
Understanding the determination process: Maintained schools

The main purpose of this pack is to provide clarity on the processes involved if schools wish to apply for a determination.

This pack deals mostly with maintained schools, but it also includes some useful information on Academies/ Free schools and schools of religious character.

Included in this document:

- Policy for collective worship in schools – page 1
- Determination process explained (includes a flow chart) – page 2 – 3
- The determination application form (Maintained Schools) – page 4 – 5
- Further information – page 6 – 10
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- Collective Worship and Determinations: Interpretation of Circular 1/94 – page 11 – 14 (includes guidance for schools that do not need to apply for a determination p. 12 – 13)

Policy for collective worship in maintained schools

Legal requirements: Policy for collective worship is found in the [Education Reform Act 1988](#), with guidance provided in the DfE [Collective worship in schools](#) (1994) known as [Circular 1/94](#) which states that all maintained schools must provide 'daily collective worship for all registered pupils' that is 'wholly or mainly of a broadly Christian character'. Collective worship should include all pupils unless parents/guardians exercise their right of withdrawal.

The same requirement to provide collective worship applies to Academies and Free schools.

Collective worship in a school is essentially an educational activity. Some pupils will have a religious faith, some will not. For all pupils the act of collective worship should make an effective contribution to their search for meaning and to the development of their own moral and spiritual values.

Please see page for an interpretation of the [Collective worship in schools](#).

Right of withdrawal.

According to the Education Act 1988, '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' (para. 85).

For guidance on Collective Worship, please visit [Ealing Grid for Learning – Collective Worship](#).

Determinations

(Exemption from providing broadly Christian collective worship)

It is acknowledged that the requirement of the Education Reform Act 1988 that collective worship offered by schools should be 'wholly or mainly of a broadly Christian character' may not be appropriate for all or some of the pupils in all schools. Therefore, some schools (see table below) may need to apply for a 'determination'.

A determination lifts or modifies the requirement of the Education Reform Act 1988 that collective worship offered by schools should be 'wholly or mainly of a broadly Christian character' and is valid for **five years**.

A school with a determination must still provide daily collective worship for all pupils.

Applying for a determination

Before considering applying for a determination, a school should consider carefully how the requirement for 'broadly Christian' worship in a multi-faith school can be/ is being met without a determination (See page 11 – 13).

If a school feels that the requirement for broadly Christian worship is inappropriate for some or all of the pupils usually because of their family or faith background, the headteacher needs to investigate whether it might be appropriate to apply for a 'determination' to have this requirement lifted or modified for some or all of the pupils.

The factors which may inform a headteacher's decision to make an application to the SACRE are:

- (a) the number of withdrawals from broadly Christian acts of collective worship; and
- (b) where there are significant numbers of pupils from non-Christian backgrounds

The headteacher of the school must be clear/ decide:

- (a) why wholly or mainly broadly Christian collective worship is not appropriate; and
- (b) what alternative form of collective worship would be appropriate, and why.

Note: Ofsted recommendation is one reason a school may explore whether a determination was the best option for the school.

The table below shows application process for a determination.

Maintained schools	Academies & Free schools	Schools of a religious character (faith schools)
Apply to the local Standing Advisory Council on Religious Education (SACRE) Collective worship – Determination application pack (Maintained schools) <i>See a flow chart that explains the process on page 3 and an application form on page 4 – 5.</i>	Apply directly to the DfE. Please download the form at Determination Ealing Grid for Learning (egfl.org.uk) Academies should follow paragraphs 50 to 88 of the DfE's Guidance on collective worship in schools Also, visit Religious Education Council Collective Worship in Academies and Free Schools – Q & A	State-funded schools of a religious character are not required to provide collective worship of a broadly Christian character. The character and content of CW in these schools is determined by the governing body.

Applying to SACRE for a determination

School needing to apply for a determination for the first time.

OR

School needing to **renew an application** for determination.

The headteacher may consult with SACRE Adviser for application advice.

