

JEWISH SCHOOLS — THE CRISIS INTENSIFIES

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CONTENTS

Chinuch Headlines and Background to present crisis	Page 2
Excerpts from recent Ofsted Reports	Page 4
Proposed new powers to close down failed schools	Page 8
The new Relationships Legislation (RSE)	Page 9
Conclusions	Page 11

CHINUCH HEADLINES

- In the last year alone, 19 Charedi schools have been failed in Ofsted inspections in London, Manchester and Gateshead.¹
- New legislation giving the Government the power to close failed schools immediately is likely to become law within the next few months.
- A new law requiring all schools to teach explicitly about relationships forbidden by the Torah is expected to begin operating in September 2019.²

BACKGROUND TO PRESENT CRISIS

In June of this year I wrote an article entitled “The crisis facing Jewish schools in the UK”.³ There it was shown how recent legislation introduced by the Government threatens the continued existence of Orthodox Jewish schools in this country. The purpose of this new article is to show that the situation has significantly worsened since then and that we are facing a very difficult situation.

In my previous article, I outlined how in 2015, the Government introduced wide-ranging new laws dictating what had to be taught in Independent schools. The main thrust of this legislation was to ensure that all schools “actively promote fundamental British values.”⁴ The Government explained that ‘actively promote’ also means “challenging pupils, staff or parents expressing opinions contrary to fundamental British values.” This all sounds fine except that the Government’s definition of fundamental British values included radical liberal ideas that have only recently become acceptable in modern society as well as many other secular ideas that are not consistent with Orthodox Judaism.⁵

All schools were now expected to teach about same-sex relationships and marriages and about transsexuality.⁶ They were expected to teach that these are equally valid alternative

¹ All the 3 headlines mentioned here will be discussed in detail later in the article and sources for these statements will be given.

² Schools will be recommended to begin this teaching from September 2019. It is due to become obligatory from September 2020. Parents will only be able to opt out from the requirement for schools to teach the physical aspects of relationships. They cannot opt out of the requirement for their children to receive detailed education about forbidden same-sex relationships, which must be presented as valid lifestyle options.

³ My previous article can be accessed on <https://blogs.timesofisrael.com/the-fate-of-orthodox-jewry-in-the-uk-hangs-in-the-balance/>

⁴ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/322296/Consultation_Document_23_6_-_independent_school_standards.pdf See there for the underlying purpose and expectations of the new legislation.

⁵ See my previous article where it was explained that the Department for Education earlier this year published a set of guidelines on exactly how the Independent Schools Standards (2015) apply to schools and what their obligations are.

⁶ https://consult.education.gov.uk/school-frameworks/operating-the-independent-school-regulatory-system/supporting_documents/180214%20%20ISSAdvice%20v13.0draftforCS.pdf Sections 46 and 58 of the new Independent Schools Standards advice state: “We would expect children to know about the protected characteristics (including same-sex marriages and relationships). Generalised ‘respect’ [of the protected characteristics] without any greater degree of understanding is not sufficient to meet this standard. ‘Respect’

lifestyles. They were also obliged to teach the scientific view of creation and present it as having a superior evidence base to the Biblical account.⁷ Gender roles were not to be taught as stereotypes rather it was to be taught that men and women have more or less identical roles in society.⁸ Students would have to be prepared for a lifestyle where men and women mix.⁹ The schools would need to ensure that the students have contact with people from different faiths and cultures.¹⁰ They would not be allowed to spend too much time on religious studies at the expense of secular studies since they had to be prepared for life in modern 21st century Britain.¹¹

The innovation of the Government's approach was that they considered it legitimate to impose their world-view on all independent schools even where this clashed with the ethos and world-view of these schools. They were prepared to do this even against the explicit wishes of the parents. We were entering an era of neo-liberal authoritarianism which would tolerate no opposition.

