



Department
for Education

Capital scheme to support the establishment of new voluntary aided schools

Equalities Impact Assessment

December 2018

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The Public Sector Equality Duty

1. The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 (EA) requires the Secretary of State to have due regard to the need to:
 - a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the EA;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

2. The relevant protected characteristics are:
 - age;
 - disability;
 - gender reassignment;
 - pregnancy and maternity;
 - race;
 - religion or belief;
 - sex;
 - sexual orientation.

3. As the PSED is a continuing duty, we have considered the equalities implications of this policy throughout the decision-making process, and this document sets out that consideration.

Background

4. This scheme will provide capital funding to facilitate the establishment of new voluntary aided (VA) schools. This will enable proposers of all kinds to establish new state-funded schools.
5. This scheme has been developed following the Government's response to the *Schools that work for everyone* consultation, in which one of the proposals was the removal of the 50% cap on faith admissions in free schools designated as having a religious character (commonly known as *faith schools*). The Government currently applies a 50% cap on the number of children admitted by faith for oversubscribed new free schools and the consultation response made clear that the 50% cap will not be removed. The purpose of the cap is to foster inclusivity and make additional school places available to the local community regardless of background.
6. VA schools are an existing type of school that are an appropriate route for any proposers whose needs cannot be met by the free schools route. For faith schools providers, VA schools have freedom over admissions, which enables them to select up to 100% of pupils on the basis of faith, once they are oversubscribed.
7. The scheme will be available to all proposers though we recognise non-faith groups may prefer to set up schools via the free schools programme and religious groups have in the past set up the vast majority of VA schools.
8. This impact assessment considers the equalities implications of the Secretary of State setting up this new scheme that will provide funding to support the establishment of new VA schools. It also considers the equalities implications of the way in which the department will assess applications. The guidance asks proposers to provide evidence that:
 - There is **basic need** for a high proportion of the school places that the new school will provide to prevent creating an oversupply of places in the area;
 - There is **parental demand** for the type of school proposed, and it will bring added **diversity and choice to the area**;
 - The school once open **will be welcoming and address the needs of pupils from all faiths and none, and from different backgrounds and communities** in a way that meets our integration and community cohesion objectives and is in line with the requirements of the Equality Act 2010;
 - The proposers have the appropriate education, finance and governance **capacity and capability** to set up and run a successful and viable school; and
 - The proposed **site represents good value for money and can be delivered in a timely manner** with an acceptable level of risk. We expect to include a commitment to use of a site already in your ownership or a site that is being offered on a free of charge basis (for example, local authority or government - owned). We will not be able to approve a bid until a suitable site has been identified.

9. The assessment criteria are designed to determine whether to provide funding for the establishment of new VA schools. The department will expect a 10% contribution from proposers, but, in line with existing legislation, we will consider whether to pay more than 90% of the capital costs where we agree that the exceptional circumstances put forward by a proposer mean that we should pay up to 100% of capital costs incurred.
10. There is also a statutory process for determining whether new VA schools should be established, which is a matter for decision by the local authority or, in certain circumstances, the Office of the Schools Adjudicator. The decision-maker determining whether to approve the establishment of a particular proposed school will be subject to the PSED in relation to that decision. The department's decision whether or not to provide funding is likely to be an important factor in determining whether or not such a proposal is approved.
11. Our statutory guidance sets out factors that decision-makers should take into account when deciding whether to approve proposals for a new VA school. The guidance advises decision makers to consider education standards, need, demand, diversity of provision, school size, admissions arrangements, the PSED, community cohesion, transport and accessibility, and any other relevant proposals.
12. We have updated this guidance to ensure the considerations on integration and community cohesion reflect our integration strategy, and to provide decision-makers and proposers with examples of the sorts of evidence that they would look for/ provide.

Likely impact

13. We anticipate that the VA scheme is likely to be attractive to faith groups. It is hard to predict demand for new VA schools, although we are aware of a number of school providers who have informally expressed an interest in the scheme.
14. Despite closely monitoring levels of interest following the announcement of the VA capital scheme, we are not currently aware of any non-faith groups that might wish to propose a new VA school, so we are unable to ascertain what protected characteristics, if any, they - or potential pupils at any such proposed school - may have and what potential impacts the policy may have on them. We have nevertheless tried, as far as possible without knowing the nature of possible non-faith proposers, to consider any differences between the likely impacts of the scheme on faith proposers and the likely impacts on non-faith proposers in general.

