

Response to Proposed New Catholic Primary School – Hampton Water

Submitted by email to: consultations@peterborough.gov.uk

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Background

1. This submission is made by the National Secular Society (NSS). The NSS is a not-for-profit non-governmental organisation founded in 1866, funded by its members and by donations. We advocate for separation of religion and state and promote secularism as the best means of creating a society in which people of all religions and none can live together fairly and cohesively.
2. **We urge the city council to reject this proposal. We do so on the basis of the proposal of a for a Catholic voluntary aided faith school at the Hampton Water site being discriminatory, poorly reasoned and unsuitable. Rejection of this specific proposal will provide the opportunity to progress more suitable alternative options for a for an inclusive community-ethos academy that will serve all residents of Hampton Water equally.**
3. The widespread opposition to the VA faith school proposal reflect a range of concerns from local residents, from a broad social, political and religious spectrum.
4. Some residents have a principled objection to schools organised around an exclusive religious ethos; for some their primary concern is the proposed school's discriminatory admissions policy; others would simply prefer an inclusive community-ethos school; and for others there are specific local circumstances which make the proposed VA school unsuitable.
5. This consultation response consists of two parts: (1) a detailed critique of the final proposal document from the diocese and (2) evidence in support of the well-established alternative proposal.
6. We have also included an appendix with a selection of comments from local residents, particularly parents and residents of Hampton Water, impacted by these proposals.

Part one: Critique of final proposal

7. **Page 1:** The proposal states that the school will be inspected by Ofsted. However, it fails to note that in accordance with Section 48 of the Education Act 2005 and practice in other VA schools, Ofsted will not be permitted to inspect the school's religious education. Religious education, collective worship and the school's ethos will be inspected by the diocese to ensure they are promoting a rigorous and distinctive Catholic ethos, regardless of its suitability for the school community. This will ensure that the ethos is all pervasive (see below) meaning that it will be exclusionary and potentially alienating for many families who do not share the school's faith.

8. **Pages 1/2:** The Proposal states that “Some governors, known as foundation governors, will be appointed by the Diocese with the responsibility to maintain the Catholic ethos of the school.” This fails to make clear that “some governors” will in fact be a majority, ensuring strict diocesan control of decision making in the school. This would reduce the ability of the local community to influence the school.
9. **Pages 2/3:** Deal with the diocese’s ‘consultation’. In effect the consultation run entirely by the diocese served as an exercise in promoting the proposal and in gathering evidence for their application. There is nothing inherently wrong in this, all sides of the debate are free to conduct public campaigning in support of their case. However, the impression that this was an objective and open-minded consultation is inaccurate. The No More Faith Schools campaign, which we co-ordinate, held its own information evening and requested that the council host a balanced consultation event. This was unfortunately refused. The diocese’s consultation response form’s¹ central question is whether respondents “agree or disagree with our proposal to open a new Catholic Primary School in Hampton East, Peterborough”. This does not accurately reflect the decision in question (whether the school to open in Hampton Water should be a faith or a community-ethos school). It is reasonable to assume that respondents will be more favourable if (as in this case) the proposed faith school is presented as the only option.
10. **Page 5:** Under “reason for the new school” the diocese state that “The new school will provide additional school places in the housing development area of Hampton East, Peterborough. This will support the City Council in meeting its statutory duty of providing sufficient school places for its growing population.” However, the discriminatory nature of the admissions and exclusive ethos means that it will not provide suitable school places for many residents.
11. **Page 5:** States: “The new school will provide new faith school places for the Hampton area, which is not currently served by a faith school.” This is not entirely accurate. Due to their discriminatory admissions policies many faith schools (particularly voluntary aided schools) have wider catchment areas. Peterborough also provides far more generous transport subsidies to those attending faith schools (see below). As the diocese’s own proposals states, existing Catholic schools in the city have places left over which are not entirely filled under religious entry criteria. These factors combine to mean that no resident of the area who explicitly wants a place at a Catholic faith school (and qualifies under the faith-based selection criteria) is unable to get one.
12. **Page 5:** “Further evidence on meeting need from housing growth” argues strongly against the diocese’s own case, by demonstrating the significant need for local school places to serve the entire community.
13. **Page 6:** The diocese claims to provide “Further evidence on the need for new faith places”. However, the ‘evidence’ provided for this is distinctly unimpressive. The “records of 347 baptisms of children due to start school between 2021-23” do nothing to argue for a need for expressly Catholic faith school places. A Catholic baptism is not evidence that parents necessarily want a faith school or that they would be in any way unsatisfied with a community-ethos school. Indeed, there are many Catholics opposed to the VA school proposal as evidenced by responses to our petition. Discriminatory faith schools are unpopular across all religion and belief groups. For example, in a 2016 *Populus* poll 63% of Catholics opposed religious selection of pupils.²