The Government admitted that the new requirements were likely to cause many faith schools to close down¹² but stated: *"Even though children may have to go to a different school and this might not be the school of the families' choice, the enforcement [closure of faith schools] would ultimately be to the benefit of the children because they are entitled to a satisfactory education¹³ These are legitimate aims which a State may impose¹⁴."*

The head of Ofsted, Amanda Spielman, has made her views about Charedi schools abundantly clear: *"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, legal and illegal, to narrow young people's horizons, to isolate*

requires acceptance that other people [e.g. those in same-sex marriage] may be different and that it is equally valid."

⁷ Section 13 states: "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."

⁸ Section 22 states (slightly paraphrased): "learning materials should not carry messages that suggest particular roles are more suited than others for pupils of a particular gender." Section 27 states: "Schools will have to show that pupils understand and respect that either gender can fulfil almost any role in society."

⁹ Section 27 reads: "Schools will have to be able to show that the children are being prepared for engagement with communities where gender mixing is common." Section 40 states: "Both boys and girls can be disadvantaged by a policy which prevents them from interacting with pupils of the opposite sex."

¹⁰ Section 26 states: "Schools should take actions such as enabling pupils to encounter people of different faith backgrounds." Section 55 states: "Teaching should prepare pupils to interact positively with people of different cultures and faiths." Section 52 underlines "the need to include contact with communities other than the school's own."

¹¹ There is no specific paragraph in the Independent School Standards stating this, but because the schools must fulfil very many requirements in terms of conveying British values and preparing the students for participation in the wider society, schools have frequently been failed for spending too much time on religious studies. Examples of this will be given later in this piece.

¹² They wrote: *"Small faith schools tend to have greater difficulty in meeting the standards and are disproportionately likely to be the subject of DfE action."*

¹³ consult.education.gov.uk/school-frameworks/operating-the-independent-school-regulatory-system/supporting_documents/TheEqualitiesLogBlankTemplateEnforcementPolicyv3.0.pdf part 2

¹⁴ https://consult.education.gov.uk/school-frameworks/operating-the-independent-school-regulatory-system/supporting_documents/UNCRC%20assessment%20%20regulatory%20and%20enforcement%20policy%20statement.pdf Page 2

and segregate ..¹⁵ So, when I have talked about **muscular liberalism** in the past, it has been about the confidence to sustain our openness and tolerance¹⁶, and not allow them to be used to accept models of education in this country that close minds and narrow opportunity... That should apply just as much in Scunthorpe, as in Hackney [=Stamford Hill], as in Cheshire."¹⁷

EXCERPTS FROM RECENT OFSTED REPORTS

As a result of the new Government regulations, many Jewish schools which had previously been considered as excellent were now being classed as inadequate and being faced with closure. All because they did not prepare the students for life in secular modern Britain but for life in the Orthodox Jewish community. This is best illustrated by the recent example of a girls school in Stamford Hill (*Beis Chinuch Lebonos*) which in 2011 was classed as outstanding in all areas but **this October** was classed as inadequate in all areas.¹⁸

Ofsted's overall evaluation of the school in 2011 was:

"The school provides an outstanding quality of education and is highly successful in implementing its aims. As a result of the good teaching and assessment, the excellent Kodesh and Chol curricula, outstanding welfare, health and safety provision and robust safeguarding procedures, the girls develop outstanding spiritual, moral social and cultural knowledge and understanding and make outstanding progress in their academic learning. A large number of parental questionnaires were received all of which were exceptionally pleased with the quality of education their girls receive. In the words of one parent, 'My daughter really loves every second she spends in school and comes home very happy. I am very proud that she attends Beis Chinuch Lebonos.' The school meets all the regulations."

This October, Ofsted released a new inspection report which classed the school as inadequate in every single category. Here is a selection of their comments:

This is an inadequate school. Pupils are not prepared well enough for life in modern Britain.

Leaders and governors restrict pupils' access to knowledge and information, particularly in the science curriculum. Topics such as reproduction, evolution and scientific theories of the origins of the universe are not covered. [Therefore] pupils have important gaps in their knowledge and understanding of the world.... Leaders had redacted photographs of men and women with bare skin.

*Leaders have not made sure that due regard is given to promoting pupils' respect for all groups of **people with protected characteristics**¹⁹, as required by the 2010 Equalities law.*

¹⁵ <https://www.gov.uk/government/speeches/amanda-spielmanns-speech-at-the-church-of-england-foundation-for-education-leadership>

¹⁶ Perhaps she should have said "our *intolerance*" here instead.

