

Accord Coalition
39 Moreland Street
London
EC1V 8BB

t: 020 7324 3071
f: 020 7079 3588
e: paul@accordcoalition.org.uk
w: <http://www.accordcoalition.org.uk/>



believing in children, learning together

Employment in faith schools

The Accord Coalition regards discrimination in the employment of teachers on religious grounds as not only unfair but also as having an adverse effect on both teachers and pupils.

As a third of state funded schools in England and Wales are faith schools, a huge number of teachers work in the faith school sector. Most state funded faith schools are classed as Voluntary Aided schools; a significant fraction of them are Voluntary Controlled or Foundation schools, while a quickly growing number are becoming Academies.

If a charity with an ethos based on a religious or non-religious worldview decided that it wanted to ensure that a senior member of staff held the same beliefs as the charity, then the charity would have to show that that such discrimination was required, legitimate and proportionate; that there was a [genuine occupational requirement](#). However, when it comes to employing teachers in faith schools the law drives a coach and horses through the idea of fair employment rules.

Under Sections 58 and 60 of the [School Standards and Framework Act 1998](#) Voluntary Controlled and Foundation faith schools can apply strict religious restrictions on one fifth of their teacher posts, while Voluntary Aided faith schools can apply them for all teacher posts, regardless of whether the teacher has *any* pastoral duties or not. At Academies the situation can be different, though most can normally apply these same restrictions to all their teacher posts too.



However, unlike with a [genuine occupational requirement](#), faith schools cannot just demand that teachers and applicants be of a particular faith, but they can require that they also attend religious worship in accordance with the school's religious tenets and are willing to

give Religious Education (RE) at the school in accordance with those tenets, even if it is not intended that they should teach RE.

Incredibly, the schools are also able to show regard 'in connection with the termination of the employment of any teacher at the school, to any conduct on his part which is incompatible with the precepts, or with the upholding of the tenets, of the religion or religious denomination so specified'. They are also able to show preference to teachers on these grounds in terms of promotion and remuneration, and it is up to the schools themselves to determine what its religious tenets are, not a religious authority.

It should be remembered that these enormous powers over staff, which are far greater than enjoyed for example by private religious charities, are given to schools that are almost entirely funded by the state, and in the case of Academy, Voluntary Controlled and Foundation faith schools, ones that are entirely state funded.

Accord opposes all religious discrimination in the employment and recruitment of teachers on a matter of principle, as religious discrimination is discrimination, and as the different treatment is disproportionate and unjustified. Teachers have a right to a private life, and they can still uphold a religious or philosophical ethos at a faith school without the need of being discriminated against.



Those most closely affected by such discrimination are self evidently those seeking employment and promotion opportunities in schools, and Accord has produced a [portfolio of personal testimonies](#) that helps to demonstrate the impact on people. However, Accord also opposes these religiously restrictive practices due to their negative effects upon faith schools themselves, as well as wider society.

There is currently a shortage of head and deputy head teachers in England and Wales, but as observed in The National Association of Head Teachers' [17th Annual Report](#) (2011) on the state of the senior school staff labour market, this problem is much worse within the faith schools sector, as so many faith schools limit the pool of applicants who might apply to fill these posts at their school by applying religious conditions.

Accord believes that all schools should promote a culture of questioning, knowledge, respect, accepting that others hold different beliefs, and exploring and affirming values, and that this should be epitomised in their staff. By helping faith schools employ teachers who hold the same religious views (and often the same views as the family of pupils), the law helps them become more religiously ghettoised, which can speak against this vision, and serve to further undermine community cohesion. Accord shares the concern of Amartya Sen (Nobel Prize winner and author of *Identity and Violence*, 2006) that focussing, through

schooling, on only one aspect of identity can miss out or suppress other aspects of identity, particularly those that do not fit in with the ethos of the religious group.

Schools' conduct should be exemplary. Excellent teachers and support staff are key to giving our children and young people the high quality and rich education they need and deserve. Neither should be victim to discrimination, and nor should discrimination be a part of school life.

The Accord Coalition calls on the Government to repeal the laws that currently allow religious discrimination in the employment of teachers.

About the Accord Coalition

The Accord Coalition is a campaign coalition, launched in 2008, which brings together a wide range of organisations, both religious and non-religious, who want state funded schools to be open and suitable to all children of every background, no matter what their parents' or their own beliefs, and who are concerned that restrictive legislation around admissions, employment and the curriculum in state funded faith schools can serve to undermine community cohesion and not adequately prepare children for life in our increasingly diverse society.

Accord's growing list of members and supporters includes the Association of Teachers and Lecturers, the British Humanist Association, the Christian think tank Ekklesia, the British Muslims for Secular Democracy, The General Assembly of Unitarian and Free Christian Churches and the race equality think tank The Runnymede Trust.