

- 79 Where a single determination has been granted for the whole school, it is not permissible for pupils to be divided into faith groups for worship. However, where a determination covers only part of the school, or where more than one determination has been granted in respect of different groups of pupils at the school, a single act of worship may be provided for each group of pupils covered by a single determination. Where such a group has been defined in respect of the pupils' faith background, it follows that single faith worship may be provided for the pupils involved. Each group in respect of which a determination has been made may, of course, be further sub-divided by school or age group, if that is felt to be appropriate (paragraph 68).
- 80 This should not be taken to imply that worship should or should not be provided by faith groups. The arrangements set out above are, however, permitted by the 1988 Act, if this is deemed appropriate (paragraph 68).

### **Power of Secretary of State to direct SACRE to revoke a determination or discharge duty**

Education Reform Act s. 12A

- 81 The Education Act 1993 amends the 1988 Act so that, where the Secretary of State is satisfied, either on complaint by any person or otherwise, that any SACRE:
- 1 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
  - 2 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.

### **Character of collective worship at LEA-maintained voluntary and equivalent grant-maintained schools**

Education Reform Act  
s.6(3)(b)

- 82 The character and content of collective worship in any LEA-maintained voluntary (aided and controlled) or equivalent grant-maintained school continues to be determined by the governing body.

### **Right of withdrawal**

Education Reform Act 1988  
s.9(3)

- 83 Nothing in the Education Act 1993 affects parents' rights, as established in the 1944 Act and re-enacted in the 1988 Act, to withdraw their children from collective worship if they wish. To summarise:

Education Reform Act 1988  
s.9(1)

- 1 it cannot be a condition of attendance at any maintained school that a pupil attends, or abstains from attending, any Sunday school or place of worship;
- 2 if the parent asks that a pupil should be wholly or partly excused from attending any religious worship at the school, then the school must comply. This includes alternative worship provided by a school as a result of a determination by a SACRE;

Education Reform Act 1988  
s.9(3)

- 3 where the parent of any pupil who is a boarder at a maintained school requests that the pupil be permitted to attend worship in accordance with the tenets of a particular religious denomination on Sundays or other holy days, or to receive religious education in accordance with such tenets outside school hours, the school's governing body shall make arrangements to allow the pupil reasonable opportunities to do so. These arrangements may be provided for on school premises, but are not to entail expenditure by the LEA or, in the case of a grant-maintained school, its governing body.

Education Reform Act 1988  
s.9(7)  
s.9(8)

- 84 A school continues to be responsible for the supervision of any child withdrawn by its parent from collective worship.

### **Exercise of right of withdrawal**

- 85 The parental right to withdraw a child from attending collective worship should be freely exercisable and a school must give effect to any such request. Parents are not obliged to state their reasons for seeking withdrawal.
- 86 The right of withdrawal from collective worship would normally be exercised through the physical withdrawal of the pupil from the place where the act of worship is taking place. Indeed the school could insist that this is the way the right is to be implemented. If, however, both the parent and the school agree that the pupil should be allowed to remain physically present during the collective worship but not take part in it, nothing in the law prevents this.
- 87 Experience suggests that, to avoid misunderstanding, a head teacher will find it helpful to establish with any parent wanting to exercise the right of withdrawal:
- the elements of worship in which the parent would object to the child taking part;
  - the practical implications of withdrawal; and
  - whether the parent will require any advanced notice of such worship, and, if so, how much.

### **Alternative worship for pupils who have been withdrawn**

- 88 Nothing in the law prevents any maintained school from allowing, at parents' request and where they have withdrawn pupils from statutory provision, religious education to be provided or religious worship to take place according to a particular faith or denomination. Governing bodies and head teachers should seek to respond positively to such requests from parents:
- 1 unless the effect would be that denominational worship replaced the statutory non-denominational collective worship;
  - 2 provided that such arrangements can be made at no additional cost to the school; and
  - 3 provided that the alternative provision would be consistent with the overall purposes of the school curriculum set out in section 1 of the 1988 Act.