



BRIEFING PAPER

Number 06972, 14 October 2015

Faith Schools: FAQs

By Robert Long and Paul Bolton

PHOTO REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES

Inside:

1. Introduction: what is a faith school?
2. Frequently Asked Questions
3. Statistics

Contents

Summary	3
1. Introduction: what is a faith school?	4
2. Frequently Asked Questions	5
2.1 Can faith schools use faith-based criteria in their admissions policies?	5
2.2 What can faith schools teach in Religious Education?	6
Local authority maintained secondary schools	6
Academies and Free Schools	7
2.3 Can faith schools use faith as a criteria when hiring staff?	7
2.4 Can schools become faith schools when converting to academy status?	9
2.5 Can faith schools teach creationism?	10
2.6 What has the Government said about the state funding of faith schools?	10
2.7 Do children attending faith schools have particular rights relating to school transport?	11
2.8 What do faith schools have to teach about same sex marriage?	14
3. Statistics	16
3.1 Number of faith schools	16
Region and local authority	16
Pupils	17
3.2 School status	17
3.3 Secondary school performance	18

Summary

The Library regularly receives enquiries from Members relating to faith schools, and the particular arrangements in place relating to them. This note provides answers to some of the most common questions raised, and also some relevant statistical information. It is not intended to be a definitive guide to faith schools, but rather to provide answers to those frequently raised issues. It deals with faith schools in the state-funded sector.

This note relates to England only.

1. Introduction: what is a faith school?

The Government funds many different types of 'faith school' – i.e. schools which are designated as having a faith character. Currently, around one third of state-funded schools in England have a faith designation. Faith schools can either be maintained by the local authority, or operate outside of local authority control (in the case of academies and free schools).

The vast majority of faith schools in England have a Christian faith designation, but there are also a small number of schools with other faith designations – including Muslim, Jewish and Sikh. Schools with a faith designation are able to use faith criteria in their oversubscription criteria, but they must (with the exception of grammar schools) offer a place to any child, where a place is available. Dependent on school type, having a faith designation may impact also on staffing policy, what is included in the Religious Education curriculum, and the ownership of the school buildings.

The gov.uk website provides the following brief [summary](#) of the position of state-funded faith schools:

Faith schools can be different kinds of schools, e.g. voluntary aided schools, free schools, academies etc, but are associated with a particular religion.

Faith schools are mostly run like other state schools. They have to follow the national curriculum except for religious studies, where they are free to only teach about their own religion. The admissions criteria and staffing policies may be different too, although anyone can apply for a place.

2. Frequently Asked Questions

2.1 Can faith schools use faith-based criteria in their admissions policies?

It is unlawful for maintained and independent schools to discriminate against a child on the grounds of the child's religion or belief in school admissions. However, faith schools are exempt and are permitted to use faith-based oversubscription criteria in order to give higher priority in admissions to children who are members of, or who practise, their faith or denomination. This only applies if a school is oversubscribed.

The [School Admissions Code](#) provides information on the rules in this area. The Code states that:

[*The Equality Act 2010*] contains limited exceptions to the prohibition of discrimination on grounds of religion or belief and sex. Schools designated by the Secretary of State as having a religious character (faith schools) are exempt from some aspects of the prohibition of discrimination on the grounds of religion or belief and this means they can make a decision about whether or not to admit a child as a pupil on the basis of religion or belief. Single-sex schools are lawfully permitted to discriminate on the grounds of sex in their admission arrangements.¹

The Code further states that, when allocating places:

2.8 With the exception of designated grammar schools, all maintained schools, including faith schools, that have enough places available **must** offer a place to every child who has applied for one, without condition or the use of any oversubscription criteria.

2.9 Admission authorities **must not** refuse to admit a child solely because:

- a) they have applied later than other applicants;
- b) they are not of the faith of the school in the case of a faith school;
- c) they followed a different curriculum at their previous school;
- d) information has not been received from their previous school;
- or
- e) they have missed entrance tests for selective places.²

However, where places are oversubscribed, a faith school may use faith-based criteria for deciding which pupils are admitted. The Code sets out the following:

1.36 As with other maintained schools, these schools are required to offer every child who applies, whether of the faith, another faith or no faith, a place at the school if there are places available. Schools designated by the Secretary of State as having a religious character (commonly known as faith schools) may use faith-based oversubscription criteria and allocate places by reference to faith where the school is oversubscribed.

