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**Faith designation reforms for new and existing free schools and special academies**

1. The Association of Directors of Children's Services Ltd. (ADCS) is the national leadership organisation in England for directors of children's services (DCSs) under the provisions of the Children Act (2004). The DCS acts as a single point of leadership and accountability for services for children and young people in a local area, including children's social care and education. ADCS welcomes the opportunity to respond to the Department for Education's (DfE) consultation on faith designation reforms for new and existing free schools and special schools.

**Faith admission reform for new and existing free schools**

2. ADCS disagrees with the proposal to remove the 50% admissions faith cap for oversubscribed schools. The rationale for doing so appears to be to allow for greater sufficiency of schools, however, ADCS does not believe this is the best route to achieve this, nor will it lead to a significant number of new schools opening. Instead, it risks denying local children who are not part of a certain faith the ability/opportunity to attend their nearest school. Not only does this have serious implications for place planning, it runs counter to the government's Integrated Communities Action Plan (2019). ADCS is similarly concerned that this move could have unintended consequences in terms of community cohesion and therefore further contradicts wider government policy.
3. The removal of the cap appears to represent a backwards step, the vast majority of schools work hard to teach an understanding of, and a respect for, other faiths, values and cultures in order to prepare learners for life in modern Britain and as global citizens. ADCS suggests this proposal is set aside and revisited in its own right. If the cap is apparently having little impact in improving diversity in faith free schools then then we need to understand the reasons why, not simply seek to abolish it.
4. ADCS is also concerned that encouraging the opening of new faith free schools might bring forward new plans for smaller free schools based on narrowing orthodoxies. A single lens focus on faith as opposed to a faith-based education open to children of all faiths (and none) risks a return to increasingly segregated and siloed communities.

**Religious designation of special academies**

5. ADCS holds significant concerns about the proposal to allow special free schools to have a religious designation. Whilst there remains a shortage of special school placements, the current national approach to funding the opening of new special free schools has been undertaken in a piecemeal way which does not reflect local need for new specialist provision. Allowing special free schools to have a religious designation risks exacerbating this issue, particularly where parents and carers chose a religious special school that is not close to home. Long distance placements do not offer some of the key outcomes we want for our children and young people; if children are to grow up

to be fulfilled, independent adults, connected to their communities, it is right that they are educated as close to home as possible where their needs can be met. Travelling long distances to attend school can be tiring and negatively impacts a child's ability to participate at school. Home to School Travel costs have increased exponentially over recent years in the wake of rising numbers of EHCPs and increased costs due to inflation and market pressures, introducing a faith-based element of choice will drive up costs.

6. The SEND and alternative provision improvement plan 'right support, right place, right time' seeks to reduce the number of cases taken to tribunal which predominantly rule in parent's favour. However, the introduction of special free schools with a religious designation adds an additional reason for tribunal hearings to take place, creating the risk that a school will be selected based on religious preference, over another closer school which can better meet the child's needs. It is right that we work towards creating a less adversarial, more child centred system based on children's needs; the increasing time and money spent on SEND tribunals is time and money that otherwise could be reinvested into the system. ADCS believes more focus and resource should be targeted towards meeting this aim, rather than creating additional factors that could contribute towards further disputes. The SEND system is at crisis point; over half of LAs are part of an intervention programme, but High Needs Block deficits are continuing to grow and a significant number of LAs are likely to issue a section 114 notice if the statutory override ends in 2025-26, as planned. Efforts must be focused on a whole-scale review of the SEND system, otherwise sustainability will never be reached.