

Education (Non-religious Philosophical Convictions) Bill [HL]

[AS INTRODUCED]

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TO

Make provision to include non-religious philosophical convictions within the school curriculum; to require that persons who hold non-religious philosophical convictions must be represented at standing advisory councils on religious education and at agreed syllabus conferences; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Requirement for maintained schools to teach religion and worldviews education as part of the basic curriculum

(1) The Education Act 2002 is amended as follows.

(2) Omit section 80(1)(a) and insert—

“(a) in—

(i) voluntary aided schools which have a religious character, provision for religious education, or

(ii) all other schools, provision for religion and worldviews education,

for all registered pupils at the school (in accordance with Schedule 19 to the School Standards and Framework Act 1998),”

(3) In section 80(2)(b) for “religious education” substitute “religion and worldviews education”.

(4) After section 80(2) insert—

“(2AA) For the purposes of subsections (1)(a), a school has a religious character if it is designated as a school having such a character by an order made by the Secretary of State (in accordance with section 69(3) to (5) of the School Standards and Framework Act 1998).”

2 Duty to secure due provision of religion and worldviews education

(1) The School Standards and Framework Act 1998 is amended as follows.

- (2) In the heading under “CHAPTER VI” before “RELIGIOUS EDUCATION” insert—
- “RELIGION AND WORLDVIEWS EDUCATION,”.
- (3) In section 69(1) for “community, foundation or voluntary school” substitute “voluntary aided school with a religious character”.
- (4) In section 69(2) omit paragraphs (a) and (b).
- (5) After section 69 insert—

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“Religion and worldviews education

69A Duty to secure due provision of religion and worldviews education

- (1) In relation to any community, foundation or voluntary school which does not have a religious character or any foundation or voluntary controlled school with a religious character—
- (a) the local authority and the governing body shall exercise their functions with a view to securing, and
- (b) the head teacher shall secure,
- that religion and worldviews education is given in accordance with the provision for such education included in the school’s basic curriculum by virtue of section 80(1)(a) of the Education Act 2002.
- (2) Schedule 19 has effect for determining the provision for religion and worldviews education which is required by section 80(1)(a) of that Act to be included in the basic curriculum of schools within each of the following categories, namely—
- (a) community schools,
- (b) foundation and voluntary schools which do not have a religious character,
- (c) foundation and voluntary controlled schools which have a religious character.
- (3) For the purposes of this Part a foundation or voluntary controlled school has a religious character if it is designated as a school having such a character by an order made by the Secretary of State (in accordance with section 69(3) to (5) of the School Standards and Framework Act 1998).
- (4) In accordance with Schedule 19, parents of pupils attending foundation and voluntary controlled schools with a religious character may request that they receive religious education instead of religion and worldviews education.
- (5) An order under subsection (3) shall state, in relation to each school designated by the order, the religion or religious denomination in accordance with whose tenets religious education is, or may be, required to be provided at the school in accordance with Schedule 19 (or, as the case may be, each such religion or religious denomination).

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- (6) The procedure to be followed in connection with—
- (a) the designation of a school in an order under subsection (3), and
 - (b) the inclusion in such an order, in relation to a school, of the statement required by subsection (5),
- shall be as specified in the Religious Character of Schools (Designation Procedure) Regulations 1998.”

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3 Exceptions and special arrangements

- (1) Section 71 of the School Standards and Framework Act 1998 is amended as follows.
- (2) In section 71(1) for “community, foundation or voluntary school” substitute “voluntary aided school with a religious character other than a sixth form pupil”.
- (3) In section 71(1B) after “voluntary school” insert “or voluntary aided school with a religious character”.
- (4) In section 71(3)(b) omit “community, foundation or voluntary”.
- (5) After section 71(3) insert—
- “(3A) Where, in accordance with subsection (1), a pupil has been wholly or partly excused from receiving religious education taught in accordance with a particular religion or denomination, the school shall offer religion and worldviews education in accordance with the locally agreed syllabus as set out in section 4(3) of Schedule 19 to the School Standards and Framework Act 1998.
- (3B) For the purposes of subsection (3A), the request to receive religion and worldviews education may be made by the parent of the pupil or, in the event that the pupil is of sixth-form age, the pupil themselves.”
- (6) Omit section 71(7)(a) and insert—
- “(a) receives religion and worldviews education”

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4 Required provision for religion and worldviews education

