



believing in children, learning together

Accord Coalition
39A Moreland Street
London, EC1V 8BB
Tel: 01273 842 150

stephenterry49@gmail.com
<http://www.accordcoalition.org.uk>

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Dear Taskforce members,

Anti-Racism Taskforce Consultation Submission – education priority area

I am delighted to see the formation of your group and wish you every success with your work. I care deeply about ensuring greater racial equality in the Church of England and until 2017 served as a Church of England Parish Priest for 43 years. For 36 of those years I served as a School Governor, in the Faith and Community context, at both Primary and Special Schools.

I am however writing to do you today in a different capacity, in my role as Chair of the Accord Coalition for Inclusive Education. Specifically, Accord seeks to highlight how religious selection in the admissions policy of some Church Schools can sometimes be indirectly racially discriminatory. I urge you to put this issue forward as a priority consideration. The earlier in life that Racism is tackled, the better and easier it is for everyone, a tremendous boost to the open, inclusive and tolerant society we all want to see, and totally aligned to the Gospel imperative laid upon us in respect of our neighbour.

So you are aware, the Accord Coalition is a broad-based campaign coalition of civil society groups and individuals that seeks to ensure all state funded schools are inclusive for families, pupils, and teachers of different religions and beliefs. Its members groups include the National Education Union; OneBodyOneFaith; and the leading race equality think tank, The Runnymede Trust. Its distinguished supporters include former Bishop of Bolton, Bishop David Gillett; the journalist and previous President of Humanists UK, Polly Toynbee; and former Education Secretary, Lord Baker of Dorking.

I offer the following for your consideration:

Indirect racial discrimination caused by the admissions policy of some Church of England schools

Britain is becoming more and more racially and ethnically diverse. The Accord Coalition was founded in 2008 in part in response to concerns that the school system was not adapting to this reality and was instead reproducing and sometimes exacerbating religious divisions. These concerns were heightened by the 2001 'Cattle Report', which was commissioned by the Home Office following race riots in towns in northern England that summer. The report, which popularised the term community cohesion, found some Faith Schools were operating religiously selective admission policies '*where religious affiliations protect cultural and ethnic divisions*' (p33).ⁱ

In 2013 the Accord Coalition co-founded the Fair Admissions Campaign (FAC), which was a single-issue campaign that advocated against religious selection in the admissions policy of state funded

Faith Schools. The Campaign became a worthwhile vehicle for Accord's concerns about how selection by faith can be divisive.

As part of its work, the FAC undertook statistical analysis in 2014 comparing the ethnic profile of state funded secondary schools versus what the ethnic profile of each school's pupil body would look like if they admitted those children living nearest to the school. Very often the largest disparities discovered concerned children of a South Asian ethnicity, while a disproportionately large number of the schools involved were discovered to be oversubscribed religiously selective Christian Schools.

These findings should not perhaps be especially surprising when we consider that the vast majority of people of South Asian heritage are not Christian, while almost all state funded Faith Schools (98%) are Christian or denominationally Christian. The 2011 Census showed that of the over 2.6 million people in England and Wales counted as of Indian, Pakistani or Bangladeshi ethnicity, just 160,000 (6%) were Christian.ⁱⁱ

Indirect discrimination by race, as I am sure you are aware, occurs when a policy or practice applies to everyone in the same way, but has a worse effect on one or more racial groups than on others. Concern that religious selection by some schools was leading to indirect racial discrimination led to the Accord Coalition's decision, in 2015, to explore this issue by conducting a case study of four religiously selective secondary Faith Schools in England.ⁱⁱⁱ Three of the schools were Church of England and one Roman Catholic. Our study did not seek to provide a detailed overview of indirect racial discrimination being caused by religiously selective admission policies, but to use these schools to provide evidence of the problem, and thereby raise awareness.

Accord strongly suspected that the religiously selective admissions policy of these four schools was causing a problem based on earlier analysis by the FAC, but we only obtained detailed data showing that their admission policies were in practice causing indirect racial discrimination as we undertook our further research. We did not consider the policy of these schools to be the most indirectly discriminatory in the country - the problem is much wider and is likely to occur wherever a popular religiously selective school is located in an area where selection by religion serves as a proxy for selection by race.

