

Withdrawal from Collective Worship

Introduction

Collective Worship is set down in education law as a feature of every school's life affecting every school day. As such it is not a part of the curriculum but has a peculiar contribution to make in forming the young people of today and the adults of tomorrow. Within the legal provision parents have the right to withdraw their children in whole or in part from collective worship. This guidance is based on the School Standards and Framework Act 1998 and seeks to set out what the school is expected to do with regard to collective worship, the rights of parents and the responses schools may wish to make when pupils are withdrawn. DfEE guidance on collective worship can be found in Circular 1/94 and community schools may also wish to consult the guidance previously provided by SACRE to all County schools.

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Chairman of SACRE

The responsibility of the school

The School Standards and Framework Act 1998 Section 70: sub-section (1) clearly states:

Subject to section 71, each pupil in attendance at a community, foundation or voluntary school shall on each day take part in an act of collective worship.

Schools have a responsibility to provide an act of collective worship for each pupil every day of their school life unless withdrawn by their parent, as shall be discussed later. Schedule 20 of the 1998 Act goes on to further describe the nature of collective worship in community, foundation or voluntary school. Schedule 20 paragraph 2 states:

(2) The arrangement for the required collective worship may, in respect of each school day, provide for a single act of worship for all pupils or for separated acts of worship for pupils in different age groups or in different school groups.

(3) For the purposes of sub-paragraph (2) a "school group" is any group in which pupils are taught or take part in other school activities.

Schedule 20 paragraph 3 further defines the nature of collective worship in community schools and foundation schools without a religious character:

(2) Subject to paragraph 4, the required collective worship shall be wholly or mainly of a broadly Christian character.

(3) For the purposes of sub-paragraph (2), collective worship is of a broadly Christian character if it reflects the broad traditions of Christian belief without being distinctive of any particular Christian denomination.

(4) Not every act of collective worship in the school required by section 70 need comply with sub-paragraph (2) provided

that, taking any school term as a whole, most such acts which take place in the school do comply with that sub-paragraph.

According to Schedule 20 paragraph 5 schools with a religious character or a voluntary school collective worship shall be in accordance with the school's trust deed or 'in accordance with the tenets and practices of the religion or religious denomination specified in relation to the school' if it has no trust deed.

It is clear from the above that collective worship must form part of the day for each pupil in school. Such worship will be wholly or mainly of a broadly Christian character in community schools and according to the wishes of the governors in voluntary schools in light of the religious character of the school. Such collective worship may be whole school or may be in smaller groups, as the school desires.

Usually collective worship will happen on the school site. Schedule 20 paragraph 2 sub-paragraphs (5), (6) and (7) state:

(5) Subject to sub-paragraph (6), the required collective worship shall take place on the school premises.

(6) If the governing body of a community, foundation or voluntary school are of the opinion that it is desirable that any act of collective worship in the school required by Section 70 should, on a special occasion, take place elsewhere than on the school premises, they may, after consultation with the headteacher, make such arrangements for that purpose as they think appropriate.

(7) The powers of a governing body under sub-paragraph (6) shall not be exercised so as to derogate from the rule that the required collective worship must normally take place on the school premises.

It should be noted that it is the governing body that makes the decision as to whether collective worship might happen on site and not the headteacher or other teaching staff.

The parents right to withdraw their child from collective worship

Section 71: sub-section (1) of the 1998 Act clearly states:

If the parent of a pupil at a community, foundation or voluntary school requests that he may be wholly or partly excused -

(b) from attendance at religious worship in the school,

the pupil shall be so excused until the request is withdrawn.

Here 'religious worship' means collective worship. Irrespective of the type of school a pupil attends a parent may wholly or partly withdraw their child from collective worship provided by that school. Usually the request should be in writing to the headteacher, so the school has a record, and the headteacher would normally ask the parent to a meeting where the nature of the school's collective worship is

explained and the parent is given the option of withdrawing their child wholly or partly from collective worship.

Wholly or partly?

A parent has a choice as to whether to withdraw their child from the collective worship provided by the school wholly or partly. If the parent wishes to wholly withdraw their child from collective worship they should ask the headteacher to make sure their child does not attend acts of collective worship. Where a parent wishes to partly withdraw their child from collective worship it is important that the school knows when the child is to be withdrawn. A written statement can be expected of the parent setting out clearly when their child is not to be a part of collective worship and parents may expect to see the school's programme for collective worship so as to be able to make an informed decision.

