

NSS welcomes proposed Ofsted powers to tackle illegal faith schools

Posted: Tue, 12th Apr 2022

The National Secular Society has welcomed plans to give school inspectors more powers to tackle unregistered illegal 'schools'.

Education secretary Nadhim Zahawi has [said](#) he will legislate to give Ofsted inspectors powers to enter settings suspected of being illegal schools without permission. Inspectors will also be able to seize material to help build stronger cases against illegal schools.

It is illegal for educational establishments that fit the definition of a 'school' to operate without registering with the Department for Education.

Some religious groups operate unregistered schools in order to prioritise religious inculcation over children's education and welfare needs while avoiding scrutiny under the independent school standards.

Ofsted's chief inspector Amanda Spielman said the reforms were necessary as the number of children attending unregistered schools may have risen to "tens of thousands". She said illegal schools leave children "very segregated" from society and fail to equip them with necessary skills for life in Britain.

Illegal faith schools

A [quarter](#) of suspected unregistered schools inspected by Ofsted were faith schools, although information on faith affiliation is unavailable and hard to obtain for many due to the nature of unregistered settings. Just over half were Islamic, a quarter Jewish and a quarter Christian.

At some unregistered schools, children have been exposed to extremist materials, including books and leaflets by authors banned from entering the UK for their extremist views. One illegal school was run by members of a proscribed group.

Spielman said many staff members at illegal schools included people "without experience or qualifications" and people "with criminal records".

Additionally, many unregistered schools operate in unsafe and unsuitable premises.

Ofsted: 'Our hands are tied behind our back'

Over 100 unregistered faith 'schools' were [investigated](#) in England between January 2016 and August 2019, although there was only one successful prosecution in that time. The [most recent](#) prosecution was in January this year.

Spielman said Ofsted is "operating with our hands tied behind our back" because the inspectorate lacks the necessary powers to build cases against illegal schools.

Ofsted inspectors are currently limited to taking photographs of materials they find. They cannot pick anything up, remove items or search inside cupboards. They are also reliant on the "goodwill" of police forces to enable them to enter premises.

The number of electively home educated children rose by 34% in the last academic year to 115,000. Spielman said there are concerns "quite a few" are in illegal schools.

Ofsted also wants the government to enable lifetime bans from managing schools for people guilty of running an illegal school.

The new powers are expected to be incorporated into a schools bill, which ministers hope will be included in the Queen's Speech on May 10.

The DfE is also considering a new legal definition of a 'school', as there are concerns many illegal schools use loopholes or adapt their practices to avoid being shut down.

Zahawi is also set to introduce a [new register](#) for home educated children, which is supported by the NSS.

NSS response

The NSS has [played a critical role](#) in exposing the growing problem of unregistered faith schools. It has long worked to raise awareness of some religious groups' use of illegal schools and campaigned to protect the rights of children within them.

NSS head of education Alastair Lichten called the plans "promising", and has written to the minister for further details.

He said: "Settings illegally operating as unregistered schools – either due to mismanagement, or an ideological motivation to avoid oversight – are a significant danger to children's rights to education and safety. Ofsted and local authorities must have the necessary and proportionate powers to tackle these institutions.

"Plans to close legal loopholes enabling some unregistered schools to stay open must be carried through. Unregistered faith schools are often strongly motivated to use every trick in the book to avoid registration and scrutiny."

Image by [Cole Stivers](#) from [Pixabay](#).

What the NSS stands for

The Secular Charter outlines 10 principles that guide us as we campaign for a secular democracy which safeguards all citizens' rights to freedom of and from religion.

- [Read the Secular Charter](#)
- [Share on What's App](#)
- [Share on Facebook](#)
- [Share on Twitter](#)
- [Share on Email](#)
- [Subscribe to RSS Feed](#)

Tags: [Unregistered schools](#)

Related Campaigns

-

[End unregistered schools](#)

All children in all communities have the right to a decent education in safe settings.

[Read More](#)

Related Articles

[Experts speak out against religious abuse](#)

Public authorities failing to tackle abuse in religious settings, panellists say at NSS event. [Read More »](#)

[NSS cautions DfE over “minimising” problem of unregistered schools](#)

NSS says guidance should make clear that unregistered schools are "never suitable" and "never safe". [Read More »](#)

[Labour announces plan for register of children not in school](#)

Proposal to record children not attending school would help tackle unregistered faith schools, NSS says. [Read More »](#)

[Unregistered school investigations nearly double in one year](#)

Ofsted annual report also finds Religious Education in schools "not fit for purpose" [Read More »](#)

[NSS research: religion a factor in 50% of school management bans](#)

NSS analysis finds prohibitions issued for running unregistered schools and promoting extremism.

[Read More »](#)