To show that indirect racial discrimination was taking place we needed to have detailed statistics looking at the ethnic profile of children living locally to the four schools and the ethnic profile of pupils at the schools themselves;¹ data showing how oversubscribed the schools were (i.e. how many children were being admitted who didn't meet the church attendance or membership criteria), and how many local people from the disadvantaged racial group were not Christian (and thus were not in a position to be able to meet the school's church criteria). Our findings for the three Church of England schools are set out in the table below.

You will notice that the table refers to 'MSOAs'. These are Middle Super Output Areas, which are geographical areas that have a minimum size of 5,000 and an average of 7,500 residents. They present detailed neighbourhood level demographic data from the 2011 Census. To build a picture of the ethnic profile of the children in the local area of each of the schools, we looked at the ethnic profile of secondary school-aged children living in each school's MSOA and all the neighbouring MSOAs.

¹ We obtained data on the ethnic profile of the schools' pupils from the Department of Education's School Census, and data showing the religion or belief of people according to their recorded ethnicity in each school's local borough from the 2011 Census.

| | School | | |
|--|-------------------------------|-------------------|------------------------------|
| | Archbishop Tenison's, Croydon | Blue Coat, Oldham | Bury Church of England, Bury |
| % secondary school age children in school's MSOA recorded as South Asian | 22% | 30.5% | 32.4% |
| % secondary school age children in school's MSOA and all neighbouring MSOAs counted as South Asian | 9.7% | 56.8% | 20.2% |
| % of school's pupils counted as South Asian | 2.7% | 2.2% | 0% |
| Maximum proportion of places that could be allotted by church attendance or membership | 90% | 100% | 100% |
| Average number of applications over preceding three years ranking school as 1st preference choice ² | 186.33 | 401+ | 143.67 |
| Average number of places offered over previous three years | 102.67 | 218 | 156.67 |
| % admitted on church attendance or membership (excluding LAC, PLAC and SEN) | 90.3% | 100% | 94.7% |
| % of borough children of secondary school age (10 to 18 years) recorded as South Asian | 9.7% | 26.0% | 8.1% |
| % of South Asian borough residents recorded as Christian | 12.2% | 1.5% | 1.6% |

As you will see from the table above, our findings indicated that local families of South Asian heritage had only a very small chance of getting their child into these schools. Given that many families from minority faiths choose to send their children to a Christian school when presented with the option of doing so, we conclude that many local South Asian families were being disenfranchised and clearly did not have the same choice of schools as those of a different racial background.

There are numerous examples of Church of England schools catering to a large number of families who are not members of the Church. As the Church's website has noted, '*Many church schools (both VC and VA, primary and secondary) have a high proportion of Muslim children, a substantial number have over 80 per cent intake from the Muslim community*'.^{iv} Most of the families of South Asian heritage local to these three schools were Muslim.

² i.e. the school years of 2011/12, 2012/13 and 2013/14. † Blue Coat only provided data for 2013/14.

Why indirectly racially discriminatory admission policies should concern the Church of England

Accord expects indirect racial discrimination to occur in other ethnically diverse areas, where religious belief aligns with race in the local residential population, and where there is a popular religiously selective Church School. We believe this should concern the Church of England for several reasons.

Firstly, many families from minority faiths prefer to send their children to a Christian school (when presented with the option to do so) because they value the religious ethos provided over that at Community schools. Popular Church Schools are sometimes criticised for attracting families motivated by wishing to send their child to an academically successful, rather than a religious school. Accord believes it is a mistake for religiously selective Church Schools to exclude many families for whom the religious ethos of the school is often especially appreciated.