Methodology

15. In considering the potential impacts of the policy on those with particular protected characteristics, we have assessed departmental and third party data held in relation to, and in comparison with, the different types of school, including faith, non-faith, VA and other types of state-funded school.
16. However, there are significant limitations on the departmental data available in scope of this exercise, as the department has not historically collected data on pupils' religious allegiances, which is likely to be the main protected characteristic affected by this policy. The department does not collect this data as there has not been a direct need to do so in the past, the issue is often sensitive and collecting consistent, accurate data is likely to be difficult.
17. Overall, there are too many variables to make accurate predictions about the demand, intake, teachers and performance of these future schools. We have therefore assumed that any VA schools set up via this new scheme will follow the trends identified in existing VA schools in order to deduce the potential equalities impacts of the policy.

Equalities considerations

18. As explained above, under section 149 of the EA the Secretary of State must have due regard to the need to:
 - a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the EA;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
19. Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of the persons who do not share it; and
 - c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is

disproportionately low.

20. Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.

21. The relevant protected characteristics are:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

Protected characteristics covered

22. A quantitative assessment has been made for the protected characteristics of religion or belief, sex, race (which includes colour, nationality and ethnicity), age and disability (using pupils with special educational needs as a proxy – please see below). The department holds a range of relevant data for pupils with these characteristics.

23. We have only been able to consider disability in terms of special educational needs (SEN). Disability data is not collected by the department, and while LAs maintain a register of disabled children, these registers are inconsistent, and data is not held centrally. The department has plans to link the new NHS Digital ‘Children and young people’s dataset’ with our own data so that we can obtain information on disabled children, but this collection is in the early stages and coverage is low at present. While SEN is not a protected characteristic and cannot be used as a direct proxy for disability, we do collect data on SEN pupils, which gives good evidence to suggest that there is a large level of overlap between disability and SEN¹. A significant number of pupils with SEN are disabled. The SEN framework covers disabled children where their disability prevents or hinders them from making use of facilities

¹ <https://www.gov.uk/government/statistics/special-educational-needs-in-england-january-2017>

that are generally provided, and they require special educational provision, that is something additional or different from provision made generally for others of the same age.

24. As mentioned above, it is not possible to carry out quantitative analysis to assess the implications in terms of religion, although this is the main characteristic in question, as this data is not collected by the department. However, we have used alternatives where possible, as already explained.
25. We do not collect data on the sexual orientation, gender reassignment or pregnancy and maternity status of pupils or staff in schools. The department's obligations under the PSED can be satisfied in a way that is proportionate to the decision-making that is taking place and the duty is not prescriptive as to how it is satisfied. The department's Equality Act guidance for schools² is explicit that schools will not be required to collect any statistical data which they do not already collect routinely (the only way the department can collect data would be for the schools to collect it first). As a result, we only use the School Census to collect data relating to certain protected characteristics of school pupils.
26. It is worth highlighting that in the case of pupil ethnicity, the department has collected information on pupil ethnicity for over 15 years and analysis of pupil attainment by ethnic category is now an established accountability measure for school performance rather than a means of demonstrating PSED compliance. Ethnicity is therefore an exceptional characteristic in this regard and so this assessment does include analysis in relation to ethnicity.
27. However, overall, this policy will establish new schools who, as public bodies, will be required to comply with the requirements of the Equality Act including the PSED and will be subject to the same controls as all other schools, such as the schools admissions code. Therefore, we have assessed that the controls currently available relating to the operation of schools mean that there is no reason to expect the groups for whom there is no data will be disproportionately impacted by this policy.

Disability

28. We have found that the percentage of pupils in VA schools who receive SEN support (Special educational needs without a statement or Education, Health or Care (EHC) Plan) is broadly in line with that for all schools.

²https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/315587/Equality_Act_Advice_Final.pdf

29. In terms of SEN support, 11.3% of pupils in state-funded primary and secondary VA schools receive SEN support, compared to 11.7% for all state-funded primary and secondary schools. Church of England schools have levels of SEN support consistent with the state-funded sector as a whole and Catholic schools have a similar but slightly lower level, whilst schools of other faiths have lower levels of SEN support. The reasons for this are not clear. For Jewish, Muslim, Sikh and Hindu faiths, care should be taken when making inferences, due to the small number of schools – Jewish (49), Muslim (31), Sikh (12), Hindu (7).

