



## **Briefing No. 1 Education and Inspections Bill, March 2006**

This Bill was published 28 February 2006.

<http://www.dfes.gov.uk/publications/educationandinspectionsbill> During the passage of the preceding White Paper, CES colleagues had frequent meetings with Directors and Officers at DfES to discuss our concerns about various aspects of the White Paper. We also had meetings with Andrew Adonis during this period and entered into correspondence on a number of matters. The CES felt that the Bill was likely to be of such significance for our sector that it would merit urgent consideration by the Bishops of England and Wales. To this end, representatives of every diocese met at a Bishops' Symposium held in Archbishop's House, Westminster on Friday 3 March 2006.

The CES was able to offer Bishops a briefing on what had been in the White Paper, as well as an initial report on the Bill itself, enhanced by the CES' meeting with Jacqui Smith to hear her present the Bill on the day it was launched. Since then CES Officers have had further meetings involving the Bill manager and other senior officials at DfES. We have followed the second reading of the Bill, which took place on Wednesday 15 March 2006

<http://www.publications.parliament.uk/pa/cm200506/cmhansrd/cm060315/debindx/60315-x.htm>. Between the launch of the Bill and the second reading we were also fortunate to have conferences with the Diocesan Schools' Commissioners, and also with the Diocesan Directors of Religious Education. All these events have enabled the CES to hear opinions and to take the steer of the Bishops.

The Bill makes no overt attempt to persuade the Churches to change from VA schools to Trust/foundation schools and the CES is confident that it is the wish of the Bishops and our diocesan partners to ensure that our Catholic VA sector remains the Church's continued response to providing a Catholic education for Catholic pupils. We treasure the safeguards that it offers us, particularly in relation to the ethos of the school, the time allocation and content of religious education and to ensuring the Catholic life of the school. The CES has, therefore, a clear mandate to act to try to ensure that nothing undermines this provision. Bishops have also called for a restatement and reformulation of our vision in education, mindful of the needs of the twenty-first century. This could, for example, mean exploring opportunities to participate in partnerships with others to provide an education for the most disadvantaged in society but **this would be something new, in addition to our present voluntary aided schools**. Various conversations are taking place to begin to explore what this could mean.

In the meantime, officers of the CES are working to ensure that the assets of the Church are not threatened in any way by the Government's intention to ensure that publicly provided funds be returned to local authorities upon the sale of school land.

CA on behalf of OMS

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At one level this is an understandable protection in the light of the Government's proposal to encourage foundation schools, i.e. private ownership, but it would not be acceptable to cause this to be a hindrance to the Church's release and recycling of its capital in the event of a sale or similar. We are also concerned at the implications of the code of practice on admissions; as yet unknown. However, we fully support the removal of interviews from the admissions procedures but do want to ensure that governing bodies retain their place as the admissions authority to Catholic schools. There has been some disappointment amongst dioceses at the proposal to remove School Organisation Committees (SOCs) as this is likely to reduce diocesan opportunities to be involved in the strategic planning of school places. In response, with the Church of England, we are pursuing a more active role for dioceses as consultees during the development of the Children and Young Person's Plan required in every local authority; it is hoped that this will give dioceses a chance for the same strategic input. Many will have hoped that we could strengthen the Church's position in relation to travel to school but the proposed situation looks to be something of a Curate's egg. Broadly speaking, subject to certain criteria, it looks as though the poorest will be entitled to free home to school travel to a Catholic secondary school within a six mile radius where they have obtained a place. We are optimistic that this radius may be enlarged. We do not hold out any hope of extending the provision of free transport to children where there is not a social need, based on low income criteria.

We are disappointed at the lack of reference to religious education in those parts of the Bill talking about the curriculum. Whilst we accept that it is not part of the National Curriculum but a more specific statutory requirement, we will be lobbying for overt reference to be made. Similarly, in relation to the curriculum for 14-19 year olds, we are concerned about the lack of reference to their spiritual, moral, social and cultural development and want to see a more explicit reference made to the requirement that young people be educated in ways that give ample opportunity for these rather than a utilitarian model of education dominating.

