

# **OFSTED'S CAMPAIGN AGAINST FAITH SCHOOLS**

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## **CONTENTS**

<b>Introduction</b>	<b>Page 2</b>
<b>Are Ofsted impartially applying the law?</b>	<b>Page 2</b>
<b>Ofsted's flawed justification of their pluralistic agenda</b>	<b>Page 3</b>
<b>Are Ofsted in breach of equality law?</b>	<b>Page 4</b>
<b>Ofsted's bullying of schoolchildren</b>	<b>Page 6</b>
<b>Ofsted's lack of a transparent complaints procedure</b>	<b>Page 7</b>
<b>The head of Ofsted's views about religious schools</b>	<b>Page 8</b>
<b>Conclusion</b>	<b>Page 9</b>

# OFSTED'S CAMPAIGN AGAINST FAITH SCHOOLS

## INTRODUCTION

Ofsted have become increasingly aggressive in their inspections of faith schools over the last few years. Figures just released, show that 23% of all independent faith schools have been given the lowest possible rating of “inadequate”.<sup>1</sup> In Orthodox Jewish schools the figure rises to 34%. Amongst independent non-faith schools, only 9% have been rated as “Inadequate”. This means either that independent faith schools offer a much worse education or that the criteria being used for Ofsted inspections are biased against faith schools.

Before the publication of new Independent School Standards in 2015<sup>2</sup> — promoting modern secular “British Values” — the number of faith schools rated as inadequate was minimal.<sup>3</sup> Soon afterwards the number started increasing rapidly. This seems to prove that it is the political agenda that has changed and not the quality of the schools.

Amanda Spielman, the head of Ofsted, revealed her views on traditional religious schools when she claimed that *“Private faith schools run by religious conservatives are deliberately resisting British values and equalities law.”*<sup>4</sup> She also showed a distinct lack of tolerance when she stated, *“Ofsted inspectors are increasingly brought into contact with those who want to actively pervert the purpose of education. Under the pretext of religious belief, they use education institutions .. to narrow young people’s horizons, to isolate and segregate ..”*<sup>5</sup> In other words, school leaders who do not share her liberal worldview, are by definition narrow-minded and pervert the purpose of true education.

Mrs. Spielman justifies her approach with the following mantra: *“Our inspectors find and report on truth as they see it, in line with the law. If people have a problem with it, they should lobby MPs to change the law, not blame Ofsted for carrying out its duty to apply the law as it stands.”*<sup>6</sup>

## ARE OFSTED IMPARTIALLY APPLYING THE LAW?

But is it true that Ofsted is impartially applying the law as it stands? Ofsted inspectors require that every single faith school actively promotes respect for LGBT persons since they

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<sup>1</sup> <https://www.gov.uk/government/publications/non-association-independent-schools-inspections-and-outcomes-in-england-august-2018/non-association-independent-schools-inspections-and-outcomes-in-england-august-2018-main-findings> The figures show that 46% of all independent faith schools are presently rated as “less than good”. Of these 23% are rated as “Requiring Improvement” and 23% as “Inadequate”.

<sup>2</sup> <http://www.legislation.gov.uk/ukxi/2014/3283/schedule/made> One of the alleged purposes of these new Standards was to combat the danger of extremism by obliging schools to teach “Fundamental British Values”. Unfortunately, these turned out to be ultra-liberal secular values instead.

