



Society for the Protection of Unborn Children
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The [Draft] Independent Schools Standards: Advice for Independent Schools (March 2018): A Manifesto for State Totalitarianism

Executive Summary

- The new draft advice (March 2018) for the Independent Schools Standards (2014) details how independent schools can demonstrate the way in which they have fulfilled their obligation to actively promote and enforce LGBT ideology under the guise of ‘eliminating discrimination, harassment, victimisation’, ‘advancing equality of opportunity’ of and ‘fostering good relations’ with persons who possess the ‘protected characteristics’ of ‘sexual orientation’ and ‘gender reassignment’.
- The legal framework which enables the Department of Education to enforce this agenda comprises a combination of the Equality Act 2010, the Public Sector Equality Duty (2011), and the obligation of schools to actively teach and promote so-called ‘Fundamental British Values’ in order to meet the standard relating to the ‘spiritual, moral, social and cultural (SMSC) development’ of pupils, as established by additional DoFE guidance in 2014.
- The ISS draft advice (March 2018) was subject to a public consultation which closed in June 2018 and we are awaiting the outcome of that consultation. It is a dangerous document in that, if certain parts of the advice are accepted, we would see enshrined into official guidance some of the worst excesses of the OFSTED and OFSTED-led independent inspection regime in its interpretation of the Independent Schools Standards.
- The ISS draft advice reveals the ‘direction of travel’ in relation to the Government’s intentions towards, and use of, the education system as an ideological state apparatus. The ISS draft advice could well be replicated in the wider OFSTED inspection framework (to which maintained, academies and free schools would also be subject), as well as in the new compulsory subjects of Relationships Education (in primary schools) and Relationships & Sex Education (in secondary schools), as well as Personal Social & Health Education (PSHE) which the Secretary of State for Education also now has the power to make compulsory.
- The ISS draft advice provides official means for inspectors to fail schools who cannot demonstrate how they are enforcing LGBT ideology and preventing pupils from having or developing ideas or beliefs which conflict with this ideology. For instance:
 - The ISS draft advice throughout confuses and conflates “respect for persons [who would have, or claim to have, these ‘protected characteristics’]” with respect and enthusiastic acceptance of the actions and behaviour implied by

possession of one of these ideologically-defined 'protected characteristics' – in other words, it attempts to enforce acceptance of homosexual activity and transgenderism.

- A school will not meet the Standards if its teaching suggests 'that the requirements of religious law permit the requirements of English civil or criminal law to be disregarded'. For Christians, as well as members of other faiths, this in effect elevates adherence to the law of the state above the law of God, and can be used to quash the principle of conscientious objection towards any aspect of the state's LGBT agenda.
- The draft advice attempts to clamp down on all ways in which schools have, up to now, attempted to toe the line for inspectors whilst remaining true to their ethos — for instance, Christian or Jewish schools teaching in a generalised way that that ALL people deserve respect – without specifying LGBT-identifying people and focussing on LGBT issues.
- The advice explicitly states that a school should not be judged as meeting the standards if its teaching "suggests that same-sex marriages or civil partnerships should not be recognised as being lawful unions under civil law". This means that teachers cannot simply state that same-sex marriages or civil unions are now lawful in Britain. Teaching will have to promote an acceptance of same-sex marriages and civil partnerships.
- The advice encourages inspectors to undertake intrusive and draconian means of enforcing the LGBT agenda:
 - Inspectors can invasively search the school and interrogate staff concerning the use of books or any materials found, for instance in locked cupboards, which do not conform to the official LGBT ideology
 - Staff will need to demonstrate how they are monitoring and filtering online activity of students to prevent their exposure to anything in conflict with the LGBT agenda.
 - Schools will not meet the standards if they are seen to edit or redact LGBT propaganda from text books, exam papers or other educational materials. This is significant because the educational establishment is moving towards the idea of an 'LGBT inclusive' curriculum for all schools. Pearson Education, for instance, has recently partnered with Stonewall and announced that it would be making all of its teaching materials 'LGBT inclusive'.

Introduction:

The Department of Education recently published new draft guidance on how inspectors of independent schools in England should interpret the 2014 Independent Schools Standards (ISS). The document explains to independent schools in detail what they need to do to

comply with the Standards in order to pass an inspection and carry on operating legally as a school. Independent schools are either inspected by the Independent Schools Inspectorate, which is monitored by OFSTED, or else directly by OFSTED. In March 2018 the Department of Education published and opened a consultation on its new draft advice for the Independent Schools Standards which closed in June 2018.