¹ <https://www.rcdea.org.uk/wp-content/uploads/2019/09/HamptonsConsultationResponseForm.pdf>

² <https://www.nomorefaithschools.org/uploads/hampton-water-nmfs-briefing.pdf>

14. **Page 6:** The argument that “The nearest Catholic school, Sacred Heart Primary, is 5 miles away from the proposed new school’s site and is full in all year groups.” also fails to demonstrate need for the school in Hampton Water to be faith based. This is within the area where the council provides transport for families to faith schools. While it is full in all year groups this is because of spaces left over after religiously selective admissions policies have been applied and would not be a bar to Catholic families from Hampton Water gaining places at these schools, if they wished.
15. **Page 6:** Under “Further evidence on diversity of school provision in the Hampton area”, the diocese continue to present the inaccurate impression that faith school specific places are an entitlement that the city is under a duty to provide. Diversity of school places is a multifaceted question, and there is no duty on the City Council to provide an “expanding” number of faith school places to keep things “proportionate”.
16. **Page 7:** The statement that “*The Catholic ethos will permeate all areas of the curriculum and underpin the school’s work and objectives*” demonstrates that the school will not be inclusive, but will be based around an exclusive and all-encompassing religious ethos that will be alienating and exclusionary for many families who do not share the school’s faith.
17. **Page 7:** “Data for the two existing Catholic primary schools in Peterborough show that 72% of pupils across the two schools are Catholic, with children from Muslim families the second largest stated faith group.” We note the inconsistency of describing children from Muslim families as such, while making the unwarranted assumption that pupils from Catholic families will necessarily share the faith. The data further reflects the imbalanced intake of such schools.
18. **Page 7:** The statement that “The new school will welcome children of all faiths and none, who respect the values of a Catholic education.” is typical of the at best cognitive dissidence or lack of self-awareness in asserting that an exclusive religious ethos is inclusive. The qualifier or “*who respect the values of a Catholic education*” reveals that claims of inclusion are little more than platitudes. The welcome that members of a school community receive should not be dependent on them accepting a specific religious (or irreligious) ethos and would not be in any community-ethos school.
19. **Page 13:** The proposal states that “As the new school roll grows, additional staff appointments will be made carefully to expand the range of experience and expertise in the school.” This fails to note at any point that the school will have the power under Section 60 of the School Standards and Framework Act 1998 to apply a religious test in appointing new teachers and remunerating and promoting all teachers. Teachers can also be disciplined or dismissed for conduct which is “incompatible with the precepts of the school’s religion”. In practice, such discrimination is likely to be restricted to senior positions. However, it still presents a significant barrier to local teachers who do not share the school’s faith. Section 44 of the DfE’s equality impact assessment of proposed new VA schools recognises the potential harm caused by increased discrimination against teachers who do not share the school’s faith.³
20. **Page 13:** The proposal states that the school’s RE curriculum will improve local education. It fails to note that the RE curriculum will be denominational and inspected to ensure it promotes a

3

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/765515/Equality_impact_assessment_-_VA_capital_scheme.pdf

Catholic ethos (see above). In keeping with the Catholic Education Service position statement on the purpose of RE in Catholic faith schools,⁴ it recognises “other religions”, but has no explicit reference to non-religious perspectives, likely to be held by the majority of local residents. The purpose of RE and the school will be to *“help parents, priests and teachers to hand on the Deposit of Faith in its fullness to a new generation of young people so that they may come to understand the richness of the Catholic faith, and thereby be drawn into a deeper communion with Christ in his Church”*. Section 45 of the DfE Equality impact assessment (see above) recognises the negative impact on families who do not share the school’s faith of increased VA schools teaching RE from their religious perspective.