Headteacher consults with the Governing Body.
Decision of the GB for (re)applying for determination is formally recorded (minuted).

School will receive notice from the SACRE (usually 2 terms in advance).

The headteacher may consult with SACRE Adviser for application advice.

Schools must **allow reasonable time** for the consultation process. **Parental consultation is strongly advised.**

Pupils in K2 and secondary schools may also be involved in consultation. Parents and governors should be given the opportunity to see collective worship in the school should they wish.

The school submits the application together with documentation required (checklist provided) to elp@ealing.gov.uk.

Please see pages 4 & 5 (Determination application form) for information on the evidence needed.

Council officer checks documentation and if correct:

- 1) Will **contact the school to agree a date** for the SACRE members to visit (within a given timeframe).
- 2) Will **provide date and school details** to the SACRE representatives to attend the school visit (normally 1 – 2 members).
- 3) Will **also send all the relevant documentation** to SACRE member/s who will conduct the visit

SACRE members visit the school to observe at least one act of reflection/ worship, talk to the headteacher/ other responsible for the collective worship.

Following the visit, **the SACRE representatives compile a report** in which they recommend whether or not a determination should be granted or renewed.

At the SACRE meeting:

- 1) **School representative/s present their case** and answer questions related to application.
- 2) **SACRE member/s** (who visited the school) **provide a summary of the visit.**
- 3) **SACRE members make their decision** (at this point the school representative will not be present).

Report is sent to the Council Officer for inclusion in the agenda for the next SACRE meeting. (Report and relevant documentation will be presented to the SACRE meeting).

School is then invited to attend the SACRE meeting to presents their case.

ELP RE Adviser informs the school of SACRE's decision within 10 days.

Determination application form (Maintained schools)

This is an application form for a determination to lift or modify the requirement for maintained schools to deliver 'collective worship' that is 'wholly or mainly of a broadly Christian character'. This application form refers to 'collective worship / reflection' in line with Ealing guidance on [Collective worship](#) and can be downloaded from EGfL www.egfl.org.uk: [Determination](#). Please focus your application and evidence on acts of **collective worship / reflection** not on whole school assemblies.

1	School name				
2	Local Authority school status	Primary	Secondary	Special	
3	Headteacher's name				
4	Is this application for a renewal of a previously granted determination?	Yes		No	
	If yes, when does/did the determination expire?				
5	Date of governing board meeting at which the decision to (re)apply for a determination formally approved. Please attach a copy of relevant section only , of the minutes.				
6	Please attach the details of any consultation with parents (strongly advised).				
7	Religious affiliation of families of pupils in the school	Current breakdown		Previous breakdown (if a renewal)	
		Number	Percentage	Number	Percentage
	Baha'i				
	Buddhist				
	Christian				
	Hindu				
	Humanist / atheist / agnostic				
	Jain				
	Jewish				
	Muslim				
	Pagan				
	Rastafarian				
	Ravidasian				
	Shinto				
	Sikh				
	Zoroastrian				
	Other				
None					
8	Is this application being made in respect of (a) the whole school? If so, please describe how you will safeguard the interests of parents of children for whom broadly Christian reflection would be appropriate. (b) one or more clearly described and defined group(s) within the school? If so, please give details.				

9	If this is an application for the renewal of a previous determination, please attach a description of any circumstances that may have changed since the last determination was granted.	
10	Please attach: (a) the school policy on collective worship / reflection (b) details of the arrangements that are in place so that all pupils in the school are being provided with an opportunity for collective worship / reflection on each school day.	
11	Please attach a summary list of (a) acts of collective worship / reflection for the current and previous term (b) please include brief descriptions of at least three acts of collective worship / reflection that have been delivered or will be delivered that represent the range of religious and non-religious content in your programme. (Please do not include complete assembly PowerPoints.)	
12	How many pupils in the school are currently withdrawn from:	
	a) all acts of collective worship / reflection	
	b) some acts of collective worship / reflection – please attach details	
13	How are you intending to feature belief systems, religious and non-religious, that are not represented in your school population within the new programme of collective worship / reflection? Please give details.	
14	Is there anything else you wish to bring to SACRE's attention in relation to your application?	