¹ Department for Education, [Schools Admissions Code](#), December 2014, p34

² Ibid., p22

1.37 Admission authorities must ensure that parents can easily understand how any faith-based criteria will be reasonably satisfied. Admission authorities for schools designated with a religious character may give priority to all looked after children and previously looked after children whether or not of the faith, but they must give priority to looked after children and previously looked after children of the faith before other children of the faith. Where any element of priority is given in relation to children not of the faith they must give priority to looked after children and previously looked after children not of the faith above other children not of the faith.

1.38 Admission authorities for schools designated as having a religious character must have regard to any guidance from the body or person representing the religion or religious denomination when constructing faith based admission arrangements, to the extent that the guidance complies with the mandatory provisions and guidelines of this Code. They 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. Church of England schools must, as required by the Diocesan Boards of Education Measure 1991, consult with their diocese about proposed admission arrangements before any public consultation.³

A footnote to this section notes that the funding agreements for entirely new Academies⁴ and Free Schools with a religious character provide that where the school is oversubscribed at least 50% of places are to be allocated without reference to faith. In September 2015, the Parliamentary Under-Secretary at the Department for Education, Edward Timpson, [stated](#) in response to a written Parliamentary Question that:

We are committed to retaining the 50 per cent cap for faith free schools and have no plans to extend the 50 per cent cap on faith-based allocation of school places.⁵

2.2 What can faith schools teach in Religious Education?

Local authority maintained secondary schools

Religious Education (RE) is compulsory for all pupils in local authority maintained schools aged 5 to 16 years unless they are withdrawn from these lessons by their parents. They are not obliged to give a reason, and the school is expected to comply with the request. The statutory provisions relating to religious education are contained in sections 69 and 71 and schedule 19 of the *School Standards and Framework Act 1998*, as amended.

RE in schools without a religious character must follow the agreed syllabus for the area. The agreed syllabus is drawn up by the local education authority (LEA), taking advice from local bodies. All locally agreed syllabuses must reflect the fact that the religious traditions in

³ Ibid., p16

⁴ i.e. not converters from the maintained or independent sectors, or those sponsored Academies with a predecessor school

⁵ [PQ 8505 \[Faith Schools\], 14 September 2015](#)

Britain are mainly Christian, whilst taking account of the teaching and practices of the other principal religions.

RE in a school with a religious character must be provided in accordance with the school's trust deed or, where provision is not made by a trust deed, in accordance with the beliefs of the religion or denomination specified in the order that designates the school as having a religious character. RE in a foundation or voluntary controlled school with a religious character must be provided in accordance with the locally agreed syllabus for the area. However, where parents request it, provision may be made in accordance with the schools trust deed or, where provision is not made by trust deed, in accordance with the beliefs of the religion or denomination specified in the order.

Academies and Free Schools

Requirements for academies broadly reflect the provisions that apply to local authorities and schools in the maintained sector. The requirements including the type of RE that an academy provides will be set out in the funding agreement between the individual academy trust and the Secretary of State.

Further information

Broader information on RE is provided in the Library briefing, [Religious Education in schools](#), CBP 07167.

2.3 Can faith schools use faith as a criteria when hiring staff?

Under the *Equality Act 2010* (EA 2010), faith schools are permitted to take into account religious considerations in employment matters relating to head-teachers and teachers, in accordance with the [School Standards and Framework Act 1998](#).

EA 2010, Schedule 22, para 4, provides that a person (including a school, under the relevant definitions) does not contravene the Act only by doing something that it is required to do for the purposes of:

- (a) section 58(6) or (7) of the School Standards and Framework Act 1998 (dismissal of teachers because of failure to give religious education efficiently);
- (b) section 60(4) and (5) of that Act (religious considerations relating to certain appointments);
- (c) section 124A of that Act (preference for certain teachers at independent schools of a religious character).

Those provisions give independent and voluntary schools a broad discretion to make appointments on the basis of religious belief. For example, in relation to independent faith schools, section 124A of the 1998 Act provides that:

- (2) Preference may be given, in connection with the appointment, promotion or remuneration of teachers at the school, to persons—
 - (a) whose religious opinions are in accordance with the tenets of the religion or the religious denomination specified in relation to the school under section 124B(2), or

(b) who attend religious worship in accordance with those tenets,
or

(c) who give, or are willing to give, religious education at the school in accordance with those tenets.

(3) Regard may be had, in connection with the termination of the employment or engagement 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.

