

## COVID-19 and applications for admission to Church of England schools

### Advice to clergy

**This advice is offered to all clergy, even if you do not have a church school in your parish, as you are likely from time to time to get requests to sign forms verifying church attendance.**

### The impact of COVID-19

Many Church of England schools give some priority, in their admissions arrangements, to children whose parents or carers are members of the Anglican Church.

The majority of these schools, as the most appropriate measure of faith commitment, use regular attendance at public worship, with that attendance verified by a member of the clergy or designated church officer.

Governing bodies of these schools determine the level of frequency of worship they require to meet that commitment and the length of the period during which this is measured.

However, the COVID-19 pandemic has led to churches and other places of worship being closed for public worship under the provisions of the Coronavirus Act and its associated Regulations since lockdown was implemented in mid-March.

From 4<sup>th</sup> July, churches have been permitted to re-open for public worship. They have had to do so in a COVID-secure way. It is recognised that churches will open on different dates and their pattern of services may also be different, for example to show that social distancing can operate effectively. Should it be necessary, the government has the powers to re-introduce restrictive measures either nationwide or more locally.

Parents have not, therefore, been able to show that they meet the faith-based over-subscription criteria for regular church attendance during this period of temporary church closure.

Consequently, many schools have requested a variation to their admissions arrangements to address this issue. In agreement with the Office of the Schools Adjudicator, the Church of England Education Office and the Department for Education, the following wording has been agreed:

***“In the event that during the period specified for attendance at worship the church (or, in relation to those of other faiths, relevant place of worship) has been closed for public worship and has not provided alternative premises for that worship, their requirements of these admissions arrangements in relation to attendance will only apply to the period when the church (or in relation to those of other faiths, relevant place of worship) or alternative premises have been available for public worship.”***

This variation also covers churches which could not be re-opened for public worship after 4<sup>th</sup> July 2020 because, in the judgement of the incumbent and their PCC, that could not be achieved in a COVID-secure manner. It also applies to the situation where a subsequent local, regional or national lockdown leads to a church being closed for public worship.

## Key questions to help you implement the new requirements

### How is the period of church closure determined?

On Tuesday 17<sup>th</sup> March, the Archbishops of Canterbury and York wrote to all dioceses and clergy, requiring the suspension of public worship. **The advice is that the 17<sup>th</sup> March is the appropriate start date to use.**

### Our church has reopened for public worship. What date should we use in relation to school admissions and church attendance?

This will vary from one church to another, depending on the circumstances, since some will need significantly longer to reopen for public worship and, to be COVID-safe, may need to restrict the number and nature of services, or the number attending. The suggestion is to use the date of the first public act of worship that the congregation would normally attend, which will often be on a Sunday, although the suggestion cannot be interpreted rigidly.

### The school's admissions policy requires a specific level of attendance at church - e.g. at least twice a month for a year - before the application is made. So how do I calculate attendance and does this mean that people cannot meet the requirement due to the closure?

No, they can still meet the requirement – during the closure period, they could not have attended church even if they had wished to do so, therefore the requirement cannot apply. It would apply to the period before closure and would come into force again when the churches did re-open for **public worship**. If the attendance requirement was being met when the church was open, it is fulfilled.

To determine the level of attendance, you should look at the pattern of attendance prior to closure and then again from when the church re-opened for public worship, within the qualifying period stated in the school's admissions policy.

Example: the school's admissions policy states that attendance should be twice a month for 1 year prior to the application being made. The calculation would be on attendance 2x a month in the months prior to closure, plus 2x a month for the number of months after the church re-opened within the stated period of 1 year. In effect, the presumption would be that, on this basis, the required attendance would have been met had the church been open for the full year.

If the policy requires a specific number of attendances in a given period, e.g. 1 year, and the church was closed for 1/3 of that year, then the number of attendances required would be 2/3 of the number stipulated in the admissions policy.

### When churches are open for private prayer, will that meet the attendance criterion?

No, because this is, by definition, not an act of public worship.

### We have been streaming our regular services initially from the church and subsequently from our homes. Does this meet the definition of public worship?

No, mainly because attendance is difficult to confirm.

## What to do if the church is only partially open for public worship

### Could applicants be told that they must attend another church if their own is closed or only partially re-opened?

That isn't possible because the Church of England places no requirements on worshippers to attend a specific church, other than where that is required in order to fulfil particular criteria for matters such as marriage, baptism or joining an electoral roll. In addition, there may not be another church within a reasonable distance. It is also the case that for practical, liturgical or pastoral reasons, people may freely choose which church they attend, whilst many attend more than one church, for example where parenting arrangements are shared. If such a condition were to be considered by the Office of the Schools Adjudicator, there is no doubt that it would be judged as being in breach of the School Admissions Code.

### What about when a church reopens, but with restrictions on public worship?

Whilst the majority of churches have reopened, the COVID-safe requirements have required significant changes to the conduct of public worship. Chief among these has been the limit on the number of worshippers at each service.

#### Two particular concerns have been:

- a) people who were shielding or clinically vulnerable may have in theory been able to return to church, but judged that it involved too great a risk to their health, or to another family member
- b) people who sought to return to church could find themselves unable to attend because all of the places available had been taken up, despite their best efforts.

Our schools were founded to generously serve their communities, especially those who were disadvantaged or marginalised. It is essential to make provision which maintains that ethos, while also fulfilling our statutory obligation to be fair to all applicants, and clear and transparent about how they can fulfil the school's admissions requirements.

#### The solution:

The model variation specifically refers to the church being closed for **public worship** and no alternative premises being made available. That wording covers the situation where the church's usual capacity is not available to all its congregation, either because they are not able to attend because they are clinically vulnerable or are shielding, or because they have not been able to 'book' one of the available seats during public worship.

For admissions purposes, those unable to attend for one of the reasons given above can be treated as if the church was in fact closed for public worship.

### Is any evidence needed that one of those circumstances applies?

Yes, because otherwise it isn't possible for an admissions authority to show that its decision to offer or decline to offer a place was objectively based in a particular case.

**What sort of evidence could be provided?**

That could be a letter from a GP, or the NHS or their consultant, or another professional such as a social worker, advising a person that they should shield. For those unable to access a place at a service, the evidence might be an email or other communication with the incumbent or churchwarden, information from one of the 'booking systems' that many churches are using and other similar means.

**What about families who will find it hard to provide such information, for example because they do not have ready access to technology?**

That's a significant point, although families will of course be completing their application and Supplementary Information Form (SIF), either on line or in hard copy. Schools and churches should therefore be flexible about how this evidence is produced: at the same time, important decisions about school places will be made upon it, so it is not unreasonable to expect applicants to help provide such information.

**In these circumstances, should such documentation be included with the school's Supplementary Information Form?**

Yes, and it should also be referred to in the Minister/ Faith Leader Verification Letter, so that it can be properly considered by the admissions authority.

If you have any concerns or are unclear as to how to deal with a particular request, please contact:

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