<sup>3</sup> In fact, the ratings of many faith schools have plunged from “Outstanding” to “Inadequate” in all areas. For example, TTD Gur School was rated as outstanding in 2013 and as Inadequate in 2018. Yesodei Hatorah Girls School was rated as “Outstanding” up to 2014 and as “Inadequate” in 2018. Beis Chinuch Lebonos went from “Outstanding” in 2011 to “Inadequate” in 2018. Countless others schools have gone from “Outstanding” or “Good” to “Inadequate”. See <https://reports.beta.ofsted.gov.uk>

<sup>4</sup> [www.theguardian.com/education/2017/dec/13/disadvantage-no-excuse-for-poor-school-performance-ofsted-chief](http://www.theguardian.com/education/2017/dec/13/disadvantage-no-excuse-for-poor-school-performance-ofsted-chief)

<sup>5</sup> <https://www.gov.uk/government/speeches/amanda-spielmans-speech-at-the-church-of-england-foundation-for-education-leadership>

<sup>6</sup> This is from Mrs. Spielman’s speech to the Policy Exchange Think Tank on 9<sup>th</sup> July 2018.

<https://www.gov.uk/government/speeches/amanda-spielmans-speech-to-the-policy-exchange-think-tank>

are among the protected characteristics of the 2010 Equalities Law.<sup>7</sup> For example, one Ofsted inspection report of a Christian school states<sup>8</sup>:

The school ...does not actively promote respect for people within the protected characteristics groups. For example, the school's policy statement ..states: 'Whilst we understand that the government has redefined marriage, we will actively promote exclusive heterosexual marriage and celibate singles, as God's gift and design; and as such the best way toward human happiness and fulfilment, but will discourage intolerance.' **This statement describes an approach that is too far removed from the active promotion of respect for gay and lesbian men and women.**

On the other hand, do they require that every single non-faith school actively promotes respect for religious men and women? Has a single school been failed for not promoting respect towards religious people? Why is this not considered a breach of the law? After all, Religion is also one of the 9 protected characteristics<sup>9</sup> in the 2010 Equalities Law just like LGBT.

Furthermore, English law explicitly legislates the requirement for "*religious education for all children between the ages of 3 and 19 in publicly maintained schools.*"<sup>10</sup> Yet a BBC report recently stated that "*more than a quarter of England's secondary schools do not offer religious education, despite the law saying they must.*"<sup>11</sup> In Academy status schools the figures were between 34% and 44% depending on the age of pupils. Have we seen Ofsted cracking down on this breach of the law? Are they in any way concerned about this? Once again we see a highly subjective application of the law by Ofsted inspectors, despite Mrs. Spielman's declarations to the contrary.

Interestingly enough, English law still requires that "*daily collective prayer or worship ..is practiced in schools in England and Wales.*"<sup>12</sup> But this law is conveniently ignored in the vast majority of schools. From all this we can see that Ofsted's claim that they are impartially enforcing the law is untenable. Rather they are subjectively enforcing their own agenda — that every single school in England should give primacy the modern secular worldview. Faith schools are allowed to teach their religious worldview as well — as long as it does not clash with liberal values.

## **OFSTED'S FLAWED JUSTIFICATION OF THEIR PLURALISTIC AGENDA**

The justification Mrs. Spielman will give for her approach is that she is not forbidding faith schools from teaching their religion. She is just requiring that they promote the liberal relativistic worldview as well. In this way, the child will be free to choose. This sounds like a reasonable logic. But if one thinks more deeply about this claim, one will realize that it is

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<sup>7</sup> There are 9 Protected Characteristics: a) Age; b) Disability; c) Gender reassignment; d) Marriage and civil partnership; e) Pregnancy and maternity; f) Race; g) Religion or belief; h) Sex; i) Sexual orientation.

<sup>8</sup> <https://files.api.ofsted.gov.uk/v1/file/2618425>

<sup>9</sup> See note above.