Department for Education [Guidance on managing staff employment in schools](#) (originally published 2009) provides a more detailed explanation of the position in relation to maintained schools with a faith designation:

Chapter 9: Staff at schools with a religious character

Teachers and head teachers

9.1 The governing bodies of voluntary aided schools may give preference, with regard to appointment, remuneration and promotion of teachers at the school, to persons (Section 60 of the School Standards and Framework Act 1998):

whose religious opinions are in accordance with the tenets of the school; or

who attend religious worship in accordance with those tenets; or

who give, or are willing to give, religious education at the school in accordance with those tenets.

9.2 The governing bodies of voluntary aided schools may have regard, in connection with the termination of the employment of a teacher at the school, to any conduct by the teacher which is incompatible with the precepts of, or with the upholding of the tenets of the school.

9.3 Paragraphs 9.1 and 9.2 also apply to reserved teachers in foundation and voluntary controlled schools with a religious character.

9.4 When appointing a head teacher who is not to be a reserved teacher, the governing bodies of foundation and voluntary controlled schools with a religious character may have regard to that person's ability and fitness to preserve and develop the religious character of the school.

Reserved teachers

9.5 Where the number of teachers at foundation and voluntary controlled schools with a religious character is more than two, the teachers shall include persons who are selected for their fitness and competence to teach religious education in accordance with the school's trust deed or with the tenets of the school and are specifically appointed to do so. These are known as 'reserved teachers'. The number of reserved teachers must not exceed one fifth of the total number of teachers including the head teacher. The head teacher can be selected on these grounds but must count towards the one fifth quota. (Section 58 of the School Standards and Framework Act 1998).

Support staff

9.6 This section applies to voluntary aided schools with a religious character.

9.7 Employers may discriminate on religious grounds where being of a particular religion or religious denomination is a genuine occupational requirement (GOR) (Employment Equality (Religion or Belief) Regulations 2003).

9.8 It must not be assumed that a 'blanket' approach to GOR can be applied to all their support staff. The governing body must be able to demonstrate that it is reasonable and proportionate for an employee to be of a particular religion or belief for the job in question. Guidance on Managing Staff Employment in Schools – 29

9.9 Governing bodies cannot apply religious criteria in connection with the employment of a member of the school's support staff who was in employment at the school on 1 September 2008, for as long as they continue to be employed at the school.

9.10 When considering whether a GOR might apply, governing bodies should consider the following issues:

- do the duties for which the GOR is claimed represent a substantial part of the post and would the objectives of the job be achieved without the application of the faith requirement?
- does the school have sufficient employees who could carry out the duties without undue inconvenience?

9.11 A GOR cannot be used to maintain a balance or quota of employees of a particular religion or belief.

9.12 Governing bodies should periodically consider whether the requirement continues to apply, particularly when recruiting, as jobs may change over time. (pp 28-29)

The DfE's [Governors' Handbook](#) outlines the position in respect of academies:

In relation to academies, converters follow the position of the school prior to conversion. New academies are able to appoint all their teaching staff based on faith in line with their designation, and can appoint support staff by application of religious criteria, where they can demonstrate a genuine occupational requirement for doing so.⁶

2.4 Can schools become faith schools when converting to academy status?

Schools cannot acquire or remove a faith character as part of the academy conversion process. The Government's information on [conversation relating to faith schools](#) notes:

If your school has a religious character, you will also need to get approval from your religious body (for example, the local diocese for a church school) before you can apply [to become an academy].

You will need to send us a copy of their approval later in the conversion process.

⁶ Department for Education, [School Governors' Handbook](#), January 2015, p76

2.5 Can faith schools teach creationism?

The following PQ sets out the established position relating to the teaching of creationism:

Mr Godsiff: To ask the Secretary of State for Education what penalties would be incurred by a free school, academy or other educational establishment which was found to be teaching or otherwise supporting creationism. [202221]

Mr Timpson: State-funded schools, including free schools and academies, should not teach creationism as an evidence-based scientific theory. Outside of science lessons, it is permissible for schools to cover creationism as part of religious education lessons, providing that this does not undermine the teaching of established scientific theory. Academies and free schools are required to teach a broad and balanced curriculum and the model funding agreement now prohibits the teaching of creationism as an evidence-based theory. Independent schools must comply with the independent school standards, and are subject to inspections by Ofsted or an alternative inspectorate.