We are currently waiting for the announcement of committee members for the Bill and continuing to work closely with DfES officials and others to persuade on the priorities for the Church. Sarah Billington is acting as the CES' Bill Manager and any comments or observations should be forwarded to her at [sbillington@cesew.org.uk](mailto:sbillington@cesew.org.uk). The CES is also keeping Catholic Parliamentarians informed and will be expecting to do more detailed briefings when the Bill reaches the House of Lords. The following text will be included in an upcoming Public Policy Digest, published via the Secretariat of the Bishops' Conference which will be sent to all Catholic Parliamentarians.

### **The Education and Inspections Bill**

We welcome many of the educational provisions of the Bill, including the opportunities for further collaboration between schools and further education institutions, additional support for teachers in dealing with disruptive behaviour and the establishment of new nutritional standards for food and drink served in state schools. We also broadly welcome the important changes to the curriculum, but are concerned that all young people – whatever their chosen subjects or route – should have access to high quality religious education and

spiritual, moral, social and cultural education. We are far from convinced that the necessary safeguards to ensure this are yet in place.

Whilst the elements of the Bill which deal with structural reforms have been altered since the White Paper, we remain concerned that the changes are not sufficient to ensure that the reforms help the most economically and educationally disadvantaged in our society (the test which all parties have set for the reforms).

### **Diocesan role**

The Bill does not sufficiently recognise the key strategic role which is played by Catholic dioceses, and the need to ensure they are adequately represented in local decision-making. The existence of School Organisation Committees acknowledged the fact that local authorities need to work collaboratively with dioceses and we are not yet confident that they will be adequately replaced. It is unclear how the Office of the Schools Commissioner will work in practice, and how the DfES will ensure that all officials receive adequate training.

### **Trust schools**

There is a lack of clarity about some important technical aspects of how Trust schools will work, particularly around land transfer and assets. We accept the need for safeguards to ensure that Trusts are not able to benefit at public expense, but this must not endanger the rights of existing Trusts – in our case, the dioceses and religious orders.

### **Access to Catholic schools**

We welcome the Government's decision to ban schools from interviewing, but are concerned that the new Code does not permit a sufficient degree of freedom for admissions authorities to reflect the local situation in their decision-making. There have been a number of delays in publishing the revised Code of Practice. Ruth Kelly has promised that the "main contents of the admissions code will be there to be scrutinised ... during the Committee stage [of the Bill]". It is essential that the "main contents" are sufficient and explicit enough to allow schools and dioceses to form a view as to how they will affect current practice.

Whilst we welcome proposals to make the admissions process more transparent and easier for parents to manage, it will be important that choice advisers are well trained and an objective source of advice.

Additionally, the practical effects of the proposals on home-to-school transport are still unclear. In particular, we will be examining the transport offer to ensure it is sufficient to allow children from the poorest Catholic families to continue to attend Catholic schools. For many Catholic families, there is not a Catholic school within 6 miles.

### **The response of the Catholic Church**

The publication of the Bill – alongside the current faith schools debate – was a significant moment for education in this country, and the Bishops met together in a symposium to consider their response. Every diocese in England and Wales was represented. The Bishops were unanimous in their support for the continuation of voluntary aided schools and the freedoms this offers, e.g. curriculum time for RE, governance, and the ethos of the school. These would be proscribed as trust or foundation schools. The CES have also sought assurances that foundation status may not be sought without the agreement of existing trustees.

Bishops are, however, interested in exploring whether there is an additional contribution that we could make to helping the disadvantaged by working with other partners – e.g. other faith groups – to establish new types of schools on the trust/foundation model.

The CES will be writing to Catholic parliamentarians as the Bill progresses to update you on the Church's position and to seek your help as necessary. For further details, please contact Peter Walsh, 0207 901 4854, [pwalsh@cesew.org.uk](mailto:pwalsh@cesew.org.uk).