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A response to Ofsted's consultation on Independent inspectors: regulations and advice

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1. This submission is made by the National Secular Society (NSS). The NSS is a not-for-profit non-governmental organisation founded in 1866, funded by its members and by donations. It campaigns for a diverse society where all are free to practise their faith, change it, or to have a faith at all. The NSS advocates separation of religion and state and promotes secularism as the best means to create a society in which people of all religions or none can live together fairly and cohesively.

Matter (a): the number and range of schools or colleges which the independent inspectorate inspects, or is to inspect.

Question 1(f). In particular, should we insist on all inspectorates covering schools that do not have an ethos associated with a particular religion or belief?

2. We think it right and important that this is insisted upon. We are particularly keen to see independent schools with a religious ethos better scrutinised given that they represent the fastest growing sector of independent schools in the UK; in 2012, it was estimated that there were around 80 new registrations a year¹ and there have been reports of the promotion of biased, separatist and sometimes extremist views in some of these schools². We are deeply concerned that the

¹ Gardham, D, and Whitehead, T. "Extremism unchecked in schools, secret briefing reveals", *The Daily Telegraph*, 31 December 2012, <http://www.telegraph.co.uk/education/educationnews/9750428/Extremism-unchecked-in-schools-secret-briefing-reveals.html>

² E.g. Bald, J. et al (2010), "Faith Schools we can believe in". London: Policy Exchange; MacEoin, D. (2009), "Music, Chess and other Sins: Segregation, Integration and Muslim Schools in Britain".

growth in number of such schools may prove to be detrimental to future community cohesion, and increase the potential for radicalisation of young people. Accordingly, we see the measure to widen the school characteristics that inspectorates need to cover as a positive, if small, step forward in countering this.

3. We view an insistence on inspectorates covering schools with no particular religious or belief ethos to be beneficial in helping expose inspectors to as wide a range as possible of schools and ways of teaching as well as potentially helping inspectors identify missing elements in religious schools. We believe that an insistence on the inclusion of schools with no particular religious or belief ethos would help secure diversity of member schools covering a range of faiths and philosophies. As stressed by the previous head of Ofsted, Christine Gilbert³, it is important to ensure that inspectorates have this diversity of member schools so that they are able to gain a broad perspective and not become over familiar with the body of schools inspected.
4. We see one of the crucial objectives of independent education, as with state education, to be the promotion of engaged citizenship and positive community cohesion, based on a understanding of Human Rights (as outlined, for example, by the International Covenant on Civil and Political Rights, the European Convention on Human Right and the UK Human Rights Act 1998). We argue that any school that teaches the superiority of one belief system whilst denigrating those of other belief and none works in opposition to this objective. With this in mind, it is deeply concerning that a 2009 Ofsted report showed 8 out of 51 independent schools with a religious ethos to be teaching materials biased in favour of one particular group⁴. Some teaching materials were also seen to contain biased or incorrect information about other religions and beliefs. We argue that part of combatting this problem requires inspectors to be wholly objective in their approach and inspect and become familiar with a wide range of schools with differing religious and non-religious ethos.

London: Civitas; BBC Panorama, "British Schools, Islamic Rules". 22 November 2010; and Channel 4 Dispatches, "Lessons in Hate and Violence". 14 February 2011.

³ Paton, G. "Government drops plan to allow Muslim schools to police themselves", The Daily Telegraph, 21 July 2008 <http://www.telegraph.co.uk/education/2439866/Government-drops-plan-to-allow-Muslim-schools-to-police-themselves.html>

⁴ Ofsted (2009) "Independent Faith Schools: Is the standard relating to spiritual, moral, social and cultural development of pupils, together with the five regulations underpinning it, fit for purpose?", Manchester: Ofsted.

