

Inspecting faith schools

Briefing for section 5 inspection

This document provides information and guidance about faith schools inspected under section 5 and section 48.

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Aim of this briefing

- To provide inspectors with background information about maintained faith schools.
- To explain how these schools will be inspected under section 48 and section 5 and distinguish the differences in responsibility between both inspections.

What are faith schools?

1. What we call 'faith schools' largely fall into three categories: maintained schools with a religious character; academies with a religious character; and independent schools with a religious character. These first two categories are also known as publicly funded schools.
2. Maintained faith schools resemble all other maintained schools in a number of ways. They follow the National Curriculum, participate in National Curriculum tests and assessments and are inspected by Ofsted. They have fully qualified teaching staff employed in accordance with the national School Teachers Pay and Conditions document; and they must act in accordance with the statutory School Admissions Code.
3. Similarly, all maintained schools and academies, whether or not they have a religious character, are required to have daily acts of collective worship and to teach religious education as part of their curriculum. Having a religious character gives a maintained school specific flexibilities in the appointment of staff; teaching and inspection of RE; collective worship; admissions policy (however, schools are now expected to admit pupils who are not necessarily followers of the particular faith) and the school's ethos.
4. For academies, as with maintained schools, being designated as having a religious character has implications for the appointment of staff, and admissions arrangements (see the annex for further information). Complementary information about types of independent schools is contained in *Types of independent schools*¹.

Voluntary aided and voluntary controlled

5. Voluntary aided schools are mainly funded by the state with the foundation responsible for at least 10% of capital works but having greater influence over the school. The governing body runs the school, employs the staff and decides the school's admission arrangements, subject to rules imposed by central government. Pupils follow the National Curriculum. In these schools, religious

¹ <http://www.ofsted.gov.uk/resources/types-of-independent-schools>

education (RE) is to be determined by the governors and in accordance with the provisions of the trust deed relating to the school or, where there is no provision in the trust deed, with the religion or denomination mentioned in the order designating the school as having a religious character.

6. Voluntary controlled schools have all their costs met by the state and are controlled by the local authority. The land and buildings are typically owned by a charitable foundation, which also appoints about a quarter of the school governors. However, the local authority employs the school's staff and has primary responsibility for the school's admission arrangements. Pupils follow the National Curriculum. RE provision in foundation and voluntary-controlled schools with a religious character is to be provided in accordance with the locally agreed syllabus. However, where the parent of any pupil at the school requests that RE is provided in accordance with provisions of the trust deed relating to the school (or, where there is no provision in the trust deed, in accordance with the religion or denomination mentioned in the order designating the school as having a religious character), then the governors must make arrangements for securing that RE is provided to the pupil in accordance with the relevant religion for up to two periods a week unless they are satisfied that there are special circumstances which would make it unreasonable to do so.

Section 5/section 48 inspections

7. If a school has a religious character, as determined by the Secretary of State for Education under the School Standards and Framework Act 1998, denominational religious education and the content of collective worship are inspected under section 48 of the Education Act 2005. The inspectors who conduct section 48 inspections are appointed by the school's governing body in consultation with the appropriate religious authority, and are normally drawn from the relevant faith group's section 48 inspectorate (for instance, the Catholic Education Service in the case of Roman Catholic schools; in the case of Islamic schools, this is normally the Founding Body which will identify an appropriate inspector to conduct its section 48), although not all faiths have their own organised inspectors in this way. Where religious education is required to be provided using the locally agreed syllabus relevant to the school, as in the case of voluntary controlled schools for example, religious education would be inspected under section 5 of the Education Act 2005.
8. Although section 48 inspectors inspect acts of collective worship, religious education (RE) (in the case of voluntary aided schools) and or those lessons designated as providing denominational RE (in the case of voluntary controlled schools), section 5 inspectors and inspectors conducting monitoring visits under section 8, may attend acts of collective worship, and may observe lessons in which RE is provided. In such cases, the section 5 inspector will not inspect or report on matters which are the responsibility of the section 48 inspector –

generally the denominational content provided. The relationship between section 5 and section 48 inspections is governed by a protocol between Ofsted and signatory faith group inspectorates.