Secondly, oversubscribed Church of England schools do tend to achieve strong academic results. Families that are indirectly racially discriminated against by the religiously selective admission policies of these schools are therefore more likely to access poorer performing schools. Parental educational attainment, affluence and connections are important signifiers and drivers of achievement of children. The negative impact of a diminished school choice can be passed on to future generations. This should concern the Church because this entrenches disadvantage, which it opposes. This is highlighted by the Anglican Communion's five "*Marks of Mission*", which includes a commitment to transforming "... *unjust structures of society*".^v

Thirdly, if Church Schools inadvertently separate children along the lines of race, this poses greater risks to social cohesion. As the 2008 study '*Identities in Transition*' by Brown, Rutland & Watters found, '*... the effects of school diversity were consistent, most evidently, on social relations: higher self-esteem, fewer peer problems and more cross-group friendships. Such findings show that school ethnic composition can significantly affect the promotion of positive intergroup attitudes.*' (p9)^{vi} Segregating children, in contrast, reduces the opportunities for cross racial relationships to grow and undermines the Biblical injunction to "*love your neighbour as yourself*", on the grounds that it is harder for us to do so if we do not know them.

Accord's recommendations

Church Schools which operate an indirectly racially discriminatory admissions policy are of course not seeking deliberately to racially discriminate, but the reality is that the policy of some schools is indirectly racially discriminatory and, unless the issue is recognised and addressed, it will worsen due to the changing demography of English society. If the Church is taking racial inequality seriously, then we believe this is an issue it should confront.

Unfortunately, Accord's efforts to raise awareness of this problem have previously fallen on deaf ears and so **we respectfully ask the Taskforce to place this topic on the Commission's agenda**. We believe this issue requires national leadership. The Commission will be well placed to examine the need for and to instigate further action. Accord has also given thought below about how the Church could deal with this problem, which we hope demonstrates that it is not just desirable for it to act, but feasible.

The Church possesses the authority to ensure its schools operate a racially inclusive admissions policy. As the statutory School Admissions Code highlights, Church bodies are in a strong position to influence the admissions policy their state funded schools employ.^{vii} The Code observes that the body which determines the admissions policy for a state-funded Faith School (usually the governing

body of the school itself) may construct faith-based admission arrangements, but must have regard to *'any guidance from the body or person representing the religion or religious denomination ... [and] must also consult with the body or person representing the religion or religious denomination when deciding how membership or practice of the faith is to be demonstrated'* (paragraph 1.38).

The Code further stresses the importance of guidance on religious selection provided by a Faith School's designated religious authority, noting that the schools *'... may take account of religious activities, as laid out by the body or person representing the religion or religious denomination'* (paragraph 1.9i). For Church of England schools the relevant religious body or authority is listed in legislation (Part 4 of the School Admissions Regulations 2012) as their local diocese.^{viii} Church of England schools are further required to consult with their diocese about proposed admission arrangements under the Diocesan Boards of Education Measure 1991.^{ix}

One solution could be to clarify and re-emphasise a recommendation already made by the 2001 review *"The Way Ahead: Church of England schools in the new millennium"*, chaired by Lord Dearing. This influential report recommended that the majority of Church of England schools which control their own admissions policy should *"reserve places for children of other faiths and of no faith"*, but it did not specify how many places. (p92)^x

The Home Office's 2001 'Cantle Report' urged that **25% of places at Faith Schools be made available to those from other denominations, faiths and beliefs**, to help ensure the schools have a mixed population that reflects those of other cultural backgrounds or ethnicities from the local area.^{xi} If the Church were to pursue a blanket approach and recommend that its state funded schools reserved at least 25% of places for those from outside the faith, then it would go a very long way to ensure that admissions policies were not indirectly racially discriminating. While less effective, recommending a lower percentage of pupil places could still make a significant impact.

At the very least, we urge that those schools located in the most ethnically diverse areas in England be required to admit a portion of their pupils from outside the faith or without regard to religion. In our view, a more targeted approach like this should be the absolute minimum ambition. It could be implemented by the production of suitably clear and directive national guidance for Diocesan Boards of Education. The Church's current national admissions guidance for schools and dioceses was published in 2011.^{xii} This is likely overdue for review.

Conclusion

The Church of England has a long history of providing schools and remains the largest individual provider of schools in the country. When the 1944 Education Act came into force and brought most Church Schools into the state funded system, Britain's population was almost entirely ethnically homogenous. Over the last 75+ years this has of course changed, accelerating greatly in recent years. As the profile of areas change, so should the institutions that serve those areas.