¹⁷ <https://www.gov.uk/government/speeches/amanda-spielmanns-speech-to-the-policy-exchange-think-tank>
Scunthorpe has a high Moslem population and Cheshire has a high affluent white population.

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

¹⁹ "People with protected characteristics" include LGBT people — Lesbian, Gay, Bisexual and Transexual. The full list of the nine Protected Characteristics is as follows: a) Age; b) Disability; c) Gender reassignment; d)

While governors want pupils to learn and achieve well their vision for pupils' education is centred heavily on the school's religious ethos. They have not matched this with an equal commitment to making sure that the school complies with the independent school standards.

The school's work to promote pupils' personal development and welfare is inadequate. Pupils are not prepared effectively for life in modern Britain. 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.

Leaders said that parents were concerned about the questions inspectors might ask pupils. Leaders obtained parents' permission for inspectors to speak to small groups of pupils. This permission was conditional on inspectors not asking questions related to aspects of personal, social, health and economic (PSHE) education or science teaching, such as reproduction, sexting²⁰ and different lifestyles. Inspectors were also asked not to discuss how the school promoted pupils' respect for all of the protected characteristics²¹, as required by the independent school standards. Leaders were unable to provide other evidence that the school promoted respect for all groups of people with characteristics protected by law.

Leaders' restrictions on the topics that could be discussed meant that inspectors were unable to explore whether pupils had an age-appropriate awareness of the different forms that bullying may take, including homophobic bullying²² and that which may occur online.

Another school failed by Ofsted this October was the new Lubavitch Senior Boys' School.²³ One of Ofsted's criticisms was:

The curriculum is unbalanced. Most of the school day is dedicated to religious studies. This is taught well and pupils are interested and engaged in their learning. However, the time allocated to English, mathematics and science, and a small range of other subjects, is minimal. Pupils do not have enough time to learn in depth, or acquire the knowledge, skills and understanding needed for the next stage of their education.

Another school failed in all categories in October was Vizhnitz Cheder which had previously been classed as "good" in December 2012.²⁴ Here is a brief extract from the report:

The school's narrow curriculum and very limited schemes of work mean that pupils are ill prepared for life in British society. Leaders do not encourage respect or appreciation of a range of cultures other than their own. Careers guidance for pupils is weak. Pupils are not well prepared for the next steps in their education or training. Inspectors were only allowed to speak with three pupils as parents and carers of all the other children had withdrawn consent. This meant that the school was unable to provide all the evidence in a number of important areas.

Marriage and civil partnership; e) Pregnancy and maternity; f) Race; g) Religion or belief; h) Sex; i) Sexual orientation (LGBT).

²⁰ Sexting refers to the sending of obscene messages by internet.

²¹ See note above for the meaning of this term.

²² This means bullying of people who are homosexual.

²³ See <https://reports.ofsted.gov.uk/provider/27/144363>

²⁴ See <https://reports.ofsted.gov.uk/provider/27/137809>

Below are listed some brief excerpts from other Ofsted reports for Jewish schools that appeared this October:

Leaders arrange for all textbooks and other resources for learning to be censored prior to being used with pupils in classes. Images and any text deemed not to be in line with the traditions and religious teaching of the Jewish faith are redacted or covered over with blank paper. During the inspection, leaders stated that pupils were often unaware of the censorship because censored worksheets were photocopied. Nevertheless, the detriment to pupils remains and has a negative impact on their learning.²⁵

In NW London, Beis Midrash Elyon was also failed by Ofsted this month. Here is a sample from the Ofsted report:

Pupils' personal development is undermined by the limited amount of time allocated to this aspect of their education.... Pupils are not aware of all the characteristics protected by the Equality Act 2010. This is in keeping with the school's aims and ethos, and leaders consider that issues such as sexual orientation will be dealt with by parents when pupils are older. During the inspection, leaders insisted that no mention of these issues was to be made in discussions Inspection report with pupils. This request was respected by the inspector. It was clear from discussions with leaders that pupils do not develop a full understanding of equality discrimination. Leaders understand that by not addressing this aspect of the curriculum, as set out in the Equalities Act 2010, the independent school standards are not met... While pupils show respect for others, they do not have sufficient knowledge to apply this to other traditions and lifestyles that make up modern Britain.