All state-funded schools are subject to Ofsted inspections and a range of intervention powers are in place if required. In addition, any breach of academy or free school funding agreements in relation to creationism would be swiftly dealt with by the Department for Education and could result in the termination of the funding agreement.⁷

2.6 What has the Government said about the state funding of faith schools?

An idea of the Coalition Government's general position on faith schools was given in a Westminster Hall [debate](#) in February 2014 on free schools and academies. The schools' Minister Elizabeth Truss MP stressed the 'important contribution' made by faith schools and explained some of the admission requirements for new faith free schools and convertor academies:

As a Government, we recognise the important contribution made by Church and faith schools to the education system. Around a third of schools are Church or faith schools, and an increasing number are converting to academy status to take advantage of the freedoms offered by the academies programme. Church and faith schools are popular with parents—many are oversubscribed—and they are some of the highest-performing schools in the country.

The free schools programme represents a new approach to how schools are established and it is offering new opportunities, to groups of all faiths and none, to set up new schools in the community; 37 of the 182 open free schools are faith schools. Faith free schools and new-provision academies must be open and welcoming to the communities around them. Unlike voluntary aided schools or converted faith academies, they may only prioritise a maximum of 50% of places by reference to faith when the school is oversubscribed. Of course, if the school is not oversubscribed, more children of that faith may be admitted.

⁷ [HC Deb 30 Jun 2014 c351W](#)

Catholic schools in particular have a long and proud history of championing high standards and extending opportunities. They consistently outperform other kinds of state schools. As my hon. Friend the Member for Fareham is aware, the Education Act 1944 brought many Church schools into the state education system, including from the Catholic sector, and we continue to benefit from that settlement today. The education landscape, however, has changed since 1944. Academies and free schools represent a new approach to creating new schools, including faith schools, and new faith free schools and new faith academies, when oversubscribed, may admit only up to 50% of their pupils according to faith.

If the Government fund new faith-school provision, it is right that a proportion of the places be available to the whole community, including those of other faiths and none. That does not mean that other places must be allocated to pupils who are not of the faith; as I mentioned earlier, they must rather be allocated according to other oversubscription criteria.

I acknowledge, as my hon. Friend pointed out, that the Catholic sector has objections to our policy on admissions to faith free schools. I know that the Catholic Education Service has been in discussion with Department officials. We remain committed to continuing our engagement with the CES, although I point out that we have no intention of changing or removing the 50% limit.⁸

In a [debate on Birmingham Schools on 9 June 2014](#), Crispin Blunt MP queried whether “is it not now about time that we asked people, if they want to exercise the freedom to have a faith-based education for their children, not to expect the rest of us to pay for it because it is not in the public interest?”⁹ In response, the then Secretary of State for Education, Michael Gove, said that it was “important to have a debate about the proper place of faith in education but I have to say that I respectfully disagree with him. I think that the role of a number of faith institutions from a variety of faiths in education has been all to the good.”¹⁰

2.7 Do children attending faith schools have particular rights relating to school transport?

Concerns are often raised about the impact of the rules relating to free school transport on children who attend faith schools. Many of these rules provide rights to transport to the nearest ‘suitable school’ for a child, which is defined as:

the nearest qualifying school with places available that provides education appropriate to the age, ability and aptitude of the child, and any SEN [Special Educational Needs] that the child may have.¹¹

⁸ [HC Deb 4 Feb 2014 c26-27WH](#)

⁹ [HC Deb 9 June 2014 C 282](#)

¹⁰ *Ibid.*

¹¹ Department for Education, [Home to school travel and transport guidance](#), July 2014, p24

However, parents who would like to send their child to a faith school may do so in preference to another 'suitable school' which is closer, and find their rights to free school transport affected.

Statutory [Home to school travel and transport guidance](#) is in place, setting out the duties of local authorities to provide free school transport. It states that local authorities must:

provide free transport for all pupils of compulsory school age (5-16) if their nearest suitable school is:

- beyond 2 miles (if below the age of 8); or
- beyond 3 miles (if aged between 8 and 16)¹²

'Extended rights' eligibility also requires local authorities to:

provide free transport where pupils are entitled to free school meals or their parents are in receipt of maximum Working Tax Credit if:

- the nearest suitable school is beyond 2 miles (for children over the age of 8 and under 11);
- the school is between 2 and 6 miles (if aged 11-16 and there are not three or more suitable nearer schools);
- the school is between 2 and 15 miles and is the nearest school preferred on the grounds of religion or belief (aged 11-16).¹³

Some additional duties are in place, for instance for children with special educational needs, and in relation to children whose journey to school might take them along unsafe routes.

