APPENDIX	1.
MILLINDIA	1.

Date: KEY THEME FOR THE WEEK: Summary Spiritual, Moral, Social and Cultural Development School Notes: This theme contributes to pupils' Spiritual: Checklist: ideas for large group Collective Worship Moral: Music **Speakers** Social: Drama Visuals Cultural: **Artefacts Posters** Video Slides

Theme for Week Theme for Today	Day 7	
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APPENDIX 3:

MEETING THE LEGAL REQUIREMENTS

(Source: Education Reform Act 1988: ERA;

Also refer to: DES Circular 3/89: 3/89 DFE Circular 1/94: 1/94)

In dealing with the thorny issue of collective worship, it is vital to distinguish between legal requirement, and interpretation or advice. Schools are bound by the requirements of the 1988 Act, and these are set out below as far as they touch collective worship. DFE circulars, letters to education departments and SACREs etc, constitute advice only. This is clearly stated for instance on the first page of Circular 1/94: This guidance does not constitute an authoritative legal interpretation of the provisions of the Education Acts or other enactments and regulations; that is exclusively a matter for the courts. There has so far been one court case designed to test the legislation; this is dealt with below. (p.iv).

The baseline legal requirement is the curriculum requirement for a maintained school: a balanced and broadly based curriculum which should:

promote the spiritual, moral, cultural, mental and physical development of pupils at the school and of society; and

prepare such pupils for the opportunities, responsibilities, and experiences of adult life. (ERA 1.2).

There are three basic requirements for collective worship in maintained schools:

all pupils shall take part;

each school day

in an act of collective worship (also called 'religious worship' in the ERA).

(ERA 6.1).

This may take the form of a single act of collective worship for all pupils (ERA 6.2), or of separate acts for different school groups. These groups should be 'natural' groups; ie year, form, etc: any group in which pupils are taught or take part in other school activities. Such acts may take place at any time in the school day. (ERA 6.7).

They should take place on school premises, except for special occasions in aided schools, where, for instance, a local place of worship might be used.

The responsibility for collective worship in county schools rests with the headteacher, in consultation with the governors. (ERA 6.3).

The school's policy and arrangements for collective worship must be documented and available. (Education (School Information) Regulations, 1981).

All acts of worship in county schools must be non-denominational. (ERA 7.1,6).

Collective worship must be wholly or mainly of a broadly Christian character, which is explained as meaning that it reflects the broad traditions of Christian belief without being distinctive of any Christian denomination. (ERA 7.1-3).

Not every act of collective worship needs to be broadly Christian, but most acts in any school term should be. (ERA 7.3).

An act of worship which is broadly Christian need not contain only Christian material (3/89, 34: 1/94,63).

The planning of any act of collective worship should take account not only of these criteria, but also of the family background, including faith background, the age, and the aptitude of the pupils involved. The key word here is that any act of worship should be **appropriate** to the needs of the pupils. (ERA 7.4,5, DES: 35).

If a headteacher and governing body consider that collective worship which is wholly or mainly of a broadly Christian character is inappropriate in their school, they may apply to their SACRE for a 'determination' which will permit them to arrange worship of a different character for some or all of the school's pupils. The obligation to arrange daily worship for all is not removed by such a determination.

Parents retain the right to request that their children be withdrawn from collective worship, and teachers retain their right not to be required to attend or lead it.

SO WHAT IS COLLECTIVE WORSHIP ANYWAY?

The ERA does not define either of these terms - yet this must be the key question for a school to tackle if it is to provide an appropriate programme. Nor does it define in detail what might or might not be termed *broadly Christian*. Not surprisingly, there has been immense debate and controversy over both these key areas since the Act became law. The next two sections attempt to navigate through the resulting minefield of interpretation, avoiding a blow-by-blow account of argument and counter-argument, but keeping a weather eye on the law while steering by the compass of common sense and the chart of the working group's experience.

Why 'Collective'?

The term 'collective' worship, repeated from the 1944 Act, is intended to distinguish school worship from the voluntary worship characteristic of a united body of believers. It implies that they are gathered together, but are not necessarily of one mind. The natural term for the worship of a body of believers is 'corporate worship', and the Act and guidance are careful to avoid this term. The distinction is drawn explicitly in 1/94: 57, to which we return in a moment. (p.iii).

Collective worship will, therefore, allow pupils, who may or may not have or share a religious faith, to respond in various individual and different fashions, and not necessarily in the way that a united body of believers responds. It will be **collective** but not **corporate**.