Title of Document	Question	Tick if attached
Governing board minutes (<i>relevant section only</i>)	5	
Parental consultation	6	
Collective worship / reflection arrangements <ul style="list-style-type: none"> For safeguarding interests of Christian parents Catering for specific groups in school 	8a 8b	
Changes since the last determination was granted	9	
School policy on collective worship / reflection	10a	
Arrangements relating to provision for each school day	10b	
All-school plans for the current and previous term	11a	
Brief descriptions of at least three acts of collective worship/ reflection from this or the previous term that reflect the range of religious and non-religious content in your programme.	11b	

Headteacher's signature	Date

Thank you for completing this application.

Please submit to elp@ealing.gov.uk with all supporting documentation at least three weeks prior to the SACRE meeting.

The role of SACRE in the determination process

- The SACRE has the **statutory duty** to 'grant a determination' to a community school where it is felt that the proportion of acts of collective worship of 'a broadly Christian character' as described by law is not appropriate for all or some pupils. The technical term 'granting a determination' is so called because SACRE '*determines*' whether the case being made in an application to modify the law for pupils in a school is appropriate.

A determination only affects the character of collective worship. It does not affect the requirement for all pupils (apart from those withdrawn by their parents/carers) to take part in an act of collective worship on each school day.

- During this process, the SCARE will ensure that:
 - The proposed determination is justified by the evidence the school provides in its application, such as:
 - number of requests to withdraw from collective worship or the backgrounds of the pupils.
 - evidence of all consultations, including clear evidence that the governing body has been consulted, and the findings of those consultations.
 - clear planning for how the school will provide alternative collective worship so SACRE can decide whether that this meets the needs of the pupils and the requirement for a daily act of collective worship.

School visits for determinations

Information for SACRE members and schools

The process of application for a determination includes a school visit by one or more representatives of Ealing SACRE. Their task is to ensure that the school provides a suitable opportunity for collective worship or reflection for all pupils every day. During the visit the SACRE representatives will:

- Observe an act of collective worship.
- Hold a discussion with the headteacher and other relevant members of staff.

The school visit is unlikely to last more than one hour. Following the visit, the SACRE representatives will compile a report for a SACRE meeting to consider, in which they will recommend whether or not a determination should be granted or renewed. The pro-forma on page 9 may be used for the report.

Definitions

The terms 'assembly', 'collective worship' and 'reflection' are not synonymous. They have specific meanings and their correct use is summarised here:

Assembly

- a gathering of part or all of the school for general announcements
- part of the secular curriculum
- not required by law
- no pupil withdrawal; staff may have to attend
- may include an act of collective worship, if there is reflection or prayer

Collective Worship (CW) is a daily act which:

- is mandatory for all pupils in all maintained schools
- comprises pupils who are part of same educational community; they may possess diverse religious, agnostic and non-religious life stances (NB called 'corporate worship' if all share the same religious beliefs)
- may take many forms but always presents pupils with specific concepts, themes and thoughts
- can use structures of religious worship but does not require actual worship
- allows deep thinking and individual spiritual response to the concepts explored

Reflection

- part of every daily act of collective worship
- allows thinking about the specific concepts, themes and thoughts presented
- encourages the pupil to apply these ideas to their own life
- helps pupils develop the capacity to appreciate introspection
- CW and Reflection can support the RE programme e.g. by focus on special features of the calendar.

Traditionally, Ealing SACRE has used the term 'Reflection' in carrying out its statutory duty in order to enhance inclusivity in a very diverse population.

Aspects to be considered by the SACRE representative(s) on the school visit

The SACRE representatives should be familiar with the paperwork and information submitted by the school to support its application for a determination. The following are suggestions about what might be considered in observing the school and in discussion with the school staff. It is not designed to be an exhaustive list of questions, merely to provide an understanding of the school in this context.