Other schools recently failed in NW London were Tiferes Shlomo and Lubavitch Yeshiva Ketana. Here is a sample from their Ofsted reports:²⁶

The secular curriculum is too narrow and leaders do not actively promote respect for all groups of people with protected characteristics. Leaders do not meet the requirements of the 2010 Equalities Act, because they do not actively promote respect for all groups of people who have protected characteristics. Pupils do not know about different types of relationships and family groups. Consequently, in this respect, pupils are not prepared for life in modern Britain.

Pupils understanding of other faiths and cultures is limited. Hence they are not prepared well enough for life in British society.

In Manchester Mechinoh School was failed. Here is a sample from the Ofsted report²⁷:

*The school does not meet the standards which require it to pay particular regard to the protected characteristics set out in the national legislation about equality. 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.***

²⁵ See <https://reports.ofsted.gov.uk/provider/27/100291>

²⁶ See <https://reports.ofsted.gov.uk/provider/27/131121> <https://reports.ofsted.gov.uk/provider/27/144727>

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

For completeness we will bring an extract from a school in Gateshead that also failed the Ofsted report this year, Yeshiva Lezeirim²⁸:

Pupils did not receive appropriate advice and guidance to prepare them for opportunities, responsibilities and experiences of life in British society. Pupils could not explain how the school is preparing them for life in modern Britain. Leaders do not ensure that pupils have knowledge relating to the protected characteristics set out in chapter 1 of part 2 of the Equality Act 2010. While pupils have knowledge of some characteristics, such as age and gender, leaders do not allow discussion or education about gender reassignment or sexual orientation.

The previous inspection found that the proprietor did not ensure that the spiritual, moral, social and cultural development of pupils actively promoted fundamental British values. The proprietor did not ensure that pupils could contribute positively to those living in their locality and the wider community... Inspectors found that pupils still have very limited experience of the wider community. There are very few opportunities to integrate into the wider community.

Finally, we will include a small selection of the damning Ofsted report on Yesodei Hatorah Girls' school that came out last June.²⁹ It contains some of the most shocking statements of all.

The majority of personal, social, health and economic 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 and their access to the full national curriculum. The curriculum does not prepare pupils adequately for life in modern Britain.

The principal and governors judge the school's effectiveness in terms of the school's own values, reflecting the expectations of their immediate community, rather than their statutory obligations as prescribed by the Department for Education. These are incompatible in several respects.

Pupils' spiritual development is focused narrowly on their own faith... the scope within which they exercise their understanding of moral and ethical issues has been purposefully restricted. This inhibits their ability to appreciate the viewpoints of others and to debate different perspectives. Leaders do not provide opportunities for pupils to socialise with pupils from different communities, religions, ethnic and socio-economic backgrounds or with boys.

²⁸ See <https://reports.ofsted.gov.uk/provider/27/143525>

²⁹ See <https://reports.ofsted.gov.uk/provider/27/133599>

PROPOSED NEW POWERS TO CLOSE DOWN FAILED SCHOOLS

All together 19 Charedi schools have been failed after Ofsted inspections during the last year. 14 in Stamford Hill, 3 in Golders Green and Hendon, 1 in Manchester and 1 in Gateshead.³⁰ It should be noted that the only failed schools in Barnet are Charedi and that 14 out of 15 failed schools in Hackney are Charedi. This shows how the Government's new legislation discriminates particularly against our schools since we wish to keep ourselves separate from the non-Jewish way of life and maintain our own tradition.