SPUC was amongst the pro-family groups who made submissions to the consultation and you can read SPUC's submission [here](#). Our submission drew attention to the over-emphasis throughout the guidance with using the inspection system to promote LGBT ideology in schools, particularly with reference to purported obligations under the Equality Act (2010), Public Sector Equality Duty (2011) and the 'SMSC' requirements under the ISS, which cater for pupils' Spiritual, Moral, Social & Cultural (SMSC) development. One of the main prerequisites of pupils' SMSC development now is that they are able to demonstrate their learning and acceptance of the Government's interpretation of its recently created 'Fundamental British Values' (FBV).

Aside from the problematic nature of these legal instruments in themselves, **the ISS draft advice, in particular, would give inspectors the green light to fail a school for not actively promoting LGBT ideology.** The way that the Equality Act (2010), PSED (2011) and FBV have already been interpreted during inspections, particularly of independent faith schools, means that these concerns are not unfounded. Vishnitz Jewish Girls Primary School, for example, failed its third OFSTED inspection in a year in May 2017, precisely because it did not have a policy of teaching the young children specifically and positively about homosexuality and transgenderism [see appendix].

We are currently also still awaiting the Government's much delayed response to its public 'call for evidence' on the contents of the new compulsory subject of Relationship & Sex Education, which closed back in February. The ISS draft advice reveals the extreme agenda that the political and educational establishment has for all of our schools, and is indication of what the Government may attempt to force into the Secretary of State's forthcoming draft guidance for RSE for all schools. Examples of the ways this agenda determines the advice to independent schools are as follows:

Establishing adherence to 'Fundamental British Values' (FBVs) above the school's ethos and faith obligations of pupils, parents and teachers.

- 2.1(b)(ii) of the Independent Schools Standards (2014) states that a school will only meet the standards if its 'written work, plans and schemes of work [...] do not undermine the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs'. The ISS draft advice states that 'the aim is to ensure that the education which it is

planned to offer the pupils is in all aspects not in conflict with, or inconsistent with, any of them' (paragraph 9).

- The problem is that these values are very broad and ill-defined, and so the Department of Education provides guidance to inspectors on how they should be interpreted and on how schools can show that they are actively promoting them and not teaching in a way that would conflict with them. The ISS states that, in order to meet their obligations, the proprietor of the school 'ensures that principles are actively promoted which' [amongst other things] 5(b)(vi) encourage respect for other people, paying particular regard to the protected characteristics set out in the Equality Act 2010'.¹ As 'sexual orientation' and 'gender reassignment' are amongst the nine 'protected characteristics' defined by that Act, then this gives a justification to both activist inspectors and head teachers to actively promote and enforce LGBT ideology in the school.
- **It is made clear that schools are expected to teach their pupils that obedience to the state and its laws must always override obedience to the fundamental tenets of one's faith** – to what Christians, for example, would hold to be the laws of God. It is stated (paragraph 9b) that a school will not meet the standards if its teaching suggests 'that the requirements of religious law permit the requirements of English civil or criminal law to be disregarded'
 - Whilst no responsible school should teach that the civil or criminal law should be simply 'disregarded', this statement, particularly in the context of other aspects of the draft advice, can be open to abuse and as a means of ideological coercion.
 - For Christians, it is right to accept and abide by lawful authority, as Scripture holds that God created government to establish order, punish evil, and promote justice (Rom 12:1-7). However, that is except for instances where the law of the land clearly and seriously contradicts the commands of God, whereupon Christians are bound instead to obey God's law (Acts 27-29).
 - There have been numerous times throughout history when the cause of humanity has been furthered by brave people of faith conscientiously objecting to abide by laws which they know to be evil and against the will of God.
 - Rev Martin Luther King, for example, refused to abide by racial segregation laws, holding firm to his Biblically-inspired conviction that they were an affront to God who has created all men equal. In the same way, many Christians feel bound to reject laws today which, for instance, might compel them to facilitate or endorse abortion, homosexual behaviour or any other

¹ Department of Education, *Improving the spiritual, moral, social and cultural (SMSC) development of pupils: supplementary information: Departmental advice for independent schools, academies and free schools*, November 2014, P.8;

acts which they regard as intrinsically evil and completely contrary to the commandments and will of God.

- In relation to FBV, the ISS draft advice (referring to 2.1(b)(ii) of the Independent Schools Standards, 2014) states that ‘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’ (p.7; paragraph 13).
 - Whilst the issue of scientific origins as such does not come under the remit of the Safe at School campaign, what is of concern here is again an attempt to impose an official state ideology on children at the expense of parental rights, intellectual freedom and scientific enquiry.
 - ‘Creationism’ is a broad term that can mean different things, from literal interpretations of the creation story in Genesis to the concept of Intelligent Design – the notion that certain features of the physical universe and existence offer proof of having been designed by a creator, rather than by an undirected process such as natural selection by way of random mutation. There is an assumption here therefore that acknowledging or seeking to prove the universe has been created, by whatever means, is not ‘scientific’, whereas scientific enquiry has led, and continues to lead, many scientists to take a position that the universe shows compelling evidence of the work of a creator. Precluding certain conclusions where open scientific enquiry may lead is not in itself scientific and will seriously inhibit the intellectual freedom and development of pupils.