1. Number of pupils in

- a) The school
- b) Each year group
- c) Each tutor group

2. Context of Collective Worship/Reflection

- a) Within assemblies
- b) Within tutor, form or teaching group

3. Frequency of Collective Worship/Reflection for

- a) The whole school
- b) Each year group
- c) Each class group
- d) On the days when a child does not have school or year group CW/reflection, what provision is made within the class setting?

4. Location of Collective Worship/Reflection

- a) School hall
- b) Classroom
- c) Sports hall
- d) School grounds

5. Time of Collective Worship/Reflection

- a) at the beginning of the school day
- b) at the end of the school day
- c) during the school day

6. Duration of Collective Worship/Reflection

How much time is allowed for the specific act of CW/reflection?

7. Leaders of Collective Worship/Reflection

- a) Headteacher
- b) Teacher(s)
- c) Pupil(s)
- d) Governor(s)
- e) Representative(s) of a faith community

8. Delivery of Collective Worship/Reflection

- a) the spoken word including stories, poems, prayers, discussions, interviews, prose
- b) the sung word including hymns, pop songs, rhymes
- c) Visual stimuli including pictures, posters, slides, religious artefacts, natural objects, video
- d) Performance including dance, drama, role play, movement, mime, simulation
- e) Music: recorded or live
- f) Atmosphere enhancers including subdued or coloured lighting, candles, incense, drapes, central visual focus

9. Theme

- a) Does the school have a weekly, monthly or termly theme?
- b) How and by whom are these themes decided?
- c) To what extent does the CW/reflection provision reflect the theme?
- d) What is the scope for reinforcing the message of the CW/reflection in other situations?

10. Collective Worship/Reflection content

- a) Does the CW/reflection reflect the faith groups with which the parents of the school body identify?
- b) How is provision made for those with no religious affiliation?
- c) How is provision made to reflect those faith groups that are not represented within the school body?

11. In the context of the school curriculum

Relationship between the CW/reflection programme and the secular curriculum, including RE, PSHE, Citizenship, British values, SMSC (Spiritual, moral, social and cultural development)

12. Withdrawal

- a) Are any pupils withdrawn by parental request? Please explain why.
- b) Is the request discussed with parents?
- c) Is there a substitute activity?
- d) How are withdrawn pupils presented with opportunities for reflection?

13. Other issues

- a) How is potential friction between children from different faith backgrounds managed?
- b) How are children who are not fluent in English included?
- c) Does display around school reflect themes, rights etc.?
- d) Are pupils engaged and responsive?

Guidelines for observation of Collective Worship/Reflection

- How is CW/R introduced and differentiated from any previous activity?
- Levels of pupil engagement and responsiveness
- Accessibility of language for ages and belief backgrounds
- Clarity of core theme/thought
- Appropriateness of atmosphere
- Delivery styles used (words, song, candles, artefacts etc.)
- How much time allotted for act of CW/R?

References

1. Circular 1/94: 'Religious Education and Collective Worship', Department for Education, 1994.
2. Collective Worship Guidelines. Education Department Advisory and Support Service, London Borough of Hounslow

Please see next page for a report template which is completed by the SACRE representative/s after the school visit.

Member(s) visit report for application or renewal of a determination

School		Headteacher	
Date of visit		SACRE member/s	

Summary of visit

Brief details about the school:

Collective worship/reflection: brief summary of the approach in the school

Collective worship/reflection observed: brief summary of what was observed

Conclusion/summary: overview of visit and documentation, recommendation for renewal of the determination

Further Information

Collective Worship and Determinations: Interpretation of Circular number 1/94 Religious Education and Collective Worship 1994

Note: The numbers beside each quote refer to the points from this 1994 document [Collective worship in schools](#). We have highlighted a few important paragraphs.

