the national archives

(c) crown copyright

Catalogue Reference:CAB/24/210

Image Reference:0003

[THIS DOCUMENT IS THE PROPERTY OF HIS BRITANNIC MAJESTY'S GOVERNMENT].

C A B I N E T.

Copy No. 34

SECRET.
C.P. 73/30.

VOLUNTARY SCHOOLS.

MEMORANDUM by the PRESIDENT of the BOARD OF EDUCATION.

In the last few months I have been trying by private conference to find an agreed solution for the present difficulties in relation to Voluntary Schools. My colleagues will realise that the present situation has become acute, in the first place, because of the insistent demand of the Catholic Hierarchy for building grants on the widest general scale. Many of the members of our Party during the election went a long way in promising help to the Denominations. The Party policy was clearly laid down before the Election. It was then stated that the Minister of Education would facilitate the summoning of a Conference, if requested, representative of the Board of Education, the Local Education Authorities, and the various interests affected and would only act either by legislation or regulation after agreement had been reached.

In the second place, there is a real need, from the point of view of the children, to bring the voluntary schools into the arrangements for reorganisation which are going on all over the country. The creation of senior schools, the alteration of existing schools to accommodate another year of child life, and to provide smaller classes and advanced scientific or manual work requires a considerable building programme which cannot be completed unless the Voluntary Schools play their part.

In many parts of the country the Church of England is sincerely trying to bring its schools up to the required standard or to enter into arrangements to send their older children to senior Council Schools. But the Catholics hitherto in most parts of the country have withheld their co-operation.

I have made no attempt to find a solution of the whole Voluntary School question. That can come, if it comes at all, only by gradual evolution. I have confined my exploration to the problem of enabling Voluntary Schools to play their part in the present national reorganization. If they are not enabled to do so, it will mean the penalizing of hundreds of thousands of children by inferior conditions or the burdening of the rates and taxes for extensive building of new senior schools by the Local Education Authorities.

I have regarded it as quite impossible even to consider public assistance in respect of the buildings of Voluntary Schools unless accompanied by the concession of more public control by the Voluntary Managers.

From the Archbishop of Canterbury, acting on behalf of the Church Authorities and the Executive of the National Society, I received proposals for an accommodation which are attached in an Appendix. They represented, as it appeared to me, a genuine effort to work with the Education Authorities and a genuine concession to public control in return for assistance out of public funds.

With these proposals I approached in turn:-

Representatives of the Free Churches.

The Executive of the National Union of Teachers.

The Catholic Hierarchy.

Representatives of the Local Authorities.

The opinion of the Free Church representatives was divided. Some thought the proposals acceptable. But several most important Leaders adopted the attitude that the proposals maintained religious tests, while giving State support to the building of Voluntary Schools.

The National Union of Teachers emphatically objected to the right of entry on any terms. They also insisted that tests ought to be abolished altogether.

The Local Authorities have so far not expressed a collective view. But I have reason to think that they would not be hostile.

The Catholic Hierarchy appear to be willing to accept the proposals if they cannot get more.

It will be very difficult to get complete agreement among all the chief interests. But I should feel myself in a stronger position to try to obtain it if I could put forward proposals which I could say the Government thought reasonable. The solution I suggest is a modification in some respects of the Archbishop's proposals. It is in its central features similar to the solution which is working with success in the case of the Catholic Schools in Scotland.

PROPOSALS.

(1) The Local Education Authority should be entitled to spend public money on the repair, improvement or enlargement of existing Voluntary Schools where such works are required for purposes of a programme of reorganization, wherever an agreement is arrived at between the Local Education Authority and the Managers.

[It should be observed that I do not propose grants as permissible for entirely new schools. While this will continue to be urgently demanded by the Catholics, it would be opposed by the Free Churchmen.]

(2) Where any such grant is given the teachers must become the salaried servants of the Local Education Authority and be appointed by them and removable by them.

(3) But the Managers may retain the right of being consulted and satisfied that some or all of the teachers are willing and competent to give denominational instruction.

(4) Agreement must be reached at the time when the arrangement is made between the Local Education Authority and the Managers as to how many teachers should be liable to this denominational requirement, due regard being had to the approximate sizes of the groups of children in the school belonging and not belonging to the denomination.

[The object of this is that if half the children in a Church School came from Nonconformist families half the teachers might be free of tests, but if all the children were Catholics in a school it would be open to the Managers to require that the Local Education Authority should provide them, as they do in Scotland, with Catholic teachers. In fact, the object is to make teachers public servants, to eliminate religious tests altogether in some cases, and to leave it to the good sense of the Local Education Authorities and Managers to carry out the appointment of teachers with due regard to the existing denominational character of the school.]

(5) No teacher shall be dismissed except by the Local Education Authority. But the Managers may ask the Local Education Authority to remove a teacher on the ground that, having been appointed to give religious instruction, he had failed to give such instruction efficiently and suitably. In case of a difference which cannot be settled between the Local Education Authority and the Managers, it shall be referred to the Board of Education for decision.

(6) In the case of children transferred from a Voluntary School to a Senior Council School, provision may be made on two days in the week, where the desire is expressed by the parents, for those transferred

children alone to have special religious instruction provided for them by instructors coming from without, but no teacher in the school shall be asked to give such special instruction. Conversely, where children are transferred from a Council School to a Senior Voluntary School, parents may ask for outside Instructors in accordance with an authorised syllabus of the Local Education Authority.

