



## BRIEFING PAPER

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# Faith Schools in England: FAQs

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## 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 have to follow the national curriculum, but they can choose what they teach in religious studies.

Faith schools may have different admissions criteria and staffing policies to state schools, although anyone can apply for a place.

Faith academies don't have to teach the national curriculum and have their own admissions processes.

## 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.<sup>1</sup>

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.<sup>2</sup>

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.

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

<sup>2</sup> 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.<sup>3</sup>

## **New academies and free schools: the 50% limit and abandoned proposals to repeal**

Funding agreements for entirely new Academies<sup>4</sup> 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 2016, the Government published the consultation [Schools that work for everyone](#), which included proposals to allowing new faith free schools to select up to 100% of pupils based on their faith, subject to schools taking new measures to promote inclusivity.

The [Government response to the consultation](#) was published in May 2018, and stated that the Government had decided to retain the 50% cap. However, the response announced a capital scheme to support the creation of new voluntary aided schools.<sup>5</sup> Faith voluntary aided schools may have 100% faith-based oversubscription criteria in their admissions.<sup>6</sup> Information on arrangements by which proposer groups could apply for capital funding is expected later in 2018.

## **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

<sup>3</sup> Ibid., p16

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

<sup>5</sup> See also Department for Education, [Drive to create more good school places for families](#), 11 May 2018

<sup>6</sup> Revised guidance from the DfE on [Establishing a new school: free school presumption](#) was published in May 2018 to accommodate this announcement.

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 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 [Governance Handbook](#) outlines the position in respect of academies:

In relation to academies, academy converters follow the position of the school prior to conversion. New academies with a religious character 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.<sup>7</sup>

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<sup>7</sup> Department for Education, [Governance Handbook](#), January 2017, p71

## 2.4 Do particular rules apply in the inspection of faith schools?

In faith academies, foundation or voluntary faith schools, Ofsted inspectors must not comment on the content of religious worship or on denominational religious education (RE), although they may attend and comment on the contribution of those lessons to the school's wider aims, such as pupils' spiritual, moral, social and cultural development.

Particular provision for the inspection of RE and collective worship in these schools is provided for in [section 48 of the Education Act 2005](#).

Ofsted's [School Inspection Handbook](#) provides information on the appointment of these inspectors:

The inspectors who conduct section 48 inspections are appointed by the school's governing body or the foundation governors in a voluntary controlled school, having consulted with person(s) prescribed in regulations (normally the appropriate religious authority) where applicable. The inspectors are normally drawn from the relevant faith group's section 48 inspection service, although not all faith groups have their own inspectors organised in this way. Regulations specify that section 48 inspections must be conducted within five school years from the end of the school year in which the last section 48 inspection took place.<sup>8</sup>

For example, all Church of England dioceses and the Methodist Church use the National Society's framework for the [Statutory Inspection of Anglican and Methodist Schools](#) (SIAMS) for section 48 inspections.

## 2.5 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.

## 2.6 Can faith schools teach creationism?

The following response to a Parliamentary Question from 2014 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,

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<sup>8</sup> Ofsted, [School Inspection Handbook](#), pg 69-70

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.<sup>9</sup>

## 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.<sup>10</sup>

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)<sup>11</sup>

'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);

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<sup>9</sup> [HC Deb 30 Jun 2014 c351W](#)

<sup>10</sup> Department for Education, [Home to school travel and transport guidance](#), July 2014, p24

<sup>11</sup> Department for Education, [Home to school travel and transport guidance](#), July 2014, p9

- the school is between 2 and 15 miles and is the nearest school preferred on the grounds of religion or belief (aged 11-16).<sup>12</sup>

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 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

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<sup>12</sup> Ibid., p10

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.<sup>13</sup>

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.<sup>14</sup>

## 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.<sup>15</sup>

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

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<sup>13</sup> Ibid., p15-16

<sup>14</sup> [HC Deb 25 Jun 2015 c371-372WH](#)

<sup>15</sup> [HC Deb 10 December 2012, c 31](#)

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.<sup>16</sup>

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.<sup>17</sup>

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.