What does it mean in practice when a school is failed by Ofsted? The school has to present a detailed action plan to the Department of Education outlining how they are going to correct all the shortcomings that the Ofsted report has pointed out. That means if a school is criticised for not teaching "*topics such as reproduction, evolution and scientific theories of the origins of the universe*", as was the case in Beis Chinuch Lebonos, it must present an action plan that outlines how it will undertake to teach these things. Equally they will have to outline how they will undertake to teach about homosexual and transsexual relationships as required by the law. They will have to stop covering up immodest pictures or unsuitable references in the text books. They will have to show how they will prepare students for life in modern Britain by arranging activities with other faiths and communities and opening them up to the world-view of 21st century modern Britain. They will also have to show how they will remedy any other issues found such as the quality of the teaching or the safety of the premises.

Having received this action plan, the Department of Education can decide whether to accept this plan or to reject it as insufficient. As the law presently stands, even if this action plan is rejected, little can be done immediately in order to close the school. It may take years for any closure orders to be applied. But this situation is likely to soon undergo a dramatic change as the Government stated clearly in their recent consultation document where they wrote:

"It should be noted that the policy statement embodies proposals which represent a significant change in existing policy. Currently, if a school submits an action plan and this is rejected by the Secretary of State³¹, it is normal practice for a school to be allowed at least two progress monitoring inspections before enforcement action is considered. Under the new policy, enforcement action is likely to be taken in most cases after only one such inspection, or even immediately after rejection of the action plan."³²

Under the new Government proposal, a failed school could potentially be ordered to close down immediately if their action plan was rejected. Those involved in the negotiations with the Government have hinted to me that this new proposed legislation will almost certainly become law in the coming months. This comes as a result of enormous pressure that has been applied by secular anti-faith organisations that have vehemently protested that failed

³⁰ The source for these figures is from the official Ofsted website: <https://reports.ofsted.gov.uk/search>. If one chooses the filter "rating" and clicks "inadequate" and then selects the relevant local authority such as Barnet, Hackney or Salford — the names of the schools will appear.

³¹ At present the Secretary of State is the RH Damian Hinds who is the minister in charge of education.

³² https://consult.education.gov.uk/school-frameworks/operating-the-independent-school-regulatory-system/supporting_documents/ISSPackageConDocv7.0.pdf page 9

schools are allowed to stay open for many years even though they are providing inadequate education and failing to comply with their legal obligations.³³

This means that unless we are able to act forcefully in the political arena, 19 of our schools with a total of approximately 4,000 children are under threat of potential closure in the coming year.

It is interesting to note that although the damning Ofsted reports of the past two months have received extensive coverage in the secular press and the Jewish Chronicle,³⁴ the Charedi newspapers have not mentioned them. At the moment the orthodox community remains blissfully unaware of the gathering tsunami.

THE NEW RELATIONSHIPS LEGISLATION (RSE)³⁵

The Government has recently published a draft version of a new proposed law which will obligate all primary schools in this country to teach relationships education and all secondary schools to teach both sex and relationship education. Parents will be able to remove their children from the sex education element but not from the relationships element.³⁶ Three terms before a child's sixteenth birthday, a child can overrule his parents and demand that he receives sex education from the school. Even if all the students in a school opt out of sex education, the school itself must prepare a sex education curriculum.

What is relationships education and why are the Government requiring it to be taught? In the secular world promiscuity is rampant at a young age and much abuse takes place. Drug taking and violence are common. Such a volatile environment certainly needs Government intervention. For this purpose, they have drawn up a wide-ranging educational programme to address these issues. But for our protected orthodox community the proposed curriculum is totally unsuitable and also promotes the secular understanding of relationships with acceptance and promotion of pre-marital and same-sex relationships.

Take for example the following requirement at secondary school level:³⁷

Pupils should be taught the facts and the law about gender identity in an age-appropriate and inclusive way. All pupils should feel that the content is relevant to them and

³³ See the following link <https://schoolsweek.co.uk/revealed-the-private-schools-that-remain-open-despite-standards-warnings/> where it writes: *The power to close down schools rests with the DfE, but Ofsted has been increasingly outspoken about the government's inaction. A spokesperson for the watchdog said "failing private schools are remaining open under the same leadership for far too long. In the interests of pupils' education and welfare, we believe the department should move to take enforcement action more quickly in these cases."* *Mechinoh School, a Jewish school in Lancashire, was graded inadequate for the third time in March last year, and has now failed the independent schools' standards five times.* See also the following link:

