

Appendix 2: Withdrawal from collective worship – some practicalities

In both Acts of Parliament the right of parents to withdraw their children from school worship was made clear (*see excerpt at appendix end*). This right should be clearly communicated in school documents such as the school prospectus and worship policy. If parents do make a request to withdraw their child, or a student in sixth form, the diocese recommends that careful discussion should take place between all concerned, especially in the light of the suggestions for inclusive worship contained within this document, so that informed choices can be made.

Parents do not need to explain their reasons for seeking withdrawal. The Diocese recommends that to avoid misunderstanding, a head teacher may wish to clarify with any parent wanting to withdraw their child(ren):

- the religious issues which the parent would object their child being exposed to;
- the practical implications of withdrawal;
- the circumstances in which it would be reasonable to accommodate parents' wishes;
- if a parent will require any advanced notice of such issue in the future and if so, how much.

Whilst it is hoped that parents who choose to send their children to a church school would be supportive of the act of collective worship, it can certainly not be assumed, and if a parent asks for their child to be wholly or partly excused from attending collective worship at the school the school must comply unless the request is withdrawn.

From a school perspective, it makes it very much easier to successfully enact a withdrawal if the elements of an assembly e.g. notices, sharing information, celebrating successes etc. are distinct from the elements that constitute the act of worship. Such a distinction enables 'withdrawn' children to still be a part of the school community, yet still be easily removed from worship at the point that it actually becomes worship.

A school remains responsible for the supervision of any child withdrawn from collective worship (unless the child is lawfully taking part in collective worship elsewhere), though not to provide additional teaching or to incur extra costs.

Care should be taken not to confuse a request for an absence for religious observance with a request for withdrawal from RE or collective worship.

Withdrawal of staff from collective worship

In **Voluntary Aided schools**, teachers are generally required to take part in collective worship, and to uphold the Christian ethos upon which it is based. However, at the discretion of the head-teacher and governing body teachers may request permission to withdraw from worship.

There is an infrequently-used guidance contract that relates to 'reserved teachers' in **Voluntary Controlled schools**, which states that they may appoint up to 20% of the staff (including the headteacher) as Reserved Teachers. (*See next page for details.*) In VC schools only headteachers and Reserved Teachers have a contractual responsibility to lead and take part in acts of worship. In the unlikely scenario that no-one on your staff is able to teach RE or lead collective worship, please see below:

Taken from 'Selecting appointing and developing staff in Church of England Schools' (2009) – for the whole document click [here](#)

C.3 Reserved teachers

3.1 A particular feature of voluntary controlled schools and foundation schools that have a religious character is the facility to designate some teachers 'reserved teachers'. These teachers are full members of the teaching staff, not additional teachers. A condition of their appointment is that they can demonstrate their ability to teach religious education in accordance with an Anglican syllabus should any parent exercise their right to request 'trust deed' religious education rather than agreed syllabus religious education. The foundation governors must approve the appointment of reserved teachers. Under section 37 of the

Education and Inspections Act 2006 the headteacher of the school can now be a reserved teacher. The School Standards and Framework Act 1998 already permitted deputy headteachers to be reserved teachers. The proportion of reserved teachers in a school depends on the number of staff. Where there are two or more teaching staff, one of them must be a reserved teacher. The total number of reserved teachers must not exceed one fifth of the total number of teachers (Schools Standards and Framework Act, 1998, Section 58 (3)).

3.2 In secondary schools it will be usual for members of the RE department to be reserved teachers. In primary schools it will often be the RE coordinator. In many schools the appointment of reserved teachers has fallen into abeyance in recent years. The appointment of such teachers can provide important support to the development of the Christian ethos of the school. When vacancies occur in voluntary controlled schools that have no designated

reserved teacher, the foundation governors should consider whether it would be appropriate to raise the issue before the vacancy is advertised.

Extract from the 1988 ERA: The right of withdrawal was established in the Education Act 1944, re-enacted in the Education Reform Act 1988 s9(3), an extract of which follows:

Exceptions, special arrangements and supplementary and consequential provisions.

9. (3) *If the parent of any pupil in attendance at any maintained school requests that he may be wholly or partly excused—*

(a) from attendance at religious worship in the school;

(b) from receiving religious education given in the school in accordance with the school's basic curriculum; or

(c) both from such attendance and from receiving such education;

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

(4) Where in accordance with subsection (3) above any pupil has been wholly or partly excused from attendance at religious worship or from receiving religious education in any school, and the responsible authority are satisfied—

(a) that the parent of the pupil desires him to receive religious education of a kind which is not provided in the school during the periods of time during which he is so excused;

(b) that the pupil cannot with reasonable convenience be sent to another maintained school where religious education of the kind desired by the parent is provided; and

(c) that arrangements have been made for him to receive religious education of that kind during school hours elsewhere;

the pupil may be withdrawn from the school during such periods of time as are reasonably necessary for the purpose of enabling him to receive religious education in accordance with the arrangements.

(5) In this section "the responsible authority" means—

(a) in relation to a county or voluntary school, the local education authority; and

(b) in relation to a grant-maintained school, the governing body.

(6) A pupil may not be withdrawn from school under subsection (4) above unless the responsible authority are satisfied that the arrangements there mentioned are such as will not interfere with the attendance of the pupil at school on any day except at the beginning or end of the school session or, if there is more than one, of any school session on that day.

..... (9) In this section—

(a) references to religious worship in a school include references to religious worship which under section 6 of this Act takes place otherwise than on the school premises; and

(b) references to religious education given in a school in accordance with the school's basic curriculum are references to such education given in accordance with the provision included in the school's basic curriculum by virtue of section 2(1)(a) of this Act.

A complete copy of the 1988 ERA can be found at

www.opsi.gov.uk/ACTS/acts1988/Ukpga_19880040_en_1.htm#end