Tackling indirect racial discrimination caused by religiously selective admission policies might at first appear problematic. I hope however that I have demonstrated above that there are proportionate solutions and that the Taskforce can help the Church recognise this problem and help delineate a learning pathway by which remedial action can be taken. Such an innovative and practical demonstration of commitment to tackling racial inequality would demonstrate the Church of England's positive awareness of the evolving needs of England's multi-racial society, and how its words and actions around racial inclusion were becoming further aligned to that emerging reality.

Should you have any queries about any aspect of this submission or the issues it raises, please do not hesitate to approach me via the contact details above.

Yours sincerely,



The Reverend Stephen Terry
Chair of the Accord Coalition for Inclusive Education

ⁱ Home Office, 2001. *Community Cohesion: A Report Of The Independent Review Team*. London: Home Office. Available at <http://resources.cohesioninstitute.org.uk/Publications/Documents/Document/DownloadDocumentsFile.aspx?recordId=96&file=PDFversion>. [Accessed 18 November 2020].

ⁱⁱ Office for National Statistics, 2020. *Ethnic Group By Religion*. [online] Nomisweb.co.uk. Available at: http://www.nomisweb.co.uk/census/2011/DC2201EW/view/2092957703?rows=c_ethpuk11&cols=c_relpuk11. [Accessed 18 November 2020].

ⁱⁱⁱ Accord Coalition, 2015. *Racial Discrimination By Religiously Selective Faith Schools: A Worsening Problem*. [online] London: Accord Coalition and the Fair Admissions Campaign. Available at: <https://accordcoalition.org.uk/wp-content/uploads/2015/12/Racial-discrimination-by-religiously-selective-faith-schools-a-worsening-problem.-FAC-Accord.-Dec-2015.pdf>. [Accessed 18 November 2020].

^{iv} Church of England. 2013. *Church Of England Schools - Frequently Asked Questions*. [online] Available at: <https://web.archive.org/web/20131104172457/http://www.churchofengland.org/our-views/education/church-schools-faqs/#divisive>. [Accessed 18 November 2020].

^v Anglican Communion. 2020. *Marks Of Mission*. [online] London. Anglican Communion Office. Available at: <https://www.anglicancommunion.org/mission/marks-of-mission.aspx>. [Accessed 18 November 2020].

^{vi} Brown, R., Rutland, A. and Watters, C., 2008. *Identities In Transition: A Longitudinal Study Of Immigrant Children*. [online] University of Sussex: Brighton. Available at: <http://sro.sussex.ac.uk/id/eprint/54654/1/RES-148-25-0007-5k.pdf>. [Accessed 18 November 2020].

^{vii} Department for Education, 2014. *School Admissions Code: Statutory guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels*. London: Department for Education. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/389388/School_Admissions_Code_2014_-_19_Dec.pdf. [Accessed 18 November 2020].

^{viii} *The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012*. Part 4. Available at: <https://www.legislation.gov.uk/ukxi/2012/8/made>. [Accessed 18 November 2020].

^{ix} *Diocesan Boards of Education Measure 1991*. Section 3. Available at: <https://www.legislation.gov.uk/ukcm/1991/2/section/3>. [Accessed 18 November 2020].

^x Church of England's Church Schools Review Group, 2001. *The Way Ahead: Church Of England Schools In The New Millennium [Aka The Dearing Report]*. [online] London: Church House Publishing. Available at: https://www.stalbans.anglican.org/wp-content/uploads/dearing_report_the_way_ahead.pdf. [Accessed 18 November 2020].

^{xi} Ibid.

^{xii} Church of England Archbishops' Council Education Division, 2011. *Admissions To Church Of England Schools: Board Of Education / National Society Advice To Diocesan Boards Of Education*. [online] London: Church of England Board of Education and the National Society. Available at: <http://www.affinity.org.uk/Church%20of%20England%20School%20Admissions%20Guidance%20June%202011.pdf>. [Accessed 18 November 2020].