

Last updated:
17 May 2010
Author:
Stephen Evans



Faith Schools: Admissions

What's the issue?

Many faith schools¹ are granted exemptions from equality legislation which stipulates that schools cannot discriminate against pupils because of their religion or belief. When voluntary aided faith schools and religious academies are oversubscribed, they are permitted to use religious criteria to give priority in admissions to children, or children of parents, who practice a particular religion.

There is strong evidence to suggest that the discriminatory admissions policies operated by some schools, in addition to being unfair, encourage social segregation and are antithetical to community cohesion. Many argue that allowing faith schools to operate as their own admissions authorities leads to "backdoor selection" of middle-class children. We take the view that such widespread discrimination in publicly-funded schools is wholly unjustifiable and should no longer be permitted. Instead, we advocate an inclusive and comprehensive education system that values and caters for all pupils equally, regardless of their religious, economic or social background.

As the number of 'free schools' and academies run by religious organisations increases, the issue of admissions is going to become increasingly controversial.

¹ Explanation of different types of school <http://www.secularism.org.uk/types-of-school.html>

Victims of religious discrimination

Admissions policies in many faith schools are often biased against local children whose parents are non-religious or of the 'wrong' religion, even though they live within the catchment areas. This means many parents are unable to send their children to the most appropriate school for their needs. What follows is typical of the correspondence we receive on this issue, and serves to illustrate that such discrimination creates real victims:

"We are non-religious parents of a 3 year old child that will be attending primary school from September 2010. There are only four schools in the immediate catchment area and of these, three are faith schools who take pupils based on their religious beliefs or church membership. As this is our first child, we were unaware that we would be excluded from certain schools based on religion but feel strongly that religion should be kept separate from education. All three of the faith schools have 'outstanding' Ofsted reports and because of this are always oversubscribed whilst the non-faith school offers a lower standard of education. We are only 100m from the nearest school, which happens to be a faith school, and as such we assumed that we would have a good chance of our daughter attending. However, this seems unlikely purely because of our religious beliefs"

We are unaware of any other area of policy where blatant religious discrimination of this nature would be permitted, particularly given that the service provided is on such a large scale and at public expense.

For such widespread exemptions to the Equality Act with such widespread application to be justified, there should be compelling evidence of their necessity. However, the justification used by religious organisations – and successive Governments – is that faith schools need control over their admissions in order to preserve their 'religious ethos'. Even taking this justification as a 'given', it is seriously undermined by many faith schools, particularly voluntary controlled schools, being judged by church inspectors have a satisfactory, even outstanding 'religious ethos' despite not discriminating in admissions.

Another argument often used for faith schools is that the diversity of provision they offer gives parents the maximum amount of choice within the education system. However, only parents of Christian children receive the greatest choice. Given there is no counterbalancing admission preference for non-Christians in community schools (not that we are advocating that), those who meet or purport to meet the religious school selection criteria have a far greater choice of schools than those who do not. In effect, faith schools that discriminate in admissions on religious grounds limit the provision available to the Christians that aren't quite pious enough, those that follow minority faiths and, above all, the non-religious². This is because access to

² 'Parent's anger at school places allocation policy'. Surrey Advertiser, May 10 2011
<http://www.thisissurreytoday.co.uk/news/Parent-s-anger-school-places-allocation-policy/article-3524913-detail/article.html>

community schools is non-discriminatory for both groups, but the religious have greater access to faith schools.

It is widely acknowledged, even by the Prime Minister, that parents frequently feign religious faith³, and also attend church (and often contributing to the church financially and practically) when they would not otherwise, in order to secure admission for their children to religious schools. The current system puts such parents under great pressure to dissemble as the only route to secure their children's admission into local publicly-funded schools⁴. It therefore penalises parents who fail to stoop to deception, or who do not have the time and the means to 'play the system' in this way. Given that less than 20% even claim to attend church at least monthly, and such claims are notoriously exaggerated, and the proportion of those who are parents of children at school are likely to be substantially less than the population as a whole⁵ many parents are inevitably attending church against their will to secure admissions. Of these, only the very keen/desperate will do this, so another consequence of this process is to over-represent aspirant parents, those most likely to have children that will perform above average. This gives such schools an unfair advantage. as do other factors set out below.

