

Extract from the briefing for the meeting with Rabbi Baumgarten on the curriculum in Jewish orthodox schools, Thursday 10 September.

Facts

- Independent schools, including independent faith schools, do not have to teach the National Curriculum but they must meet minimum standards set out in regulations. These include standards relating to the quality of the curriculum which must be broad and balanced, allow children to make progress, and include lessons in written and spoken English;
- Some orthodox Jewish schools often do not devote priority and time to the secular curriculum and are unable to explain clearly to inspectors how the areas of study required in the regulations (linguistic, mathematical, scientific, creative, technological, human and social, physical and aesthetic) are taught. This is in part because they do not have a tradition of keeping written records: much is done verbally, including viva examinations;
- Independent schools are regularly inspected against the standards and may be de-registered if they do not quickly implement measures to put right any regulatory failures.
- The Government has a statutory duty to ensure that independent schools in England meet the required standards which were consulted on extensively in 2002;
- The vast majority of schools in this country, even some very small schools and schools with a strong religious ethos, manage to meet the curriculum requirements. Independent schools do not have to follow the National Curriculum or any other particular curriculum;
- There are 800-1000 Jewish boys aged 13-16 in Hackney missing from the registered schools system. These boys attend unregistered 'yeshivas' where the curriculum is entirely religious;
- All independent schools have to pay inspection fees. Fees for smaller schools do not cover inspection costs, recognising that inspection fees are a burden for small schools. However, half of all outstanding inspection fees are due from Jewish schools;
- There are 9 Jewish schools that owe inspection fees ranging between £83 and £6060. A list is annexed;
- If a school fails to pay its inspection fee then it may be removed from the register of independent schools once all avenues to secure the debt have failed;
- We have asked RB for assistance but so far only one school has responded.

Background

1. The Orthodox Jewish community is based mainly in London (Hackney, Haringey and Barnet) and Manchester (Salford), with a smaller and less conservative community in Gateshead. Community members live a traditional lifestyle, having large families, observing historic Jewish customs and sending their children to independent schools that offer a traditional Jewish education which – particularly for boys – focuses on study of the scriptures and is delivered according to centuries old traditions.

Boys and girls attend separate schools, and although girls will often study for a reasonable number and range of GCSEs, many boys will stop secular studies at the age of 13/14 and start attending 'yeshivas' where the curriculum is solely religious. Most yeshivas are not registered as independent schools and are therefore operating illegally and without the most basic health, safety and child welfare checks. We understand that boys from abroad may attend yeshivas here on some kind of boarding basis – this is also completely unregulated.

2. The report 'The Future of Jewish Schools' prepared by the Jewish Leadership Council found that population growth rates amongst Orthodox families are exceptionally high, with the current estimated 13,000 child population growing by at least 4% per year, with a figure of 20,000 foreseen by 2020.

Most Jewish schools have seen strong growth in pupil numbers over the past 10 years which supports these forecasts. While more liberal Jewish communities have accepted public funding for their schools and moved them into the state sector, the Orthodox community is wary of the obligations that come from accepting public funds, particularly the loss of freedom over admissions and the curriculum, so the community continues to want an independent education for its children. As families are large and finances strained, most Orthodox Jewish schools are run on a shoestring, located in inappropriate premises, and rely on teaching by community members rather than qualified teachers.

Ofsted reports that the quality of the 'Kodesh' religious curriculum is usually good or better, but the 'Chol' secular curriculum can have many deficiencies.

3. In early 2008 the mainstream Jewish Chronicle raised the issue of Orthodox young men disappearing from the regulated education system at age 13. The article was intended to press the community to address these issues. The Department approached the local authorities in the main areas of Jewish population to ask them to identify yeshivas and press them to register, but most authorities were reluctant to assist us.