Use of the Equality Act (2010) to impose LGBT ideology and acceptance of same-sex marriage.

- The ISS draft advice is further problematic in explaining how schools can meet the requirements concerning the provision of **Personal, Social, Health and Economic (PSHE) education**, in so far as it ‘encourages respect for other people, paying particular regard to the protected characteristics set out in the 2010 [Equality] Act’ (ISS 2.2 (d)(ii)). PSHE is not currently a statutory subject (part of the National Curriculum), but all schools, including independent schools, are expected ‘to make provision for it [...] drawing on good practice’.² Furthermore, the Children & Social Work Act 2017 gives the Secretary of State for Education the power to make PSHE

² Department for Education, *Guidance on Personal, Social, Health and Economic Education*, 11 September 2013; available online at <https://www.gov.uk/government/publications/personal-social-health-and-economic-education-pshe>

compulsory.³ The ISS draft advice continues the state's strategy of imposing LGBT ideology under the guise of promoting 'equality' of different categories of people, when, in the case of certain of the protected characteristics, it is rather promoting a moral relativism towards chosen forms of action and behaviour:

- The **protected characteristics** as listed in **section 4** of the **Equality Act 2010** are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.⁴
 - **'Sexual orientation'** is an ideologically motivated misnomer, since it is used to imply that those who are either experiencing same-sex attraction or engaging in homosexual activity are following some kind of naturally fixed and unavoidable life-trajectory and state of being. It enforces the 'born gay' myth for which there is no scientific evidence. It is used to make 'LGBT' identification equivalent to states of being which are genetically determined or have unavoidable causation, such as being of a certain race or possessing a disability.
 - **'Gender'** and **'gender reassignment'** are also purely ideological concepts. No one can 'transition' from one sex to another, as sex is biologically determined and chromosomally unchangeable. The distinction between 'sex' and 'gender' (the latter regarded as being the social roles or sense of self-identity associated with each sex) is a creation of late-twentieth-century Cultural-Marxist academic discourse within the social sciences. Legally establishing as a 'protected characteristic' someone's self-identification as the opposite sex to which they actually are is an attempt to force all society, including our children, to lie about essential reality.
 - **Marriage & Civil Partnerships** is problematic as a 'protect characteristic' because, since the introduction of 'Civil Partnerships' (exclusively for same-sex couples) and the legal redefinition of marriage in 2013, it can be used to enforce acceptance of homosexual relationships as if they were equivalent to natural marital unions between men and women; or to force schools to promote the idea that sexual relationships outside marriage are as equally valid a life choice as natural marriage. This is made even more problematic if the law is changed, following the June 2018 Supreme Court ruling, to allow men and women to also enter into a legal 'civil partnership' with each other.
 - **Pregnancy & maternity** – whilst it is completely laudable aim to seek to prevent unfair treatment of mothers, whether their children are born or unborn, even the 'protected characteristic' of 'pregnancy' has

³ Children & Social Work Act 2017, Ch.4, section 35.

⁴ Section 4, Equality Act 2010; available online at <http://www.legislation.gov.uk/ukpga/2010/15/contents>

been employed in an ideological way to enforce the acceptance of abortion; for instance, in equality and diversity training sessions.⁵

- The ISS draft advice confuses and conflates “respect for persons [who would have, or claim to have, these ‘protected characteristics’]” with respect and enthusiastic acceptance of the actions and behaviour implied by possession of one of these ideologically-defined ‘protected characteristics’.
- **The advice leaves no room for doubt that schools will face sanctions if children are not instructed into expressing an explicit ‘understanding’ and acceptance of these favoured ‘protected characteristics’. It attempts to close certain lifelines by which schools have attempted to adhere to the Standards whilst remaining true to their ethos:**
 - *“It is not sufficient for a school to say that it meets this standard because its curriculum encourages respect for all people in a general way; that is not paying particular regard to protected characteristics. [...] We would expect children of secondary school age to know about the protected characteristics and accordingly understand the ways that people can be different and respect people who are different in those ways. For younger children of primary school age, complying with the requirement in an age appropriate way could mean ensuring that they are aware of the ways in which people can be different and *be respectful of those differences*. Also if there were some occurrence or event involving one or more of the protected characteristics which became an issue amongst the pupils, the school should help the children understand and respect that”* (my italics) (p.9; paragraphs 17-18) .
 - In attempt to remain true to their ethos, faith schools, in particular, have up-to-now been attempting to protect the children in their care from the worst excesses of Government policy by teaching their pupils to respect the human rights and dignity of ALL people. They have not been singling out certain groups of people favoured by the establishment (those who self-identify as ‘lesbian, gay, bisexual or transgender’) for a special kind of focussed ‘respect’ and approval because they do not want, directly or indirectly, to endorse lifestyles which they know to be wrong and dangerous to their pupils’ health and well-being. Such an approach is now explicitly ruled out by the ISS draft

