

Education and Adoption Bill

Written evidence submission to the Public Bill Committee

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About the National Secular Society

1. This submission is made by the National Secular Society (NSS). The NSS is a not-for-profit non-governmental organisation founded in 1866, funded by its members and by donations. It campaigns for a diverse society where all are free to practise their faith, change it, or to have no faith at all. The NSS advocates separation of religion and state and promotes secularism as the best means to create a society in which people of all religions or none can live together fairly and cohesively.

Summary

2. We are concerned that, without adequate safeguards, the proposals to require 'coasting' maintained schools to become academies could lead to an increase in the proportion of faith ethos and religious designated academies. Schools eligible for intervention which join faith academy chains could be at risk of acquiring a religious designation or faith ethos upon conversion, or subsequently, with no opportunity for parents and other stakeholders within the wider community be consulted.

Potential loss of secular provision

3. Faith schools are often defended in terms of parental choice. However, the proliferation of faith schools also serves to restrict choice for parents who do not want a religious education for their children, or who do not share the faith of the

local school. In some parts of the country, parents are left with little other option but to send their child to a school with a religious ethos. This seriously undermines their ability to raise their children in accordance with their own religious or philosophical convictions. To ensure everyone's right to raise their children in accordance with their own religious or philosophical convictions is respected equally, we favour inclusive secular schools which promote universal, rather than religion specific, values.

4. Given that the Church of England is the biggest sponsor of academies in England, it is reasonable to expect that forced academisation could result in a significant number of schools joining Church or other faith-based academy chains resulting in a loss of secular school provision.
5. The Church's intention to expand its Mission through non-Church schools is evidenced by a quote from a Diocesan Secretary in the Church of England's *Church School of the Future Review*¹:

"We have moved forward with affiliation and we do have some affiliated schools. We are keen to see such schools as part of our mission and we feel that we don't have to own these schools. So, through having affiliated schools with a clear link between diocese, school and parish, we are doing what we want to do, which is to promote the Christian ethos."(Diocesan Secretary)

6. Speaking in her capacity as Second Church Estates Commissioner at Third Reading, Caroline Spelman told MPs that the Church will continue to develop diocesan and Church school-led multi-academy trusts which include community schools.
7. Seeking to allay fears expressed by the National Secular Society, that the Church may take control of previously non-Church schools, Ms Spelman told MPs at Second Reading that Church federations, such as the Trinity federation and the

1

[https://www.churchofengland.org/media/1418393/the%20church%20school%20of%20the%20future%20review%20-%20march%202012\[1\].pdf](https://www.churchofengland.org/media/1418393/the%20church%20school%20of%20the%20future%20review%20-%20march%202012[1].pdf)

Pilgrim federation in the Norwich diocese, “demonstrated how the individuality of each school has been maintained.”²

8. All schools within the Trinity federation and the Pilgrim federation are, in fact, religiously designated. In the case of the Pilgrim federation, two of its four schools – Kelling CE Primary and Walsingham CE Primary – were in fact community schools until as recently as 2011.
9. Rather than allay our fears, this example demonstrates that by joining faith-based academy chains, community schools will be at risk of taking on a religious designation or ethos.
10. Once converted into an academy, the permissive and informal nature of adopting a ‘faith ethos’ (as opposed to a formal religious designation) means the religious character of a school can change fundamentally without consultation and at any time simply through a change in the governing authority.
11. The Department for Education’s failure to record which academies and free schools have a ‘faith ethos’ is highly problematic in that it makes impossible for the Department to ensure an appropriate level of secular education is being provided in any given area. This casual approach to adopting a ‘faith ethos’ needs to be remedied to ensure access to secular education is not being negligently and unwittingly eroded.

Religious Freedom concerns

12. Responding directly to concerns put to the Minister of State for Schools, Nick Gibb, by the National Secular Society on 24 June, the DfE stated:

“Our policy remains that any decision to allow a school to become a faith academy would be carefully considered and only be made where it is the right solution to raise standards in that school. Securing long term and sustained improvement is our priority and outweighs other considerations.” (Our emphasis).

² 22 Jun 2015 : Column 659

http://www.publications.parliament.uk/pa/cm201516/cmhansrd/cm150622/debtext/150622-0002.htm#150622-0002.htm_spnew106

13. We would urge the Bill Committee not to take such a frivolous approach to the State's duty to respect the right of parents to ensure their children's education is in conformity with their own religious and philosophical convictions.
14. Whilst Article 2 of the First Protocol (Right to education) does not require the Government to provide or subsidise any specific type of education, we hope the Committee will share our view that it should at least give parents the right to expect a religiously neutral education without a distinctive religious character that runs counter to their own beliefs.
15. Given England's religiously diverse population – around half of whom now self-identify as non-religious (by-far the single largest group), any increase in the proportion of religiously designated or faith ethos schools is likely to seriously impede parents' ability to secure such an education.
16. Clause eight of the Bill, which scraps the requirement to hold a consultation before the Education Secretary begins the academy conversion of a school will deny parents, pupils and other stakeholders a vital opportunity to input into a decision which may have a significant impact on the character of the education provided by their local school.
17. We also draw the Committee's attention to Article 12 of the Convention of the Rights of the Child (Respect for the views of the child). This requires states to ensure that when adults are making decisions which affect children, children have the right to say what they think should happen and have their opinions taken into account. The removal of the requirement to consult denies them this opportunity.
18. The passing of a Bill which enables a faith-based education to be imposed on young people, regardless of their or their parents' wishes would be at odds with principles of fairness and equality. We urge the Committee to recognise that respecting young people's right to religious freedom is part of, and not separate from, looking after their best interests.
19. We note that Clause 9 of the Bill places a duty on the Secretary of State to consult the appropriate religious body where a school eligible for intervention has

a religious character. In effect, this is likely to ensure that there is no loss of denominational provision. We believe the same consideration should be made to preserve the secular nature of community schools subject to forced academy conversion.

Recommendations

- 20. We recommend the inclusion of a provision to ensure that upon conversion, and for a reasonable period of time subsequently, no non-religiously designated school would be permitted to acquire a religious designation or faith ethos.**

- 21. Failing that, we recommend the inclusion of a provision to require consultation with the local community to mitigate the possibility of non-religious designated schools acquiring a faith ethos without the clear support of parents, pupils, teachers and the wider community.**

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