% of pupils in state-funded primary and secondary schools receiving SEN support							
VA	All state-funded	Catholic	Jewish	Church of England	Muslim	Sikh	Hindu
11.3%	11.7%	10.9%	9.0%	11.5%	9.9%	7.0%	5.7%

30. In terms of SEN or EHC plans, similarly, the percentage of pupils in VA schools who have a statement is broadly in line with the picture for all schools. 1.3% of pupils in state-funded primary and secondary VA schools have a statement of SEN or EHC Plan, compared to 1.5% for all state-funded primary and secondary schools. Both Catholic and Church of England schools are also consistent with all state-funded primary and secondary schools, but schools of Muslim, Sikh and Hindu faiths have an underrepresentation. However, the small number of these schools – Muslim (31), Sikh (12), Hindu (7) – mean it is difficult to make inferences for these faiths.

% of pupils in state-funded primary and secondary schools having a statement of SEN or EHC Plan							
VA	All state-funded	Catholic	Jewish	Church of England	Muslim	Sikh	Hindu
1.3%	1.5%	1.3%	2.1%	1.4%	1.0%	0.6%	1.0%

31. There is little variation when looking further at the primary type of need identified for pupils with SEN.

32. Therefore, we conclude from the fact that the statistics for VA schools and state-funded faith schools are broadly in line with those for all state-funded schools, that this policy will not have any significant effect on the numbers or proportions of pupils with SEN, assuming that these new schools follow current observations. In addition,

we have no qualitative evidence to suspect differentiation between the experiences of SEN pupils in VA schools or faith schools, and those in other state-funded schools.

33. Assuming new VA schools follow these trends; we would not expect an increase in the number of VA schools to have any particular effect on pupils with SEN.

Age

34. The prohibitions in the EA on discrimination and other such conduct in relation to schools do not apply to age, so issues of age discrimination largely do not arise. We have no reason to think that this policy will have any effect on the kinds of age discrimination that are prohibited by the Act (e.g. in employment or service-provision).

Sex

35. VA schools are no more likely to be single-sex than all state-funded schools. Around 1.0% of VA and all state-funded schools are all-girls schools and 0.8% are all-boys. Jewish and Muslim faiths are the only faiths that show a significant bias towards gender specific schools, in particular all-girls schools. Note that there are only a small number of schools for some faiths – Jewish (49), Muslim (31), Sikh (12), Hindu (7).

% of single-sex state-funded primary and secondary schools								
	VA	All state-funded	Catholic	Jewish	Church of England	Muslim	Sikh	Hindu
Girls	1.0%	1.0%	1.8%	12.2%	0.2%	29.0%	0.0%	0.0%
Boys	0.8%	0.8%	1.3%	6.1%	0.3%	22.6%	0.0%	0.0%

36. In the last 20 years, just 39 single-sex new state-funded schools have been established. Of these, 6 were voluntary aided, all of which were former independent schools joining the state-funded sector. While it will be possible for groups to bid for funding for single-sex VA schools, the establishment of a fund for VA schools is unlikely to lead to an increase in the proportion of single-sex schools in the sector overall, as the capital scheme is only intended to be a small scheme.

37. In terms of equality of opportunity for girls and boys to be able to attend single sex schools, we will consider the balance of single sex provision in the area of any proposed school as part of our assessment of each capital funding bid. Moreover, in making their statutory decision as to whether to approve the school, in order to meet their duty under the PSED, local authorities will also wish to consider the balance of single sex provision in the area to have due regard to the need for equality of opportunity to attend single sex schools for both girls and boys.
38. The addition of single sex provision may also increase the likelihood of recruitment of staff at the school favouring those of the same gender as the pupils of the school. However, as the balance of single sex provision in an area will be a consideration for both the department in deciding the application for capital funding and the local authority in deciding the statutory proposal, we would not expect to see a significant impact on equality of opportunity in employment.