<sup>16</sup> EHRC, [The Marriage \(Same Sex Couples\) Act 2013: The Equality and Human Rights Implications for the Provision of School Education](#), Pg 2-3

<sup>17</sup> [PQ HL2440 \[Church schools\], 5 November 2014](#)

## 3. Statistics

### 3.1 Number of faith schools

At the start of January 2017 there were 6,814 state funded faith schools in England. The majority were primary schools; 6,177 or 37% of all state funded primaries. The 637 secondary<sup>18</sup> 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 48 Jewish, 27 Muslim, 11 Sikh and 5 Hindu schools at the start of January 2017. While the number of Christian schools has fallen slightly since 2007 the number of non-Christian schools has increased. Between January 2007 and September 2017 the number of Jewish schools increased by 11, Muslim schools by 20, Sikh schools by 9 and all the Hindu schools have opened since 2008.<sup>19</sup>

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.<sup>20</sup>

### Region and local authority

At primary level the North West and South West regions had the highest proportion of pupils attending faith schools in 2017 at 42% and 36% respectively. Outer London (20%) had the lowest. At secondary level the North West (31%) and inner London (26%) and had the highest proportion of faith schools and the East of England (12%) and the South West (13%) 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, Thurrock, Luton and Nottingham 10-11% 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, Bolton and Hammersmith and Fulham. There were six authorities that had no religious secondary schools in 2017.<sup>21</sup>

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<sup>18</sup> Includes all through schools.

<sup>19</sup> Edubase, DfE

<sup>20</sup> *ibid.*

<sup>21</sup> *Schools, pupils and their characteristics 2017*, DfE



## Pupils

1.9 million pupils at current state funded primaries and secondaries in England were taught in faith schools at the start of 2017. 28% of primary and 19% of secondary pupils. The latest primary rate is the same as in 2000. The rate at secondary level is higher than its 2000 level of 15%.<sup>22 23</sup>

In January 2017 10.9% of pupils at state funded primary faith schools were eligible for free school meals compared to 15.4% at non-faith primaries. Rates at faith secondary schools were slightly below those in non-faith schools (12.2% v 13.0%). 28% of pupils at faith primary schools had an ethnic background other than White British,<sup>24</sup> again below the primary average (35%). There were actually higher rates of minority ethnic pupils in faith secondary schools than the overall secondary average (37% v 29%).<sup>25</sup>

## 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.

RELIGIOUS CHARACTER OF SCHOOLS						
State-funded mainstream schools in England January 2017						
	Primary			Secondary		
	Faith	Non-faith	% faith	Faith	Non-faith	% faith
Community	0	7,317	0%	0	523	0%
Voluntary Aided	2,997	34	99%	249	18	93%
Voluntary Controlled	2,017	36	98%	22	20	52%
Foundation	25	612	4%	3	245	1%
Academy sponsor led	213	869	20%	98	521	16%
Academy converters	887	1,643	35%	242	1,229	16%
Free schools	38	98	28%	23	215	10%
<b>Total</b>	<b>6,177</b>	<b>10,609</b>	<b>37%</b>	<b>637</b>	<b>2,771</b>	<b>19%</b>

Note: Free schools includes UTCs, studio schools and CTCs

Source: [Schools, pupils and their characteristics: January 2017](#)

Overall academies were more likely to have no religious character than other types of state schools. 20% of sponsored and 35% 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 both sponsored and converter academies were faith schools, both below the 19% average across state secondaries. The academy conversion rate was lower among Roman

<sup>22</sup> *ibid.*

<sup>23</sup> *Schools in England 2000*, DfEE

<sup>24</sup> Pupils of compulsory school age and above excluding those with no classified ethnic background.

<sup>25</sup> *Schools, pupils and their characteristics 2017*, DfE

Catholic secondaries. There were 63 mainstream faith Free Schools, UTCs or studio schools in January 2017; 38 primary and 25 secondary. Just over half had a non-Christian faith.<sup>26</sup>

### 3.3 Secondary school performance

Examination results for faith schools are somewhat better, on average, than those for non-faith schools. For instance in 2017 the average Attainment 8 score in mainstream state-funded faith schools was 49.0 compared to 46.9 at non-faith schools. This [blog article](#) gives a guide to the new performance measures Attainment 8 and Progress 8.

Performance was higher on average at faith schools across all the other headline performance indicators. 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 2017 secondary performance data for faith and non-faith schools and gives some background data on intake.