<sup>10</sup> <https://www.state.gov/documents/organization/171729.pdf>

<sup>11</sup> See <https://www.bbc.co.uk/news/education-41282330>

<sup>12</sup> <https://www.state.gov/documents/organization/171729.pdf>

deceptive and false. The liberal educational approach is that a child must be presented with all the possibilities available and make his or her own choices. But the religious educational approach is to teach one faith-based worldview. It should of course simultaneously recommend tolerance towards those who disagree with that view. Any faith group will believe that the best education is to teach the child its inherited religious tradition with the understanding that this is the correct approach to life. But Ofsted require every school to promote the values of modern secular Britain as equally valid and present them as a viable alternative. By definition this is a liberal pluralistic educational model and not a religious educational approach at all. In reality, Ofsted's requirement for faith schools to teach liberal secular values as well as religious values is an imposition of the secular educational approach and a suppression of the religious educational approach. It is in effect, banning classical religious education which desires to pass on its own unique religious tradition in an unadulterated form.<sup>13</sup>

Furthermore, wherever there is a clash between religious belief and the secular worldview, religious beliefs are automatically pushed aside. For example, demands of modesty related to religious ideals often require a certain separation between men and women in their social interaction. Yet this is considered inappropriate for children being prepared for life in Modern Britain. The Independent School Guidelines state<sup>14</sup>: *"Schools will have to be able to show that the children are being prepared for engagement with communities where gender mixing is common.... Both boys and girls can be disadvantaged by a policy which prevents them from interacting with pupils of the opposite sex."* Furthermore, the scientific view of Creation must take precedence over the religious view — the same School Standards state<sup>15</sup>: *"Independent schools may teach creationism as part of a belief system but it should not be presented as having a similar or superior evidence base to scientific theories."*

Modern Britain's confident assumption of the superiority of its own newly-found ultra-liberal values and the dismissal of religious belief wherever it clashes with these, is the sign of a culture that is lurching towards authoritarianism and intolerance. We must not forget that Article 2 of Protocol 1 of the European Convention on Human Rights affirms: *"The State shall respect the rights of parents to ensure such education and teaching is in conformity with their own religious and philosophical convictions."* The United Nations Covenant of Rights states (Article 18): *"The State Parties to the present Covenant [including UK] undertake to have respect for the liberty of parents .. to ensure the religious and moral education of their children in conformity with their own convictions."*

## **ARE OFSTED IN BREACH OF EQUALITY LAW?**

It is interesting to note that the Independent Schools Standards advice states: *"Generalised 'respect' [of the protected characteristics including LGBT] without any greater degree of understanding is not sufficient .... 'Respect' requires acceptance that other people may be*

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<sup>13</sup> As mentioned above it should also encourage tolerance for those of different beliefs.

<sup>14</sup> [https://consult.education.gov.uk/school-frameworks/operating-the-independent-school-regulatory-system/supporting\\_documents/180214%20%20ISSAdvice%20v13.0draftforCS.pdf](https://consult.education.gov.uk/school-frameworks/operating-the-independent-school-regulatory-system/supporting_documents/180214%20%20ISSAdvice%20v13.0draftforCS.pdf) Sections 27 and 40

<sup>15</sup> Ibid. Section 13. These Independent School Guidelines are written by the Independent Schools department of the DfE and reveal their shared agenda with Ofsted.

*different and that it is equally valid.*” This is the DfE’s understanding of the requirements of Equality legislation. Religious faith is also one of the 9 protected characteristics mentioned in the Equality Act of 2010. According to this, Ofsted themselves would be required to accept the religious ethos even if it differs from theirs and *“that it is equally valid”*. Otherwise, according to the Government guidelines they would be in contravention of the Equality Act. Below we will present some recent Ofsted reports that seem to indicate that they do not respect the religious ethos and do not consider it “equally valid.”

#### **YESODEY HATORAH SENIOR GIRLS SCHOOL Stamford Hill, London<sup>16</sup>**

The majority of personal, social, health and economic (PSHE) education is taught through the religious curriculum. These tight controls limit pupils’ spiritual, moral, social and cultural development and their understanding of the world, their future aspirations.... Pupils’ spiritual development is focused narrowly on their own faith.

#### **MECHINOH SCHOOL Salford, Manchester<sup>17</sup>**

Opportunities to help pupils understand the wide range of people and cultures which contribute to modern Britain are limited. These weaknesses in the school’s provision stem from leaders’ determination to conform to orthodox Jewish expectations about what is appropriate for young people to learn and experience.