- (1) Schedule 19 to the School Standards and Framework Act 1998 is amended as follows.
- (2) In the heading before “RELIGIOUS EDUCATION” insert “RELIGION AND WORLDVIEWS EDUCATION AND”.
- (3) After paragraph 1(1) insert—
- “(1A) In this Schedule “the required provision for religion and worldviews education”, in relation to a school, means the provision for pupils at the school which is required by section 80(1)(a)(i) of the Education Act 2002 to be included in the school’s basic curriculum.”
- (4) In paragraph 2(2)—

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- (a) omit “Subject to sub-paragraph (4)”;
- (b) for both instances of “religious education” substitute “religion and worldviews education”.
- (5) Omit paragraphs 2(3) and (4).
- (6) In paragraph 2(5) for “religious education” substitute “religion and worldviews education”.
- (7) In paragraph 3(2) before both instances of “religious education” insert “religion and worldviews education or”.
- (8) Omit paragraph 3(3) and insert—
- “Where the parents of any pupils at the school desire them to receive religion and worldviews education in accordance with the agreed syllabus adopted by the local authority, the governing body shall make arrangements for religion and worldviews education in accordance with that syllabus to be given to those pupils in the school.”
- (9) Omit paragraph 3(4).
- (10) In paragraph 4(4) for both instances of “Religious education” substitute “Religion and worldviews education”.
- (11) In paragraph 4(4) omit from “section 80(1)(a)” to end and insert “section 80(1)(a)(i) of the Education Act 2002”.
- 5 Provision for religion and worldviews education in maintained special schools**
- (1) The Education (Maintained Special Schools) (England) Regulations 1999 (S.I. 1999/2212) are amended as follows.
- (2) In the heading of paragraph 18, for “Religious education” substitute “Religion and worldviews education and collective worship”.
- (3) Omit paragraph 18 and insert—
- “(1) Arrangements shall be made to secure that, so far as practicable, every pupil attending a maintained special school will attend—
- (a) unless withdrawn from attendance at such worship in accordance with the wishes of his parent, daily collective worship,
- (b) religion and worldviews education.
- (2) The religion and worldviews education required under sub-paragraph(1)(b) shall—
- (a) reflect the fact that the religious traditions in Great Britain are in the main Christian; and
- (b) take account of the teachings of the other principal religions and non-religious beliefs represented in Great Britain.
- (3) In sub-paragraph (1)(b) the reference to non-religious beliefs is to explicitly non-religious philosophical convictions, within the meaning

of Article 2 of the First Protocol to the European Convention on Human Rights, that are analogous to religions.

- (4) In sub-paragraph (3) “the European Convention on Human Rights” means the Convention for the Protection of Human Rights and Fundamental Freedoms, agreed by the Council of Europe at Rome on 4 November 1950, as it has effect for the time being in relation to the United Kingdom; and “the First Protocol”, in relation to that Convention, means the protocol to the Convention agreed at Paris on 20 March 1952.” 5

6 **Provision for religion and worldviews education in non-maintained special schools** 10

- (1) The Education (Non-Maintained Special Schools) (England) Regulations 2015 (S.I. 2015/728) are amended as follows.
- (2) In the heading of paragraph 24, for “Religious education” substitute “Religion and worldviews education”. 15
- (3) For paragraph 24(a) substitute –
“receives religion and worldviews education, and”
- (4) After paragraph 24 insert –
“24A (1) The religion and worldviews education required under paragraph (24)(a) shall – 20
(a) reflect the fact that the religious traditions in Great Britain are in the main Christian; and
(b) take account of the teachings of the other principal religions and non-religious beliefs represented in Great Britain.
- (2) In sub-paragraph (1)(b) the reference to non-religious beliefs is to explicitly non-religious philosophical convictions, within the meaning of Article 2 of the First Protocol to the European Convention on Human Rights, that are analogous to religions. 25
- (3) In sub-paragraph (2) “the European Convention on Human Rights” means the Convention for the Protection of Human Rights and Fundamental Freedoms, agreed by the Council of Europe at Rome on 4 November 1950, as it has effect for the time being in relation to the United Kingdom; and “the First Protocol”, in relation to that Convention, means the protocol to the Convention agreed at Paris on 20 March 1952.” 30 35

7 **Required provision for religion and worldviews education in academies without a religious character**

- (1) The proprietor of an Academy school without a religious character must exercise its functions with a view to securing, and its principal must secure, that religion and worldviews education is provided to all pupils at the school. 40

- (2) The religion and worldviews education required under this section must—
- (a) reflect the fact that the religious traditions in Great Britain are in the main Christian; and
 - (b) take account of the teachings of the other principal religions and non-religious beliefs represented in Great Britain. 5
- (3) In subsection (2)(b) the reference to non-religious beliefs is to explicitly non-religious philosophical convictions, within the meaning of Article 2 of the First Protocol to the European Convention on Human Rights, that are analogous to religions.
- (4) In this section and section 8 “the European Convention on Human Rights” means the Convention for the Protection of Human Rights and Fundamental Freedoms, agreed by the Council of Europe at Rome on 4 November 1950, as it has effect for the time being in relation to the United Kingdom; and “the First Protocol”, in relation to that Convention, means the protocol to the Convention agreed at Paris on 20 March 1952. 10 15
- (5) A provision of an Academy agreement or master agreement (including an agreement entered into before this section comes into force) is void so far as it is inconsistent with any provision made by or under this section.

