

The legal requirements for Collective Worship

The law governing Collective Worship is laid out in

- 1944 Education Act (sections 26-28) as amended by
- Education Reform Act, 1988 (sections 6-12) and modified by
- Further and Higher Education Act, 1992 and
- Education Act, 1993.

Regulations for Special Schools are contained in

- Education (Special Schools) Regulations, 1994.

Information that is required to be made available to the public is specified in

- Education (School Information) (England) Regulations, 1993.

Provisions concerning Collective Worship can also be found in

- School Standards and Framework Act, 1998 (sections 70 and 71)
- The Designation of Schools Having a Religious Character (England) Order, 1999 (SI 1999 no. 2432) - Schedule 20 to the Act
- DfEE Circular 1/94, Religious Education and Collective Worship.

All registered pupils attending a maintained school, other than in a **nursery class**¹, or a **nursery school** should take part in a daily act of Collective Worship, unless his/her parents/guardians have exercised their right for their child to be wholly or partly withdrawn from attendance. Although **Pupil Referral Units** may find elements of Collective Worship beneficial for pupils, it is not a statutory requirement. Nevertheless, many of the suggestions in this document should prove helpful. **Special schools** are required to make provision "so far as is practicable".

The regulations do not apply to sixth form students in schools or in sixth form colleges. Sixth form students may choose whether to attend and participate in Collective Worship.

Collective Worship in foundation schools with a religious character and voluntary schools will be in accordance with the school's trust deed. Where provision is not made by a trust deed, the worship should be in accordance with the beliefs of the religion or denomination specified for the school.

The headteacher is responsible for ensuring that a daily act of Collective Worship takes place, after consulting with the governing body.

¹ In a Foundation Stage class that includes nursery pupils, for organisational reasons it makes sense to include nursery pupils in acts of Collective Worship, so long as parents have no objection.

Collective Worship can take place at any time during the school day. It is not necessary to assemble the whole school together. Larger or smaller groupings may be used flexibly.

Normally, all acts of Collective Worship must take place in the school. Under special circumstances, *additional* acts can take place in other premises.

Collective Worship should be "wholly or mainly of a broadly Christian character." To be broadly of a Christian character, acts of worship should reflect:

- the broad traditions of Christian belief but not be distinctive of any particular denomination
- the ages, aptitudes and family backgrounds of the pupils



Acts of worship that are broadly in the tradition of another religion, and acts of worship that contain material drawn from other faiths, are permitted as long as, over a term, the majority are *wholly or mainly of a broadly Christian character*.

Exemptions from the requirement for broadly Christian Collective Worship ('determinations')

Collective Worship **need** not be wholly or mainly of a broadly Christian character, but **only** if the headteacher has made a successful application to the local Standing Advisory Council on Religious Education (SACRE) to have the Christian content requirement lifted for the whole school, or any class or description of pupils at the school.

To apply for such a "determination", a headteacher must:

- be able to show that broadly Christian acts of worship are inappropriate to the family backgrounds, ages or aptitudes of the pupils
- consult the governing body
- seek the views of parents
- decide whether the determination is to be applied to the whole school or a particular group within the school
- show that care has been taken to safeguard the interests of those pupils for whom broadly Christian worship is appropriate

SACRE may accept or reject, but not modify an application.

Any determination arrangement ends after 5 years unless renewed by the SACRE. All determinations must be reviewed by SACRE within 5 years of their introduction. Schools may request an earlier review at any time.

Where a determination has been granted, alternate provision for daily Collective Worship must be made for those pupils to whom the determination applies. The SACRE must be informed of the proposed arrangements. The alternative arrangements may be distinctive of a particular faith or religion but not of any particular denomination within that faith or religion.

Application to the SACRE should be made in exceptional cases where, in view of the family background of some or all pupils, the headteacher and the governing body feel that a broadly Christian act of worship is not suitable.

Where the local SACRE has granted a determination, or where the school has an affiliation with a particular religion or religious denomination, this must be stated in the school's prospectus. Where Collective Worship is provided that is not of a broadly Christian character, or, which includes non-Christian elements, it is expected that such information will also be included in the prospectus.

Rights of withdrawal

Teachers

Teachers are required by their contracts to attend assemblies when required to do so by their headteacher.

Other than in voluntary aided schools, and reserved teachers in voluntary controlled schools, teachers continue to have the right to withdraw from Collective Worship on the grounds of conscience². Teachers are obliged, however, according to the School Teachers' Pay and Conditions Document, to attend assemblies. The safeguards noted above apply to headteachers as to all other teachers. headteachers have a duty under the 1988 Act to see that the law on Collective Worship and RE is complied with in their school.

Where there is insufficient staff to lead acts of Collective Worship, all reasonable steps should be taken by the headteacher to find appropriate people from the local community who would be willing to lead Collective Worship.

² Education Act 1944; Education Act 1988 & Circular Number 1/94

Parents

Parents have the right to withdraw their children from Collective Worship if they wish. If parents request either total or partial withdrawal from Collective Worship, then the school must comply. This includes any alternative worship provided as a result of a determination by SACRE. Parents are not obliged to state their reasons for requesting withdrawal of their child.

Withdrawal would normally be taken to mean not being present where the act of worship is taking place, but nothing in the law would prevent a pupil remaining physically present, though not taking part, if this were acceptable to both the school and the parent.

Attendance at Collective Worship in sixth-form is voluntary.

Where parents have withdrawn their child(ren) from Collective Worship, they may request provision for worship to take place according to a particular faith or denomination. Schools are required to respond positively to such requests from parents provided that:

- the effect would not be that denominational worship replaced the statutory non-denominational worship
- such arrangements were at no additional cost to the school
- the alternative provision did not conflict with the school curriculum requirements set out in Section 351 of the Education Act which states that curriculum provision should be balanced and broadly based, promoting the spiritual, moral, cultural, mental and physical development of pupils at the school and of society. It should prepare pupils for the opportunities, responsibilities and experiences of adult life.

The role of the Governing Body

Statutory functions:

- Governors should be aware of their legal responsibilities in regard to Collective Worship taking into account the requirements of the Education Reform Act 1988, the Education Act 1996, the School Standard Framework Act 1998, the Children Act 2004 enshrines the Every Child Matters agenda
- Governors of the school must be familiar with all documentation regarding Collective Worship issued by the school on their behalf and may be actively involved in the process of Collective Worship development in the school
- In Voluntary Aided Schools, the responsibility for the provision of Collective Worship is that of the governors first
- In a Voluntary Aided or Controlled School, governors must also take into account of the School Trust Deed and be familiar with guidelines issued by the Diocese
- In Voluntary Aided and Controlled Schools, governors are responsible for appointing a Section 48 Inspector for the inspection of Collective Worship and are advised to consult the diocese on this matter.

Best practice would include:

- Governors ensuring that Collective Worship is appropriately reviewed as part of the whole school development plan
- Identifying a governor with specific responsibility for monitoring the provision and quality of acts of Collective Worship
- All governors attending Collective Worship from time to time
- The governing body receiving an annual report on Collective Worship.

On the worship board there is a lovely cross-stitched picture of a little girl gazing at a picture of Jesus, which our dinner lady did for us. There are poems that we write for our worship... there is also a cross-stitched cross that Year 4 did...