Beyond these requirements, local authority provision of school transport is discretionary. The guidance sets out in detail how local authorities should approach transport to faith schools and the consideration that should be given to relevant issues, such as equality:

38. Many parents will choose to send their children to a school as near as possible to their home. However, some parents choose to send their children to a school with a particular ethos because they adhere to a particular faith, or belief. Local authorities need to respect parents' religious and philosophical convictions as to the education to be provided for their children, give careful consideration to discrimination issues and seek legal opinion if they are unsure about the effect of their policies, before publishing them each year.

39. Under the European Convention on Human Rights (ECHR), parents do not enjoy a specific right to have their children educated at a school with a religious character or a secular school, or to have transport arrangements made by their local authority to and from any such school and the Equality Act 2010 (which places a duty on local authorities not to discriminate against a person on

¹² Department for Education, [Home to school travel and transport guidance](#), July 2014, p9

¹³ *Ibid.*, p10

the grounds of their religion or belief), does not apply to the exercise of an authority's functions in relation to transport.

40. However, the Secretary of State continues to attach importance to the opportunity that many parents have to choose a school or college in accordance with their religious or philosophical beliefs, and believes that wherever possible, local authorities should ensure that transport arrangements support the religious or philosophical preference parents express. In many cases these schools may be more distant and therefore the provision of transport and/or training, and the avoidance of unreasonable expenditure on travel are encouraged. However, the department appreciates that this may be incompatible, for example, on grounds of excessive journey length, or where the journey may have a detrimental impact on the child's education.

41. The Act places a duty on local authorities to make arrangements for secondary pupils from low income backgrounds to attend the nearest school preferred on grounds of "religion or belief", where that school is between 2 and 15 miles from their home. Local authorities may wish to use their discretionary powers to extend transport arrangements beyond the extended rights duty and facilitate attendance at such schools. The Secretary of State expects local authorities to consider all possible options before they disturb well established arrangements, some of which have been associated with local agreements or understandings about the siting of such schools. Local authorities should pay particularly careful attention to the potential impact of any changes on low income families (those not eligible under extended rights) whose parents adhere to a particular faith or philosophy, and who have expressed a preference for a particular school because of their religious or philosophical beliefs.

42. Local authorities will need to be aware of their obligation not to discriminate under article 14 of ECHR. For example, where local authorities use their discretionary powers to make travel arrangements for children on the basis of their parents' religious beliefs to schools designated with a religious character, the equalities implications should be considered, to facilitate parents' who wish their children to be educated in accordance with their philosophical convictions.¹⁴

In a Westminster Hall [debate](#) on school transport in June 2015, the Schools Minister Nick Gibb expanded on the Government position:

We believe that [local authorities] are best placed to determine how resources should be used in the areas that they serve and to balance the demands of a broad range of discretionary travel against their budget priorities. If we were to remove this discretion from local authorities' responsibilities, it would hugely increase the number of eligible children at a substantial cost to the taxpayer. Therefore, it is much more practical and helpful to allow local authorities to continue to make these important decisions locally, but they still need to make the right decisions locally.¹⁵

¹⁴ Ibid., p15-16

¹⁵ [HC Deb 25 Jun 2015 c371-372WH](#)

2.8 What do faith schools have to teach about same sex marriage?

During the passage of the then *Marriage (Same Sex Couples) Bill* there was considerable debate about the implications of the legislation for teachers in schools. The then Equalities Minister, Maria Miller, made a statement in December 2012 on this issue:

Mr Julian Brazier (Canterbury) (Con): Will my right hon. Friend reassure us that whatever is announced tomorrow, no teacher will face prosecution or civil action as a result of espousing a Christian view of marriage?

Maria Miller: My hon. Friend is right to raise this issue, which has been a concern for many of our constituents. I can confirm that nothing will change what children are taught. Teachers will be able to describe their belief that marriage is between a man and a woman, while acknowledging that same-sex marriage will be available. It is important to reassure people. There is a great deal of what perhaps one could call scaremongering. It is important that teachers and faith schools are aware that they will continue to enjoy the same situation as they do now.¹⁶

The Equalities and Human Rights Commission has published a guidance document, [The Marriage \(Same Sex Couples\) Act 2013: The Equality and Human Rights Implications for the Provision of School Education](#). This was updated in June 2014, and states that schools are not required to *promote* same-sex marriage:

Teaching about marriage must be done in a sensitive, reasonable, respectful and balanced way. Teachers are subject to professional requirements, the school curriculum, school policies, and anti-discrimination duties towards colleagues and pupils.