⁵ For instance, a 2013 online ‘Equality and Diversity’ training programme provided by ‘Disabled Go’ featured the following dehumanising use of language and advice: “Language to consider during sensitive times of pregnancy. Embryo and foetus: If a woman chooses not to proceed with her pregnancy, using the terms embryo and foetus may be more appropriate than baby. These are scientific terms used to describe the process of development of the fertilised egg. During the first eight weeks the cells are referred to as an embryo. The term foetus refers to developments from nine weeks onwards. Scientifically, a foetus is not considered to be a baby until birth. Those caring for women requesting an abortion would be unlikely to refer to the pregnant woman as a mother, or the foetus as a baby. The woman does not currently wish to either be a mother or have a baby. Care with language acknowledges that using the terms mother and baby may suggest an anti-abortion attitude and could risk adding to the distress and difficulty of the woman's decision”.

advice and schools must be seen to be unambiguously promoting knowledge and acceptance of homosexuality and transgenderism. This enshrines what has already been happening in practice:

- In May 2017, **Vishnitz Jewish Primary School for girls** failed its third OFSTED inspection in a year specifically because the school acknowledged that it did not teach its young children (aged 3-11) specifically about homosexuality and transgenderism. The original report (since doctored by OFSTED themselves) appeared almost exclusively concerned with these particular ‘protected characteristics’ and, as widely reported in the press at the time, stated that:
 - “During the visit leaders [of the school] *were not able to show that pupils are taught explicitly about issues such as sexual orientation*. This restricts pupils’ spiritual, moral, social and cultural development and does not promote equality of opportunity in ways that take account of differing lifestyles. As a result, pupils are not able to gain a full understanding of fundamental British values. [...] The school’s culture is, however, clearly focused on teaching pupils to respect everybody, regardless of beliefs and lifestyle. Leaders and proprietors recognise the requirement to teach about the protected characteristics as set out in the Equality Act 2010. However, they acknowledge that *they do not teach pupils about all the protected characteristics, particularly those relating to gender re-assignment and sexual orientation*. This means that pupils have a limited understanding of the different lifestyles and partnerships that individuals *may choose* in present-day society” [my italics].⁶
 - **Christian schools have also been targeted by OFSTED.** Pupils at Grindon Hall Christian School and Durham Free School faced intrusive questioning on transsexualism, homosexuality and same-sex marriage by OFSTED inspectors, who then claimed that they found evidence of “homophobic behaviour” in both schools – a claim rejected by staff, pupils and parents. Despite the outcry, The Durham Free School was closed down in April 2015 and Grindon Hall – one of the best performing schools in

⁶ OFSTED, *Vishnitz Girls School: School Progress Monitoring Inspection Report*, 10 May 2017 (ref 138516). Note, following the justifiably negative publicity on publication of this report, OFSTED subsequently redacted it to remove direct references to ‘sexual orientation’ and ‘gender reassignment’, hence attempting to conceal the real reason why the school was failed.

the North East – was rated inadequate, and was forced by the Department of Education to be taken over by a secular trust.⁷

- In relation to a school’s stated obligations under 2.2(d)(ii) of the ISS, the draft advice even goes so far as to state that **the school’s teaching must affirm the principle (not just the existence) of same-sex marriage and civil partnerships being recognised under civil law** (pp.9-10; paragraph 20.a-e). It offensively suggests, in the context of other examples provided that disagreement with the principle of same sex marriage is equivalent to racism and various forms of violent bigotry:
 - ‘The standard [2.2(d)(ii)] will not be met if, for example, the PSHE curriculum:
 - a. encourages pupils to see those of particular races or religions as being inferior in any way;
 - b. suggests to male pupils that women and girls should be treated with less respect than males or that a woman’s role is subservient to that of a man – or vice versa;
 - c. suggests that same-sex marriages or civil partnerships should not be recognised as being lawful unions under civil law;
 - d. teaches that disabled people deserve less equal treatment, for example because of sins they are said to have committed in previous lives;
 - e. encourages pupils to believe that women who are pregnant without being married should be punished.
- This means that **teachers cannot simply state that same-sex marriages or civil unions are now lawful in Britain. Teaching will have to promote an acceptance of the very principle of same-sex marriages and civil partnerships** — as schools would be failed if it was suggested that they *“should not be recognised as being lawful unions under civil law”* [my italics].
- It is absolutely unacceptable — and a grave assault on civil liberties — that the Government, via the ISS draft advice, is establishing legalised same-sex marriage and other inferred aspects of the LGBT agenda as unchallengeable principles that must be adhered to by all British citizens.
- It is both highly offensive and illogical that disagreement with the principle of legalised ‘same-sex marriage’ should be acquainted with racism, misogyny and other implied forms of bigotry provided in paragraphs 20a-e. Throughout almost the entirety of human civilisation and history the institution of marriage has been recognised as a natural union between man and woman, based on the biological reality and complementarity of the two sexes, for the ultimate purpose of procreating new human life and for providing a stable,