In the summer of 2008 the Department was approached by senior figures in the community and officials attended a meeting to discuss the difficulties the government and the community had with Jewish boys disappearing from the registered education system after their bar mitzvah. (For Hackney 800 or

more boys aged 13-16 are 'missing'). Officials explained that local authorities had new duties to identify children missing education and that these duties would be underpinned by ContactPoint. It was also explained that registered schools had to meet the statutory standards and no exceptions could be made for children of compulsory school age.

Jewish schools with outstanding inspection fees

Final warning letters, requiring final payment by 1 October or risk de-registration, have been sent to 12 schools, including 6 Jewish schools which have only part-paid their Ofsted inspection fees:

- Yesodey Hatorah School, Hackney £5,000 outstanding
- Beis Trana Girls' School, Hackney £6,060 outstanding
- Beis Hamedrash Elyon, Barnet £1,760 outstanding

The following schools have been allowed to pay by instalments, but still owe:

- Beis Chinuch Lebonos, Hackney £250
- London Jewish Girls', Barnet £1,631
- Torah Vodaas, Barnet £2,296

Three schools notified to us by Ofsted in April, including 2 Jewish schools, have had a second reminder letter about outstanding fees:

Talmud Torah Yetev Lev, Salford £3,230 outstanding
Bnois Yisroel, Salford £83 outstanding

Two schools notified to us by Ofsted in July, including one Jewish school, have had a first reminder letter about outstanding fees:

Bnois Jerusalem, Hackney £1,667 outstanding

Extract from the briefing for the meeting with representatives from the UOHC and the AOJSO, 19 January 2011

Background

Independent Jewish schools

- There are currently 40 independent Jewish schools, educating around 8,000 pupils. Some schools we know to be Jewish have not sought designation as faith schools, so this figure is understated. Ofsted inspections suggest around 60 schools have an Orthodox Jewish character. There are no maintained Jewish Orthodox faith schools.

- The Orthodox Jewish community is based mainly in London (Hackney, Haringey and Barnet) and Manchester (Salford), with a smaller and less conservative community in Gateshead. Community members live a traditional lifestyle, having large families, observing historic Jewish customs and sending their children to independent schools that offer a traditional Jewish education which – particularly for boys – focuses on study of the scriptures and is delivered according to centuries old traditions.
- The report 'The Future of Jewish Schools' prepared by the Jewish Leadership Council found that population growth rates amongst Orthodox families are exceptionally high, with the current estimated 13,000 child population growing by at least 4% per year, with a figure of 20,000 foreseen by 2020. Most Orthodox Jewish schools have seen strong growth in pupil numbers over the past 10 years which supports these forecasts.
- In early 2008 the mainstream Jewish Chronicle raised the issue of Orthodox Jewish young men disappearing from the regulated education system at age 13. The article was intended to press the community to address this issue – 1000 boys aged 13-16 in Hackney alone are 'missing'. Local authorities have been unable to assist, but the community has set up the Association of Orthodox Jewish Schools and Organisations (AOJSO), which amongst other things is supporting yeshivas (senior schools) to register.
- Haredi or Charedi/Chareidi Judaism, also referred to as Ultra-Orthodox Judaism, —though the term is considered pejorative by some — is the most theologically conservative form of Orthodox Judaism.

Key issues:

- There are about 40 independent schools with a Jewish faith designation, although inspection evidence suggests that around 60 schools actually have an Orthodox Jewish character. They are concentrated in the Hackney, Haringey and Barnet areas of London with a smaller group in Greater Manchester.
- The high birth rate in the Orthodox community (4% growth a year in pupil numbers) is putting pressure on these schools, which are often run on low resources with unqualified teachers, in poor premises. The number of notices to improve issued by the Department for this type of school under the registration arrangements is disproportionately high.
- There is a significant problem with boys leaving the regulated system at the age of 13 and being educated in 'yeshivas', which are unregistered. About 1000 boys aged 13-16 in Hackney alone are thought to be 'missing' in this sense, and efforts to get effective local authority action on this - both there and elsewhere - have not been very successful. However, one role

of AOJJSO is to support yeshivas to make the changes necessary to gain registration.