<https://www.tes.com/news/exclusive-faith-schools-one-britains-biggest-problems-academic-claims>

³⁴ See for example ³⁴ <https://www.tes.com/news/jewish-school-warned-solely-teaching-re-year-8> and <https://www.thejc.com/education/education-news/second-lubavitch-school-rated-inadequate-within-a-month-1.470836>

³⁵ RSE stands for "Relationships and sex Education"

³⁶ Sex education deals only with the teaching of the intimate physical aspects of the subject while relationships education deals with everything else to do with relationships such as the different options available under secular law, how to approach them and what to be careful of.

³⁷ See https://consult.education.gov.uk/pshe/relationships-education-rse-health-education/supporting_documents/20170718_%20Draft%20guidance%20for%20consultation.pdf Page 20 ff.

their developing sexuality. **Sexual orientation and gender identity should be explored at a timely point and in a clear, sensitive and respectful manner.**

When teaching about these topics, it must be recognised that young people may be discovering or coming to terms with their sexual orientation or gender identity. **There should be an equal opportunity to explore the features of stable and healthy same-sex relationships.**

Another section states:

It is important to know what the law says about sex, relationships and young people.....Pupils should be made aware of the relevant legal provisions when relevant topics are being taught, including for example: • marriage and civil partnerships • consent, including the age of consent • violence against women and girls • online behaviours including image and information sharing (including 'sexting', youth-produced sexual imagery, nudes, etc.) • pornography • abortion • sexuality • gender identity • substance misuse

Even at primary school level the pupils are required to know the following:

- *that others' families, either in school or in the wider world, sometimes look different from their family, but that **they should respect those differences** and know that other children's families are also characterised by love and care for them.*
- *that stable, caring relationships, **which may be of different types**, are at the heart of happy families, and are important for children's security as they grow up.*
- *[that] marriage in England and Wales is available to both opposite sex and same sex couples. The ceremony through which a couple get married may be civil or religious.*
- *the rules and principles for keeping safe online, how to recognise risks, harmful content and contact, and how to report them.*
- *how to critically consider their online friendships and sources of information including awareness of the risks associated with people they have never met.*

It will now be self-evident that Charedi schools will find it impossible to fulfil the requirements of the new proposed RSE legislation. The Government has given a consultation period during which people are allowed to voice any reservations they may have about the new proposals.³⁸ The closing date for this consultation is very soon on November 7th. Once the consultation period has finished the new relationship education is scheduled to be introduced by September 2019, but will only become obligatory in September 2020.

³⁸ It may be advisable for people to enter their own opposition to the new legislation on the following link. <https://consult.education.gov.uk/pshe/relationships-education-rse-health-education/>

CONCLUSIONS

We have seen that the chinuch crisis has become significantly worse.

The Government's agenda to ensure that all children in this country are educated with an awareness of modern secular values and prepared for life in modern 21st century Britain is going full steam ahead.

Every child without exception must be taught about seemingly perverse alternative relationships and about the scientific theory of creation. More traditional gender roles for men and women must not be taught and excessive time should not be spent on religious studies at the expense of gaining secular knowledge. Pupils must have contact with other communities and other faiths and be prepared for a lifestyle where men and women mix and intermingle.

All this is so as to ensure that the child does not have "a narrow and outdated world-view" and is prepared for life in modern Britain!

The Government has increased the pace of its clampdown on Charedi schools, failing them at an increasing rate. Simultaneously the Government is most probably about to acquire new powers to close down offending schools almost immediately, if they want.

The Government is about to introduce obligatory relationship education which would force Jewish schools to teach about same-sex relationships and other immoral subjects which are totally unacceptable for our community.

Reports have come in that some schools are making compromises in order to get through Ofsted inspections. They have explained that there is no united and co-ordinated action being taken by all the schools and the community together. Therefore, acting in isolation, they have been forced to make concessions in order to survive.

It is time for strong and united action in order to protect ourselves from these threats to the survival and purity of our schools.