Selection, Social Segregation and Performance

Many parents believe that faith schools perform better than other state schools and attribute this to the 'religious ethos' and discipline of the schools. However, a Report by the House of Commons Library (2009) stated:

"Recent research on primary schools suggests that performance difference can largely be explained by prior attainment and background. The remaining differences are due to parental self-selection and selection methods used by some faith schools."

While we accept that some faith schools do perform marginally better, the reason is often because they are not competing on a level playing field. It is clear that the freedom to select pupils based on religious criteria that voluntary aided religious schools enjoy, has a greater impact on the overall difference in performance between faith and non-faith schools than the 'religious ethos' per se. A wealth of evidence now exists to support the claim that discriminatory admissions policies of some faith schools lead to socio-economic segregation.

The Rt Revd John Pritchard, Bishop of Oxford and Chair of the church of England's board of education has joined the growing chorus of opposition against unfair admissions policies. In an article for the *Times Education Supplement*, he admitted that religious schools only outperform others due to their selection policies and

³ <http://www.timesonline.co.uk/tol/news/politics/article3234697.ece> and <http://www.thisislondon.co.uk/standard/article-23817508-muscling-in-on-church-schools-is-just-stealing.do>

⁴ <http://www.independent.co.uk/news/education/schools/i-faked-religion-to-find-a-school-2093403.html> and <http://www.guardian.co.uk/education/2010/nov/01/faith-schools-admissions-unfair> and <http://crerar.standard.co.uk/2010/07/i-dont-want-to-find-god-to-find-a-good-school.html>

⁵ http://populuslimited.com/uploads/download_pdf-310111-Searchlight-Fear-and-Hope-survey.pdf
table 58

suggested that he would like to see Church schools limit the number of reserved places for families from the Church to no more than 10% of the intake⁶. He suggested that CofE schools “*may not get the startling results that some church schools do because of getting some very able children*” but said “*we will make a difference to people’s lives*”. While this can be welcomed as a step in the right direction, The Bishop has no authority to implement such changes. Indeed, in the same article it was confirmed that there would be no such restrictions in the Church of England guidance to be issued later in the year. We therefore argue that there is a necessity for the state to insist that no publicly funded schools can turn any child away simply because his or her parents have the ‘wrong’ beliefs.

Research by the London School of Economics in 2009⁷ found that most of the apparent advantage of faith school education could be explained by differences between the pupils who attend these schools and those who do not. Further research by the Institute of Education⁸ found that faith schools create “social sorting” of children not only along lines of religion, but also class and ability too.

The fact that a smaller proportion of children at faith schools are in receipt of free schools meals⁹ offers further evidence that religious based selection, whether intentional or not, results in social segregation of children.

In 2007, Rebecca Allen, of the Institute of Education and Professor Anne West, Professor of Education Policy at the London School of Economics, studied the intake of faith schools across London¹⁰. Again, their research found that, in general, religious secondary schools in London educated a smaller proportion of pupils eligible for free school meals than non-religious schools and that their intakes were 'significantly more affluent' than the neighbourhoods in which they are located.

The ‘Unlocking the Gates’ report from Barnados¹¹ came to very similar conclusions and criticised the School Admissions Code for allowing certain practices, such as complex criteria relating to religious observance, which can discriminate against disadvantaged children.