⁷ For a summary and further details of these and similar cases, see The Christian Institute, *OFSTED and ‘British Values’*, June 2017; available online at <https://www.christian.org.uk/resource/ofsted-british-values/>

nurturing and educative environment for the child within the natural family unit, until the child has developed to a state of maturity sufficient for independence.

- The political class only began entertaining the idea of ‘same-sex marriage’ around a decade ago, and it was imposed on the British people by the establishment, headed by the Coalition Government, as recently as 2013, without any kind of democratic mandate whatsoever. It was not even mentioned in any of the main British parties’ manifestos, let alone subject to proper public consultation, scrutiny and debate. The idea that the State is attempting to impose an unquestioning acceptance of same-sex marriage onto every pupil and teacher in our schools, as a completely incontestable requirement of being a true British citizen, marks a very serious shift towards totalitarianism — one that undermines our fundamental freedoms and must not go unchallenged.
- Furthermore, the attempt to present legal same sex marriage as some kind of unquestionable political principle that British people have to accept at all costs even contradicts other aspects of the ISS draft advice. For example, paragraphs 61-66, relating to section 5 (c) of the Standards, helpfully establishes that schools should ‘prevent the political indoctrination of pupils through the curriculum’, by making sure that political issues are not treated in a ‘partisan’ and ‘superficial’ way which demonises opponents of such issues and their motives. Trying to enforce the idea that support for legalised ‘same sex marriage’ is an unchallengeable requirement of being a British citizen, whilst demonising opponents of that view by equating them with those who are racist and abuse women, is clearly in conflict with the guidance on section 5(c) and would also constitute an abhorrent misuse of the education system.
- The DofE seem to justify such political indoctrination, however, on the grounds that it is not a ‘political’ issue, but a matter of ‘equality’ and ‘respect’ that is a fundamental aspect of ‘Fundamental British Values’, as per paragraph 20 of the ISS draft advice.

Use of the ‘Spiritual, Moral, Social and Cultural (SMSC) Development’ requirements of the ISS to impose LGBT ideology, via the Equality Act 2010 and FBV. Intrusive and oppressive measures will be taken by inspectors to ensure compliance.

The duty to ‘actively promote’ the recently invented totemic and vague ‘Fundamental British Values’ involves the school demonstrating how, according to standard 5(b)(vi), it ‘encourage[s] respect for other people, paying particular regard to the protected characteristics set out in the Equality Act 2010”. As the ISS draft advice, together with reported OFSTED practice makes clear, ‘encouraging respect for other people’ is now

interpreted as the necessity to demonstrate approval of, if it not actively endorse, the chosen lifestyles of those self-identifying according to the ‘protected characteristics’ of ‘sexual orientation’ and ‘transgenderism’.

- **Disturbingly, the advice allows for inspectors to intrusively search the school and interrogate staff concerning the use of books or any other materials found which do not conform to the official LGBT state ideology:**
 - “35. Some schools hold books in locked collections accessible only to staff. If inspectors become aware of these collections, they will ask about the books and whether they are nonetheless used in teaching. If they are not, then the books will not be relevant to the school meeting the standards. If they are used in teaching, inspectors will expect schools to be able to explain, and evidence, how the books are actually used (for instance, they might be used to illustrate the nature of extremist texts). Inspectors will also examine school libraries and book holdings accessible to pupils and *if books are found which espouse values which conflict with any of the standards, schools will be asked why they are there and whether, and if so how, they are used in teaching, and how pupil access to them outside lessons is monitored*. If the school uses online resources for teaching, the school should be able to explain to inspectors how it uses filters to manage lesson usage and *monitors pupil access to material which may breach the standards*” [my italics].
 - “36. All schools select their book and video holdings to some extent in terms of suitability, and the practice in some schools, of carrying out editing of texts and films to remove material which other schools might regard as harmless is not in itself unacceptable. However, what is left after such restrictions should be adequate for the range of teaching and curriculum needed to meet other standards. In addition, *it will be important for the school to ensure that any redactions or editing, including such alteration of past external examination papers, does not call into question its ability to meet standard 2(2)(d)(ii) or whether this lessens the ability of pupils to pass exams through restricting question choice*” (pp.13-14; paragraphs 35-36) [my italics].
- **‘Extremist’ texts or materials are consequently being interpreted as anything judged by the inspectors to ‘conflict with any of the standards’** – which, in the context of the rest of the draft advice and current OFSTED practice, would mean **anything which conflicted with LGBT ideology** – including an endorsement of ‘same-sex marriage’ and the right to ‘change gender’. **The Bible, for example, and other faith texts, could only be used in**

schools if pupils were encouraged to criticise or disavow their portrayal of ‘heteronormativity’ and disapproval of homosexual acts and behaviour.