HEADLINE GCSE RESULTS BY RELIGIOUS CHARACTER OF SCHOOL			
Mainstream schools in England, 2017			
	Faith	Non-faith	All
<b>Pupil intake</b>			
<i>% of pupils by prior attainment band</i>			
Low	11.2%	13.0%	<b>12.7%</b>
Medium	44.0%	45.1%	<b>44.9%</b>
High	44.8%	42.0%	<b>42.4%</b>
% of pupils eligible for free school meals or looked after by their local authority	25.9%	27.1%	<b>26.9%</b>
% of pupils with identified special educational needs	11.9%	12.8%	<b>12.6%</b>
<b>Attainment and progress measures</b>			
<i>Average Attainment 8 score</i>			
Low attainers	25.9	25.2	<b>25.2</b>
Medium attainers	42.3	40.9	<b>41.1</b>
Higher attainers	61.4	60.4	<b>60.5</b>
All	49.0	46.9	<b>47.1</b>
<i>Progress 8 score</i>			
Low attainers	0.06	0.00	<b>-0.01</b>
Medium attainers	0.10	-0.02	<b>-0.01</b>
Higher attainers	0.09	-0.01	<b>0.00</b>
All	0.09	-0.01	<b>0.00</b>
<i>% achieving a 9-5 pass in English and maths</i>			
Low attainers	2.9%	2.5%	<b>2.6%</b>
Medium attainers	26.5%	23.9%	<b>24.3%</b>
Higher attainers	78.1%	76.5%	<b>76.7%</b>
All	47.0%	42.9%	<b>43.5%</b>

Source: [Revised GCSE and equivalent results in England: 2016 to 2017](#)

Pupils at faith schools were less likely to have low prior attainment when starting secondary school, more likely to have high prior attainment and

<sup>26</sup> *Schools, pupils and their characteristics 2017*, DfE

less likely to be eligible for free school meals or be looked after by their local authority. When the attainment 8 results are broken down by prior attainment bands the faith/non-faith gap falls to around a single percentage point in each band. There were similar gaps in the English and maths measure. Progress 8 takes prior attainment into account and while the average at faith schools was higher and statistically significant the absolute difference was small at around one grade higher per subject for one in every ten pupils.<sup>27</sup>

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

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<sup>27</sup> Alternatively one tenth of a grade per subject higher per pupil

**RELIGIOUS CHARACTER OF SCHOOLS**

State-funded mainstream schools in England January 2017

	Primary				Secondary				Total			
	Schools		Pupils		Schools		Pupils		Schools		Pupils	
	number	%	thousands	%	number	%	thousands	%	number	%	thousands	%
No religious character	10,609	63.2%	3,360	71.7%	2,771	81.3%	2,623	81.4%	13,380	66.3%	5,983	75.6%
Church of England	4,377	26.1%	860	18.3%	209	6.1%	198	6.1%	4,586	22.7%	1,058	13.4%
Roman Catholic	1,645	9.8%	431	9.2%	322	9.4%	311	9.6%	1,967	9.7%	742	9.4%
Methodist	25	0.1%	4	0.1%	0	0.0%	0	0.0%	25	0.1%	4	0.1%
Other	72	0.4%	16	0.3%	73	2.1%	73	2.2%	145	0.7%	88	1.1%
Jewish	36	0.2%	11	0.2%	12	0.4%	9	0.3%	48	0.2%	20	0.3%
Muslim	13	0.1%	4	0.1%	14	0.4%	6	0.2%	27	0.1%	11	0.1%
Sikh	5	0.0%	1	0.0%	6	0.2%	3	0.1%	11	0.1%	5	0.1%
Hindu	4	0.0%	1	0.0%	1	0.0%	1	0.0%	5	0.0%	2	0.0%
<b>Total</b>	<b>16,786</b>	<b>100.0%</b>	<b>4,690</b>	<b>100.0%</b>	<b>3,408</b>	<b>100.0%</b>	<b>3,223</b>	<b>100.0%</b>	<b>20,194</b>	<b>100.0%</b>	<b>7,913</b>	<b>100.0%</b>
<i>Faith schools</i>	<i>6,177</i>	<i>36.8%</i>	<i>1,329</i>	<i>28.3%</i>	<i>637</i>	<i>18.7%</i>	<i>600</i>	<i>18.6%</i>	<i>6,814</i>	<i>33.7%</i>	<i>1,929</i>	<i>24.4%</i>

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

Source: [Schools, pupils and their characteristics: January 2017](#)



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