

# Faith school with only white ethnicity options in application form to be investigated

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A state-funded faith school in north London will be investigated after the National Secular Society raised concerns about potential racial discrimination in its admissions.

The NSS contacted the Office of the Schools Adjudicator (OSA) in May regarding a "school application form" on the [admissions page](#) of Lubavitch Girls Primary School, an Orthodox Jewish school.

The OSA, which clarifies the legal position on school admissions policies, has now told the NSS it will consider whether the school's admissions arrangements conform with requirements.

## Admission arrangements

The [application form](#) asks for prospective pupils' "ethnic background", but only lists "White – Orthodox Jewish", "White – British", "White – European" and "White – Other" as possible answers.

The NSS also raised concerns about the school's [admissions arrangements](#), which state: "Priority in admissions will be given to children who are Jewish according to Halochah (Orthodox Jewish Law)."

Orthodox Jewish law is sometimes interpreted to mean only those who are born to mothers who are ethnically Jewish are considered Jewish. This is a potential breach of the Equality Act 2010 under the grounds of race.

The [school admissions code](#) specifies admissions arrangements must "comply with all relevant legislation, including equalities legislation".

The school's admissions arrangements also say in any dispute as to whether a child is Jewish, "the decision of the Rabbinate of Orthodox Hebrew Congregations of the United Kingdom is final".

The NSS said this may breach the code's stipulation that oversubscription criteria must be "clear", "objective" and "procedurally fair" because it does not explain what criteria the rabbinate uses.

The application form also asks for details about parents' marriage. Requesting information about marital status is prohibited under the code.

The school [describes](#) itself as "strictly orthodox" and says it [aims](#) to provide a "Torah-true education". It [became](#) state-funded in 2004.

Many state-funded faith schools are allowed to operate discriminatory admissions policies due to loopholes in equality legislation. The NSS campaigns for [the end of religious discrimination in admissions](#).

## NSS comment

NSS head of policy and research Megan Manson welcomed the OSA's decision to investigate the school.

"We are pleased to see the OSA is taking our concerns seriously.

"It is unacceptable for any school to imply that only children from certain ethnicities need apply.

"Unfortunately, the link between faith-based admissions criteria and ethnic segregation is well-established. Religious discrimination in admissions must be abolished to ensure children suffer no barriers in attending their local school due to their ethnicity."

### **Racial discrimination and segregation at Jewish schools**

- In 2009 the Supreme Court [found](#) the Jewish Free School in London had broken the law by refusing to admit a boy whose mother was a convert to Judaism. The school had directly discriminated against the boy on the basis of race under the Race Relations Act 1976.
- More recently, the OSA [upheld a complaint](#) against Menorah Primary School, also in north London, which asked rabbis to confirm that applicants were "halachically Jewish".
- Research consistently demonstrates that faith schools tend to be more ethnically segregated. In 2013 Humanists UK [found](#) that Asian pupils are under-represented in Jewish schools. And a 2017 report [found](#) more than 84% of non-Christian faith schools were considered to be segregated because of their disproportionate ethnic makeup.

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