#### **BEIS CHINUCH LEBONOS Stamford Hill, London<sup>18</sup>**

Leaders and staff restrict pupils’ access to any information that they perceive to be in conflict with the school’s faith teachings. This hampers pupils’ understanding of important aspects of the world beyond their immediate community.

#### **GETTERS CHEDER Stamford Hill, London<sup>19</sup>**

Pupils’ personal development is restricted by the narrow curriculum. They do not learn enough about culture, belief and lifestyles beyond their own community. Pupils spend most of the school day studying the faith curriculum, which is devoted to religious, cultural and historical study of Judaism.... Leaders encourage and expect pupils to show respect for others regardless of their belief. However, they do not teach pupils enough about the cultures and lifestyles of others. As a result, pupils’ respect is based on obedience rather than an informed choice.

#### **GRINDON HALL CHRISTIAN SCHOOL, Sunderland<sup>20</sup>**

The Christian ethos of the school permeates much of the school’s provision. This has restricted the development of a broad and balanced approach to the curriculum.

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<sup>16</sup> <https://reports.ofsted.gov.uk/provider/27/133599>

<sup>17</sup> <https://reports.ofsted.gov.uk/provider/27/105999>

<sup>18</sup> See <https://reports.ofsted.gov.uk/provider/27/102171>

<sup>19</sup> <https://files.api.ofsted.gov.uk/v1/file/2773751>

<sup>20</sup> [https://www.christian.org.uk/wp-content/uploads/Ofsted\\_briefing\\_web-2.pdf](https://www.christian.org.uk/wp-content/uploads/Ofsted_briefing_web-2.pdf)

## **KINGS KIDS CHRISTIAN PRIMARY SCHOOL, New Cross, London<sup>21</sup>**

The school's curriculum does not meet requirements... The creation story is taught in science and there is no evidence that pupils learn scientific theories about the origin of the Earth. Pupils study human and social subjects linked to the stories of the Bible, the lives of Christian missionaries and the history of the United States of America. Pupils do not know enough about other faiths, cultures and different groups of people with the full range of protected characteristics. This means that pupils are not as well prepared for life in modern British society as they could be.

## **LUTON PENTECOSTAL CHURCH CHRISTIAN ACADEMY, Bedfordshire<sup>22</sup>**

The school does not actively promote tolerance and harmony between different cultures well enough....For example, the curriculum teaches pupils that their role is 'to bring people to Jesus'. Although the proprietor states that his aim is neither to proselytise nor convert, the curriculum does not support this assertion. The school ...does not actively promote respect for people within the protected characteristics groups.

All these inspection reports prove that Ofsted do not respect the religious ethos and do not consider it "equally valid." It is therefore possible that they are in contravention of Equality Law requirements.

## **OFSTED'S BULLYING OF SCHOOLCHILDREN**

Another requirement of the Independent Schools Standards<sup>23</sup> is that there should be no bullying or insensitivity shown to people with different beliefs or lifestyles from one's own. Yet Ofsted in their insensitive questioning of young religious children have often left these children traumatised. Numerous reports have been received from irate parents and distraught children. Below are some documented examples.

**The following is an excerpt from an article by the Rev. Giles Fraser when he visited Yesodei Hatorah Girls School after a traumatic Ofsted inspection.<sup>24</sup>**

*At break time, I talked to some of the pupils... The Ofsted inspectors obviously came with a fixed agenda, they wanted to talk to the girls about sex. And those who told me about it were obviously made to feel extremely uncomfortable by the questions. Three girls complained to the Principal and he told them to explain that to the inspectors. They did – but that only made matters worse, and invited further interrogation. They were very upset by the whole process. "This felt like an attack," one of them said, "because under no circumstances did we want to discuss things that we were brought up our entire lives not to discuss."*

*And their parents were furious. "Our daughters came home severely shaken after a day of inspection where inspectors have attempted to force alien concepts onto our children". One*

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<sup>21</sup> <https://reports.ofsted.gov.uk/provider/27/133447>

<sup>22</sup> <https://reports.ofsted.gov.uk/provider/27/135699> 2016 report. This school has since obtained a "Good" rating from Ofsted, but this does not take away from the lack of tolerance to the Christian faith stated in this report.

