

## **Portsmouth SACRE - Draft Determination Policy**

### **Applying for a determination<sup>i</sup>**

#### **Background**

All maintained schools must provide a daily act of collective worship (CW). The act of CW must be "wholly or mainly of a broadly Christian character". For some schools this may not be appropriate, for example, if their pupils are predominantly from non-Christian faiths.

A Local Authority (LA) school can apply to the local Standing Advisory Council on Religious Education (SACRE) for an exemption from the requirement to provide CW that is "wholly or mainly of a broadly Christian character". The application can relate to a clearly defined group or to the whole school. This does not remove the requirement to hold a daily act of CW. This application will be assessed by the SACRE who will come to a "determination" on whether an exemption can be allowed. A determination lasts for up to five years.

This process does not apply to LA maintained voluntary controlled or voluntary aided schools, since the character and content of CW in these schools is determined by the governing body.

An Academy school must apply for a determination from the DfE.

#### **The Process**

Any LA school seeking to apply for a determination should complete the attached form and send it with the required accompanying documents to the address provided, for consideration by SACRE.

Completed applications should be with the SACRE Clerk at least SIX weeks before the SACRE meeting that will consider the application. SACRE meeting dates are published here <https://democracy.portsmouth.gov.uk/ieListMeetings.aspx?CId=174&Year=0>

SACRE will seek to respond within 3 weeks of that meeting. The response will either be to grant or deny the application for a determination, or may request further information. Schools are strongly advised to have consulted with SACRE's professional advisers in advance of making an application.

#### **The Application**

Applications for a determination can only be made by the head teacher of the school.

If a school is considering making an application the head teacher must consult the school's governing body, who in turn may wish to seek the views of parents. The head teacher and governing body may wish to take advice from SACRE professional advisers.

There is no set period for any consultation to have taken place, but the school may provide appropriate guidance for those involved which explains what the proposed changes would mean.

It is important that enough time is given for all concerned to respond.

Head teachers, together with the governing body, are likely to want to take the results of the consultation into account when deciding whether to proceed with their application.

Applications received will be assessed based on the following evidence, to include:

- An explanation of why a determination is needed
- A breakdown (in percentages) of children from families they believe the determination will apply to
- Evidence of consultation with the governing body
- Evidence of consultation with parents of children currently attending the school if sought by the governing body

### **How SACRE will make a decision**

Once the application and accompanying documentation has been received by the SACRE Clerk, a small group of SACRE members will hold a preliminary meeting before the Chairman's briefing preceding the next SACRE. This group will be convened as required by the Clerk to SACRE and consist of a representative of each of SACRE group, a co-opted member (if required) and the SACRE Professional Adviser(s). If there is insufficient time to convene this group before the next SACRE meeting, then a recommendation regarding the determination will be put before the following SACRE meeting.

The SACRE can only accept or reject an application, not modify it.

If a determination is granted, any request for renewal of an existing determination must be submitted by the head teacher to SACRE for review **at least 6 months prior** to the lapse of the determination. This review should follow the same process as the initial application. This timescale is to safeguard, assuming all circumstances remain the same as before, there is no break in the determination.

Notes:

The current and relevant legislation and statutory powers upon which this document has been prepared are: – s.394(1) Education Act 1996, s.70 and Schedule 20 of School Standards and Framework Act 1998.

Schools may find it helpful to refer to a document known as 'Circular 1/94', pp. 20-25. Whilst being aware that some of the legislation referred to has been repealed, it gives explanation of the position pertaining in general to Collective Worship in general as well as regarding applications for determinations: <http://www.educationengland.org.uk/documents/dfe/circular1-94.pdf>

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<sup>i</sup> This process does not apply to Local Authority maintained Voluntary Aided and Voluntary Controlled schools.