21. **Page 13:** The proposal states that this will be “a school for its community”. This is despite being in direct opposition to a community-ethos alternative. The proposal repeatedly conceives of the “community” in religious terms which many residents of Hampton Water will not recognise. The Department for Education’s equality impact assessment states that “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.” Community cohesion is not served by organising schools around an exclusive or exclusionary religious ethos, or by denying families places a school that should be at the heart of their community. The DfE’s impact assessment (see above) acknowledges the *“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”*. On this basis, the council should reject the application and proceed with supporting the community-ethos alternative (see below) which could help heal the relations between residents of different faiths and beliefs harmed by this discriminatory and divisive proposal.
22. **Page 14:** The statement that “we expect by far the majority of pupils to live within walking distance of the school” is unclear and un-evidenced. The school’s religiously selective admissions policy and off-putting exclusive ethos will necessitate a wider catchment area, this is only likely to increase in future years if the cap on discriminatory selection (see below) is lifted. In most open admission and community-ethos schools in such a situation, we would expect the vast majority of pupils to live within walking distance. This statement gives the inaccurate impression that the school will not result in unnecessarily increased traffic.
23. **Page 15:** The proposal makes clear that as in other VA schools, despite the public providing 100% of the running costs, and in this case 100% of the initial capital costs coming from public sources, that ownership of the school will be gifted to the diocese.
24. **Page 15:** The misuse of the Section 106 agreement funds detailed here is a source of particular consternation for local residents who object to the school. Section 106 agreements require housing developers to make funds available or provide assets for specific public purposes. It was the clear intent of the Section 106 agreement for “Primary School B” in Hampton Water to serve the local community.⁵
25. **Page 15:** The costs associated with the Section 106 agreement are passed to initial home owners through their purchase price and many moved to the new growing area expecting that this would

⁴ <https://www.catholiceducation.org.uk/schools/religious-education/item/1002967-about-religious-education-in-catholic-schools>

⁵ <https://www.nomorefaithschools.org/uploads/section-106-funding-agreement.pdf>

mean they would have a school that served them. Only a community-ethos school would serve all such residents equally.

26. **Page 16:** The proposal states that “Travel of pupils to the school will be in accordance with Peterborough City Council’s Home to School Transport Policy currently in force.” However, it fails to note that the city’s current home to school transport provisions have been reduced towards the statutory minimum, which advantages faith schools. In effect, the council subsidises transport for up to 6 miles for transport to non-faith schools and up to 15 miles for transport to faith schools. Given that VA schools tend to have a wider catchment area, this is likely to increase transport costs.
27. **Pages 22/23:** For many, the proposed discriminatory admissions policies of the school are the primary objection, along with the exclusive and exclusionary religious ethos. This is strongly evidenced in Annex 3 regarding the proposed admissions policy.
28. **Pages 22/23:** The admissions policy makes clear that the primary purpose of the school is to “*provide education for children of Catholic families*” and that “*priority will be given to Catholic children*” [sic]. In the first year (though subject to annual review by the governing body) the school will also make 20% of places “open places” (these would be 100% of places in any community-ethos school). These 20% of open places would not be subject to religious discrimination/selection but open to local pupils from all faiths and none.
29. **Page 23:** The remaining 80% of places may all be subject to discriminatory religious selection, and this figure could rise to 100% in future years as originally proposed by the diocese. The oversubscription criteria for the 80% of foundation places makes clear the hierarchy of discrimination which will disadvantage so many local residents. The policy prioritises children from Catholic families. However, among children from non-Catholic families, there are different levels of discrimination. “Catechumens and members of an Eastern Christian Church.” Are next most favoured, followed by “Children of other Christian denominations”, then by “Children of other faiths”, with “Any other children” placed last in the queue.
30. **Pages 22/23:** We note that since the earliest stages of this proposal, the diocese have on multiple occasions sought to create the misleading impression that they have been prevented from opening new faith schools since the introduction of free school academies and that approval of this VA school proposal is necessary to address this ‘barrier’. In reality, the DfE have, throughout the free school period, continually and enthusiastically invited the Catholic Education Service to establish new free schools. Catholic dioceses such as that of East Anglia have flatly refused to open schools under the 50% cap rule. A rule which requires a maximum of 50% of places in faith based free schools to be assigned based on faith, with the remaining places open to pupils of all faiths and none. The Catholic Education Service have at points inaccurately claimed that this would result in pupils being turned away from state funded Catholic faith schools *because* they were Catholic. Given their sustained opposition to the 50% cap and insistence of their freedom to practice up to 100% religious selection as a prerequisite for accepting public funds for new schools, local residents can have little to no confidence in the diocese’s commitment to the 80% cap, with 20% open places. Given that the school as its own admissions authority will have the freedom to change this in future, it appears to be little more than a fig leaf to diffuse criticism of the discriminatory admissions policy. It will therefore offer little comfort to residents who may have or are planning children who would start primary school in September 2023 or later.