When sections 5 and 48 take place at the same time

9. Occasionally, there may be instances when section 5 and section 48 inspections take place at the same time. In these circumstances, it would be helpful to establish a dialogue with the section 48 inspectors and discuss, within the terms of the Ofsted Code of Conduct for inspectors, inspection evidence and emerging judgements. Section 5 inspectors can ask to see the schedule used by the section 48 inspectors and work together to avoid overburdening particular staff.
10. The section 5 report should simply mention that a section 48 inspection also took place in the information about the school. Evidence from the section 48 inspection should not be used in a section 5 report.
11. Section 5 inspectors should avoid commenting on
 - specifically denominational contents of assemblies or RE lessons, but it is acceptable to comment on educational issues such as the contribution of assemblies to pupils' personal development and spiritual, moral, social and cultural (SMSC), or the quality of teaching in all lessons, including RE
 - the specific denominational nature or quality of the school's ethos, the denominational content of its RE, or collective worship in school. Avoid such phrases as: 'The school is very successful in promoting a strong Christian/Jewish/Muslim ethos'.

Gender issues

12. When inspecting Muslim and Jewish schools consider the gender balance of the team carefully, particularly in single sex schools. Please ensure that you raise this with the inspection service provider. If possible, the team should reflect the gender of the school. Clarify the school's position on this matter and other issues relating to etiquette in your initial telephone conversation.

Etiquette

13. This guidance attempts to provide you with some background information to each type of school and the etiquette expected. Even in faith schools that follow the same religion there may be slight differences in etiquette.

Schools within the Christian tradition

Inspection summary

14. Historically, England is a Christian country, and many of its institutions and traditions are rooted in the Christian faith. This is particularly true of its schools, and, within the maintained sector, the vast majority of voluntary aided or voluntary controlled schools have a Christian basis. Primarily these are Church of England or Roman Catholic. There are currently 4,600 Church of England schools, and 2,000 Roman Catholic schools.
15. Christian schools that come under the heading of voluntary aided are:
 - Roman Catholic
 - Church of England
 - Methodist
 - Greek Orthodox.

Greek orthodox – section 5 practice

16. According to current information, there is one maintained school that is Greek Orthodox. St Cyprian's Primary School in Croydon follows the National Curriculum, which is supported by teaching of the Greek language and Christian Orthodox religion.

Seventh day adventist schools (evangelical Christian) – section 5 practice

17. According to current information, there is one maintained school that is affiliated with the Seventh Day Adventist Church. The church has grown significantly in the United Kingdom over the past half century, largely because of immigration from Caribbean countries. The educational provision in the school is based broadly on the National Curriculum.
18. The church is usually represented on the governing body and this individual may also be a member of staff responsible for the pastoral care of students.

Jewish schools – section 5 practice

19. There is a range of Jewish schools in the maintained sector, from those that are considered ultra-orthodox to those that are regarded as liberal. In common with other faith schools, some Jewish schools now have non-Jewish pupils. All of these schools cover the National Curriculum, along with some additional Jewish studies.

- Jewish schools seek to promote a following of Judaism, and the curriculum may consequently be organised differently than in conventional schools.
- In most Jewish schools, there are two curriculum strands: Limmudei Kodesh (religious studies) and Limmudei Chol (non-religious studies). In an orthodox Jewish school, the Jewish studies element can be taught in the morning whilst the secular studies are taught in the afternoon or vice versa. However this arrangement may vary according to individual schools.
- Liberal and reformed schools such as Clore Shalom School, Clore Tikva, Akiva Schools have an integrated curriculum. This usually means that the class teacher is also the Jewish studies teacher. Therefore, the curriculum will often be cross-curricular, except for the modern foreign language teaching, which is taught by a specialist.
- The majority of Jewish voluntary aided schools have opted to teach Ivrite (modern Hebrew) as their modern foreign language. Schools are given the option to have this inspected either by a section 5 or section 48 inspector.
- Extra-curricular activities and/or enrichment activities often reflect the events in the Jewish calendar. For example, the week leading up to Passover may result in a themed learning week to celebrate and understand the oncoming festival.