No school, or individual teacher, is under a duty to support, promote or endorse marriage of same sex couples. Teaching should be based on facts and should enable pupils to develop an understanding of how the law applies to different relationships. Teachers must have regard to statutory guidance on sex and relationship education, and to meet duties under equality and human rights law.

Subject to the above, nothing in the Act affects the rights of schools with a religious character to continue to teach about marriage according to their religious doctrines or ethos. Any views expressed about marriage of same sex couples, by governors, teachers, other school staff, parents and pupils, may reflect the religious ethos of the school.

Governors, teachers and non-teaching staff in schools, parents and pupils, are free to hold their own religious or philosophical beliefs about marriage of same sex couples. These rights are not limited by anything in the Act, education law, or equality and human rights law.

Pre-existing parental opt-out rights in respect of sex and relationship education remain unaffected by the Act.¹⁷

¹⁶ [HC Deb 10 December 2012, c 31](#)

¹⁷ [EHRC, The Marriage \(Same Sex Couples\) Act 2013: The Equality and Human Rights Implications for the Provision of School Education](#), Pg 2-3

A [written Parliamentary Question](#) answered by the schools Minister, Lord Nash, who continues as Minister under the Conservative administration, in November 2014 provides the then Government's position:

[...] The Regulations require that schools actively promote principles which encourage respect for other people, paying particular regard to the protected characteristics. This is a crucial distinction. It is right to respect other people, even if one does not agree with them or their way of life. This is a fundamental part of preparation for life in modern Britain.

The Government is absolutely clear that the changes make no difference to the existing legal obligations that schools have under the Equality Act 2010. All schools are already required to abide by the Act and their obligations are not altered by the changes to the standards. The changes do not fetter the views of individual teachers or censor the discussion of relevant matters. A teacher who, for instance, disagrees with same-sex marriage because of their Christian faith will not be prevented from expressing that view by these changes. Since the changes make no difference to schools' existing legal obligations under the Equality Act there is no question of the ability of schools to teach traditional Christian values being overridden.¹⁸

Some concerns have been raised about the teaching of same sex marriage in schools. See section 3 of the Library briefing on [Sex and Relationship Education in Schools](#), CBP 06103, for more information.

¹⁸ [PQ HL2440 \[Church schools\], 5 November 2014](#)

3. Statistics

3.1 Number of faith schools

At the start of September 2015 there were 6,817 state funded faith schools in England. The majority were primary schools; 6,182 or 37% of all state funded primaries. The 635 secondary¹⁹ faith schools made up 19% of all state funded mainstream secondaries. The proportion of state funded faith schools has increased gradually over time from 35% of primaries and 16% of secondaries in January 2000.

The number of state funded faith schools in England broken down by level and religion is given in the table at the end of this section. Church of England schools were the most common type among primary schools (26% of all primaries); Roman Catholic schools the most numerous type of faith school at secondary level (9%). Non-Christian schools were very much in the minority; there were 47 Jewish, 23 Muslim, 10 Sikh and 4 Hindu schools at the start of September 2014. While the number of Christian schools has fallen slightly since 2007 the number of non-Christian schools has increased. Between January 2007 and September 2015 the number of Jewish schools increased by 10, Muslim schools by 14, Sikh schools by 7 and all the Hindu schools have opened since 2008.²⁰

There have been Jewish state schools since the establishment of the 'modern' primary and secondary systems in the first half of the 20th century. The first Muslim state school was established in 1997 and opened in 1998, the first Sikh school opened in 1999 and the first Hindu school opened in 2008.²¹

Region and local authority

At primary level the North West and South West regions had the highest proportion of pupils attending faith schools in 2015 at 43% and 36% respectively. Outer London (20%) and the East of England (23%) had the lowest. At secondary level the North West (32%) and inner London (26%) had the highest proportion of faith schools and the East of England (12%) and the South West (both 12%) had the lowest. At a local authority level more than 55% of primary pupils in Rutland, Wigan, Wiltshire, Blackburn, Knowsley and Dorset attended a faith school. In Leicester, Southend, Newham, Waltham Forest, Barking, Luton and Nottingham 10-12% did so. The smaller number of secondary schools means that patterns tend to be more extreme. More than half of secondary pupils attended faith schools in Westminster, Kensington and Chelsea, Liverpool and Bolton There were six authorities that had no religious secondary schools in 2015.²²

¹⁹ Includes all through schools.