31. **Page 22:** The admissions policy annex also makes clear the all-encompassing and exclusive religious ethos that will make the school exclusionary and unsuitable for many local non-Catholic families, or those who do not want a school with an explicit religious ethos – even if they are able to navigate the admissions hurdles. It states that: *“As a Catholic school, we aim to provide a Catholic education for all our pupils. At a Catholic school, Catholic doctrine and practice permeate every aspect of the school’s activity. It is essential that the Catholic character of the school’s education be fully supported by all families in the school. We therefore hope that all parents will give their full, unreserved and positive support for the aims and ethos of the school.”* It is patently unreasonable to expect families to support such an explicit religious ethos in order to access their local state school.

Part two: Evidence in support of alternative proposals

32. Hampton Academies Trust (HAT) a local multi-academy trust who run four existing schools in the area have an alternative proposal for a school (named Hampton Gardens Primary School)⁶ on the site. HAT is a DfE approved school sponsor. That they have the capacity and experience to deliver a school in Hampton Water is not in dispute.
33. **Should the council decide to reject the VA school proposal, the overwhelmingly most likely option is that Hampton Gardens Primary School will be able to open in September 2022.**
34. This would be a community-ethos academy with none of the problems of religious discrimination or an exclusionary religious ethos presented by the VA faith school proposal. It would better reflect the inclusive ethos and needs of the diverse and growing Hampton Water community.
35. As made clear in their 18 September position statement, Hampton Academies Trust are still willing to put their proposal forward and are opposed to the VA school proposal.⁷ Their objection is based the VA school not meeting “basic need” and the adverse “impact on families and the environment”.
36. Hampton Academies Trust objection based on that “The proposed school will not meet basic need”:
- *“Peterborough and Hampton in particular have been and are expected to remain areas of high population growth. We believe that what is needed is a local strategy to provide sufficient school places for all. A faith school is allowed to admit a high proportion of its pupils on the basis of their religion, meaning it could admit large numbers of pupils from outside of the development. This would mean that in the longer term the school would not deliver sufficient school places to meet the growing local demand.”*
 - *“The proposed site has been provided for the purpose of primary education under a Section 106 Agreement between the developer and Peterborough City Council. The clear intent of the Section 106 Agreement is to provide sufficient school places for families moving into the new housing to the east of the A15. We would argue, therefore, that the provision of a school, able to admit pupils from beyond the immediate area, would not be in the spirit of the Section 106 Agreement.”*

⁶ https://www.hamptonacademiustrust.org.uk/site/assets/files/1157/hampton_east_-_primary_leaflet.pdf

⁷ <https://www.hamptonacademiustrust.org.uk/news/hampton-academies-trust-position-statement-proposed-catholic-primary-school-on-hampton-east/>

37. Hampton Academies Trust objection based on “Adverse impact on families and the environment”:

- *“Hampton residents have faced challenges in recent years when trying to get their child into a local school. The local Hampton schools are often full with long waiting lists: a situation that local ward councillors are very familiar with and have been actively engaged in rectifying. On many occasions in the past the Hampton Academies Trust has assisted the Local Authority in trying to meet this high local demand: we have accepted bulge classes at Hampton College, opened Hampton College Primary Phase and most recently, we have worked jointly with PCC and the Department for Education to open Hampton Gardens (secondary) and Hampton Lakes Primary School as free schools.”*
- *“If the plan to open a catholic primary school were to be approved, we could have a situation in future years where children from outside the area are being driven onto Hampton each day, while Hampton children, unable to get a local school place, are driven to other parts of the city.”*

For more information please contact

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