Background

20. The Jewish community has always placed great emphasis on education and on the provision of schools. Its oldest school in Britain, JFS in London, dates back to the 18th century. There are currently 34 schools in the maintained sector and seven academies.

Etiquette (please check with the school as this will vary between each school depending on how orthodox the school may be)

21. It is more appropriate for female inspectors to wear a skirt rather than trousers and a blouse that covers their arms just below the elbow. If possible, any blouse worn should cover the collar bone. When inspecting strictly ultra-orthodox schools – these are mainly in the independent sector – inspectors should avoid wearing bright colours, and **red** in particular.
22. Food eaten on site needs to be kosher. It is probably acceptable to take in fruit or vegetables as snacks but all other food should either be eaten off the school site or obtained through the school if that is possible. Many schools are very generous and will often be more than happy to provide food if requested.
23. In a small school where one inspector is deployed it is important in single sex schools for this inspector to reflect the gender of the pupils. In larger schools a

mixed team is acceptable, but it is important to be aware of some of the restrictions that may occur during the inspection. Female inspectors may not be able to inspect some subjects in a boys' school and male inspectors may not be able to inspect some subjects in a girls' school.

24. Menorah Primary School (101341) – although this is one school, in reality boys and girls are taught separately.
25. Hasmonean High School (101366) is a mixed gender school but in reality the pupils are taught in separate genders on two different sites some distance from one another.
26. The following schools currently have many pupils from non-Jewish communities: Simon Marks Jewish Primary School, King David schools in Liverpool and Birmingham, and Brodetsky Primary School. Although parents sign up to the ethos of such schools, and because these schools teach the pupils about the spiritual connection that Jews have with Israel, it is possible that inspectors may receive observations or even complaints from parents about Zionism or Israelisation and indoctrination into a political way of thinking. The word 'Zion' is another word for Jerusalem and non-Jews often confuse this with the term 'Zionist'. In the Jewish faith, a principle which unites the overwhelming majority of the Jewish community is the importance of the land of Israel and the spiritual connection of Jews to it and to Jerusalem. They see the number of references to it in the Old Testament, ancient Jewish text and Jewish prayer books as support of their spiritual connection, each of which predates Zionism by centuries. Jewish schools therefore often teach pupils about the establishment of the state of Israel in relation to their central spiritual aspiration for Jewish people to return to live in the land of their forefathers. Schools will be seen to celebrate its existence. However, teaching their pupils any particular narrative on the conflict or on political issues such as settlement buildings is contrary to expectations.
27. Physical contact is forbidden between the sexes – it is important to never offer your hand to shake to someone of the opposite sex as a matter of course. However, the practice does vary in different schools and it is best to check with the headteacher.
28. Prayer will take place three times a day. Morning prayer is between sunrise and 10am, afternoon prayer is between 12.30pm and 4pm and evening prayer is after sunset. Please be aware that you may have to set aside some time for your team member to carry out their prayers or that students may have set times during the day put aside for these prayers.
29. The Jewish community is alert to any anti-Semitism and will ensure that all students are aware of any possible dangers. On arrival it is usual to be met by

security personnel; this is simply part of the security common in Jewish schools. In schools with a large number of Muslim families this can cause some tension.

Muslim schools – section 5 practice

Background

30. According to current information, there are 12 Muslim schools in England that have received funding as voluntary aided schools within the last few years and one academy.
31. Most pupils are British Muslims with a heritage from India, Bangladesh or Pakistan. The vast majority of the pupils are second or third generation United Kingdom nationals. A significant minority are children of converts to Islam. More recently, Muslims from Africa, particularly Somalia, and Eastern Europe are attending these schools. A few pupils from Western Europe and the USA or Canada attend the boarding schools.