[The Teachers feel very strongly indeed the objection to any teachers in Provided Schools being even asked to give special religious instruction voluntarily. They are afraid that it would indirectly result in tests being applied in order to get willing teachers in the schools.]

I commend these proposals to my colleagues on the ground that they do not impose a settlement either on Local Education Authorities or Managers but leave individual Authorities free to proceed by voluntary agreement with Managers, and because they initiate a further step in the direction of public control since the teachers in the Voluntary Schools affected will for the first time be appointed by the Local Education Authorities, primarily on educational grounds with denominational qualifications only as a secondary consideration.

I suggest that if the Cabinet are prepared to go forward on these lines it would be advisable: -

(1) To consult again with the representative Bodies, with whom I have been already in contact, in order to obtain any further observations which they may have on these modified proposals; at the same time suggesting to them that all parties should, in the interests of the nation and of the children, be ready to enter into such an accommodation. The Cabinet might like, for this purpose,

to appoint a Sub-Committee to work with myself.

(2) To prepare a White Paper explaining the policy and its implications.

If the general reception in the Press and elsewhere were favourable, the sooner the House of Commons could debate the matter the better, as at this moment all sections of the House seem to be very anxious for some kind of settlement.

C.T.

3rd March, 1930.

APPENDIX.

Proposals received from the Archbishop of Canterbury.

A.

Draft clauses authorising L.E.A's to incur expenditure on repair, improvement or enlargement of Voluntary Schools required for purposes of reorganisation.

1. If the managers of an existing public elementary school not provided by the local education authority are unable to execute any works of repair, improvement or enlargement of the school premises which in the opinion of the Authority are necessary to give effect to a scheme of reorganisation approved by the Board of Education, the Authority may at the request of the managers and with the consent of the trustees or owners of the school premises, and subject to the following conditions, undertake to execute [defray the cost of] such works and any further works which may in the opinion of the Authority be from time to time necessary or desirable to render the premises suitable for use for purposes of a public elementary school and for other purposes of public education consistent with that use, and to maintain them in that condition.

2. It shall be a condition of such undertaking that:
   (a) the Authority shall have the right of appointing and dismissing teachers in the school provided that
      (i) Before any appointment is made the managers shall have the right to be consulted and to be satisfied that the teacher, if required to give religious instruction, is willing and competent to give it, due regard being had to the character of the religious instruction in the school prescribed under Section 29(5)(c) of the Education Act, 1921.
      (ii) The managers may call on the Local Education Authority to remove a teacher, being a teacher required to give religious instruction, on the ground that he has failed to give such instruction efficiently and suitably having regard to the character of the religious instruction in the school prescribed under Section 29(5)(c) of the Education Act, 1921.
   (b) the Authority shall have the perpetual use of the premises for the purpose of a public elementary school so long as that use is necessary and (subject to the provisions of Section 29(2)(e) of the Education Act, 1921) for such other purposes of public education as the Authority consider desirable.

3. An enlargement of the premises of a school to which such an undertaking applies shall not be treated as the provision of a new school for the purposes of Section 18 of the Education Act, 1921.

4. Any expenditure incurred by the Authority under these provisions in respect of the premises of schools not provided by the Authority, shall be treated for the purposes of any grants made by the Board of Education as if it had been incurred on premises provided by the Authority.

5. If any question arises under these provisions as to the power of the Authority or the Managers, or if any dispute arises between the Authority and the Managers, that question or dispute shall be determined by the Board of Education.

B.

Draft clauses authorising L.E.A's to enter into undertakings with regard to religious instruction.

Where in order to give effect to a scheme of reorganisation the managers of a school not provided by the L.E.A. agree with the L.E.A. that the

children attending the school who are over the age of eleven years shall be transferred to a school provided by the L.E.A., the L.E.A. may undertake

(a) to provide in that school Christian religious instruction and to make or facilitate arrangements for the inspection of such instruction;

(b) to permit the managers to use a room or rooms in the schoolhouse on not more than two days a week between the hours of 9 and 9.45 a.m. free of charge in order that transferred children may, if their parents desire, continue to receive special religious instruction, provided that no child shall be obliged to attend the school during those periods and that no teacher in the school shall be under any obligation to take part in giving such special religious instruction.

In any area where [an arrangement under (b) above is agreed to as regards children over eleven, and] children over or under the age of eleven years are transferred from a school provided by the L.E.A. to a school not so provided, or from a non-provided school of one denomination to a non-provided school of another denomination, provision shall be made for religious teaching to be given in the school to which such children are transferred upon the syllabus (if any) prescribed or authorised by the L.E.A. for use in schools provided by them;

(c) to facilitate arrangements where circumstances permit, by which transferred children may continue to receive religious instruction [in the school which they previously attended] [in a school not provided by the L.E.A.] before attending the school provided by the L.E.A.;

(d) to establish a Religious Instruction Committee or Committees to advise and assist it in giving effect to these provisions.

Nothing in these Clauses shall prevent the giving of special religious instruction under the provisions of Section 29(5)(c) of the Education Act, 1921.