or modules on one or more principal non-religious worldviews (which in practice means Humanism);
 - b. similarly, if there is an option to study a module or modules on one or more principal religions, the choice should include a module or modules on one or more principal non-religious worldviews;
 - c. if there are thematic modules, those modules should include or allow for the study of principal non-religious worldviews to the same extent as any of the non-Christian principal religions;
 - d. at Key Stage 4, given (as explained in 6. above) that the examination boards' new GCSE courses will almost certainly not (owing to the new Department for Education specification) provide for the study of non-religious worldviews in the way specified in 8.a, b, and c, the GCSE course cannot be used as the entirety of the RE syllabus. Technically, additional teaching on non-religious worldviews would have to be provided alongside the GCSE, and agreed syllabuses cannot simply direct schools to follow the GCSE or a similar accredited qualification as the specified content for Key Stage 4. This is obviously not an ideal situation, but it is, regrettably, the unavoidable consequence of the relegation of non-religious worldviews in the GCSE specification by the Department for Education.
9. Schools that are legally obliged to follow their locally agreed RE syllabus must go on teaching that syllabus. However, schools should provide additional content on non-religious worldviews if their local syllabus does not include non-religious worldviews to the extent outlined above.
10. Schools without a religious character that are not bound to follow their locally agreed syllabus have responsibility for ensuring that the RE they provide properly reflects the

law as set out in the judgement. If such a school's syllabus does not include non-religious worldviews to the extent outlined above, the school should take steps to revise it.

11. Agreed Syllabus Conferences must take steps to ensure that their syllabuses include non-religious worldviews to the extent outlined above. Local authorities advised by their Agreed Syllabus Conference to adopt a syllabus that does not meet these standards should refer the draft syllabus back to their Conference. SACREs should take note of the legal requirements for RE in their deliberations and the advice they provide.

Humanism

12. About half the population regularly say they have no religion.⁸ Humanism is the non-religious worldview most relevant to the legal requirement, as it has a significance in the history, culture and present-day life of Great Britain as great as or greater than that of any of the non-Christian principal religions. In terms of followers, 6% of people identify as being not just non-religious but humanist (YouGov, 2014),⁹ more than those who identify as Muslim, Jewish, Buddhist, Sikh, or Hindu. Around 36% hold the humanist worldview (IpsosMori, 2007).¹⁰ There are more humanist funerals in Britain than there are of many minority religions, and more humanist weddings than there are of any non-Christian religion (in Scotland, there are more humanist marriages than Roman Catholic or Church of Scotland marriages). There is a strong humanist movement in Britain and Humanism is well articulated, with numerous books both popular and learned. Humanists from George Eliot to Bertrand Russell, David Hume to David Attenborough have been enormously influential in the formation of British culture. Therefore, to the extent that Humanism is the most prominent non-religious worldview in Britain, a syllabus that excluded detailed study of Humanism but included such study of minority religions would almost certainly be unlawful.

Dr Satvinder Juss

Professor of Law
King's College London
28 April 2016

8. British Social Attitudes: see <https://humanism.org.uk/campaigns/religion-and-belief-some-surveys-and-statistics/the-british-social-attitudes-survey/>

9. YouGov/British Humanist Association, November 2014.

10. Ipsos MORI/British Humanist Association, November 2006 - see <https://humanism.org.uk/campaigns/religion-and-belief-some-surveys-and-statistics/>