²⁰ Edubase, DfE

²¹ *ibid.*

²² *Schools, pupils and their characteristics 2015*, DfE

Pupils

Just over 1.8 million pupils at current state funded primaries and secondaries in England were taught in faith schools at the start of 2015. 29% of primary and 18% of secondary pupils. These rates have increased since 2000; primary schools gradually from 28% and secondaries somewhat faster from 15%.^{23 24}

In January 2015 just under 12.4% of pupils at state funded primary faith schools were eligible for free school meals compared to just over 16.4% of all primaries. Rates at faith secondary schools were slightly below average (14.3% v 14.9%). 26% of pupils at faith primary schools had an ethnic background other than White British,²⁵ again below the primary average (31%). There were actually higher rates of minority ethnic pupils in faith secondary schools than the overall secondary average (32% v 29%).²⁶

3.2 School status

Historically faith schools had either voluntary controlled or voluntary aided status and non-faith schools were community (county) schools. The introduction of Foundation status, sponsored (city) Academies and particularly converter academies and Free Schools has complicated this picture. The table below summarises the status of primary and secondary faith and non-faith schools.

Overall academies were more likely to have no religious character than other types of state schools. 19% of sponsored and 37% of converter primary academies had a religious faith compared to 37% of all primaries. The 'academy conversion' rate was lowest among Church of England primaries. 16% of sponsored secondary and 16% of converter academies were faith schools, both below the 19% average across state secondaries. The academy conversion rate was lowest among Roman Catholic secondaries. There were 58 mainstream faith Free Schools, UTCs or studio schools in September 2015; 34 primary and 24 secondary. Almost half had a non-Christian faith.²⁷

Mainstream state-funded schools in England by status and religious character, September 2015

	Primary			Secondary		
	Faith	Non-faith	% faith	Faith	Non-faith	% faith
Community	0	7,891	0%	0	603	0%
Foundation	29	665	4%	3	273	1%
Voluntary Aided	3,118	39	99%	264	22	92%
Voluntary Controlled	2,136	36	98%	23	20	53%
Academy sponsor led	172	729	19%	95	485	16%
Academy converters	693	1,168	37%	226	1,167	16%
Free schools, UTCs and studio schools	34	83	29%	24	176	12%
All	6,182	10,611	37%	635	2,746	19%

Source: EduBase, DfE

²³ Edubase, DfE

²⁴ *Schools in England 2000*, DfEE

²⁵ Pupils of compulsory school age and above excluding those with no classified ethnic background.

²⁶ *Schools, pupils and their characteristics 2015*, DfE

²⁷ *Edubase*, DfE

3.3 Secondary school performance

Examination results for faith schools are somewhat better, on average, than those for non-faith schools. For instance in 2013 64% of pupils in mainstream state funded faith schools achieve five or more grades at A*-C including English and Maths compared to 60% of pupils at state non-faith schools. However, pupil intake differs between in faith and non-faith schools, both background characteristics (such as free school meal eligibility) and their prior attainment, so headline results may not give us the most meaningful comparisons. The table below summarises a range of 2013 secondary performance data for faith and non-faith schools and gives some background data on intake.

Pupils at faith schools were less likely to have low prior attainment when starting secondary school, more likely to have high prior attainment and less likely to be eligible for free school meals or be looked after by their local authority. When the 5+ grades A*-C inc. English and Maths measure is broken down by prior attainment bands the faith/non-faith gap falls, but is still present. For instance 95% of high prior attainers at faith schools met this standard compared to 94% at non-faith schools. The English and Maths *progress* measures do not focus on an absolute standard at the end of Key Stage 4 so help to make more meaningful comparisons. Again faith schools did better than non-faith schools by a few percentage points.