<sup>23</sup> Section 94

<sup>24</sup> <https://unherd.com/2018/03/ofsted-secularists-bidding/>

parent wrote, “an alien discussion with our girls of their private bodies and of intimate relationships with strangers ... serves to undermine our beliefs in every possible way.”

**The following is an excerpt from an article that appeared in the Daily Mail:**<sup>25</sup>

*Take Ofsted's inspection of **Beis Yaakov High School**, a Jewish academy school in Salford, where the all-female pupils have lived sheltered lives with gender segregation and for whom social media and smartphones are unknown entities. Not a life to everyone's tastes, but Britain has a proud tradition of tolerance, allowing others to pursue their religion without interference. Clearly nobody had told the Ofsted inspectors. During the inspection, the girls were asked questions such as: 'Do you have a boyfriend?'; 'What do you know about men being married to each other?'; and 'What do you think about Facebook?'*

**Grindon Hall Christian School**<sup>26</sup>

*At Grindon Hall Christian School in Sunderland, primary school children said they were asked if they knew of any boys or girls who thought they were in the wrong body, and if they knew what gays and lesbians did. ...The mother of one pupil stated: “The questioning was completely inappropriate, they asked her what lesbians were, and whether she felt trapped in someone else’s body.” The head teacher said: “Pupils were embarrassed and surprised to be asked questions about sexuality. The offer of a one-to-one meeting with an inspector, who was a complete stranger to them, in order to discuss personal matters of sexuality was also viewed with alarm by some parents.”*

**The Durham Free School**<sup>27</sup>

*Ofsted launched its hostile inspection of The Durham Free School.. One eleven-year-old says she was asked if she was a lesbian and whether she thought she was in the wrong body. Another says an inspector asked if she was comfortable in her own body or whether she wanted to change sex. A 12-year-old boy said he was asked if he was gay and if he had lost his virginity. This took place when he was on his own with an inspector in a room with the door shut. These allegations are contained in written statements made by the students. Ofsted was made aware of them but did not speak to the teachers, pupils or their parents to investigate.*

## **OFSTED’S LACK OF A TRANSPARENT COMPLAINTS PROCEDURE**

On many occasions, schools and parents have lodged formal complaints against Ofsted’s insensitive behaviour during inspections but have not received adequate answers. One of the main problems is that these complaints are handled by Ofsted themselves, rather than by an independent body. As the Daily Mail wrote in the article quoted above: “So where do the schools go from here? The problem with appealing an Ofsted decision is that the complaints are handled by the quango itself.”

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<sup>25</sup> <https://www.dailymail.co.uk/news/article-4694610/School-faces-closure-refusing-transgender-issues.html>

<sup>26</sup> [https://www.christian.org.uk/wp-content/uploads/Ofsted\\_briefing\\_web-2.pdf](https://www.christian.org.uk/wp-content/uploads/Ofsted_briefing_web-2.pdf)

<sup>27</sup> Ibid.