8 Right to request religion and worldviews education in academies with a religious character 20

- (1) This section applies to any Academy school designated with a religious character that provides religious education in accordance with—
- (a) a trust deed relating to the school, or
 - (b) the tenets of the school’s designated religion or religious denomination.
- (2) Where a pupil at an Academy school referred to in subsection (1) has been wholly excused from receiving religious education, the school must offer religion and worldviews education as an alternative. 25
- (3) The religion and worldviews education required under subsection (2) must—
- (a) reflect the fact that the religious traditions in Great Britain are in the main Christian; and
 - (b) take account of the teachings of the other principal religions and non-religious beliefs represented in Great Britain. 30
- (4) In subsection (3)(b), the reference to non-religious beliefs is to explicitly non-religious philosophical convictions, within the meaning of Article 2 of the First Protocol to the European Convention on Human Rights, that are analogous to religions. 35

9 Agreed syllabuses of religion and worldviews education

- (1) The Education Act 1996 is amended as follows.
- (2) In the heading of Chapter III before “RELIGIOUS EDUCATION” insert “RELIGION AND WORLDVIEWS EDUCATION,”. 40

- (3) In the heading of section 375 for “religious education” substitute “religion and worldviews education”.
- (4) In section 375(2) for “religious education” substitute “religion and worldviews education”.
- (5) For section 375(2)(a) substitute – 5
“(a) prepared in accordance with Schedule 31, and”
- (6) Omit section 375(3) and insert –
“(3) Every agreed syllabus shall –
(a) reflect the fact that the religious traditions in Great Britain are in the main Christian; and 10
(b) take account of the teachings of the other principal religions and non-religious beliefs represented in Great Britain.”
- (7) After subsection (3) insert –
“(3A) In subsection (3), the reference to non-religious beliefs is to explicitly non-religious philosophical convictions within the meaning of section 399A of this Act.” 15
- (8) For subsection (4) substitute –
“(4) Any reference in this Act to an agreed syllabus adopted by a local authority includes a reference to an agreed syllabus deemed to be adopted by such an authority by virtue of paragraph 14 of Schedule 31; and accordingly, in relation to an agreed syllabus deemed to be so adopted, any reference to the date on which an agreed syllabus was adopted is a reference to the date of deemed adoption specified by the Secretary of State in a direction under that paragraph.” 20
- (9) Omit subsection (5). 25
- 10 Duty to convene an agreed syllabus conference**
- (1) Schedule 31 of the Education Act 1996 is amended as follows.
- (2) In the heading after for “RELIGIOUS EDUCATION” substitute “RELIGION AND WORLDVIEWS EDUCATION”.
- (3) Leave out paragraph 1 and insert – 30
“Duty to convene conference to prepare first syllabus of religion and worldviews education
- 1A A local authority must convene a conference for the purpose of preparing the first syllabus of religion and worldviews education to be adopted by the local authority under section 375 no longer than two years from the passing of this Act.” 35

- (5) Leave out paragraph 2 and insert—
- “(1) Once, subject to section 1A, the first agreed syllabus of religion and worldviews education has been adopted, a local authority shall from time to time cause further conferences to be convened for the purpose of reconsidering any agreed syllabus for the time being adopted by them. 5
- (2) No such conference shall be convened later than the end of the period of five years beginning with the date on which—
- (a) the authority adopted the previous syllabus or
- (b) the authority gave effect to a recommendation under paragraph 10(2) below that the syllabus should continue to be the agreed syllabus.” 10

11 Constitution of agreed syllabus conferences

- (1) Schedule 31 to the Education Act 1996 is amended as follows.
- (2) For paragraph 4(2)(a) substitute— 15
- “(a) a committee of persons to represent—
- (i) Christian denominations and other religions and denominations of such religions, and
- (ii) non-religious beliefs (within the meaning of section 399A of this Act)”. 20
- (3) In paragraph 4(4) for both instances of “denomination or religion” substitute “denomination, religion or non-religious belief”.
- (4) After paragraph 4 insert—
- “(5) Each committee convened under sub-paragraph (2)(a) shall include a minimum of one representative of a religion or religious denomination and one representative of a non-religious belief.” 25
- (5) In paragraph 7(1) after both instances of “religion, denomination” insert “or non-religious belief”.
- (6) In paragraph 7(2) after “religion, denomination” insert “or non-religious belief”.