- Staff would even need to demonstrate to inspectors how they are filtering out material on the internet which does not conform to LGBT ideology, so that pupils, for instance, do not have access to websites which are in any way critical of that ideology. They may even have to demonstrate, in this regard, that they are actually showing pupils pro-LGBT materials in order to demonstrate that they are not deliberately or even inadvertently not doing so.
- The warning to schools about editing texts and films, including examination papers, in a way that does “not call into question its ability to meet standard 2(2)(d)(ii)”, means that **schools would fall foul of the standards if they attempted to protect their pupils from LGBT propaganda by removing it from any otherwise good or useful teaching materials they had bought in, or from examination papers which they may not have any choice but to use.** This is significant because LGBT pressure groups, led by Stonewall, have been lobbying hard for an ‘LGBT inclusive’ curriculum and the education establishment is rapidly falling into line. In February 2018, Pearson Education, the UK’s largest educational publisher and owner of exam board Edexcel, announced that it would be making all of its teaching materials ‘LGBT inclusive’ — for instance, by including examples of same sex couplings in its exam questions. It produced a guidebook for schools, in conjunction with Stonewall, detailing how LGBT language and propaganda can be imposed onto every area of the curriculum and school life.⁸ If a school is seen to have edited such materials, in order to protect the children in its care, then this will result in the school failing its inspection.
- **This intrusive imposition of LGBT ideology on all children in private education is partly being justified on ‘good citizenship’ grounds.** Standard 2.(2)(i) requires the “effective preparation of pupils for the opportunities, responsibilities and experiences of life in British society”. The ISS draft advice explains that this is with the aim of “ensuring that all pupils can function properly as adult citizens”:
 - “A properly designed curriculum policy will need to take into account that pupils will inevitably have some contact with wider society even if they choose to continue life in a particular community, and need to be equipped for that contact [...]. Therefore, schools should be preparing pupils for engagement with public institutions and society at both national and local level; and for civic responsibilities, and contact with a wide range of members of society in England” (p11; paragraph 26).

⁸ *Creating an LGBT-Inclusive Curriculum: A Guide for Secondary Schools*, Stonewall, Pearson, 2018.

- **A school which does not ensure its pupils are effectively indoctrinated with LGBT ideology would therefore be seen as not adequately preparing them for ‘life in modern Britain’.** This was indeed the conclusion of OFSTED inspectors following their May 2017 inspection of Vishnitz Jewish Girls Primary School, who failed the school specifically because “the leaders were not able to show that pupils are taught explicitly about issues such as sexual orientation [...]. They acknowledge that they do not teach pupils about all the protected characteristics, particularly those relating to gender re-assignment and sexual orientation. This means that pupils have a limited understanding of the different lifestyles and partnerships that individuals may choose in present-day society”⁹.

Schools must ensure their teachers comply with and affirm LGBT ideology

- As well as demonstrating that all their curriculum and learning materials promote the ‘protected characteristics’ of ‘sexual orientation’ and ‘gender reassignment’, schools must also ensure that all of its teachers are fully compliant with the official state ideology: that it is clearly reflected in their teaching, and that they are in no way seen to convey any sense of disapproval of any aspect of the LGBT agenda. **Children may be questioned by inspectors to ensure that indoctrination has been effective.** This is in conformity with standard 3(i) which requires that the proprietor of the school must ensure that its teaching “does not undermine the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs”. Explaining how schools will demonstrate they have met this standard, the ISS draft advice notes:
 - “Even if the school’s curriculum documents are acceptable in relation to the fundamental British values, it is possible for teachers to convey in their teaching that either the values are wrong, or that they do not apply to the community served by the school. Evidence of such teaching would lead to this standard not being met. In order to assess compliance with the standard inspectors will check pupils’ understanding, in an age-appropriate way, of the concepts listed” (pp.14-15; paragraph 39).

Imposing LGBT ideology on ‘anti-discrimination’ grounds:

- A school might not meet the standards if its reluctance to promote LGBT ideology is, not without precedent, interpreted as a breach of its duty to ensure, according to standard 3. (j), that its “provision does not discriminate against pupils contrary to Part 6 of the 2010 Equality Act”.