7. The legislation governing **collective worship in schools is designed: 'to enable pupils, wherever possible, to share a single act of collective worship, while ensuring that worship is appropriate for the pupils taking part.'**

9. 'The Government also attaches great importance to the role of religious education and collective worship in helping to promote among pupils a clear set of personal values and beliefs. **They have a role in promoting respect for and understanding of those with different beliefs and religious practices from their own, based on rigorous study of the different faiths.** This country has a long tradition of religious freedom which should be preserved.'

Page 20: 50. 'Collective worship in schools should aim to provide the opportunity for pupils to worship God, to consider spiritual and moral issues and to explore their own beliefs; to encourage participation and response, whether through active involvement in the presentation of worship or through listening to and joining in the worship offered; and to develop community spirit, promote a common ethos and shared values, and reinforce positive attitudes.'

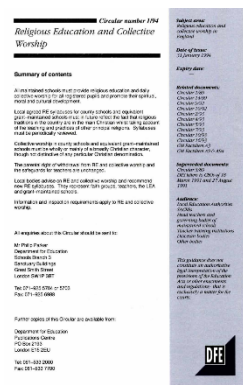
Page 20: 54. 'Organisation of collective worship – Collective worship, subject to the right of withdrawal, **is intended to be appropriate for and to include all pupils attending a school.'**

57. Meaning of collective worship: 'worship in schools will necessarily be of a different character from worship amongst a group with beliefs in common. The legislation reflects this difference in referring to 'collective worship' rather than 'corporate worship'.'

Point 60 – 66 of the 1994 documents is particularly helpful in considering if a determination is really the best or only way forward for the school.

60. Collective worship 'is to be 'wholly or mainly of a broadly Christian character'

62.' **It is open to a school to have acts of worship that are wholly of a broadly Christian character, acts of worship that are broadly in the tradition of another religion, and acts of worship which contain elements drawn from a number of different faiths. Section 7(3) of the Act qualifies section 7(1) by providing that within each school term the majority of acts of worship must be wholly or mainly of a broadly Christian character, but it is not necessary for every act of worship to be so (see also paragraph 124). Thus, whatever the decision on individual acts of worship, the majority of acts of worship over a term must be wholly or mainly of a broadly Christian character.'**



63. 'Provided that, **taken as a whole, an act of worship which is broadly Christian** reflects the traditions of Christian belief, **it need not contain only Christian material. Section 7(1) is regarded as permitting some non-Christian elements** in the collective worship without thus depriving it of its broadly Christian character. Nor would the inclusion of elements common to Christianity and one or more other religions deprive it of that character. It must, however, contain some elements which relate specifically to the traditions of Christian belief and which accord a special status to Jesus Christ.'

65. '**Pupils who do not come from Christian families should be able to join in the daily act of collective worship even though this would, in the main, reflect the broad traditions of Christian belief.** The law intends that, subject to the exceptions provided by section 9 of the 1988 Act (paragraph 83), all pupils will take part in such collective worship.'

66. **In all these matters any departure from the broadly Christian requirement must be justified in terms of the family backgrounds, ages and aptitudes of the pupils concerned.**

These considerations should inform; the extent to which (if at all) any acts of collective worship in the school are not of a broadly Christian character; the extent to which the broad traditions of Christian belief are reflected in those acts of worship of a broadly Christian character.

The Act says: "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 (61)."

Guidance

Before considering applying for a determination, a school should consider carefully ways / how the requirement for 'broadly Christian' worship in a multi-faith school can be met without a determination.

We have asked Jan McGuire (National Religious Education & SMSC Adviser, AREIAC Executive Co-Vice Chair, Adviser to Ealing SACRE) to provide some guidance which is summarised below.

Over the course of a term, the majority of acts of collective worship should have a broadly Christian character. This does not mean all these acts have to include only explicitly Christian material. '**Wholly or mainly of a broadly Christian character**' can be interpreted to mean that across a term, the majority of the acts of collective worship (51%) should be wholly or mainly of a broadly Christian character. In the remaining 49%, collective worship could reflect the beliefs of other religions or world views (See [Collective worship in schools – Religion Media Centre](#)).

