

# Collective Worship: Seeking a Determination

## Part A: COLLECTIVE WORSHIP

### The law on Collective Worship (a summary)

The delivery of Collective Worship in community schools is guided by the law which states:

- Collective worship must be provided daily (separate arrangements may be made for nurseries and special schools);
- Collective worship may take place at any time of the school day;
- Schools may decide on the age/groupings of pupils and these may vary from day-to-day;
- The times decided for the delivery of Collective Worship may vary for different groups from day to day;
- Generally Collective Worship should take place on the school premises;
- The content of the majority of acts of Collective Worship in a term should be “wholly or mainly of a broadly Christian character, reflecting the broad traditions of Christian belief.”;
- The choice of content should have regard for the family backgrounds, ages and aptitudes of pupils;
- Parents may withdraw their children from Collective Worship;
- Teachers may withdraw from Collective Worship;
- Students in the sixth form may withdraw themselves from Collective Worship;
- In a community school, the responsibility for managing the provision for Collective Worship is with the headteacher after consultation with the governing body; and
- Every maintained school is required under the Education (Schools Information) Regulations 1996 to include in its annual prospectus information about the Collective Worship provided by the school and how parents may withdraw their children from it.

### What is Collective Worship?

The law has never clearly defined Collective Worship. It is known, however, that it is **not** the same as faith community worship (corporate worship) because:

- A community school is not a faith community;
- A community school contains pupils and staff from many different faith backgrounds as well as those who have no religious beliefs or no faith background; and
- A school community contains a wide range of people with different views on what ‘worship’ might mean and what or whom may be worthy of worship.

Collective worship is not the same as an Assembly because staff and pupils do not have the right to withdraw from Assembly.

Assembly may be defined as the time when members of the school are gathered together to pass on information and move forward matters of secular business (notices).

### What is a Determination?

If the headteacher of a school feels the provision of Collective Worship within the broadest interpretation of the law is still not suitable for all or some pupils in their school, then the

Headteacher needs to consider whether it might be appropriate to ask the SACRE to grant a “Determination” in accordance with the law.

The Determination is the decision of the SACRE as to whether it is appropriate for the requirement for Collective Worship as described in law to apply to the school, or a group, class or description of pupils at the school, having regard to any circumstances relating to the family background of the pupils at the school.

If SACRE determines that the alternative Collective Worship as described in an application from the school is appropriate, it grants a Determination which lasts for a maximum of **5 years**. The SACRE must review the Determination if the school requests and, in any event, within five years of the date when the Determination was made or last reviewed.

**Part B** of this document sets out guidance on the process of the Determination procedure.

## Part B: GUIDANCE

The purpose of this paperwork is to support a Head teacher:

- When considering whether seeking a Determination is appropriate to the school; and
- In collecting the evidence base and other documentation that will be needed in order to make an application to SACRE.

### 1. Seeking a Determination

- 1.1.** The law states that the majority of acts of Collective Worship in a term should be wholly or mainly of a broadly Christian character and it is considered that this should be appropriate for most pupils across the country.
- 1.2.** In schools where the headteacher and the governors believe this requirement is inappropriate for their pupils, the school may apply to its local SACRE (Standing Advisory Council on Religious Education) for a “Determination” that the “wholly or mainly broadly Christian” criterion will not apply.
- 1.3.** This may be in respect of the whole school or in respect of a particular group of students within the school. However, the school must continue to make provision for Collective Worship for all pupils.
- 1.4.** Factors which may inform a headteacher’s decision to make an application to the SACRE are:
  - the number of withdrawals from broadly Christian acts of Collective Worship; and
  - where there are significant numbers of pupils from non-Christian backgrounds.
- 1.5.** The Determination procedure allows this requirement to be lifted in respect of some or all of the pupils in a school where the requirement is inappropriate.
- 1.6.** The headteacher of the school must first decide:
  - why wholly or mainly broadly Christian Collective Worship is not appropriate; and
  - what alternative form of Collective Worship would be appropriate, and why.
- 1.7.** The headteacher will need an evidence base for the school’s proposals which should be submitted with the application. It could include:
  - Pupils’ faith (or other relevant) backgrounds;
  - Information from the school’s most recent OFSTED inspection;
  - Evidence of the number of withdrawals from Collective Worship and the reasons for them;
  - Evidence of the views of governors, teachers and parents.
- 1.8.** There must be consultation with governors, parents and staff, all of whom will need the following information to guide their decisions:
  - A statement explaining why the “wholly or mainly broadly Christian character” of Collective Worship is not appropriate (for all or part of the school);
  - Clear information about what the alternative form of Collective Worship would be and to whom it will apply;

- An outline timetable of the Determination procedure; and
- Any other information that the headteacher considers may be appropriate to supporting their application, e.g. relevant paragraphs from the school's OFSTED report, the school's current policy on Collective Worship.

**1.9.** Governors, parents and staff must be consulted on the proposals. Governors and parents must also be given the opportunity to see Collective Worship in the school, should they wish. Governors must vote at a meeting of the full governing body. Parents and teachers must be given the opportunity to vote in a secret ballot which must be time restricted (i.e. there must be a published deadline).

## 2. Timetable

**2.1.** SACRE will consider Determinations at a separate meeting convened for that purpose.

**2.2.** SACRE members will need sufficient time to consider an application.

**2.3.** Schools will need to organise their consultations with governors, parents and teachers so that they allow reasonable time for them to make a proper consideration of the headteacher's proposals. It should be remembered that parents and governors should be given the opportunity to see Collective Worship in the school should they so wish.

