



Collective worship in England and Wales

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- **Legal action in a campaign to replace collective worship in schools with inclusive assemblies has been settled out of court with the promise of alternative arrangements in one school.**

2019 HIGH COURT CHALLENGE

- Humanists UK are behind a campaign to have collective worship (often called “school assembly”) [replaced](#) with the requirement that schools provide inclusive assemblies. They say inclusive assemblies will promote the spiritual, moral, social and cultural development of all pupils and should be conducted in a way that did not discriminate in favour of a religious or non-religious world view.
- Humanists UK took up the case of Lee and Lizanne Harris, whose children attend Burford Primary School in Oxfordshire. They claimed their human rights were breached because their children were given only the option of participating in Christian prayer and no suitable alternative for non-Christian children had been provided. Every Wednesday, collective worship is [organised](#) at the school by the children’s co-ordinator at Burford Church. The school website describes collective worship on Wednesdays as occasions when “Bible stories are read and brought to life through interactive drama using mime, costume, props, puppets and sound effects with the children also getting involved!” Mr and Mrs Harris are concerned that these regular Bible readings are presented as factually true. They have withdrawn their children from the Wednesday sessions. The school website reports that pupils in the [religious education lessons](#) have opportunities to consider questions such as: “Did Jesus really do miracles?”, “Can made-up stories tell the truth?” and “Can we know what God is like?”
- In July 2019, Humanists UK won permission to take the case involving Lee and Lizanne Harris and the Oxford Diocesan Schools Trust (ODST) to judicial review to establish the right that pupils withdrawn from collective worship should receive alternative provision of equal educational value.
- The case was settled out of court in November 2019, with Oxford Diocesan Schools Trust saying a small number of pupils at Burford Primary would be provided with alternative materials instead of taking part in collective worship. The trust said this was not an alternative assembly.

BACKGROUND

- Collective worship is often called “school assembly” although a school assembly may include other things such as general announcements and award ceremonies.
- The law that defines collective worship in England and Wales first appeared in the [Education Reform Act 1988](#) and, with a few small amendments, was repeated in the [Education Act 1996](#) and in the [School Standards and Framework Act 1998](#).

WHAT DOES THE LAW SAY?

- The general principle that guides the law is that pupils should be educated in accordance with the wishes of their [parents](#), as far as that is possible and that it does not involve any unreasonable extra public expenditure.
- It is a legal requirement that education should contribute towards the spiritual, moral, mental and physical development of pupils.
- The law requires that all pupils at a maintained school must attend a daily act of collective worship.
- A parent may request their child is withdrawn from collective worship or they may request their child is partly withdrawn and a school must comply with the wishes of the parent.
- Collective worship must take place on the school premises although it can take place somewhere else if it is a special occasion.¹
- Collective worship, according to the Education Reform Act 1988, should reflect the broad traditions of Christian belief but it does not have to do so every time it is provided. It only has to do so “mainly”.
- 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.” Over a school term the collective worship provided should reflect the broad traditions of Christian belief for at least 51% of the time. In the remaining 49%, collective worship could reflect the beliefs of other religions or world views.

- Collective worship may involve all pupils in the school together or it may involve separate acts of collective worship for pupils in a “school group” – pupils who are taught together or take part in other school activities. A group of pupils who have a particular religion or world view is not a “school group”.
- A school may request to opt out of providing collective worship that mainly has a broadly Christian character by making a request for a “determination” to a local authority standing advisory council on religious education (SACRE). There are no national statistics suggesting how many schools have opted out, though estimates suggest this is fewer than 300.
- [Article 9 of the Human Rights Act](#) ensures that everyone has the right to “freedom of thought, conscience and religion”. This right protects a person from being forced to demonstrate views or behaviour associated with a particular religion.
- [Article 2 of Protocol 1 of the Human Rights Act](#) protects a person’s right to education. The protocol protects the rights of parents to ensure that the education and teaching provided by the state is in conformity with their own religious and philosophical convictions. This allows schools to invite groups with different views into a school, so long as they do not indoctrinate.

WHAT WERE THE VIEWS OF THOSE WHO DRAFTED THE LAW?