Bridge Schools Inspectorate as a test case

5. We note that currently, one of the three inspectorates, Bridge Schools Inspectorate (BSI)⁵ does not inspect any schools which “do not have an ethos associated with a specific religion or belief”. Indeed, it explicitly promotes its work as specialising in independent schools with a Christian or Muslim ethos⁶, inspecting independent schools that are either members of the Association of Muslim Schools UK (AMS-UK) or the Christian Schools’ Trust (CST).
6. BSI describes its services as providing “an opportunity for cooperation between faith groups to establish a specialist faith schools inspectorate which respects their distinctive ethos”⁷. In fact, as noted in Ofsted’s most recent report on the inspectorate, “In most cases one Christian and one Muslim inspector, normally serving headteachers, are deployed to each inspection to ensure that inspection teams arrive at a secure and well-balanced view of the school’s secular and faith provision”⁸. Policy exchange has described this process as determined by a principle of mutual inspection by two confessional blocs, where the AMS-UK schools are inspected by CST, and CST schools inspected by AMS-UK inspectors⁹.
7. The origins of BSI’s founding are troubling; in response to some independent Muslim schools requesting in 2006 to opt out of Ofsted inspections (and conduct their own)¹⁰, and AMS and CST requesting a new inspection partner, BSI was established in 2008. The foundation of the BSI as an inspectorate dedicated to inspecting schools with a faith ethos only and with inspectors sharing that ethos was been criticised by Ofsted and number of politicians at the time. For example, Christine Gilbert, then head of Ofsted noted that, “We believe it would be difficult for an organisation to form an objective view of the quality of schools inspected if it dealt with only one type of school and therefore lacked a broad perspective”¹¹.

⁵ <http://www.bridgeschoolsinspectorate.co.uk/home>

⁶ <http://www.bridgeschoolsinspectorate.co.uk/home>

⁷ <http://www.bridgeschoolsinspectorate.co.uk/home>

⁸ Ofsted (2013) “Annual report on the quality of inspections and reports by the Bridge Schools Inspectorate 2012/13”, Manchester: Ofsted, p3.

⁹ Bald, J. et al (2010), “Faith Schools we can believe in”, London: Policy Exchange, p27.

¹⁰ Wynne-Jones, J. “Muslims want to opt out of Ofsted inspections”, *The Daily Telegraph*, 10 September 2006, <http://www.telegraph.co.uk/news/1528487/Muslims-want-to-optout-of-Ofsted-inspections.html>

¹¹ Paton, G. “Government drops plan to allow Muslim schools to police themselves”, *The Daily Telegraph*, 21 July 2008. <http://www.telegraph.co.uk/education/2439866/Governmentdrops-plan-to-allow-Muslim-schools-to-police-themselves.html>

Ms Gilbert reiterated her concerns in a letter to the Secretary of State for Children, Schools and Families in June 2008¹². Lord Baker, the former Conservative Secretary of State for Education, remarked as “outrageous and extraordinary” that there should be “a separate inspectorate for Muslim schools”; he commented that, “it’ll be much easier for extremists to infiltrate them and to radicalise the students...It’s the way towards a more divided society, an independent Muslim community in our country. If we’re going to have a harmonious society where extremists are brought within the fold this is not the way forward”¹³. Barry Sheerman MP, Labour Chairman of the Commons Select Committee, said that local councils were finding it “difficult to know what is going on in some faith schools — particularly Muslim schools”¹⁴.

8. We support the advice set out in Matter (a) because not only is having an inspectorate dedicated to inspecting religious schools only (which the Matter (a) advises against) counter-productive in terms of ensuring objective, well-informed and balanced inspections, but it should also help as part of the necessary strategy to deter potential cases of extremism in independent schools.
9. Evidence about BSI inspectors, and some of the schools inspected by BSI currently, demonstrate the failings of BSI inspections despite Ofsted rating it as ‘good’. Recent reports have revealed some very troubling evidence that a number of the individuals carrying out inspections on behalf of BSI hold homophobic, misogynistic, anti-apostate and creationist views¹⁵.
10. One inspector highlighted in reports is Ibrahim Hewitt, who is the founder and chair of trustees of the Al-Aqsa school in Leicester. Mr Hewitt has been reported to have said that adulterers should be stoned to death, that a man can take on a second wife if his first fails to satisfy him sexually, and has compared gay people

¹² Bald, J. et al (2010), “Faith Schools we can believe in”, London: Policy Exchange, p27.