Religion and Belief

39. As set out above, where new VA schools established using this scheme are faith schools the fund will, in practice, benefit pupils of those faiths, and their parents, by making it easier for them to gain places at state-funded schools that are designated as having the same religious character as their own faith. That benefit would not be experienced by children or parents of other faiths or non-religious convictions. However, the scheme is open to proposers of all faiths and no faith who wish to establish a school in response to the need for places and demand for the types of places the school will provide.
40. Discrimination related to religion or belief in the exercise of a public function is contrary to section 29(6) of the EA, subject to the exceptions in Schedule 3. Paragraph 11(f) of Schedule 3 creates an exception to the prohibition in the event of discrimination related to religion or belief for “anything done in connection with... the establishment, alteration or closure of schools”. The proposal of a fund to support the opening of new VA schools falls clearly within this provision.
41. As the scheme under consideration would not be discriminatory within the meaning of the EA, it follows that that this particular element (disproportionate favourable impact on certain religious groups) would not need to be assessed under the PSED.
42. Whilst there is limited data available on the religious allegiances of pupils at faith schools, and this data is not collected centrally, data from the Catholic Education Service annual census (2017)³ shows that for Catholic schools as a whole 66% of

³ <http://catholiceducation.org.uk/images/CensusDigestEngland2017.pdf>

pupils in Catholic schools are from a Catholic background. In terms of the proportion of Catholic schools which only have Catholics in them, this is small with just 18 of the 1,967 state-funded Catholic schools being 100% Catholic. If new Catholic schools established under the VA scheme followed this pattern, then even if they gave priority to Catholic applicants in relation to 100% of school places, substantial numbers of non-Catholic children would in practice be admitted and would benefit from the creation of such schools.

43. It is possible that new VA faith schools proposed by some faith groups will be less likely to have substantial numbers of pupils of other faiths or no faith, due to the nature of parental demand. Whilst limited data is available, the Institute of Jewish Policy Research found in 2016⁴ that while 86% of all pupils in denominationally centrist Orthodox, pluralist or progressive Jewish schools were from a Jewish background (and therefore 14% of pupils were from non-Jewish backgrounds), in the case of strictly Orthodox Jewish schools, the number of pupils from a Jewish background was 100%. While new VA schools will be required to be welcoming to and address the needs of pupils from all faiths and none; and from different backgrounds and communities, we accept that the operation of parental choice may mean that schools established through this scheme are likely to have higher numbers of pupils of that faith within them. This would reflect parental demand and the ability of parents to choose a school of that faith, where previously they did not have that choice. As data on pupil's religious allegiances is not collected centrally, the impact on protected characteristics will be considered when we assess individual bids.

44. In terms of staff, VA schools, if designated as having a religious character, have the right to employ staff whose beliefs, worship, and/or teaching capacity are consistent with the school's religious designation. They may also take account of a teacher's conduct that is incompatible with that religion when considering whether to terminate the employment of that teacher. As the scheme is likely to create more VA faith schools – an impact may be felt in terms of a small number of new jobs being open on a preferential basis to teachers of those faiths. Such treatment of candidates and teachers, however, is not a breach of the EA because of the exception set out in paragraph 4 of Schedule 22 to the EA and therefore need not be considered under the first limb of the PSED. The impact of the policy will depend on the individual circumstances of each bid approved. The extent to which a small number of new jobs being open on a preferential basis to teachers of certain faith advances equality of opportunity and fosters good relations will be considered in each case, in the department's assessment of bids for capital funding. Decision makers will also wish

⁴ http://www.jpr.org.uk/documents/The_rise_and_fall_of_Jewish_schools_in_the_United_Kingdom.pdf

to consider these factors in their assessment of statutory proposals for new VA schools.

45. Permitting a wider range of faith groups to establish schools which teach RE in line with the tenets of their faith will enable parents of those faiths to secure an education in line with their faith and belief which will benefit those pupils that are of the same faith as the school. However, this may impact on the school choice of those pupils who are not of the same faith as the school or who are of no faith. The potential impact of a new VA school on the intakes of other schools will depend on the individual circumstances of each bid and will be taken into account in our assessment of the bids in order to mitigate any impact on the school choice of pupils of other faiths or none.
46. The fact that VA school proposals will usually be expected to come with a site upon which to build the school, and also that we expect proposers to contribute 10% of capital costs may have an impact on those groups who are less able to meet the 10% contribution. It is important to remember that a 10% contribution to the incurred capital costs is in line with existing and historic expectations in relation to VA schools. It is also important to note that proposers can apply for the department to meet up to 100% of the capital costs incurred where they believe exceptional circumstances apply. Moreover, whilst we expect a 10% contribution from proposers, the free schools programme may be an alternative option which does not require them to meet any capital costs.
47. As part of the application process, we are giving proposers the option for the project to be delivered by the department. As the scheme is designed to enable creation of types of school in response to parental demand in the local area, it is important that we do not exclude those without recent experience of building schools from the scheme e.g. smaller or less established groups, including faith and non-faith groups. The default position will be that the department will lead on delivery of the build project on their behalf. Where proposers wish to self-deliver, in order to ensure value for money, we will ask them to demonstrate a proven track record in delivering capital projects. Where groups do not have sufficient experience, in order to ensure the capital projects are delivered efficiently, the offer of funding would be conditional on the proposers agreeing for the department to lead on delivery. This approach may disadvantage those groups who want to self-deliver but have limited experience. However, we are not aware of any inexperienced groups that are likely to want to self-deliver and this will not in itself prevent them from accessing the scheme.
48. The fact that we will prioritise those with a strong track record could be seen to have an impact on smaller or less established groups. This includes some minority faith groups, for example Sikh or Hindu providers, who may be less likely to have extensive experience in providing new schools. In order to ensure these groups will