⁹ OFSTED, Vishnitz Girls School Inspection Report, 10 May 2017 [original unredacted version, ref: 138516_4]

- The ISS draft advice states that “this standard is designed to allow regulatory action to be taken against a school which discriminates in its teaching on the basis of the protected characteristics listed above” [which includes ‘sexual orientation’ and ‘gender reassignment’] (p.15; paragraph 40). Although the Guidance only gives examples of discrimination on the basis of sex, religion and disability, inspectors can use this standard to make a case for failing a school which avoids promoting LGBT ideology on the grounds that it is ‘not meeting the needs’ of its ‘LGBT pupils’. Indeed, ‘discrimination’ based on Part 6 of the 2010 Equality Act (paragraph 3, 3(j)), was one of the seven grounds which OFSTED inspectors found on which to fail Vishnitz school because of their reluctance to indoctrinate their pupils concerning homosexuality and transgenderism.
- **There is interpretative scope within this standard for a wide range of accusations against a school on grounds of LGBT-related discrimination.** Transgenderism is the current high-growth area for this kind of accusatory victimhood. A school could be seen as discriminating (directly or indirectly) against ‘trans’ pupils on numerous grounds, including, for instance: not promoting positive images of trans people (eg. posters affirming gender-transitioning), not enforcing a policy of gender-neutral language or preferred-gendered names and pronouns (pretending pupils are the opposite sex to that which they actually are), and not allowing pupils to use the bathroom of their declared ‘gender’ (or not providing unisex facilities).¹⁰

Contradictory aspects of the ISS draft advice: the need to protect pupils from ‘indoctrination’ and ensure ‘balance’ on political issues.

- **Without irony, the Government, within the same document as it proposes draconian measures to enforce the official LGBT state ideology, also purports to be aiming “to prevent the political indoctrination of pupils through the curriculum”** (see pp. 21-23; paragraphs 61-73). This is with reference to ISS Part 2, 5(c), relating to the ‘spiritual, moral, social and cultural development of the pupils’, where the school’s proprietor “precludes the promotion of partisan political views in the teaching of any subject in the school”. The advice explains that this is based on

¹⁰ There are now numerous guidance documents for schools, mostly produced by education providers, such as LEAs, in conjunction with various LGBT pressure group, which purport to offer guidance as to how schools can comply with their Public Sector Equality Duty. For instance, see the *Trans* Inclusion Schools Toolkit: Supporting transgender and gender questioning children and young people in East Sussex schools and colleges*, Brighton & Hove City Council and Allsorts Youth Project; Reproduced and amended by Children’s Services, East Sussex County Council, October 2014; <https://mermaidsuk.org.uk/assets/media/East%20Sussex%20schools%20transgender%20toolkit.pdf>

section 406(1)(b) of the Education Act 1996, which applies to maintained schools', in which "the aim is not to prevent pupils from being exposed to political views or from discussing political issues in school. Pupils should not, however, be actively encouraged by teachers or others to support particular political viewpoints". It is further stated that 'this provision should be read in conjunction with paragraph 5(d) of the ISS which states that the school's proprietor should "ensure that where political issues are brought to the attention of pupils [...] they are offered a balanced presentation of opposing views". The advice then explains what inspectors should regard as both 'partisan' and 'political':

- **"Partisan"** - in a case relating to the alleged promotion of partisan political views in maintained schools the judge considered that the best synonym for 'partisan' is "one-sided".¹¹ Drawing from the judgment in the case, in deciding whether the promotion of a political view is partisan, the factors that could be taken into account include:
 - (a) superficial treatment of the subject matter, typified by portraying factual or philosophical premises as being self-evident, with insufficient explanation and without any indication that they may be the subject of legitimate controversy;
 - (b) the misleading use of data; misrepresentations and half-truths;
 - (c) deployment of material in such a way as to prevent pupils meaningfully testing its veracity and forming an independent understanding as to how reliable it is;
 - (d) the exaltation of protagonists and their motives coupled with the demonisation of opponents and their motives;
 - (e) whether a particular view is advocated as being the 'right' view which must be adopted because otherwise certain presupposed consequences follow
- **'Political views'** – views expressed with a political purpose. A political purpose includes actions taken either directly or indirectly:
 - to further the interests of a particular political party; or
 - to procure changes to the laws of this or another country; or
 - to procure the reversal of government policy or of particular decisions of governmental authorities in this or another country" (pp.21-22; paragraphs 61-62).
- According to this aspect of the ISS draft advice therefore, **teachers should be entirely in their rights to introduce and discuss with pupils arguments for changes in the law on either 'same sex marriage', homosexual practice or policies relating**

¹¹ Dimmock v Secretary of State for Education and Skills [2007] EWHC 2288 (Admin)

to **'gender' transitioning**, as long as they also provide in some way the arguments from the other side, so that pupils themselves can weigh them up. This therefore, for example, conflicts with the edict of paragraph 20(c) which states that the school would be judged as not meeting the standards if the PSHE curriculum "suggests that same-sex marriages or civil partnerships should not be recognised as being lawful unions under civil law". It is clearly proposed by the ISS draft advice that support for 'same sex marriage' is 'the right view', and opponents of it are mostly certainly 'demonised' in the context of the other examples of unacceptable views provided in paragraph 20(a-e), where they are compared to people who are racist, sexist, barbaric and prejudiced against the disabled.