- The main Departmental contact with AOJJSO at official level, Rabbi Baumgarten, is expected to be one of the party which Mike Freer is bringing to the meeting.

The School Admissions Code:

- permits oversubscribed faith schools to give priority to children from their faith, but it would be unlawful for them to refuse places to children not of the faith if places are available;
- States that faith schools must make clear how membership or practice is to be demonstrated in line with guidance issued by their faith provider group, to which faith schools must have regard;
- Requires all faith schools to consult their religious authority on admission arrangements;
- States that admission authorities for faith schools should consider how their particular admission arrangements impact on the communities they serve and that they meet its needs.

Statistics on Faith Academies

Until the beginning of January 2011 there were 407 Academies (including converters) open in 118 local authorities.

Of the 407 open Academies, 69 have a faith designation:

- 31 Christian or mixed
- 33 Church of England
- 4 Catholic
- 1 Sikh

Of the 69 faith designated Academies, four opened as new provision. 31 of the predecessor schools were faith schools and the academies that replaced them also have a faith designation.

Faith Schools

- Faith schools make up around 34% of all maintained mainstream schools in England (37% primary, 19% secondary) – almost 7,000 faith schools from a total of just over 20,000 maintained schools. The majority represent the major Christian faiths.

Key facts about Jewish schools

- The first minority faith schools to open in the state sector were Jewish.

- Of the 39 Jewish maintained faith schools, 29 are primary schools and ten are secondary schools.

Performance of Jewish faith schools (source: DfE statistics)

- 2009 GCSE results indicate that all maintained mainstream Jewish secondary schools achieve well above the national average of 52% (5+ A*-C including English and maths).
- On average in 2009, 83% of pupils in Jewish schools achieved 5+ A*-C GCSE including English and Maths.

Jewish Independent schools statistics

From Edubase (as at 14 Jan 2011), there are:

- 38 Jewish Independent schools
- 4 Jewish Independent Special schools
- 1 Jewish Special College

Within these, there are 10 secondary schools with available 2010 Key Stage 4 results. 64% of pupils in these schools achieved 5 + A*-C grades, including English and Maths. This compares to 55.2% of pupils in maintained schools nationally.

PSHE and SRE

- In the primary curriculum PSHE is part of the non-statutory framework for Personal, Social, Health and Economic (PSHE) education and Citizenship. Since 2008, the secondary curriculum has had two strands: personal wellbeing, and economic wellbeing and financial capacity.
- Sex (and Relationships) Education (SRE) is a statutory requirement in secondary schools and is generally taught as a part of PSHE. The 'biology' of reproduction is taught in an age appropriate way, from age 5 through the statutory science curriculum.
- The July 2010 Ofsted report judged that overall provision for PSHE education was good or outstanding in over three quarters of the schools visited. In a third of the lessons seen, teachers' subject knowledge and expertise were insufficient. SRE, mental health and drugs and alcohol education were identified as areas of weakness, while provision of economic well-being and financial capability strand tended to be patchy.

Curriculum Review

- The Government's founding document: "The Coalition: our programme for government" made clear the intention to reform the school system and allow schools to have more freedom over the curriculum.
- On 7 June, the Minister of State for Education announced to the House of

Commons that the Government would be carrying out a review of the National Curriculum.

- The Schools White Paper, 'The Importance of Teaching', launched on 24 November, sets out the Government's vision for a transformed school curriculum. Full details will be announced shortly

Early Years Foundation Stage

The Early Years Foundation Stage (statutory since 2008) sets standards for learning and development and welfare of children aged from 0 to five – anyone who provides formal care to this age group (subject to some limited exemptions) must meet these standards. Independent schools care for around 5% of 3 - 5 year olds, and a smaller proportion of two-year-olds.