It will thus present a stimulus, and offer time and opportunity for pupils to think, reflect, respond, or pray individually. Some will take the opportunity, some will not; the act should, however, create an atmosphere in which it is possible for pupils to respond in worship.

Collective Worship and Assembly:

These are not necessarily the same. An **assembly** is a gathering to acknowledge and celebrate the shared values, aspirations, and standards of the school community. It may be purely administrative; it may be disciplinary or congratulatory. It is not necessarily an act of collective worship.

Collective worship may be part or all of an assembly; it is a religious occasion which will encourage the spiritual, moral, social and cultural development of pupils, and will give them an opportunity to reflect upon their own experience, to explore profound questions, and to respond to ultimate reality. It is important to note that the atmosphere created by any 'non-worship' element of an assembly may do much to enhance or to undermine the collective worship itself; this fact should in many schools receive much more attention than it does.

It follows also from this distinction that parents who exercise their right of withdrawal are withdrawing their children from collective worship only - not from assemblies. This distinction is important.

What is Worship?

There are two related, but distinct, senses of the word 'worship'.

The first derives from the Anglo-Saxon root 'wearthscipe', meaning 'honour'. It can be rendered to people of excellence, worthy of honour, and by extension to concepts, principles, and conduct which are worthy of celebration - perhaps as examples of the highest aspirations of humanity.

The second, more specifically religious usage defines 'worship' as the adoration offered by believers to the God or divine reality in which they believe. This is a free response offered by individuals, arising from belief or conviction. It cannot be enforced upon those who do not share those beliefs. Where a number of individuals join together to worship, a worshipping community is formed.

No school could be regarded as a worshipping community in this sense. School worship had traditionally tended towards the first of these senses, even while borrowing some forms and traditions from the second.

This understanding, although not found in the draft version of 1/94, was clearly reflected in the final version. 1/94: 57 offers the following advice:

'Worship' is not defined in the legislation and in the absence of any such definition it should be taken to have its natural and ordinary meaning. That is, it must in some sense reflect something special or separate from ordinary school activities and it should be concerned with reverence or veneration paid to a divine being or power. However, worship in schools will necessarily be of a different character from worship amongst a group with beliefs in common.

While clarifying the distinctive nature of collective worship in schools, this raises the next fundamental question of interpretation:

What About God?

Pupils cannot be forced to believe in or worship God. Nevertheless, collective worship in school should lay before pupils the experience of many humans that there is value in reverence or veneration paid to a divine being.

When approached by a group of parents requesting clarification of exactly which divine being this should be, and how this divine being should be reverenced, the Secretary of State advised in August 1991 that:

the courts would be likely to judge that collective worship in schools must in some sense reflect something special or separate from ordinary school activities; that it should be concerned with reverence or veneration paid to a being or power regarded as supernatural or divine; and that the pupil, at his or her level, should be capable or perceiving this. (Ruling on Bradford, 20.8.1991).

This letter, and a similar response to a request from Wakefield, clearly form the basis of some of the guidance that is found in 1/94. What the

courts were in fact likely to judge was not tested on these occasions; but a further case in 1992 did result in a test case. A group of parents complained to the Secretary of State that their children's school in Manchester was not providing what they understood by collective worship which was wholly or mainly of a broadly Christian character, but was providing acts of worship with what they saw as too great a multifaith element. After the Secretary of State dismissed the complaint, the group took the matter to the courts; the court upheld the Secretary of State's position, stating that the tenor of the legislation is against a doctrinal and divisive approach. (26.2.1993). This valuable statement should be borne in mind by any who attempt to make the legislation serve a doctrinaire or partisan purpose.

At this stage of the discussion, therefore, the bottom line is that pupils should be able to perceive that they are being given the opportunity to make a spiritual response which has a focus beyond themselves and beyond humanity. That response cannot be coerced, but the opportunity to make it must be presented.

Must it be Hymns and Prayers?

These, along with other common 'ingredients' of worship, are ritual. They may be conducive to worship, but are not worship; mouthing a prayer does not turn an assembly into worship. Indeed it is often counterproductive because it only parodies worship, and can convey the message that worship is no more than empty ritual. The key factor is that pupils are given the opportunity to make an inward response; the style of the act of collective worship need not and should not be limited by traditional forms, or by church usages which are not necessarily appropriate to school.