Last year in a landmark High Court decision, a school succeeded in quashing a negative Ofsted report against them merely because Ofsted lacked an adequate complaints procedure. Below is an excerpt from the TES report about the case:<sup>28</sup>

*In a two-day High Court hearing last month, Gerard Clarke, representing [the school], highlighted what he called Ofsted's "Alice in Wonderland" appeals process. He cited the inspectorate's guidance about making a formal complaint, which says that if the complaint is about the school being judged to have serious weakness or to require special measures, the judgement would not be reconsidered "because all such judgements are subject to extended quality assurance procedures".*

*Deok Joo Rhee, for Ofsted, described the complaints process as "fair and rational", and added: "There are rigorous quality assurance processes in place that make sure that errors are picked up and addressed".*

*However, Judge McKenna wrote: "To my mind, a complaints process which effectively says there is no need to permit an aggrieved party to pursue a substantive challenge to the conclusions of a report it considers to be defective because the decision maker's processes are so effective that the decision will always in effect be unimpeachable is not a rational or fair process. "He added: "The absence of any ability effectively to challenge the report renders the complaints procedures unfair and in my judgment vitiates the report."*

## THE HEAD OF OFSTED'S VIEWS ABOUT RELIGIOUS SCHOOLS

On many occasions Amanda Spielman, the head of Ofsted, has revealed here antipathy to genuinely religious schools which do not share certain modern liberal values. Her ideology of tolerance and acceptance does not seem to extend to those with deep-seated religious views. Below is the answer she gave to a question from a Labour MP during an Educational Select Committee meeting:

"I have a number of orthodox Jewish schools in my constituency, isn't a British value also valuing diversity?' asked Ian Mearns, the Labour MP for Gateshead. Mrs. Spielman replied: *"This is precisely the dilemma of liberalism that's been discussed... **At what point does a group accommodating intolerance undermine tolerance itself? There is a particular difficulty for orthodox Jewish schools...."***<sup>29</sup>

It seems, according to Mrs. Spielman, that the Orthodox Jewish community is inherently intolerant and should not be tolerated by a tolerant society! Surely the truth is as the Rev. Fraser wrote in his article about this subject: *"The point about tolerance is that we accept a variety of different viewpoints on life, including those we do not ourselves subscribe. And that is precisely the ideological generosity that Ofsted is not affording to the much-abused Haredim [orthodox Jews]. And Ofsted should be thoroughly ashamed of themselves."*

In a recent speech to the Birmingham Education Partnership she revealed how little she respects some parents' views on what is the right type of education for their children. It seems that she knows better than the parents themselves:

*And while we know differences in values are normal and inevitable – we don't all share the same politics, nor should we - there is a specific issue at play here. There are parents who,*

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<sup>28</sup> <https://www.tes.com/news/durand-academys-special-measures-ofsted-report-quashed-high-court>

<sup>29</sup> <https://unherd.com/2018/03/ofsted-secularists-bidding/>



*uncomfortable with the full and varied education on offer in local mainstream schools, are seeking out alternatives. Usually alternatives that they perceive as fitting better with very conservative cultural or religious values, such that young people in these alternatives are not being prepared for success in modern Britain. It is vital that we expose the risks of these so-called schools and help parents understand the dangers.<sup>30</sup>*

The freedom of parents to choose freely what type of education they desire for their children is the guarantee of a free and tolerant society. Surely the desire of religious parents to pass on their “conservative” religious tradition to their children is a reasonable desire, which the state should respect and encourage. Mrs. Spielman’s words seem to suggest that any parents who do not want their children to have a modern secular education need to be “re-educated” themselves. This a rather frightening proposition.

## **CONCLUSION**

I will conclude with the views of The All Party Parliamentary Group on Religious Education (May 2018), chaired by Fiona Bruce MP.<sup>31</sup>

***People need to be wary of the uniform, unsympathetic and religiously semi-literate approach of Ofsted as it extends its powers to cover issues of gender, which raises issues of freedom of expression and religious conscience....asking a nine year-old girl if she had a boyfriend was not appropriate nor would asking four-year-old children if they were comfortable in their bodies.....Ofsted needs to take a more nuanced approach, sensitive to each faith tradition instead of imposing its own uniformity. Ofsted also needs training in religious literacy....***

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<sup>30</sup> <https://www.public-sector.co.uk/article/f5b1d99a627d9e7e2b62d04cf0b84d12>

<sup>31</sup> <http://www.churchnewspaper.com/51111/archives>