This would allow for the content and themes within collective worship to fit the needs of the school intake, in a non-threatening way. Planned with considered thought and with the legal requirement in mind, it can mean that determinations and lengthy consultations may not be the way forward for the school. For example:

- There are religious and human values that many religions (including Christianity) and life stances (e.g. Humanism) have in common, e.g. justice, love, peace, charity, sacrifice, morality, saying sorry, the 'Golden Rule'.
- Worship with a theme such as 'forgiveness' or 'honesty' is broadly Christian even if specific Christian material is not used.
- Many concepts and beliefs are shared by Christianity and other world religions or worldviews e.g., God as creator, humankind as stewards of the world, goodness overcoming evil. For example, the Jewish festival of Hanukkah celebrates freedom from

oppression and the power of God. In collective worship, material based on this celebration would allow those who believe in justice to share and be broadly Christian too.

- Christianity is an Abrahamic faith, as is Judaism and Islam. Narratives and prophets within all three religions are sometimes shared. Therefore, using these shared Abrahamic links allows for a broadly Christian theme or character.

Specific Christian beliefs should not be ignored, e.g., Jesus as the son of God. The major Christian festivals will give the school an opportunity to reflect on these specific Christian beliefs. Also, schools may make use of Christian visitors to contribute to this element of the law. As well as providing explicitly Christian material, schools will wish to incorporate resources from a variety of religions and invite representatives of a range of faith traditions to contribute to acts of collective worship. This is both appropriate and legally acceptable.

By using these principles, it is possible to provide collective worship of a broadly Christian character in a school where a large majority of students have a faith other than Christianity or have no faith.

The systematic planning of collective worship is essential if a school is to ensure that the legal requirements are being met, so that across a term the acts of collective worship are wholly or mainly (51%) of a broadly Christian character. An annual overview planning could provide a theme for a week or a term (see example below).

Reflection of our UK community and local community	Festival Focus/ Christian narrative	Christian Focus/ elements 51% Visiting speakers	Humanism/ Non-religious reflection/ philosophical worldviews	Judaism/ Islam/ Hinduism/ Sikhism/ Buddhism and other religions
Autumn 1	Treat one another as you would like to be treated.	Morality – treat one another as you like to be treated- Golden Rule	Morality Golden Rule	Morality Golden Rule
Autumn 2	Christmas Celebration of light/ hope and love Love – the greatest of these is love	Hope and love	Hope and love	Hope and love
Spring 1	Easter Sacrifice/ giving	Sacrifice	Sacrifice	Sacrifice
Spring 2	Easter – justice – death of Christ – was it just?	Justice	Justice	Justice
Summer 1	Harvest – charity – gifts to others – thankfulness – being stewards of our world/nature/ land/ environment	Charity – gifts to others – thankfulness –	Charity – gifts to others – thankfulness – being stewards of our world/nature/ land/ environment	Charity – gifts to others – thankfulness – being stewards of our world/nature/ land/ environment
Summer 2	Genesis – stewards of creation	Being stewards of our world/nature/ land/ environment	Being stewards of our world/nature/ land/ environment	Being stewards of our world/ nature/ land/ environment

Useful websites and documents

Ealing SACRE Collective worship guidance [Ealing Grid for Learning](#)

National Association of Teachers of RE provides a summary of all [Legal Requirements for RE](#).

[Collective worship Sacre guidelines for schools in Newham](#) provides some examples of organisation and planning of worship.

[RE online festivals calendar](#) shows all major and minor festivals going on annually for each year.

Guest speakers in collective worship, see [NATRE Religious Believers Visiting Schools Guidance](#)

Please follow your school's safeguarding procedures when you invite visitors/ speakers.

For queries, please contact Mirela Temo (Ealing Learning Partnership, Education Adviser (ECT, EMA and RE) mtemo@ealing.gov.uk).

Acknowledgments:

Many thanks to Jan McGuire (National Religious Education & SMSC Adviser, AREIAC Executive Co-Vice Chair, Adviser to Ealing SACRE) for the guidance she provided and supporting this document.