not be unfairly disadvantaged, but also assure ourselves that the school is likely to be strong and successful, where groups have not run schools before, we will instead assess the track record of individuals within the group.

49. The scheme is not expected to have a negative impact on equality of opportunity to attend a good school, as new VA schools will simply add to the overall total number of good schools in the system, meeting local demand. The policy will also mean pupils who share the same faith and ethos of the school have more opportunity to go to a school that reflects their ethos and provides a high quality education, which we expect will advance equality of opportunity in areas where pupils of other faiths have previously had more opportunity to go to an appropriate faith school than pupils who share the same faith as the proposed school.

50. The vast majority of VA schools' and faith schools' performance in Ofsted inspections and test and examination results compare favourably with all state-funded schools.

51. In terms of Ofsted inspections, 22% of VA schools are rated Outstanding and 69% are rated Good, compared to 19% and 66% for all state-funded secondary schools. Catholic, Jewish and Church of England faith schools' performance is also consistent with all state-funded primary and secondary schools, but schools of Muslim, Sikh and Hindu faiths have a different split of Ofsted ratings. However, it is difficult to make inferences for these faiths due to the small number of schools – Muslim (31), Sikh (12), Hindu (7).

Ofsted rating of state-funded primary and secondary schools								
	VA	All state-funded	Catholic	Jewish	Church of England	Muslim	Sikh	Hindu
Outstanding	22%	19%	24%	26%	20%	67%	36%	0%
Good	69%	66%	64%	62%	69%	25%	45%	100%
Requires Improvement	8%	11%	9%	11%	9%	4%	9%	0%
Inadequate	1%	3%	2%	2%	3%	4%	9%	0%

52. In terms of examination results, secondary VA schools slightly out-perform state-funded schools in Attainment 8 scores with an average score of 48.9 compared to 47.8. The Attainment 8 scores for all state funded faith schools are higher than the

national average. Note that there are only a small number of schools for some faiths (Jewish, Muslim, Sikh, Hindu).

Attainment 8 scores of state-funded secondary schools							
VA	All state-funded	Catholic	Jewish	Church of England	Muslim	Sikh	Hindu
48.9	47.8	49.1	58.8	48.6	56.7	54.6	54.9

53. In primary VA schools, 66.5% of pupils achieve the expected standard in Reading, Writing and Maths, compared to 62.8% in all state-funded primary schools. For faith schools the percentage of pupils achieving the expected standard in Reading, Writing and Maths is higher than the national average. Note that there are only a small number of schools for some faiths (Jewish, Muslim, Sikh, Hindu).

% of pupils in state-funded primary schools achieving the expected standard in Reading, Writing and Maths							
VA	All state-funded	Catholic	Jewish	Church of England	Muslim	Sikh	Hindu
66.5%	62.8%	67.3%	73.4%	64.1%	65.3%	69.9%	83.3%

54. The Education Policy Institute found that Church of England and Catholic schools performed better at both Key Stage 2 and Key Stage 4 when compared to non-faith schools. However, when they controlled for prior attainment and pupil characteristics, these schools attainment results (at both Key Stage 2 and Key Stage 4) were only slightly better than non-faith schools.^[1]

[1] [Andrews & Johnes, 2016, EPI, 'Faith schools, pupil performance and social selection'](#)

