

BHA briefing: proposals to remove restrictions on religious selection in school admissions



The Government's announcement that all new and existing free schools will be able to select 100% of their places with reference to religion, where before such selection could only be employed for 50% of places, represents a significant step back in the effort to make our education system fairer, more inclusive, and more integrated. The historic and ongoing effect of religious selection in the education system means that the '50% cap' may not be capable of ending this segregation on its own or overnight, so measures over and above the cap are clearly needed as well. However, these measures must be introduced *in addition to* the cap, not instead of it.

Background

Currently, if new religious free schools want to prioritise pupils on the basis of religion as part of their admission arrangements, they may only do so for up to half of their places. This is commonly referred to as the '50% cap'. The remaining 50% of places must be kept open to local children, irrespective of religion and belief.

The Government has now announced that they intend to remove this 50% cap and allow new and existing religious free schools to select all of their places with reference to religion, paving the way for a new generation of fully segregated religious schools. Since the rule is only part of free school funding agreements, and is not underpinned by statute, we are concerned that the Government may be able to make this change without the need for parliamentary approval.

Why the 50% cap should stay

Religious and ethnic integration

The Government has stated that, though well-intentioned, the 50% cap has 'failed in its objective to promote integration'. This is not accurate, and we can see this by [using the same numbers](#) the Government set out in the [Green Paper](#) (paragraph 10 on page 32 presents figures for how ethnically diverse religiously designated free schools are).

At Church of England free schools, the Government highlights that 63% of pupils are classified as of 'white ethnic origin', but what it omits to mention is that at Church of England schools that are fully religiously selective, 78% of pupils are white. At 'other Christian' free schools, 55% of pupils are white, while, again not mentioned, at 'other Christian' schools that are fully selective, 85% of pupils are white. **These are stark differences and they demonstrate that the cap does have a significant impact on improving ethnic integration in Christian settings.** The full figures can be found [here](#).

The Government has also stated that the cap has had little impact on improving integration in minority (i.e. non-Christian) religious schools. This is largely true. However, even if the cap is having no impact in minority religious schools, it is also not doing any harm, it is still early days for the cap so it may well have an impact in the future (especially if other integration measures are introduced alongside), and it definitely is having an impact in Christian settings, which make up the vast majority of religious schools. **Given this, removing the cap makes little sense and runs counter to the aims of the green paper. It should be retained whilst also introducing the other measures that are proposed as an alternative to the cap. Combined, these will ensure that children are educated in inclusive and socially cohesive settings.**

Access to schools for children from poorer backgrounds

Setting aside religious and ethnic segregation, religious selection almost always has the effect of [segregating along socio-economic lines](#) and limiting the access of poorer children too. This may not be the intention of schools in selecting on the grounds of religion, but unfortunately that does not detract from the fact that wherever religious selection is employed, fewer children from poorer backgrounds are admitted.

This is not intrinsic to religious schools generally, only to those that religiously select pupils. Again, this is illustrated by the fact that Church of England secondary schools that **do not select** on religion admirably admit a proportion of children eligible for free school meals that is broadly representative of their local area. However, Church of England secondary schools that **religiously select all of their places** admit **more than 30% fewer** children eligible for free school meals than they should given their local areas.

Despite accounting for just 16% of all state schools in England, religiously selective schools [make up](#) 67 of the worst 100 comprehensive schools in terms of admitting a proportion of poorer children representative of their local areas. **If the aim is to make the school system meritocratic and ensure equal opportunity for children from deprived backgrounds, increasing religious selection in the system simply stands in the way.**

Access to local schools

Currently there are many parts of the country in which parents' choice of local schools is severely limited by the presence of religiously selective schools. If parents are of the wrong faith for the schools in their area or they are not religious, they are often unable to get their children into a good local school. In Kensington and Chelsea, for instance, 60% of schools places are subject to religious selection, and in Liverpool around 50% of places are.

Requiring religious schools to keep at least some of their places open to local children, regardless of religion or belief, is vital in ensuring that schools adequately serve their local communities.

Catholic schools are not prevented from opening

The Government has stated that the cap 'prevents new Catholic schools opening, because the Catholic Church believes it contravenes its own rules'. But the vast majority of Catholic private schools in England (78 out of 101 [according to a recent survey](#)) do not select all of their places with reference to religion, and many do not religiously select at all. Furthermore, many Catholic state schools in Scotland do not religiously select their pupils, and around the world allowing state-funded schools to discriminate in admissions is extremely rare. The Catholic Church's opposition to the cap therefore appears to be more political than theological, and in fact the director of the Catholic Education Service recently conceded that 'the move back to schools of 100 per cent one faith is dreadful'. There is no reason that Catholic schools cannot open and operate under the existing cap.

If you are able to help us by raising this issue in Parliament, please let us know. We would be happy to draft parliamentary questions, briefings for debates, or to meet with you to discuss this further. Any time you can spare would be greatly appreciated.

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