Most important, whatever the style, is the freedom pupils must be given to respond in their own way, through such expressions as 'This is a traditional prayer; you may wish to pray with me, or to think about the words I am saying'. This gives the pupils freedom to reflect, consider, and respond, in an atmosphere that is conducive to worship and reflection.

Conclusion

A school is not a faith community, and does not need to copy the practice of faith communities, not should it attempt to do so. What it should provide, in an act of collective worship, is an evocative and stimulating presentation of material which could promote worship, and an opportunity for pupils to respond freely. As for the nature of the response, it should be made possible for individual pupils to engage on one of two levels: either to consider issues and questions relating to their own spiritual development, or to consider those questions and issues within the context of a relationship with God. It should be possible for all pupils to engage at the former level, and for those for whom it is appropriate, to move voluntarily to engage at the second level. Even if an individual pupil does not feel able to participate at the second level, he or she should be able to understand that the second level exists and is meaningful to some of those present.

We cannot manufacture worship, or force pupils to worship; but we can and should create a worshipful atmosphere, in which pupils are free to do so if they wish, and in which the freedom of the pupils to participate is respected. The material offered here aims to help with this enterprise.

'Broadly Christian'

See pages i and ii for the basic requirement. But what does it mean in practice?

Current DFE Advice

The first attempt to clarify the legal requirements and to give practical guidance was DES Circular 3/89; as we have seen, this did not prevent the Secretary of State being asked to make judgements on cases in Bradford, Wakefield, and Manchester. His advice in these cases clearly forms an important element in the updated advice of the then DFE 1/94, which - among other things - attempted to clarify what the character of collective worship should be in county schools. The guidance - in sections

60-67 - still permits considerable flexibility, although the non-statutory guidance is clearly more prescriptive in its approach than the very flexible categories of the actual legislation. Essentially, the main elements of this advice are that collective worship which is wholly or mainly of a broadly Christian character:-

- * must contain some elements which relate specifically to the traditions of Christian belief;
- * must accord a special status to Jesus Christ;
- * must not be distinctive of any particular Christian denomination;
- * must be such that pupils of non-Christian background can take part;
- * may contain some non-Christian elements, including elements common to Christianity and other religions;
- * must be appropriate to the family backgrounds, ages, and aptitudes of the pupils concerned.

In some respects this represents a 'hardening' of previous advice, which spoke, for instance, of reflecting the broad traditions of Christian belief - the phrasing of the Act - rather than relating specifically, and of according some special status to the person of Jesus rather than a special status to Jesus Christ. This latter change, in particular, is significant, reflecting an opinion that the Jesus perceived in collective worship should be the Christ of Christian faith rather than the Jesus who is understood in different ways by the Christian, Muslim, and Jew. However, it is still the case that the individual participant cannot necessarily be expected to accord that special status to Jesus Christ, but only to acknowledge that some of those present regard Jesus as Christ in that way.

This observation on the changing tenor of DFE advice leads naturally on to the question of the integrity of those who adhere to faiths other than Christianity, and how collective worship can be made appropriate to the backgrounds of such pupils. How Christian is 'Broadly Christian'?

The term 'Christian' was not used in the 1944 Act - perhaps due to the assumption that any school worship would naturally be Christian. The use of the term 'Christian' in the ERA has caused unnecessary alarm to many non-Christians and secularists, and unedifying glee in some wings of Christianity. The ERA provisions on RE clearly acknowledge the status of other principal religious traditions represented in Great Britain; and just as no RE syllabus would be legal without a substantial multi-faith content, no programme of collective worship would be adequate which did not acknowledge the richness of religious experience in this country today. In addition, Christianity, like other religions, embraces a vast range of ethnic, cultural, linguistic, and moral perspectives. It is a vast and kaleidoscopic world religion, and many unlikely topics can be linked to Christian tradition.

The material offered in this publication seeks to reflect on the richness of the Christian tradition, and the importance of aspects of religious insight and experience to be found in other faiths. Sometimes, where appropriate, material drawn from non-Christian traditions is included alongside Christian material; sometimes it stands alone and would form one of that permissible minority of acts of worship which need not relate specifically to Christian traditions. Such acts would still, of course, aim to contribute, and - in the view of the authors - to reflect those traditions of Christian belief which commend open-mindedness, and a willingness to learn whatever can be learned from the insights of those whose views are different from one's own.

How Broad is 'Broadly Christian'?

