
BRIEFING: UNREGISTERED RELIGIOUS SCHOOLS

Humanists UK, March 2018

INTRODUCTION

It is now well-known that a significant number of unregistered, illegal schools are operating through England, and it is equally well-known that many of these settings are religious in character. Such settings serve a variety of different religious communities, including Muslim, Jewish, and Christian - all of which in some respect tend to be fundamentalist, extreme, or isolationist in their outlook. It is largely for this reason that such communities see illegal schools rather than registered ones as preferable. Ofsted has identified 350 suspected illegal schools, attended by over 6,000 children.

Humanists UK leads the national campaign for action on unregistered religious schools and works closely with former pupils of such settings, as well as current members of closed religious communities, to highlight their experiences and provide evidence to the authorities.

EDUCATIONAL EXPERIENCE

The education provided in unregistered religious schools is known to be narrow in its scope, predominantly scriptural in its content, and deeply conservative, intolerant, and extreme in its outlook. In a series of advice notes to the Secretary of State for Education in 2015 and 2016, former Ofsted Chief Inspector Sir Michael Wilshaw detailed the findings of inspectors in a number of unregistered Muslim settings, including 'a narrow Islamic-focused curriculum', 'inappropriate books and other texts including misogynistic, homophobic and anti-Semitic material', and 'children and young people... at significant risk of harm and indoctrination'.¹

Similarly, Ofsted reports published by Humanists UK in 2016 exposed the situation within illegal Charedi schools, revealing that the curriculum 'encourages cultural and ethnic insularity' and prevents pupils from 'developing a wider, deeper understanding of different faiths, communities, cultures and lifestyles, including those of England'.² Ofsted also noted that 'as a matter of religious principle, the school does not provide a secular education except for mathematics lessons delivered by religious studies teachers in Yiddish on two or three occasions a week.' Unregistered schools also tend to be housed in entirely unsuitable buildings, former pupils report widespread abuse,³ and a recent exposé by Humanists UK and the BBC revealed the use of [physical punishment](#) by teachers.⁴

¹ 'Unregistered schools: Ofsted advice notes', 2015-2016:

<https://www.gov.uk/government/publications/unregistered-schools-ofsted-advice-note>

² 'Humanists UK reveals illegal faith school allowed to operate for years despite Ofsted warnings', 2016:

<https://humanism.org.uk/2016/01/15/bha-reveals-illegal-jewish-school-allowed-to-stay-open-for-years-despite-repeated-ofsted-warnings/>

³ 'My life in an illegal Charedi school', Faith Schoolers Anonymous, 2016:

<https://faithschoolersanonymous.uk/2016/05/life-in-a-charedi-school/>

⁴ Video: Teacher strikes and manhandles child in suspected illegal schools, BBC/Humanists UK, 2018:

<https://www.facebook.com/bbcnews/videos/10155610270407217/>

WHAT'S WRONG WITH THE LAW?

The Department for Education says that settings providing only religious or scriptural instruction to their pupils do not qualify as schools. This is because the breadth of the education provided at such settings does not meet or *attempt to meet* the independent school standards, which define in law what is an independent school.⁵

However, many of these settings provide **full-time** education to their pupils, who do not receive any other form of education. The settings often claim either to be providing part-time education to pupils who are being otherwise educated at home, or to be teaching five children or less and so don't meet the threshold for registration, but the evidence is clear that this is not the case. In fact, many individual unregistered religious schools are attended by tens, even hundreds, of pupils each for far longer than a typical school day.

Unfortunately, there is currently no provision for officials to register or inspect part-time or out-of-school settings, and without any regulation around home-schooling it's practically impossible for officials to know if the pupils within them are receiving their entitlement to education elsewhere. As Ofsted Chief Inspector Amanda Spielman commented recently, 'We can't even pick up evidence that we find [in these settings]. If we find some unsuitable teaching material we can't even take that away.'

WHAT NEEDS TO CHANGE?

The solution to this is to introduce a system of registration and inspection of out-of-school/part-time educational settings, as well as a register of home-education children.

Out-of-school/part-time settings

In 2015/16 the Government consulted on proposals to introduce a system of regulation for out-of-school settings, involving a requirement that settings providing 'intensive' education (i.e. with individual pupils attending for 8+ hours a week) must register with either the local authority or the DfE, and be subject to inspections so as to ensure children are being properly safeguarded. Disappointingly, these proposals have not been brought forward, and are understood to have been dropped following pressure from the Church of England.⁶ This is despite the fact that the threshold for 'intensive education' was set specifically to exempt virtually all Sunday Schools from needing to register.

In any case, the Government ought to bring forward these (or similar) proposals immediately. This would give Ofsted access to part-time settings, allow them to identify settings that are operating unlawfully, and give local authorities a list of children to cross-reference with registered schools so as to identify children who may be missing education. Such reform may even be possible through secondary legislation, by fully enacting/commencing section 92 of the Education and Skills Act 2008, which relates to 'independent education institutions' providing 'part-time education'.⁷

⁵ See allusions to 'literacy and numeracy skills', 'experience in linguistic, mathematical, scientific, technological, human and social, physical and aesthetic and creative education', careers guidance, PSHE, and preparation for life in British society: [independent school standards](#)

⁶ 'Ofsted boss attacks CofE for making it harder to tackle extremism', Independent, 2018: <http://www.independent.co.uk/news/education/education-news/ofsted-church-of-england-schools-extremism-inspection-religion-amanda-spielman-a8189586.html>

⁷ <https://www.legislation.gov.uk/ukpga/2008/25/section/92>

Home education

The situation would be greatly helped by introducing an obligatory register of home-educated children too. The [Local Government Association](#) is also of this opinion, recommending 'placing a legal duty on parents to register homeschooled children with their local authority would help councils to monitor how children are being educated, and prevent children from "disappearing" from the oversight of services designed to keep them safe'.⁸ In response to Lord Soley's private member's bill on elective home education, the Government has committed to updating guidance for local authorities so as to clarify their powers with regard to home education. However, without new legislation this is unlikely to lead to any meaningful change.

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⁸ 'Councils seek new powers to check on home-schooled children', The Guardian, 2016:
<https://www.theguardian.com/education/2016/sep/16/councils-seek-new-powers-to-check-on-home-schooled-children>