Inspection summary

32. These schools are consciously Muslim and seek throughout the curriculum to promote an Islamic ethos.
33. Muslim schools may well attempt to be creative and try to teach the skills within the National Curriculum within a variety of contexts. As a result inspectors may find schools meeting the requirements of the National Curriculum in a variety of unfamiliar ways. In coming to a decision about the curriculum, inspectors may need to ask the school how the curriculum is organised such that the necessary skills and subjects within the National Curriculum are taught.
34. Daily prayers (salat) five times a day will often dictate the shape of the school day. On Fridays the length of prayer may vary and be longer than other days. During the winter there will be two opportunities for prayer during the school day and this will decrease to one during the summer.
35. During Ramadan, activities such as physical education may be restricted as many pupils will be observing the fast.
36. During Eids and Muharram many schools will have celebrations to mark the importance of these events.
37. Boys and girls may well be taught or seated separately according to the specific context, particularly during collective acts of worship. This should not be taken as a sign of inequality between different genders.
38. Most schools have a uniform for boys and girls. Most often it is the traditional Asian style clothes representing the Islamic principle of modesty. Girls will cover

their head with the 'hijab' or scarf. On occasions this is not a requirement of the school but at the pupil's own request. Inspectors should be mindful to not misinterpret this as a sign of repression but instead to understand that Muslim females see this as a part of their identity and a commitment to their beliefs within Islam. Boys may wear a small cap.

39. Female staff often cover their heads; some wear the full face covering (niqaab).
40. Many schools are affiliates of the Association of Muslim Schools in the United Kingdom (AMSUK).

Curriculum

41. Modern foreign languages provision is usually taught through a South Asian language, Arabic and occasionally other European languages.
42. Art and music can be restricted but they are still required to teach these subjects as part of the National Curriculum.
43. Inspectors may find evidence of music being taught through religious worship sessions: the tajweed (recitation of the Qur'an), the singing of Arabic songs (nasheed), the playing of the Duff (drums) and the call to prayer (adhaan). Pupils are taught these from an early age.
44. Muslim schools will not teach any form of art that portrays the human form or living creatures. However, there is no restriction on the teaching of abstract, geometrical or arabesque styles of art.
45. For physical education, older girls will tend to wear tracksuits and cover their heads. Primary schools pupils will be taught physical education together and separated once they reach secondary school.
46. Health and sex education will be taught within Islamic studies and often under the umbrella of personal, social and health education unless required by an examination syllabus such as GCSE science. Some schools require it to be taught only by Muslim teachers of the same gender as the pupils.

Etiquette (please check with the school during your initial telephone call)

47. Schools will have a prayer room and shoes must always be removed before entering this room. Some school staff change into slippers. Inspectors are advised to bring slippers or wear thicker socks. Some schools will have a purpose built mosque on site. Some schools may also request inspectors to remove their shoes before entering the main school.
48. It is important for inspectors to be aware of and respect religious sensitivities.

49. Muslims greet each other with 'as-salamu alaykum' – 'peace be on you'. The reply is 'wa' alaykum as-salam' – 'peace be also on you'. If used respectfully on entering a class, the children will respond.
50. Female inspectors are advised to wear a trouser suit or longer skirt and jacket to cover their arms. Female inspectors are also recommended to carry a scarf in case they enter the prayer room or a mosque when they will need to cover their head.
51. There is usually no physical contact between males and females who are not part of the same family. Muslim men do not usually shake hands with women, and Muslim women do not shake hands with men, so the best policy is not to offer to shake hands unless someone offers their hand to you.
52. The hospitality for visitors is usually very generous and an important part of Islam. Food will be halal, which means animals are killed according to Muslim instruction.
53. It is important to check with the school the etiquette regarding male inspectors entering the classroom of female teachers. In some schools time will need to be given so that the female teacher can cover her head and/or face from the male inspector. Inspectors also need to be aware that they may find themselves providing feedback from a lesson to a teacher that may be wearing a full 'niquaab' (face and head cover). In some schools male inspectors will need another female present in order to give feedback to a female teacher.