This is an unprecedented phrase, and is evidently a deliberately loose definition, designed to rule out any narrow or limited interpretation - as the court ruled in the Manchester case in 1993. It may involve anything from a belief which is uniquely Christian to an aspect of Christian belief or practice which may be shared with many others. Many precepts found within Christianity are also part of the belief systems of many people of other faiths or of none, and these too would fall within the scope of this

definition. The range is wide, and the opportunities to stimulate the imagination and the understanding of pupils are endless.

Reflecting the Broad Traditions of Christian Belief

This stresses that the emphasis is not on traditions of worship, with its attendant customs and rituals, but on the traditions of belief which underpin Christian life and worship. School worship does not have to look like church worship, and this might indeed be inappropriate to the needs of the pupils, or appropriate on some occasions, but not on others. This realisation alone frees up an immense range of possibilities for exciting and thoughtful collective worship.

All Broadly Christian?

Most acts of worship taken over a whole school term must be broadly Christian in the above sense, but not all. Further, the balance need not be achieved over one week, as long as it is right over the whole term: this gives space for a series of assemblies on a theme which lies outside the definition, or with an approach which lies outside it, as long as the balance is redressed elsewhere. The key here is **careful planning and guidance**, and, equally importantly, **scrupulous record-keeping**.

What About the Teacher?

(and other matters of delivery)

There is much concern among teachers that collective worship cannot now be delivered by non-Christians. This is not so. The requirement is only that it should reflect the broad traditions of Christian belief; these may be reflected no matter what the personal stance of the deliverer, as long as he/she is sympathetic to the aims and the atmosphere of collective worship, and understands what opportunities should be laid before the pupils. Goodwill, training, and confidence may be necessary for the deliverer; Christian belief is not. Caution should be exercised in the selection of outside speakers; while variety of experience is desirable, care must be taken to ensure that they are willing to abide by the guidelines -

particularly the requirement of appropriateness. They must, therefore, be fully briefed and prepared.

NB Teachers at county schools cannot be required to be involved in or to attend collective worship if they have conscientious objections to doing so. They can be required to attend an assembly, or any part of an assembly in which worship is not taking place.

This means that the maintaining of daily collective worship is dependent upon sufficient teachers being prepared to volunteer to participate. The more they are supported and assisted, the more confident they will be, and the more will come forward. This demands a clear policy, good planning and strong support.

Pupils may deliver collective worship where appropriate; this will demand not only good support, but consistent examples of good practice within their experience. Rights of Withdrawal

The school must comply with any parental request to withdraw children from any school collective worship, and must provide adequate supervision for children withdrawn. This right of withdrawal relates specifically to worship, and not to assemblies as such.

This should not be confused with the right of withdrawal from RE. Some pupils are withdrawn from both, but some only from RE or only from collective worship. Given sound educational aims in both areas, it should be possible to argue that withdrawal is not usually necessary, as the integrity of any pupil's personal faith is always respected.

Collective Worship and the Whole Curriculum - A Problem or an Opportunity?

Although collective worship is not included as part of the basic curriculum in ERA, and is excluded from the DFE's time calculations on the 'taught curriculum', there can be no doubt that it should contribute to the whole curriculum. The contribution of collective worship is constantly

mentioned in guidance on the spiritual, moral, social and cultural development of pupils.

Given the minefield of the legislation and its interpretation, and the numerous principles that must be worked out and then kept in mind while planning in detail, it is not at all surprising that collective worship has come to be regarded in many quarters as an insoluble problem, and the responsibility for its planning and implementation in school to be something of a poisoned chalice among the responsibility points - if indeed there is a point available for it at all! Nevertheless, it is possible to take a more positive attitude, and the key to this is to see collective worship not as a problem but as an opportunity - an opportunity to enhance the experience, the understanding, and the development of pupils. Ultimately, this can be the only justification for its existence.

It is therefore a fundamental principle enshrined in this publication that acts of collective worship should not be single, one-off events, but part of the continuing educational provision of the school. As such the collective worship programme should be planned with the same degree of care and the same sound rationale as any other curriculum area. It should relate concerns in the life of the school and its pupils to wider concerns in the life of the community and the world, and should lift the vision of pupils above the mundane preoccupations of everyday routine to an awareness of more ultimate concerns. Well planned collective worship can provide a unique curriculum contribution to the spiritual, moral, social and cultural development of pupils at the school, and become a valid and progressive educational experience, rather than a necessary chore - an opportunity, rather than a problem.

SCHOOL NOTES

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