- Even despite the fact that enforcement of LGBT ideology has involved, and continues to involve, public policy and Government legislation (eg. Equality Act 2010, Public Sector Equality Duty, FBV; Government funding of LGBT programmes and pressure groups), **the ISS draft advice appears to assume that anything associated with the LGBT agenda is now 'above politics'**, since it is concerned with 'eliminating discrimination, harassment, victimisation', 'advancing equality of opportunity' of, and 'fostering good relations' with, persons who possess the 'protected characteristics' of 'sexual orientation' and 'gender reassignment'. In other words, **compliance with and promotion of the LGBT agenda is presented as an incontestable human rights matter which all teachers and their pupils must enthusiastically endorse as a necessary prerequisite of their acceptance and participation in civil society.**

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Appendix: The case of Vishnitz Girls School. OFSTED Report May 2017

Vishnitz Girls School is a private fee-paying single-sex Orthodox Jewish primary school in North London. Richard Price, writing in the Daily Mail (13 July 2017), provides the following summary of their relationship with OFSTED:

The school's first Ofsted report in July 2013 found the school 'good' in all areas, saying: 'The girls make good progress in their Kodesh (Jewish/religious studies).' It continued: 'Teachers know the girls well so that the needs of the girls are met well and they are eager to learn.'

Three years later, in February 2016, the school was subjected to its first unannounced inspection. Ofsted found that supervision was good, but it did not have up-to-date policies on safeguarding and the buildings required maintenance work.

While the report contained no criticism of the school's teaching standards, a line at the end of the report states: 'The aims and ethos of the school are governed by the codes of the Torah and are based on the three tenets of Judaism: Torah, Prayer and acts of loving kindness.'

By the time of the second inspection in October 2016, Ofsted noted that while progress was being made in the areas highlighted by the February report, 'the school's policy to exclude from the curriculum reference to certain of the protected characteristics in the Equality Act 2010' meant it had again failed.

By the third visit, in May, every issue in the first failed report — down to peeling paint on a wall — had been resolved. Pupils were also deemed to be 'well-motivated, have positive attitudes to learning and are confident in thinking for themselves'.

However, it also found that: 'Pupils are not taught explicitly about issues such as sexual orientation. This restricts spiritual, moral, social and cultural development and does not take account of differing lifestyles.'

'As a result, pupils are not able to gain a full understanding of fundamental British values. [Teachers] do not teach pupils about all the protected characteristics, particularly those relating to gender re-assignment and sexual orientation. This means that pupils have a limited understanding of the different lifestyles and partnerships that individuals may choose in present-day society.'

The original version of the published May 2017 OFSTED report (later redacted by OFSTED) made clear that **the school did not meet the Independent Schools Standards because pupils were not taught directly about homosexuality and transgenderism¹². The new ISS advice attempts officially to endorse the approach taken against Vishnitz School as being applicable to all independent schools**, and provides further oppressive means for the inspection system to achieve this by closing down all avenues of flexibility.

For reference, inspectors found in the ISS the following seven grounds on which to fail the school:

¹² OFSTED, Vishnitz Girls School Inspection Report, 10 May 2017 [original unredacted version, ref: 138516_4]

The school does not meet the following independent school standards

Standards that were not met at the previous inspection and remain unmet at this inspection

- Ensure that a written policy on the curriculum, supported by appropriate plans and schemes of work is drawn up and implemented effectively (paragraph 2(1) and 2(1)(a)).
- Ensure that the written policy, plans and schemes of work do not undermine the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs (paragraph 2(1)(b)(ii)).
- Ensure that the personal, social, health and economic education encourages respect for other people, paying regard to those who may have protected characteristics as set out in the 2010 Equality Act (paragraph 2(2)(d) and 2(2)(d)(ii)).
- Ensure that teaching does not undermine the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs (paragraph 3, 3(i)).
- Ensure that teaching does not discriminate against pupils contrary to Part 6 of the 2010 Act (paragraph 3, 3(j)).
- Ensure that the spiritual, moral, social and cultural development of pupils at the school encourages respect for other people, paying regard to the protected characteristics set out in the 2010 Equality Act (paragraph 5, 5(a), 5(b), and 5(b)(vi)).
- Ensure that the persons with leadership and management responsibilities demonstrate good skills and knowledge relevant to their role, and fulfil these responsibilities effectively and actively promote the well-being of pupils so that the independent school standards are met consistently (paragraphs 34(1), 34(1)(a), and 34(1)(b) and 34(1)(c)).