Sikh schools – section 5 practice

Inspection summary

54. There are currently five Sikh schools within the maintained sector, all of which are voluntary aided. There are two Sikh academies and there is one Sikh free school, the Nishkam Primary School, Birmingham, which was opened in September 2011. Guru Nanak primary and secondary schools are both part of the Nanaksar Trust. Khalsa Primary School, Slough is part of the Slough Sikh Schools Trust whilst Khalsa Primary School, Southall is part of the Sri Guru Singh Sabha Southall Trust. Most pupils are British Sikhs, often second generation. Most of their grandparents will have originated from Punjab, East Africa and more recently Afghanistan. The elders in the community will have played an influential role in creating these schools.
55. Between them these schools provide full time education for students from three to 18.
56. The schools are based on the religious teachings of Guru Nanak – the founder of Sikhism.

57. Many of the teaching staff may be non-Sikh and from other non-religious maintained schools.

Curriculum

58. These schools follow the full range of subjects in the National Curriculum.
59. The Sikh faith is taught according to the Rehat Maryada (Sikh way of life) as well as other world religions.
60. Boys and girls are taught in mixed gender groups for most of the curriculum. Occasionally girls will be separated from boys when being taught physical education and games.
61. Punjabi is taught to pupils from the age of 3 to 18.

Etiquette

62. Both male and female inspectors will need to carry a scarf or hat to cover their heads in some areas of the school. Often the school hall doubles up as a prayer space. When entering this space you will need to remove your shoes and cover your head as extracts from the holy book the 'Guru Granth Sahib' are often kept on the stage in the hall. Boys and girls will sit on separate sides of the hall during prayer and assembly times.
63. Sikhs do not eat meat that is killed by ritual, so avoid taking halal or Kosher meat into the school.
64. The formal Sikh greeting both on meeting someone and departing is 'Sat Sri Akaal'. This is said by joining hands as if one is praying and means 'Truth is God'. Inspectors will not be expected to use this form of greeting.

Hindu school – section 5 practice

Inspection summary

65. According to current information there is one maintained Hindu school, in Harrow, established in September 2008. It is a voluntary aided primary school. The school is working in affiliation with ISKCON (the International Society for Krishna Consciousness) as the official faith adviser. Its main sponsor is the 'Anil Agarwal Foundation.'
66. ISKCON is a strand of Gaudiya Vaishnavism, part of the Vaishnava community, a monotheistic tradition that reveres Lord Vishnu. Vaishnavism is itself one of four main strands within Hinduism.

67. There is one Hindu free school, which opened in January 2011 – Krishna-Avanti Primary School, Leicester.

Curriculum

68. Along with the National Curriculum, Sanskrit is taught as a classical language.
69. As a result of its Hindu heritage yoga is taught as part of physical education along with the more traditional activities seen in this subject.
70. Music, dance and drama lessons encompass Indian instruments and styles as well as those considered to be western in nature.
71. Religious education teaches the world religions as well as a focus on faith nurture.

Etiquette

72. Linked to their religious beliefs, lunches provided by the school are vegetarian. They exclude all meat, fish and eggs (or derivatives thereof) and anything containing onion, garlic, vinegar and alcohol. Inspectors should ensure that any food taken into the school meets these requirements.
73. The school has a separate area for prayer and there is a shrine in this room. Pupils will attend prayer on a daily basis and inspectors should remove their shoes before entering this space.
74. The formal Hindu greeting both on meeting someone and departing is 'Namaste'. This is said by joining hands as if one is praying. Inspectors will not be expected to use this form of greeting.