**2.4.** The headteacher and a governor of the school or their representatives should attend SACRE's Determinations meeting to answer any questions or to provide supplementary evidence.

## 3. What if a Determination application is agreed by SACRE?

**3.1.** Where a Determination has been granted in respect of all or some of the pupils in the school, daily Collective Worship must still be provided for them. This will be in the form agreed by the SACRE to be more suitable for their needs.

**3.2.** Where a Determination has been granted in respect of a class or description of pupils of a particular faith or religion, the alternative Collective Worship may be provided for those pupils as a whole. It should not be distinctive of any particular denomination of any faith or religion, but may be distinctive of a particular faith or religion.

**3.3.** Parents will continue to have a right to withdraw their children from Collective Worship. This parental right should be made clear, be freely exercisable and a school must grant any such request. Parents are not obliged to state their reasons for seeking withdrawal.

**3.4.** Where a single Determination has been granted for the whole school, pupils cannot be divided into faith groups for worship.

**3.5.** Where a Determination covers only part of the school, or where more than one Determination has been granted in respect of different pupils at a school, a single act of Collective Worship

may be provided for each group of pupils covered by a single Determination. Where such a group has been defined because of the pupils' faith background, it follows that the single faith worship may be provided for the pupils involved.

- 3.6.** Each group in respect of which a Determination has been made may, of course, be further subdivided by school or age group if that is felt to be appropriate.
- 3.7.** Information about new arrangements for Collective Worship in the school should be published in the school prospectus/ on the school website. This information should also be made available to Ofsted.

### Note:

- I. If the Secretary of State is satisfied, either on complaint by any person or otherwise that any SACRE:
  - has acted or is proposing to act unreasonably in determining whether it is appropriate for the requirement for Christian Collective Worship to apply in the case of a school or group of pupils; or
  - has failed to discharge its duty in this respect;

the Secretary of State has the power to direct the SACRE to revoke the Determination, withdraw the proposed Determination or, as the case may be, to discharge its duty.
- II. Determinations last for no longer than five years.
- III. SACRE is concerned that a Determination for some of a school may be divisive and conflict with the desire to create a cohesive community. In such cases, SACRE hopes that headteachers will be able to reassure them as to how and why this will not be the case in their particular school.
- IV. In this guidance, the term 'Parents' should be understood as including pupils' legal guardians.



c) Please provide a breakdown of the faith groups represented in the school.

d) As your request may be related to either a clearly described and defined group or to the whole school, which group(s) are to be included in your case?

4. What type of Collective Worship do you consider to be more appropriate to your school and why?

## Consultations

### *Consultation 1 – Governing Body*

Before making an application for a Determination, the headteacher must consult the school's **full** governing body. The governing body must be issued with the following paperwork set out in paragraph 1.8 (above):

A majority of the governing body must agree in order to proceed.

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| <b>5. Have you formally consulted the full governing body?</b>   | <b>YES/NO</b> |
| <b>6. Is the governing body in agreement with your request?</b>  | <b>YES/NO</b> |
| <b>7. How have you consulted the full governing body and what was the response?</b><br>(Provide a copy of the minute.) |               |

### *Consultation 2 – Parents*

SACRE expects schools to seek the views of parents / carers (or other guardians if appropriate). Parents must be given the same information as governors and must be offered the opportunity to see the Collective Worship currently provided in the school.

The parents' vote must be by secret ballot. At least **two thirds** of the parents of pupils for whom an alternative form of Collective Worship is proposed must respond to make the ballot valid. A majority must agree with the headteacher's proposals in order to proceed.

Parents will still have the right to withdraw their children from Collective Worship under any new arrangements.

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| <b>8. Have you formally consulted parents?</b>   | <b>YES/NO</b> |
| <b>9. Are the majority in agreement?</b><br>(Provide evidence of the ballot and a copy of the ballot paper.) | <b>YES/NO</b> |

### *Consultation 3 – Teachers*

SACRE expects that teachers will be formally consulted (as with parents and governors) on whether they agree with the headteacher's proposal(s) and receive the same paperwork, as set out in paragraph 1.8 (above). The teachers' vote must be by secret ballot.

Teachers will still have the right to withdraw from Collective Worship under any new arrangement.

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| <b>10. Have you consulted with teachers at the school?</b>  | <b>YES/NO</b> |
| <b>11. What was their response?</b><br>(Provide evidence of the ballot and a copy of the ballot paper.) |               |



### Other requirements

Before applying for a Determination in relation to the whole school, care should be taken to safeguard the interests of any parents of children for whom broadly Christian Collective Worship would still be more appropriate.

#### **12. How have you safeguarded the interests of such parents and their children?**

SACRE expects the Headteacher will wish to take appropriate steps to notify the governing body, school staff and the parents of the new arrangements.

#### **13. How do you intend to notify the governing body, school staff and parents should the Determination be made?**

It is essential for the Head teacher to keep sufficient records to enable them to reply to any parental enquiry about the reasons for applying or not applying for a Determination for a group of pupils.

#### **14. Are you already keeping such information and how do you intend to inform parents of their existence?**

### Supporting information

Please list here what supporting information is enclosed with this application.

Date:

Signature:

*Headteacher*

Signature:

*Chair of Governors*

Name of School:

#### SACRE USE ONLY

<b>Date received</b>	<b>Date of Determination</b>
<b>Agreed/Not Agreed</b>	<b>Signed:</b>  Chair of SACRE
	<b>Signed:</b>  Clerk to the SACRE
<b>Details of the SACRE's decision will be obtained from the Clerk to the SACRE</b>	