55. If new schools perform similarly to current faith schools, especially with regard to Ofsted and Progress 8, we can expect the creation of any new VA faith schools to result in more pupils attending high-performing schools. As we do not collect data on the religious beliefs of pupils, we cannot definitively assess how the overall policy will impact on the equality of opportunity between different faiths or those of no faith. Whether a school advances equality of opportunity for a particular pupil to attend a good school will depend on the performance of the other schools in the area, and the chances that pupil would have had of being admitted to those schools compared to pupils of other faiths and no faith, if the new school had not been established.
56. As VA schools can select up to 100% of pupils by religious criteria, there might have been a risk of a negative effect on good relations and mutual understanding between pupils and parents of those faiths, and those who are not of that faith.
57. In order to mitigate these risks, all applicants to the scheme will be required to demonstrate how the school, once open, will be welcoming and address the needs of pupils of all faiths and none, and from different backgrounds and communities, in a way that meets our integration and community cohesion objectives and reflects and is in line with the requirements of the Equality Act 2010. Local authorities will also have a role in ensuring the school meets the needs of the local community and assessing how the proposed school will impact on integration and community cohesion as part of the statutory process.
58. We will support new schools, including VA schools, that wish to undertake linking with other schools. The government is investing over £700,000 to enable the Linking Network to develop programmes that will help develop strong and positive links between schools and communities with different religious and cultural backgrounds. It is likely that pupils of a specific faith will benefit from the opportunity to interact with different cultural and religious groups.

Race

59. VA schools do not have significantly different populations of ethnic groups, compared to all state-funded schools. Data from the 2017 school census shows that largest differences between VA schools compared to all state-funded schools is that they are 3 percentage points less likely to have pupils with an Asian Major Ethnic group designation, and around 4 percentage points more likely to have pupils from a Black Major Ethnic group.
60. The creation of new VA schools which are likely to be faith schools will, by its nature, benefit pupils of the ethnic groups that are more likely to have that faith. The following table shows the populations of the major ethnic groups within faith schools. For example, within Catholic schools, the majority ethnic groups are White (72%) and Black (11%). Note that there are only a small number of schools for some faiths – Jewish (49), Muslim (31), Sikh (12), Hindu (7).

Ethnicity of pupils in state-funded primary and secondary schools								
	VA	All state-funded	Catholic	Jewish	Church of England	Muslim	Sikh	Hindu
Asian	8%	11%	8%	3%	7%	75%	81%	92%
Black	9%	6%	11%	1%	5%	14%	1%	1%
Chinese	0%	0%	0%	0%	0%	0%	0%	0%
Mixed	7%	6%	7%	2%	5%	5%	6%	4%
White	72%	74%	72%	83%	81%	1%	1%	2%
Any other ethnic group	2%	2%	2%	1%	1%	5%	10%	0%
Unclassified	1%	1%	1%	9%	1%	1%	1%	0%

61. The data shows that faith schools are likely to have a single majority ethnicity group that attends the school, a significantly smaller secondary group and few pupils from other ethnicities; however, this is the same for nearly all schools, regardless of their religious character. Therefore, we expect little impact on the distribution of ethnicities in new VA schools; although, where new VA schools of specific faiths open, pupils of particular ethnicities (as shown in the table above) are likely to benefit more through increased access than those of other ethnicities. Therefore much of the consideration of data in relation of religion above is also relevant for consideration of race.

62. Due to the correlation between some religions and ethnic groups, there is the risk of negative effects on good relations and understanding between people who share a particular ethnicity and those who do not. It is worth highlighting some faith VA schools, for example Church of England, Hindu or Sikh schools in particular, may choose not to allocate all of their places using faith criteria when oversubscribed,

which may diminish these risks.

63. In order to mitigate these risks, all applicants to the scheme will be required to demonstrate how the school, once open, will be welcoming and address the needs of pupils of all faiths and none, and from different backgrounds and communities, in a way that meets our integration and community cohesion objectives and reflects and is in line with the requirements of the Equality Act 2010. Local authorities will also have a role in ensuring the school meets the needs of the local community and assessing how the proposed school will impact on integration and community cohesion as part of the statutory process.

64. We will support new schools, including VA schools, who wish to undertake linking with other schools. The government is investing over £700,000 to enable the Linking Network to develop programmes that will help develop strong and positive links between schools and communities with different religious and cultural backgrounds. It is likely that pupils of a specific ethnic backgrounds will benefit from the opportunity to interact with different ethnic groups and communities.

Other protected characteristics

65. As covered above, we do not have data on the breakdown of pupils in schools by sexual orientation, pregnancy and maternity or gender reassignment.



Department
for Education

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Reference: DFE-00361-2018



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