



Religious observance in schools: Our key asks of the next Scottish Government [2026 - 2031]

[Humanist Society Scotland](#) is a registered charity with over 16,000 members that promotes Humanist values to people in Scotland, campaigns for an ethical, rational and secular future and gives voice to the millions of people in Scotland who live without religion.

Every child and young person has a fundamental right to their own beliefs. Yet school pupils can still be compelled to participate in religious observance (RO) at school. Humanist Society Scotland believes that young people should be able to decide for themselves whether to take part in RO. We also think that RO in non-denominational schools requires fundamental reform to respect the religious diversity and secular profile of Scotland's school communities.

The Background

All state schools in Scotland are legally mandated to provide acts of religious observance (RO). This is distinct from religious and moral education (RME). Non-denominational schools are expected to ensure that all pupils and staff are able to take part in RO assemblies [“without compromise to their personal beliefs”](#). But recent [analysis of FOI data](#) from 280 non-denominational schools found that 70% of RO activities were led by a Christian representative. And over half of the observances identified involved pupils participating in worship or prayer. Our testimony report, [Preaching is not Teaching](#), laid bare the impact of non-inclusive RO practices on humanist pupils:

“Children often ask me why they are required to attend Christian services. One child pushed further and asked whether he had to pray and sing hymns. I told him that I wouldn't make him do anything he was uncomfortable with. He later told me he felt pressure to join in.” –

Teacher

In this context, questions have also been raised about the compatibility of withdrawal arrangements with children's human rights. Parents have always had the right to opt their children out of RO. But pupils have no equivalent right, no matter their age, maturity, or personal beliefs.

The status quo has been criticised by the [UN Committee on the Rights of the Child](#) and the [Scottish Children's Commissioner](#) for failing to uphold pupils' UNCRC Article 12 right to be listened to and taken seriously, and Article 14 right to their own beliefs. Both organisations have repeatedly called for pupils with capacity to be given the independent right to withdraw from religious observance.

Recent legislative changes

The Scottish Parliament passed legislation in response to concerns about UNCRC compliance in February 2026. However, the [Children \(Withdrawal from Religious Education\) \(Scotland\) Act](#) fails to adhere to the clear, specific, and twice-made Concluding Observation of the UNCRC committee to:

Repeal legal provisions for compulsory attendance in collective worship and establish statutory guidance to ensure the right of all children, including children under 16 years of age, to withdraw from religious classes without parental consent.

Instead, the Scottish Government chose to “chart a middle course”. The reforms agreed by MSPs give pupils with capacity a new right to object when their parent tries to withdraw them from RO (i.e. an independent right to opt in). However, children who wish to opt out still require permission from home.

The new system denies children the automatic right to express their views freely, and reserves the right to be taken seriously only to those who want to participate. This approach is completely at odds with the realisation of UNCRC Article 12. Perhaps most concerning of all, minority- and non-religious children who want to opt out of RO have no right to be heard, nor the right to be taken seriously under the law. [According to the 2022 Census](#), over 70% of school-aged children fall into these belief groups.

By affording children who wish to participate in RO more rights than children who don't, the legislation creates a hierarchy of beliefs and embeds discrimination into law. This is incompatible with UNCRC Article 14 and ECHR Article 9.

In order to address unresolved concerns about UNCRC compliance and inclusive RO in schools, we urge the next Scottish Government to:

- **use its new regulation powers to give school pupils with capacity the independent right to withdraw from religious observance (in line with UNCRC Concluding Observations 2016 and 2023);**
- **set clear expectations in guidance that RO in non-denominational schools must not involve teaching that any one faith is “the truth”, nor ask pupils to pray, worship, or in any way affirm their belief in a God;**
- **provide schools with clear, instructive examples of fully-inclusive RO that meets the “objective, critical, and pluralistic” standard required under the ECHR, and;**
- **ensure that children and young people are directly involved in discussions about the future of RO provision in Scotland’s schools.**

For more information, please contact our policy and campaigns officer, Joe Higgins, at joe@humanism.scot.