



Briefing for the Public Petitions Committee

Petition Number: [PE1487](#)

Main Petitioner: Mark Gordon and Secular Scotland

Subject: Religious observance in schools

Calls on the Parliament to urge the Scottish Government to amend the Education (Scotland) Act 1980 by making religious observance in public schools an 'opt in' activity rather than an 'opt out' one.

Background

The Education (Scotland) Act 1980 requires at section 8 that an existing custom of religious observance in schools should be continued, with the proviso that parents can opt out on behalf of their child(ren). Section 9 makes additional provision for such an 'opt-out' – "any pupil may be withdrawn by his parents from any instruction in religious subjects and from any religious observance." This provision applies to both denominational and non-denominational schools. Discontinuing the tradition of religious observance in an education area requires a majority decision in a "poll of the local government electors of the education area." Such a poll would be subject to rules made by Ministers.

In 2011, the Scottish Social Attitudes Survey (SSAS) asked 1,197 adults about their religious affiliation. This found that 53% of respondents did not consider themselves part of a particular religion. This finding was significantly different from the 2001 census 10 years earlier.

	2001 Census	2011 SSAS
No religion	37	53
Church of Scotland	36	22
Roman Catholic	14	12
Other Christian	11	10
Non-Christian	1	3

However, when asked about attendance at religious services, only 20% replied that they had no religion although a further 47% stated that they attended services 'rarely or never'. This may highlight the difference between not being affiliated to a particular religion and having some religious belief.

Source: <http://www.brin.ac.uk/news/2013/scottish-social-attitudes-and-other-news/>

Although the above source shows only 12% of adults describing themselves as belonging to the Catholic Church, 17% of pupils are educated in denominational schools – a proportion that has not changed since at least 1997 ([Table 1.15, Pupil Census 2012 supplementary data](#)).

Scottish Government Action

The Scottish Government updated its [guidance on religious observance in 2011](#). This defines religious observance as:

“community acts which aim to promote the spiritual development of all members of the school’s community and express and celebrate the shared values of the school community”

Religious observance must take into account the fact that some pupils have no religious faith:

“many school communities contain pupils and staff from faiths other than Christianity or with no faith commitment, and this must be taken fully into account in supporting spiritual development.”

Paragraph 15 describes how Ministers believe religious observance complements religious education, contributing to pupils’ development and bringing the school together, creating a sense of community. Paragraph 8 alludes to the links to Curriculum for Excellence 4 capacities – successful learner, confident individual, responsible citizen, effective contributors.

In relation to the parental right to withdraw, the guidance states:

This right should always be made known to parents and their wishes respected. Parents should be provided with sufficient information on which to base a decision.

There is a legal requirement to include information in the school handbook about the right to withdraw from religious observance. See: Schedule 1, Part 2 The Education (School and Placing Information) (Scotland) Regulations 2012 [SSI 2012/130](#)

Scottish Parliament Action

PE993 was a petition lodged in 2006 by David Walker calling for the Scottish Parliament to amend the Education (Scotland) Act 1980 to remove the

statutory requirement on education authorities to provide religious observance in Scottish schools. This was closed by the Public Petitions Committee on [20th March 2007](#) The Committee had sought the views on the petition from the Humanist Society of Scotland, the Scottish Inter Faith Council, Learning and Teaching Scotland, the Association of Directors of Education, the Scottish Parent Teacher Council, church groups, the Educational Institute of Scotland and the Scottish Executive. Papers are available at the end of [this pdf file](#).

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