Parents do not have to give a reason to withdraw their child from collective worship, nevertheless schools may wish to explore with parents their reasons so that the school may accommodate the parent's wishes where possible. Such discussions may be particularly appropriate where a pupil is partly withdrawn from collective worship. Schools should not pressure parents into giving reasons for withdrawal, whether partial or whole.

Logistics

It is not always easy to know where a pupil should be when they have been withdrawn from collective worship. Many schools have both a place where the pupil can be and a member of staff to supervise them but this is not always the case. Where it is not possible to put a pupil in a different room they may be in the room where collective worship is taking place but this should be explained clearly to the parent, giving reasons as to why the school has taken this action. At all times the safety of the pupil is paramount.

If the governing body decides that a specific act of collective worship is to be held off the school premises for a special occasion then the school will have to make special arrangements for pupils withdrawn from collective worship. When such special events happen it will be important for the school to give parents adequate notice so that their wishes may be followed.

What do pupils do who have been withdrawn?

Collective worship does not fall into curriculum time and it would be inappropriate for pupils to do work directly associated with curriculum subjects. Pupils withdrawn should be given time for quiet reflection on their own and it may be appropriate for those pupils to read poetry, listen to music or read materials particular to their family's religious or philosophical tradition during that time which is provided by their parents.

Can a school withdraw a pupil from Collective Worship?

The answer to this question is 'no'. In some schools it has become a matter of course that the school withdraws some pupils from collective worship to receive special needs support, music tuition or other activity peculiar to a pupil or group of pupils. Schools may not withdraw pupils from collective worship and such withdrawal clearly contravenes Section 70 of the 1998 Act, even on an irregular basis.

Assemblies and acts of collective worship

It has become a practice in many schools, particularly primary, to have assemblies which celebrate pupil achievement and school life. Often these assemblies have an element that constitutes collective worship. It is important for schools to explain to

parents who withdraw their child from collective worship what happens during those assemblies and how the pupil will be withdrawn from the worship element of the assembly. Some parents will still want their child to be withdrawn from the whole experience and schools should follow the parents' wishes. If the school wants to celebrate a pupil's achievement they may find that it can be done in class at an appropriate time, for example during class registration time by the headteacher or the class teacher. Where pupils are not withdrawn from the assembly as such but only the worship element then it is advised that such worship happen at the beginning or end of the assembly so that a pupil can be easily withdrawn. This should be done in such a way that a pupil would not have attention drawn to him or herself when they are leaving the place that worship is to happen. Experience shows that some pupils find their withdrawal from collective worship difficult. Where this is the case the school should make sure that the pupil knows that it esteems the parents choice.

How do parents find out about their right to withdraw?

The most common way of letting parents know about their right to withdrawal from collective worship is through the school's prospectus. **Statutory Instruments 1998 No. 2526, School Prospectuses** makes clear what schools must put in their prospectuses relative to RE:

7. A statement on the ethos and values of the school.
8. - (1) The affiliations, if any, of the school with a particular religion, or religious denomination.
 - (2) Without prejudice to paragraph 7 -
 - (a) particulars of the religious education provided at the school;
 - (b) a statement that a pupil shall, pursuant to section 389 of the 1996 Act, be excused wholly or partly from attendance at religious worship in the school or from receiving religious education given in the school, or both, if the parent of the pupil so requests; and
 - (c) particulars of any arrangements as respects the exercise by the parent of a pupil of rights under section 389 of the 1996 Act in relation to the pupil's attendance at religious worship or religious education or both.

At the current time most schools only put into their prospectuses the parental right to withdraw their child from collective worship and state that parents ought to contact the headteacher for further clarification. As can be seen this does not go far enough in terms of setting out what would happen to a pupil if withdrawn in part or in full from collective worship. Naturally such arrangements will change from school to school but they should be made clear in the prospectus.

Determinations

Section 394 of the 1996 Education Act allows schools to apply to SACRE for a determination. This allows schools to provide a particular group of pupils with a particular form of Collective Worship not bound by Section 70 of the 1998 School Standard and Framework Act. In practice this would mean that a particular form of denominational worship could take place at the school. Such a determination has to be made by SACRE and a school cannot take it upon itself to act in such a way. If

schools wish to take this opportunity they would need to contact the Clerk to SACRE, Committee Section, County Hall, TR1 3AY.

Conclusion

Numbers of pupils withdrawn from collective worship in Cornwall's schools is not large but the majority of schools do have a withdrawal of pupils from time to time. It is important that schools esteem the choices that parents have made and that pupils are not made to feel stigmatised by their parents' choice.

If you would like further advice on this subject please do not hesitate to contact David Hampshire, County Adviser for RE and PSHE.