A paper from The Institute for Public Policy Research (IPPR)¹² recommended that no school should have the ability to apply selection criteria to its pupils. The paper argued that schools have no reason to be their own admissions authorities, other than to select students by ability or socio-economic background’. Researchers found that faith schools which were their own admission authorities were ten times more likely to be

⁶ <http://www.tes.co.uk/article.aspx?storyCode=6078734>

⁷ Faith Primary Schools: Better Schools or Better Pupils? (2009)

http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1369835&

⁸ Can Competition Improve School Standards? The Case of Faith Schools in England (2009)

By Dr Rebecca Allen and Dr Anna Vignoles [http://www.secularism.org.uk/uploads/kresearchvignoles-faith-schools-\(2\).pdf](http://www.secularism.org.uk/uploads/kresearchvignoles-faith-schools-(2).pdf)

⁹ *Percentage of pupils known to be eligible for free school meals*

<http://www.publications.parliament.uk/pa/cm200809/cmhansrd/cm090225/text/90225w0009.htm#09022629004812>

¹⁰ <http://www.leeds.ac.uk/educol/documents/167585.pdf>

¹¹ http://www.barnados.org.uk/unlocking_the_gates.pdf

¹² <http://www.ippr.org/publicationsandreports/publication.asp?id=546>

highly unrepresentative of their surrounding area than faith schools where the local authority was the admission authority. The IPPR suggested that “letting any school be its own admissions authority is like letting pupils mark their own essays.”

Even when adhering absolutely to the admissions code, schools of a religious nature and religiously designated academies have an advantage over their non-religious counterparts because the selection process is much more likely to result in less desirable pupils being screened out – something community schools cannot do. However, it is clear from the research carried out in 2008 by the then Children's Secretary Ed Balls¹³, that some religious schools bend even these privileged rules far more than other schools do.

In Barnet, for example, while only 5 per cent of community schools were found to have breached the code (and this was slightly), over two thirds of schools who were their own admissions authorities (overwhelmingly faith schools) were in breach, most of them seriously. All LEA areas surveyed showed a similar pattern.¹⁴

Successive annual reports of the Chief Schools' Adjudicator have highlighted that problems are more prevalent in schools that are their own admissions authority. In November 2010, the Chief Schools Adjudicator accused some faith schools of cherry-picking wealthier pupils through points-based systems that benefit families heavily involved in church activities.¹⁵ In February 211, the Chief Schools Adjudicator, Dr Ian Craig, informed the Education Select Committee that almost one-third (45 of the 151) cases that his office ruled on in the previous year related to faith schools that were able to set their own admissions.¹⁶

It is therefore regrettable that the Education Bill, currently being considered by Parliament, proposes the abolition of local admission forums and weakens the power of the school adjudicator, who will no longer be able to modify school admissions arrangements in response to a complaint. The weakening of the school adjudicator's powers, particularly when combined with a growth in academies which can have their own admission arrangements, could bring about even more unfairness and social division in the admissions process.

We also regret that the Government has also announced that it is to make the School Admissions Code less prescriptive. It was reported that the Education Secretary Michael Gove told the Jewish Chronicle that once the 50 per cent religiously based admission quota had been reached in a new Jewish free school, the remainder of places could be filled with Jewish children - as long as the admissions board did not enquire about religion.¹⁷ We wonder by what mechanism Michael Gove thinks this could be achieved.

¹³ <http://www.telegraph.co.uk/news/uknews/1581480/Ed-Balls-admits-faith-schools-broke-rules.html>

¹⁴ <http://www.guardian.co.uk/education/2008/apr/02/schools.uk1>

¹⁵ <http://www.edexec.co.uk/news/1391/faith-school-admission-policies-criticised/> and <http://www.guardian.co.uk/education/2010/nov/01/faith-schools-admissions-unfair>

¹⁶ <http://www.publications.parliament.uk/pa/cm201011/cmselect/cmeduc/uc782/uc78201.htm>

¹⁷ <http://www.thejc.com/news/uk-news/36107/gove-free-schools-can-still-be-totally-jewish>

Community Cohesion

It is widely accepted that religiously restrictive admissions policies used by single-faith schools are a threat to community cohesion. The Government acknowledged this in 2006. Following a recommendation in The Cattle Report (2001)¹⁸ which followed the race riots in Oldham, Burnley and Bradford, the Government announced plans to ensure 25% of their intake from pupils of other faith backgrounds or those with no religious beliefs. The Government of the day backed down in the face of fierce opposition from religious groups, instead opting to place a 'duty to promote community cohesion' on all schools.¹⁹

A later report, again by Ted Cattle, in 2009 which looked at segregation in Blackburn and Darwen²⁰ stated that although the cohesion initiatives undertaken in Blackburn's schools in accordance with the duty were "positive" and "imaginative", they were insufficient. The report went on to say the "level of segregation in schools is high, growing and more extensive than the level of residential segregation would suggest." The report said the number of faith schools was a particular issue, pointing out that half the borough's schools are at least partly segregated on religious grounds. The report called on faith schools to "reconsider their admission policies in light of the impact on cohesion".