Summary of GCSE results by religious character of school, 2013

Mainstream comprehensive schools in England

	Faith	Non-faith	All
Pupil intake			
Average Key Stage 2 points score	28.0	27.6	27.7
% of pupils by prior attainment band			
Low	13%	16%	15%
Medium	53%	54%	54%
High	34%	30%	30%
% of pupils eligible for free school meals or looked after by their local authority			
	26%	28%	27%
% of pupils with a statement of SEN or at School Action Plus			
	8%	8%	8%
Attainment and progress measures			
% of pupils achieving 5+ grades A*-C or equivalent inc. English and Maths			
Low attainers	9%	7%	7%
Medium attainers	60%	57%	58%
Higher attainers	95%	94%	94%
All	64%	60%	60%
% of pupils making at least the expected progress between KS2 and KS4			
English	73%	70%	71%
Maths	74%	70%	71%

Note: Excludes results from small schools whose data was not published in the performance tables

Source: DfE Performance data

The performance gaps between faith and non-faith schools are smaller still or reversed when schools status is included in this analysis. For instance when we compare faith and non-faith converter academies on the headline GCSE measure the faith schools outperform non-faith schools by just one percentage point in each prior attainment band.

There are a very large number of other performance statistics and ways of comparing different types of schools that could produce different findings.

Schools by religious character and pupils attending such schools, maintained mainstream schools in England

September 2014

	Primary				Secondary				Total			
	Schools		Pupils		Schools		Pupils		Schools		Pupils	
	number	%	thousands	%	number	%	thousands	%	number	%	thousands	%
No religious character	10,558	63.0%	3,072	71.1%	2,682	80.8%	2,557	81.7%	13,240	65.9%	5,619	75.5%
Church of England	4,395	26.2%	805	18.6%	214	6.4%	189	6.0%	4,609	22.9%	993	13.4%
Roman Catholic	1,661	9.9%	408	9.4%	324	9.8%	298	9.5%	1,985	9.9%	706	9.5%
Methodist	26	0.2%	5	0.1%	0	0.0%	0	0.0%	26	0.1%	5	0.1%
Other Christian ^(a)	71	0.4%	14	0.3%	74	2.2%	71	2.3%	145	0.7%	85	1.1%
Jewish	36	0.2%	10	0.2%	12	0.4%	8	0.3%	48	0.2%	18	0.2%
Muslim	9	0.1%	3	0.1%	9	0.3%	4	0.1%	18	0.1%	7	0.1%
Sikh	5	0.0%	1	0.0%	3	0.1%	2	0.1%	8	0.0%	3	0.0%
Hindu	3	0.0%	1	0.0%	1	0.0%	0	0.0%	4	0.0%	1	0.0%
Greek Orthodox	1	0.0%	0	0.0%	1	0.0%	0	0.0%	2	0.0%	1	0.0%
Quaker	1	0.0%	0	0.0%	0	0.0%	0	0.0%	1	0.0%	0	0.0%
Seventh Day Adventist	1	0.0%	0	0.0%	0	0.0%	0	0.0%	1	0.0%	0	0.0%
United Reformed Church	1	0.0%	0	0.0%	0	0.0%	0	0.0%	1	0.0%	0	0.0%
Total	16,768	100.0%	4,320	100.0%	3,320	100.0%	3,129	100.0%	20,088	100.0%	7,438	100.0%
<i>Faith schools</i>	<i>6,210</i>	<i>37.0%</i>	<i>1,248</i>	<i>28.9%</i>	<i>638</i>	<i>19.2%</i>	<i>571</i>	<i>18.3%</i>	<i>6,848</i>	<i>34.1%</i>	<i>1,819</i>	<i>24.5%</i>

Notes: Primary and secondary totals include middle schools as deemed. Secondary includes all through schools and CTCs

Pupil figures are counts from January 2014

(a) Church of England/other Christian or just 'Christian'

Source: EduBase, DfE

The House of Commons Library research service provides MPs and their staff with the impartial briefing and evidence base they need to do their work in scrutinising Government, proposing legislation, and supporting constituents.

As well as providing MPs with a confidential service we publish open briefing papers, which are available on the Parliament website.

Every effort is made to ensure that the information contained in these publicly available research briefings is correct at the time of publication. Readers should be aware however that briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

If you have any comments on our briefings please email papers@parliament.uk. Authors are available to discuss the content of this briefing only with Members and their staff.

If you have any general questions about the work of the House of Commons you can email hcinfo@parliament.uk.

Disclaimer - This information is provided to Members of Parliament in support of their parliamentary duties. It is a general briefing only and should not be relied on as a substitute for specific advice. The House of Commons or the author(s) shall not be liable for any errors or omissions, or for any loss or damage of any kind arising from its use, and may remove, vary or amend any information at any time without prior notice.

The House of Commons accepts no responsibility for any references or links to, or the content of, information maintained by third parties. This information is provided subject to the [conditions of the Open Parliament Licence](#).