Annex A

A) Historical information regarding faith schools

Faith organisations have a long tradition in education in this country – from medieval times, through the Reformation, to the present day. This involvement predates that of the state, and catered for all children, especially the most disadvantaged. Between 1811 and 1860 the Church of England founded 17,000 schools through its National Society to offer education to the poor at a time when the Government was not prepared to take on the role. The first Jewish school for the poor was set up in 1732, and from 1852 the Catholic bishops have worked to make available, wherever possible, schools for all Catholic children regardless of their parents' ability to pay.

Church of England, Catholic and Jewish schools have existed in the maintained sector since the late nineteenth century, along with Methodist and Quaker schools. Until the end of the nineteenth century many Free Church denominations had denominational schools in both the maintained and independent sectors in England and Wales. Although many independent schools with Free Church foundations remain, all except the Methodist Church surrendered their maintained schools to local education authorities after the 1902 Education Act introduced free, compulsory Christian education for all. The 1944 Education Act introduced the current dual system of schools with a religious character and those without a religious character.

B) Foundation and voluntary controlled schools

RE provision in foundation and voluntary controlled schools with a religious character

There are alternative forms of RE provision sanctioned for foundation and voluntary controlled schools with a religious character. The applicable form will depend on parental preferences, whether there are provisions in the trust deed and the religious character of the school.

- The governors must make arrangements for securing that RE is provided to the pupil in accordance with the relevant religion for up to two periods a week unless there are special circumstances which would make it unreasonable to do so. The religion is that mentioned in the trust deed relating to the school. If there is no trust deed then the order that designates the school as having a religious character is used.
- RE is to be provided in accordance with the locally agreed syllabus for pupils whose parents have not made a request for RE to be provided in accordance with the religion mentioned in the trust deed or in the designating Order.

Schedule 19, paragraph 3, School Standards and Framework Act 1998

There are alternative forms of RE provision sanctioned for voluntary aided schools with a religious character

- RE should be provided in accordance with the religion mentioned in the relevant provisions of the trust deed relating to the school or, where there is no provision in the trust deed, with the religion or denomination mentioned in the order designating the school as having a religious character.
- Where the parent of any pupil at the school wishes the pupil to receive RE in accordance with the locally agreed syllabus and cannot reasonably and conveniently send the pupil to a school where the syllabus is in use, the governing body must make arrangements for RE to be provided in the school in accordance with the locally agreed syllabus unless there are special circumstances which would make it unreasonable to do so. If the local authority is satisfied that the governing body are unwilling to make such arrangements, the local authority must make them instead.

Schedule 19, paragraph 4, School Standards and Framework Act 1998

The governing body of any foundation or voluntary school which is designated as having a religious character must make sure that any denominational RE and collective worship is inspected at regular intervals. The person carrying out the inspection must prepare a report on the denominational education. The person who conducts the inspection is chosen by the governing body, or by the foundation governors in the case of a voluntary controlled school, in consultation with a person prescribed in relation to the relevant designated religion or denomination.

C) Distinct features of an academy

All academies' admissions arrangements are agreed with the Secretary of State as a condition of their funding agreement, and must be consistent with the statutory School Admissions Code. The Education Act 2002 repealed the arrangement in the School Standards and Framework Act 1998 that allowed schools with a religious character to reserve places for children of their own faith or denomination. All applicants for school places must be considered, although the School Admissions Code permits faith schools to give priority for admission to children on the basis of religious affiliation. Although academies are not bound by the National Curriculum, existing academies must teach a rounded curriculum including the core subjects. The secondary National Curriculum as a whole has been made more flexible to accommodate a more personalised approach to learning, and all future academies will be required to follow the National Curriculum programme of study in English, mathematics, science and information and communication technology.

All academies are required, through their funding agreements, to teach RE.

For denominational academies with a religious character this will be in line with the denominational syllabus. For non-denominational faith academies, RE will be taught according to the wishes of the sponsor and what is agreed by Ministers.