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**FW: Independent School Standards**

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Thu, Oct 23, 2014 at 3:09 PM

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**From:** Simon Calvert  
**Sent:** 17 October 2014 17:39  
**To:** 'nicky.morgan.mp@parliament.uk'; 'nicky.morgan@education.gsi.gov.uk'

Dear Mrs Morgan,

As you know, we are already corresponding with the Department through our solicitors regarding the lawfulness of the new Independent School Standards, for which regulations came into effect last month regarding part 2.

Without prejudice to that, I feel compelled to write to you to draw your attention to how the implementation of the regulations is already causing some very disturbing consequences.

The new regulations state that all academies, free schools and independent schools must ensure principles are "actively promoted" which "encourage respect for other people, paying particular regard to the protected characteristics set out in the Equality Act 2010." Those characteristics are:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;

- sexual orientation

We note that equivalent rules for maintained schools operate by arrangement with Ofsted.

The new standards are said to be a response to the Trojan Horse scandal but we cannot see how this can be the case. Independent schools tell us your department was talking about them months before the scandal broke.

Worryingly, evidence is already emerging of how the new regulations are requiring Ofsted inspection teams to behave in ways which do not respect the religious ethos of faith schools. The new requirements are infringing the rights of children, parents, teachers and schools to hold and practice their religious beliefs.

To highlight this point, we wish to draw your attention to three recent cases:

### **High achieving Roman Catholic school downgraded for not tackling “radicalisation”**

- St Benedict’s Catholic School in Bury St Edmunds, Suffolk, is one of the best performing schools in the region. Last year it tied for first place in national league tables in the proportion of pupils going to Oxbridge.
- Having only been inspected in summer 2013, a “no-notice” Ofsted inspection took place on 11 and 12 September 2014 as part of the response to Trojan Horse.
- Headteacher Hugh O’Neill believes the school was targeted because its website lacked a statement on ‘citizenship’.
- Ofsted issued the school with a report which said “the younger students show less awareness of the dangers of extremism and radicalisation” and “it is not made clear how all students are prepared for life and work in modern Britain.”
- The school published the report on its website. Ofsted then asked them to remove it while they conducted “quality assurance” checks.

### **Orthodox Jewish school pupils humiliated by Ofsted sexuality quiz**

- Nine-year-old girls in an orthodox Jewish primary school were asked by Ofsted inspectors whether they know how babies are made and whether they know any gays.
- Other pupils complained about inspectors telling them how a “woman might choose to live with another woman and a man could choose to live with a man – it’s up to them”.
- One year 11 girl said persistent questioning about other religions “made us feel threatened about our religion... We felt very bullied”.
- The National Association of Orthodox Jewish Schools, which represents both maintained and independent schools with pupil numbers totalling 30,000, has written to you about these matters.

- Rabbi David Meyer, Executive Headteacher of Hasmonean High School, says “We are seeing a worrying trend of Ofsted inspectors showing a lack of respect for the values and traditions of our community.”

### **C of E primary school told to celebrate more non-Christian festivals, not doing enough about smoking and drinking**

- A C of E Primary School that celebrates Eid and Diwali was told by Ofsted that this was not enough to “celebrate the rich religious and cultural diversity within the school”.
- Faith schools have a legal right to prioritise the teaching of their own faith, and English education law stipulates that school assemblies and RE should usually be mainly Christian. (School Standards and Framework Act 1998; Education Act 1996.)
- However, Ofsted said “pupils’ understanding of life in modern Britain is underdeveloped”.
- They were also told that “too few opportunities are available for them to develop a comprehensive understanding of the risks associated with drinking or smoking”. The pupils at the school are aged between 3 and 11.

Additionally The Christian Institute is currently working with an independent Christian School which has been marked down by Ofsted for not promoting other faiths. Astonishingly it was told it should invite representatives of other faith groups to lead assemblies and lessons, such as an Imam.

The wording of the regulations inevitably results in these kind of outcomes.

While we obviously support attempts to address the problem of radicalization, the current regulations fail to do this.

We strongly urge you to reconsider the Department’s position.

Yours sincerely,

Simon Calvert

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