¹³ Wynne-Jones, J. “Muslims want to opt out of Ofsted inspections”, *The Daily Telegraph*, 10 September 2006, <http://www.telegraph.co.uk/news/1528487/Muslims-want-to-opt-out-of-Ofsted-inspections.html>

¹⁴ Paton, G. “Muslim schools to conduct own inspections”, *The Daily Telegraph*, 31 January 2008, <http://www.telegraph.co.uk/education/1577137/Muslim-schoolsto-conduct-own-inspections.html>

¹⁵ See e.g. Investigation by Mike Hamilton for *The Sun on Sunday*, 11 May 2014, “Two Muslim school inspectorates face axe”, *The Sunday Times*, 11 May 2014, http://www.thesundaytimes.co.uk/sto/news/uk_news/Education/article1409438.ece, “Private school chief linked to Islam Trojan Horse plot says: Stone all adulterers to death”, *Daily Mail*, 20 April 2014, <http://www.dailymail.co.uk/news/article-2608662/Private-school-chief-linked-Islam-Trojan-Horse-plot-says-Stone-adulterers-death.html>

to paedophiles¹⁶. He is also chair of the charity Interpal, although legal in the UK, is considered by the USA to be a “Specially Designated Global Terrorist organization”¹⁷. Another BSI inspector, Mohamed Mukadam, is quoted as saying that Muslims who abandon their faith should be put to death¹⁸. BSI inspector, Tahir Alam, has been at the centre of allegations related to Park View Academy in Birmingham, the school that has been a focal point in the so-called ‘Trojan Horse’ investigations¹⁹.

11. Founder of CST and trustee of the BSI, Sylvia Baker, has stated that CST is creationist and recommends the teaching of creationism in its member schools²⁰. According to a CST poll, in 2006, eleven of the twelve schools it asked were teaching that evolution was false, (with the twelfth head teacher stating he did not know what position his school took on evolution). An earlier study of 52 of these Christian Schools by Geoffrey Walford found that almost all taught the Bible’s six days of Creation as literally true²¹. BSI trustee (and ex-chair of the CST), David Freeman, was the founding head the King's School in Witney²² which used Accelerated Christian Education (ACE) curriculum, noted for its grounding in young-Earth creationism and teaching, until 2013, that the existence of the Loch Ness monster was evidence against evolution²³.
12. We are of course, not suggesting that it is inevitable that such views should be found amongst groups of inspectors with religious views, but what this evidence does suggest is that there is a need for a more diverse set of beliefs in order to

¹⁶ “Private school chief linked to Islam Trojan Horse plot says: Stone all adulterers to death”, *Daily Mail*, 20 April 2014, <http://www.dailymail.co.uk/news/article-2608662/Private-school-chief-linked-Islam-Trojan-Horse-plot-says-Stone-adulterers-death.html>

¹⁷ HM Government (2013) “Tackling extremism in the UK: Report from the Prime Minister’s Task Force on Tackling Radicalisation and Extremism”, London, <http://www.treasury.gov/resource-center/sanctions/Programs/Documents/terror.pdf>, www.parliament.uk/briefing-papers/sn06778.pdf

¹⁸ <http://www.secularism.org.uk/news/2014/05/concerns-raised-over-religious-hardliners-inspecting-independent-faith-schools>

¹⁹ “Guide to school Islamisation, by ‘ringleader’ of Trojan Horse plot” *The Daily Telegraph*, 26 April 2014, <http://www.telegraph.co.uk/education/educationnews/10790441/Guide-to-school-Islamisation-by-ringleader-of-Trojan-Horse-plot.html>

²⁰ Baker, S. (2009) “An Investigation of the New Independent Christian Schools: What kind of citizens are they producing?”, University of Warwick, Institute of Education, http://wrap.warwick.ac.uk/3115/1/WRAP_THESIS_Baker_2009.pdf

²¹ <http://bcseweb.blogspot.co.uk/2012/01/sylvia-bakers-thesis-christian-schools.html>

²² <http://www.occ.org.uk/node/126>

²³ Loxton, R. “Nessie cut from creationism” *Herald Scotland*, 28 July 2013, <http://www.heraldscotland.com/news/home-news/nessie-cut-from-creationism.21694263>; Shaw, M. “Fundamentalist exams on a par with A-levels”, *Times Educational Supplement*, 14 August 2009, <http://www.tes.co.uk/article.aspx?storycode=6020471>.

ensure a healthier mix of views and perspectives and better scrutiny of those undertaking inspections. These concerns about BSI inspectors also suggest there is need for more thorough Ofsted inspections. We would suggest that this can only happen by being faith-blind when choosing inspectors and ensuring exposure to all sorts of schools, including those without a religious ethos. This comes in diametric opposition to the current system undertaken by BSI.