Some providers, particularly independent schools, believe the framework is unduly bureaucratic, diverting resources from teaching to paperwork. There are particular concerns about planning for, observing and assessing children's development, and about inspection. Many providers criticise the reading and writing goals which they believe are set too high for age 5, and the exemptions process for being too narrow, slow and bureaucratic.

There are also issues of parity in relation to the welfare requirements, which cover e.g. safeguarding, suitability of people and premises and staff: child ratios and qualifications. These set different requirements for different providers, particularly schools, the PVI sector, and childminders. This has led to complaints about complexity, particularly about unfair staff: child ratio requirements, which range from 1:3 for children aged under 2 to 1:30 for children in reception classes. This is a very live and difficult issue.

On qualifications, all supervisors and managers must hold a full and relevant level 3 qualification and half of all other staff must hold full and relevant level 2 qualifications.

The review is covering four main areas:

- Scope of regulation – whether there should be one single framework for all early years providers;
- Learning and development – looking at the latest evidence about children's development and what is needed to give them the best start at school;
- Assessment – whether young children's development should be formally assessed, at a certain age, and what this should cover;
- Welfare – the minimum standards to keep children safe and support their healthy development.

Payment for inspections of Independent schools

Independent schools inspected by Ofsted are charged fees which are banded according to the size of the school and are set in regulations. Small schools

(150 pupils and under, which many Orthodox Jewish schools are) pay £200 a year plus an amount of £9 or £7.50 per pupil. This does not cover the full cost of the inspection. The annual instalment basis of fees was introduced in 2008 to help schools budget for fees.

Charging a fee towards costs helps relieve the burden on the tax-payer of the inspection system, which is judged to be necessary to protect the interests of children. Even if it was desirable, to exempt not-for-profit schools from the fee would be difficult because defining 'not-for-profit' would be very complex. Although some schools, including most Jewish orthodox ones, would fall clearly into this category and indeed may not charge fees, being basically funded by their community, there are many schools which charge substantial fees but are not profit making in the commercial sense.

Union of Orthodox Hebrew Congregations (UOHC)

The Union of Orthodox Hebrew Congregations of England was founded in 1926 with the stated mission 'to protect traditional Judaism' It acts as an umbrella organisation for the Chareidi Jewish community in London and comprises over a hundred synagogues and educational institutions. It is responsible for all areas of Chareidi Jewish life in London. Its institutions include, but are not limited to, Stamford Hill, Golders Green, Hendon and Edgware.

ATTENDEES

Mike Freer MP

Cllr Brian Gordon

Rabbi Chaim Halpern

Mr Joe Logenstein, Vice President of Union of Orthodox Hebrew Congregations (UOHC)

Rabbi Y Baumgarten Chairman Education Committee, UOHC

BIOGRAPHIES

Mike Freer MP: Mike Freer was elected as the Member of Parliament in May 2010. Mike lives in Finchley and previously represented Finchley Church End as a local Councillor. He is a member of Friends of Windsor Open Space, Conservative Friends of Israel, Conservative Friends of Cyprus and is also a Friend of British Asian Conservative link. Mike is Vice-President of the All-Party Parliamentary Group Against Anti-Semitism.

Mr. Joe Lobenstein: Former long-serving Conservative Councillor and Mayor of Hackney. Vice President of Union of Orthodox Hebrew Congregations.

Rabbi J. Baumgarten: Chairman of Education Committee UOHC
Advisor to orthodox Jewish schools on Administration and Curriculum issues.

Rabbi C. Halpern: Senior Member of Rabbinat UOHC. Judge of Beth Din (Jewish Court). Leading Rabbi in Golders Green. Minister of Divrei Chaim Synagogue.

Mr. Brian Gordon: Barnet Conservative Councillor. Member of Executive, UOHC. Solicitor and community journalist.

Mr. Chanoch Kesselman: Executive Co-ordinator, UOHC. Regular spokesman for strictly orthodox community (Mr. Kesselman replaces Rabbi Greenberg).