12 Reconsideration of agreed syllabus 30

- (1) Schedule 31 of the Education Act 1996 is amended as follows.
- (2) For paragraph 10(2)(b) substitute—
- “(b) it appears to the local authority that the syllabus or, as the case may be, the new syllabus—
- (i) reflects the fact that the religious traditions in Great Britain are in the main Christian; and 35
- (ii) takes account of the teachings of the other principal religions and non-religious beliefs (within the meaning

of section 399A of this Act) represented in Great Britain.”

13 Preparation of a new syllabus by appointed body

- (1) Schedule 31 of the Education Act 1996 is amended as follows.
- (2) In paragraph 12(1) for both instances of “religious education” substitute “religion and worldviews education”. 5
- (3) In paragraph 13(1)(b) for “religious education” substitute “religion and worldviews education”.

14 Constitution of advisory councils

- (1) Section 390 of the Education Act 1996 is amended as follows. 10
- (2) In the title of section 390 (Constitution of advisory councils) omit “on religious education”.
- (3) In subsection (1) for “religious education” substitute “religion and worldviews education”.
- (4) For subsection (4)(a) substitute— 15
 - “(a) a committee of persons to represent—
 - (i) Christian denominations and other religions and denominations of such religions, and
 - (ii) non-religious beliefs (within the meaning of section 399A of this Act), 20
 as, in the opinion of the authority, will appropriately reflect the principal religions, denominations and non-religious beliefs in the area.”
- (5) After subsection (4) insert — 25

“(4A) Each committee convened under sub-paragraph (4)(a) shall include a minimum of one representative of a religion or religious denomination and one representative of a non-religious belief.”
- (6) In subsection (6) for both instances of “denomination or religion” substitute “religion, denomination or non-religious belief”.

15 Functions of advisory councils 30

- (1) Section 391 of the Education Act 1996 is amended as follows.
- (2) In section 391(1)(a)(ii) for “religious education” substitute “religion and worldviews education”.

16 Advisory councils: supplementary provisions

- (1) Section 392 of the Education Act 1996 is amended as follows. 35

- (2) In subsection (1) for “religious education” substitute “religion and worldviews education”.
- (3) In subsection (2) after “denomination” insert “, non-religious belief”.
- (4) In subsection (3) after “denomination” insert “, non-religious belief”.
- (5) In subsection (8)(b) after “denomination” insert “, non-religious belief”. 5

17 Definitions

- (1) The Education Act 1996 is amended as follows.
- (2) After section 399 insert—

“399A Definitions

- (1) In this Chapter and in Schedule 31 the reference to non-religious beliefs is to philosophical convictions that—
 - (a) are explicitly non-religious, and
 - (b) are philosophical convictions within the meaning of Article 2 of the First Protocol to the European Convention on Human Rights. 10
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- (2) In subsection (1) “the European Convention on Human Rights” means the Convention for the Protection of Human Rights and Fundamental Freedoms, agreed by the Council of Europe at Rome on 4 November 1950, as it has effect for the time being in relation to the United Kingdom; and “the First Protocol”, in relation to that Convention, means the protocol to the Convention agreed at Paris on 20 March 1952.” 20

18 Consequential amendments

- (1) The Education Act 1996 is amended in accordance with subsections (2) to (5).
- (2) In section 396(1) omit “on religious education”. 25
- (3) In the heading of section 397 for “Religious education” substitute “Religion and worldviews education”.
- (4) In section 397(1)(b) omit “on religious education”.
- (5) In section 578 at end insert “Education (Non-religious Philosophical Convictions) Act 2022”. 30
- (6) Section 59 of the School Standards and Framework Act 1998 is amended in accordance with subsections (7) and (8).
- (7) In subsection (3) for “religious education” substitute “religion and worldviews education”.
- (8) In subsection (4)(a) for “religious education” substitute “religion and worldviews education”. 35

19 Extent, commencement and short title

- (1) This Act extends to England and Wales.
- (2) This Act comes into force on the day on which it is passed.
- (3) This Act may be cited as the Education (Non-religious Philosophical Convictions) Act 2022.

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Make provision to include non-religious philosophical convictions within the school curriculum; to require that persons who hold non-religious philosophical convictions must be represented at standing advisory councils on religious education and at agreed syllabus conferences; and for connected purposes.

Baroness Burt of Solihull

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