Countering extremism and radicalisation

13. More generally, the importance of ensuring a balanced scrutiny of independent schools can be reaffirmed by the current situation we have, where some independent schools have been found to be involved in promoting ideas that are counter-cohesive, separatist and contrary to British values, through for example, allowing children to be exposed to extremist preachers and other fundamentalist groups²⁴. Specific allegations that a minority of independent faith schools have been actively furthering views that are contrary to British values, such as intolerance of other cultures and gender inequality was also highlighted by the 2011 Home Office report on the Prevent Strategy²⁵.
14. As highlighted by the 2011 Report from the Prime Minister's Task Force on Tackling Radicalisation and Extremism, extremists take advantage of institutions where they can promote their message and influence vulnerable people²⁶. We argue, along the lines of the Report, that the government needs to do more to tackle such extremism in such areas where it has control, such as in independent and religious schools.
15. We feel it vital that the government implements matter (a) with particular insistence that inspectorates cover schools that do not have an ethos associated with a particular religion or belief. Not only does the evidence available call into question the suitability of the one current inspectorate, BSI, which only inspects

²⁴ *BBC Panorama* (2010), "British Schools, Islamic Rules". 22 November, and Channel 4 Dispatches (2011), "Lessons in Hate and Violence". 14 February. Bald, J. et al (2010), "Faith Schools we can believe in". London: Policy Exchange and MacEoin, D. (2009), "Music, Chess and other Sins: Segregation, Integration and Muslim Schools in Britain". London: Civitas.

²⁵ *Prevent Strategy*, June 2011,

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/97976/prevent-strategy-review.pdf

²⁶ HM Government (2013) "Tackling extremism in the UK: Report from the Prime Minister's Task Force on Tackling Radicalisation and Extremism", London,

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/263181/ETF_FINAL.pdf

Christian and Muslim schools, but we perceive it to be an integral part of ensuring that children and young people receive the comprehensive, wide-ranging and informative education they are entitled to, and that they are also protected from harm, including exposure to intolerant or extremist views in schools.

Matter (b): the extent to which that inspectorate is independent from the schools or colleges it inspects, or is to inspect.

Question 2. Do you agree with the wording of matter (b), and the related advice?

16. We agree; we think it vital that inspectorates are independent from the schools or colleges they inspect, or are to inspect, and are set up to ensure impartiality. Impartial inspections cannot happen when inspectors have special interests in, or over-familiarity with, certain schools. Without sufficient impartiality, inspections cannot be seen as either having credibility or integrity.

17. Some of the dangers of not ensuring legal independence between the inspectorate and the schools it inspects are borne out by the problems of the BSI experience described above, where for example, its trustees include both the founder, Sylvia Baker, and ex-Chair, David Freeman, of CST – the group which runs the very schools BSI is in charge of inspecting²⁷. Likewise, with Ibrahim Hewitt, whilst he is an inspector with BSI, he is also the founder and chair of trustees of the Al-Aqsa school which BSI inspects²⁸

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We do not regard this response as confidential.

²⁷ http://www.bridgeschoolsinspectorate.co.uk/bsi_board

²⁸ See e.g. Investigation by Mike Hamilton for *The Sun on Sunday*, 11 May 2014, “Two Muslim school inspectorates face axe”, *The Sunday Times*, 11 May 2014, http://www.thesundaytimes.co.uk/sto/news/uk_news/Education/article1409438.ece, “Private school chief linked to Islam Trojan Horse plot says: Stone all adulterers to death”, *Daily Mail*, 20 April 2014, <http://www.dailymail.co.uk/news/article-2608662/Private-school-chief-linked-Islam-Trojan-Horse-plot-says-Stone-adulterers-death.html>