

S E C R E TC.P.(50) 87COPY NO. 3227TH APRIL, 1950CABINETTHE CHURCHES AND THE EDUCATION ACT, 1944Memorandum by the Minister of Education

Before the Election I consulted the Lord President's Committee about the Roman Catholic Hierarchy's claim for increased public assistance for Roman Catholic schools. On 24th June, 1949, the Committee considered my memorandum (L.P.(49) 46) and supported my view that we should stand by the settlement embodied in the Education Act, 1944 (L.P.(49) 13th Meeting, Minute 6). In general the Opposition took a similar line.

2. Since then I have instituted administrative measures, about which I have been in consultation with the Hierarchy and the Church of England, to alleviate what I understand to be their chief present anxieties. As the 1944 Act stands the Managers or Governors of a school which desires aided status have to satisfy me within six months of my approving the local education authority's development plan for the area concerned that they are able to meet their share of the cost of the necessary alterations and improvements to the school. The purpose of this time limit was to ensure that the benefits of aided status would not be available for schools which had no real prospect of meeting the full responsibilities of that status.

3. It is obvious that development plans cannot be executed as quickly as was expected when the Act was passed and very many of the projects in respect of which the churches are required to satisfy me of their ability to raise their share of the cost will not be implemented for a good many years to come. This leads to the situation which, in his recent speech, the Archbishop of Canterbury described as the churches having to satisfy me that they will be able to meet "an unascertainable liability at an unascertainable time".

4. I have, therefore, proposed to the churches that I should assess ability by reference to a sliding scale. In other words I should apply progressively more lenient criteria according to whether the work is likely to be done within two years, in under ten years, or in more than ten years' time. I am not unhopeful of being able to reach an accommodation with the churches on this point and this is as far as I personally should be disposed to go.

5. I realise, however, that the Hierarchy have secured a good deal of public support for their case. Indeed, apart from a statement by the Free Church Federal Council which



attracted little notice, the Roman Catholics' claims have provoked surprisingly little opposition from those quarters from which such opposition was to have been expected. It was doubtless this fact which led the Archbishop of Canterbury on behalf of the Church of England to join in asking for some amelioration of the present difficulties.

6. In the circumstances my colleagues may feel disposed to make a more substantial concession to the churches. This would involve amending legislation on which it would be advisable to secure the agreement of the other interests concerned, notably the Free Churches, the teachers, the associations of local education authorities and the T.U.C.

7. No measure will satisfy the Hierarchy which does not relieve the Roman Catholic community of the entire cost of their schools. Such a radical alteration of the law would in my view be objectionable in principle and unacceptable to public opinion as a whole. I have already referred to the Free Churches' opposition to the Hierarchy's more extreme claims and I would also observe that the Archbishop of Canterbury in his statement was at pains to make clear that the Church of England is prepared to abide loyally by the 1944 settlement. There is in fact no real evidence to show that the cost of implementing the obligations which under the existing law are likely to fall on the churches is so crushing or intolerable as the Hierarchy suggest. Over 2000 church schools have already had their status settled. Not one existing Roman Catholic school has failed to achieve aided status, while the proportion of Church of England schools achieving aided status is higher than was expected. The truth is, I suspect, that the Hierarchy do not wish to put themselves in a position where, having satisfied me of their ability in every case, logically they could no longer protest their inability to meet the obligations laid upon them by the 1944 Act.

8. Accepting, therefore, that no alteration should be made in the 1944 settlement which would have the effect of increasing grants from public funds in respect of existing church schools or of assisting the establishment of new church schools, amending legislation might take the following form:-

Denominational schools which have not yet become aided or controlled might be given a third option, namely, provisional aided status. This would carry with it most of the present advantages of aided status (50 per cent grant from the Exchequer towards the cost of external repairs and such urgent improvements to the school buildings as may be required by the local education authority from time to time; the appointment of teachers by the managers or governors, as at present; and the giving of denominational religious instruction without restriction.) To secure provisional aided status the managers or governors would have to satisfy me only that they were able to meet their share of the estimated annual costs of external repairs and, from time to time, of such urgent improvements as might be required. When the time came when the local education authority (subject to an appeal to myself) could reasonably require the buildings to be brought fully up to standard, the managers could either satisfy me of their ability to meet half the cost and acquire substantive aided status or allow the school to become controlled. Provisional aided status could become substantive at any time if the managers or governors satisfied me of their eventual capacity to meet their ultimate obligations.





To satisfy the Free Churches, it would be necessary for church schools in single school areas to remain subject to the existing law and have only two options, controlled or substantive aided status. Such a restriction would not, I believe, be unacceptable to the Roman Catholics (who have very few such schools) or to the Church of England, who have always recognised that these schools present a special problem.

9. Such a proposal should not entail additional public expenditure. On the contrary, since a number of Church of England schools would probably seek provisional aided status which would otherwise have become controlled (and so have all their expenses met out of public funds), there should be an appreciable, though not substantial, saving which would benefit local rates more than Exchequer funds.

10. Even if my colleagues share my view that we should go no further than the administrative measures I have outlined in paragraph 4, I should nevertheless like their views on the suggestion that, if the Opposition intend to hold out any possibility of amending legislation, I should be free to refer in guarded terms to the amendment I have outlined in paragraph 8, making it clear, of course, that the agreement of the various interests concerned would be necessary.

11. To sum up, I personally would limit action to administrative measures. In view, however, of the sympathy evinced for the churches' point of view (and of the political disadvantages which we might suffer if we let the Opposition make the running) I would be ready to sponsor a limited amendment of the Act, and I should like to be free, if necessary, to refer to this possibility during the forthcoming debate on my Department's estimates.

G.T.

Ministry of Education

27TH APRIL, 1950.