- In 1944 the state took over the running of church schools. The act was passed when the country was at war when Christianity was associated with democracy and seen as standing against authoritarianism. It introduced religious instruction as a non-denominational subject. “Collective worship” was regarded as a religious activity.
- In 1988 when the House of Lords debated the Education Reform Act, peers held two contrasting views about what collective worship should be.
- One view, supported by Baroness Cox, Lord Thorneycroft and others, was that collective worship should be undiluted confessional Christian worship. They proposed on at least three occasions that the wording of the law should be changed by adding the word “Christian” after the word “collective” so that schools would be required to provide “collective Christian worship”. They failed to get the amendment that they wanted.²

- The other view of “collective worship”, supported by Baroness Hooper, the Bishop of London and others, was that “collective worship” should not be confessional Christian worship and the attempt to impose this on schools was divisive and made a nonsense of what worship was, as worship could be undertaken only by those who entered into it by free consent. They argued that collective worship had educational value and should be appropriate for and to include all pupils attending a school.
- The Bishop of London said, “We are considering an education reform bill and not a bill about worship.”³ Later, he said that by passing the bill the intention was to avoid imposing “inappropriate forms of worship on certain groups of pupils” and to “not break the school up into communities based on the various faiths of the parents”.⁴
- Baroness Hooper argued that collective worship was an inclusive activity that had educational value and that it was not the same as undertaking a confessional act of worship which was an exclusive religious activity. “The educational value of worship must be clearly distinguished from confessional acts of worship which are properly pursued by practising Christians and members of other faiths.”⁵
- On 7 July 1988 Baroness Cox took a different view: “There is now explicit recognition on the face of the bill of the expectations that religious education and worship should, in the main, be Christian, thus enshrining Christianity as the main spiritual tradition of this country and providing young people with opportunities to learn about Christianity and to experience Christian worship...”
- The core principle of the 1988 Education Reform Act was that in collective worship, a collection of people might stand or sit together and use that moment to think or dwell on something seriously and at depth. That moment is inclusive and integrity of all is preserved.

COMMENTATORS

- [Dilwyn Hunt](#), religious education adviser and executive member of the Association of RE Inspectors, Advisers and Consultants
- [Dr Kate Christopher](#), religious education adviser, teacher and consultant

NOTES

¹ The Educational Reform Act 1988 states that “collective worship in every maintained school required by this section shall take place on the school premises”. It goes on to say: “If the governing body of (a) an aided or special agreement school; or (b) a grant-maintained school; are of opinion that it is desirable that an act of collective worship in the school required by this section should, on a special occasion, take place elsewhere than on the school premises, they may make such arrangements for that purpose as they think appropriate.” Chapter 1, Section 6, Subsection 5

² On 22 June 1988 at 9.12pm Lord Thorneycroft proposed Amendment 69B to the Education Reform Bill. Introducing the amendment Lord Thorneycroft said: “Perhaps I may describe very simply the form and purpose of this amendment. It is to insert the word ‘Christian’ after the word ‘collective’ in the amendment moved by the right reverend prelate. I can say quite simply that it is to do what I have no doubt the right reverend prelate has every intention of doing, and that is to secure an act of Christian worship.” After nearly an hour of discussion during which both approval and dissent for the amendment was expressed Lord Thorneycroft rose to say he was “absolutely willing to withdraw the amendment and beg leave to do so”.

³ In Hansard on 22 June 1988 at 9.45pm it is reported that the Bishop of London said: “I do not dispute that this is a religious issue; that is why it is vital. However, it is a religious issue in an educational context. We are considering an education reform bill and not a bill about worship. Worship is to be considered in an educational context and must therefore be understood in the context of our schools and of our nation at large.”

⁴ At about 5.45pm on 7 July 1988 the Bishop of London spoke about five main principles that the legislation on collective worship had tried to uphold. He said: “We have sought to provide a framework for worship which, first, maintains the tradition of worship as part of the process of education, giving proper place to the Christian religion; secondly, maintains the contribution of the collective act of worship to the establishment of values within the school community; yet, thirdly, does not impose inappropriate forms of worship on certain groups of pupils; fourthly, does not break the school up into communities based on the various faiths of the parents, especially in that it makes some groups feel that they are not really part of the community being educated in the school; and, lastly, is realisable and workable in practical terms of school accommodation and organisation.”

⁵ A little after 6.15 pm on 7 July 1988 speaking about the passages in the bill that referred to collective worship, Baroness Hooper said: “First, we wish as far as possible to ensure that the act of collective worship provided for in statute is indeed collective. It is because such an act of worship can perform an important function in binding together members of a school and helping to develop their sense of community that we in this country make collective worship in schools a statutory requirement, although other equally Christian countries do not do so. This educational value of worship must be clearly distinguished from confessional acts of worship which are properly pursued by practising Christians and members of other faiths. Maintaining the collective emphasis and minimising withdrawal of pupils from the act of worship is a proper concern of those responsible for education.”