

## RE status in Academies

Technically, the legislation regarding RE in academies states that they are required to provide RE in accordance with their funding agreement. In the case of academies without a religious character this means that legally they must deliver RE that accords with the general requirements placed upon agreed syllabuses (my underlining).

Under the previous Government, the DCSF) produced the non-statutory guidance published in January 2010 entitled *Religious education in English schools*. This interpreted the legislation to mean that *all academies are required to teach RE and For academies without a religious character this will be the locally agreed syllabus*. A number of people suggested to the DCSF at the time that this was a somewhat surprising interpretation and one that might prove difficult to sustain.

The current Government has distanced itself from the guidance produced by the previous administration. The DfE website states: *All statutory guidance and legislation linked to from this site continues to reflect the current legal position unless indicated otherwise, but may not reflect Government policy.* The 2010 guidance is non-statutory and it is my understanding that the current administration does not agree with the interpretation of the legal requirements regarding RE in academies set out in that 2010 guidance. My understanding is that the current Government policy is that academies are required to provide RE in accordance with their funding agreement but this does **not** mean they are required to follow the locally agreed syllabus.

Academies are not responsible to, or linked with, their local SACRE. They are genuinely independent of the local authority and SACRE, for example they have no formal representation on SACREs. For this reason, for example, Ofsted would not send reports on academies to the local SACRE.

However it could be seen as good practice for SACREs to invite academies to work together with the LA in matters related to RE. That would be a matter for individual SACREs and academies. I am aware that in one London local authority those schools which have moved to academy status have agreed collectively to use the local agreed syllabus and retain a link with SACRE but this was their own decision.

When we carry out RE subject visits to academies we ask them the basis on which they have developed their RE provision. In some cases they continue to use the local AS some use it as a basis but take advantage of the opportunity to have flexibility. A key issue is how to judge provision. Unless an academy has developed its own way of judging attainment (very rare) we would use the NSNFRE levels to judge outcomes - attainment and progress. The provision would then be judged on how well it promotes those outcomes.

Alan Brine HMI