Another revealing report into faith schools and community cohesion, entitled *Right to Divide?*²¹ was published by the independent race equality think-tank, The Runnymede Trust. Their report found that despite the existence of a statutory duty to promote community cohesion since 2007, many faith schools have done very little to engage with community cohesion initiatives. The report recommended that faith schools should value all young people, do more to serve the most disadvantaged and end selection based on faith.

Further criticism followed in 2010 from a former governor of a Church of England school who ran into opposition from colleagues for advocating an open admissions policy. Writing for the Guardian, she said; "I think having a system of state-funded faith schools is actually immoral. We should surely object to how it legitimises discrimination, segregates our children, often fails to embrace the vulnerable with compassion and empowers tiny religious quangos to rule over publicly funded education."²²

¹⁸ <http://image.guardian.co.uk/sys-files/Guardian/documents/2001/12/11/communitycohesionreport.pdf>

¹⁹ Faith schools quota plan scrapped BBC, 26 October 2006
<http://news.bbc.co.uk/1/hi/education/6089440.stm>

²⁰ Blackburn with Darwen Baseline Community Cohesion review
http://www.blackburn.gov.uk/upload/doc/090505_Final_Blackburn_Executive_Summary_12E.doc

²¹ Right to Divide? (2008)

<http://www.runnymedetrust.org/uploads/publications/pdfs/RightToDivide-2008.pdf>

²² A rather unchristian school admissions policy? Guardian, 20 September 2010.

<http://www.guardian.co.uk/education/2010/sep/20/faith-schools-governor>

Studies show that the younger children from all backgrounds start to be educated together, the more successfully they integrate.²³ If they are very young, this draws in the parents too. The more they integrate, the better their chances of employment and consequently the less the chance of social exclusion.

Regrettably, the Free School model currently favored by the Government will inevitably increase the proportion of faith schools, and in particular see a growth in minority faith schools. Religious based admission criteria in these schools will almost certainly divide children down ethnic lines and increase social segregation, isolating further those from minority ethnicities and cultures. There is likely to be a consequent reduction the proportion of such children in other schools, while demographic trends suggest a growing proportion of children in single faith minority schools. The consequences for community cohesion in Britain are likely to be seriously adverse in the longer term.

What we have done

The National Secular Society has long campaigned for an end to the special privileges that permit publicly-funded faith schools to choose pupils on the basis of the parents' religion. We use every possible opportunity to improve and challenge existing arrangements, including through consultation responses and effective use of the media to highlight concerns. Most recently, In May 2011 we met with senior officials at the Department of Education to discuss concerns set out in this Paper.

What You Can Do

Using the arguments in this briefing, please contact your MP about the issues, such as admissions, that concern you about faith schools .Writing to your MP is a great way to get our message across. For every constituent who makes the effort to write a letter, MPs often assume there are many more constituents who are concerned about that issue, but don't bother writing.

Scan your local media for any articles about faith schools. The local media are also always looking for stories, particularly those with a specific community angle. Taking part in radio phone-ins and writing letters to the local paper is also a great way making sure the secular point of view is heard. Try to make your letters clear and succinct and of interest to the wider public.

If you have been affected by any issues covered by this briefing, or feel you has been discriminated against because of your religion and belief we would like to hear from you. Case studies can form a powerful part of our campaigns as they serve to demonstrate that the issues that concern us are not just theoretical, but actually disadvantage real people.

²³ Social Capital, Diversity and Education Policy (2006)
<http://www.lsbu.ac.uk/families/publications/SCDiversityEdu28.8.06.pdf>