

## ABOUT HUMANISTS UK

At Humanists UK, we want a tolerant world where rational thinking and kindness prevail. We work to support lasting change for a better society, championing ideas for the one life we have. Our work helps people be happier and more fulfilled, and by bringing non-religious people together we help them develop their own views and an understanding of the world around them. Founded in 1896, we are trusted to promote humanism by 130,000 members and supporters and around 120 members of the All-Party Parliamentary Humanist Group. Through our ceremonies, pastoral support, education services, and campaigning work, we advance free thinking and freedom of choice so everyone can live in a fair and equal society.

We have a long history of work in education, children's rights, and equality, with particular expertise in the religion or belief strand. We have been involved in policy development around the school and the curriculum for over 60 years. We also provide materials and advice to parents, governors, students, teachers and academics, for example through our Understanding Humanism website ([understandinghumanism.org.uk](https://understandinghumanism.org.uk)) and our school speakers programme. We have made detailed responses to all recent Government consultations on education and reviews of the school curriculum, and regularly submit memoranda of evidence to MPs, civil servants, and parliamentary select committees on a range of education issues.

We are an active member of many organisations working in education in the UK, including the Religious Education Council for England and Wales (REC), of which we are a founding member, the Sex Education Forum, the PSHE Association, and the Children's Rights Alliance for England (CRAE). We have also been on all UK government steering groups that have reviewed RE in recent years.

Our primary interests in education concern the curriculum (in particular RE, PSHE/RSE, citizenship, and science), collective worship/school assemblies, and state-funded religious schools.

## PROPOSAL 1: REPORT CARDS

### **Question: What do you think about the layout of our new report cards?**

The precise way Ofsted sets out its inspection reports is not a core policy focus for us, and we recognise that this could be approached in a variety of ways. However, the proposed format appears clear, accessible, and straightforward to follow.

### **Question: What do you think about our evaluation areas?**

Overall, we think the proposed evaluation areas cover an appropriate and meaningful range of issues and practices that should be assessed through inspection. We particularly welcome the expansion of the category previously known as 'personal development' to explicitly include wellbeing, as this rightly places greater emphasis on children and young people's holistic experiences of school, rather than focusing solely on educational outcomes.



However, as outlined in our response to the questions on the proposed toolkits, we believe **it is essential to reinstate the duty for Ofsted to report on the extent to which schools are meeting their legal obligation to promote community cohesion**, as was the case between 2007 and 2011. Schools play a vital role in preparing pupils for life in a diverse society, and inspection should assess whether they are actively fostering mutual understanding, respect, and integration among pupils from different backgrounds. Without this duty, there is a risk that schools which fail to promote inclusive values, whether intentionally or through neglect, will not be held to account. Reinstating this requirement would strengthen the evaluation framework and ensure it fully reflects the important role schools play in building community cohesion as part of a fully inclusive, rights-respecting education system.

We further welcome the introduction of the new evaluation area of 'inclusion', which rightly increases focus on disadvantaged and vulnerable pupils, as well as those with SEND. However, more clarity is needed on how 'disadvantaged' and 'vulnerable' are defined, as parents and other users of the toolkits may not be familiar with the Department for Education's (fairly narrow) definitions of these terms. It is also unclear why the need to ensure equitable provision in relation to the full range of protected characteristics under the Equality Act (including sex, race, religion or belief, and sexual orientation) has been omitted from this section of the toolkits. Given the extent to which these aspects of learners' identities may exacerbate disadvantage, we believe this is a significant oversight.

**Question: What do you think of our proposed 5-point scale for reporting our inspection findings?**

While decisions about inspection gradings fall somewhat outside our core areas of expertise, we recognise that the proposal to introduce a five-point scale has proved controversial among staff across the state and FE sectors. We are not opposed to a five-point scale in principle but would equally support the retention of a four-point scale or the introduction of a simpler three-point model. However, we believe that a binary met/not met judgement would be too blunt a tool, particularly in the areas we are most concerned with, such as inclusion and curriculum quality. At the same time, a seven-point scale would risk unnecessary complexity and inconsistency. A scale with three, four or five points, if clearly defined and consistently applied, strikes a better balance between clarity, fairness, and usefulness for both providers and parents.

**Question: What do you think about our approach to 'exemplary' practice?**

Again, this falls outside of our core policy remit, but we have no objection to the proposed approach. It seems reasonable that schools demonstrating particularly strong practice should be able to share that more widely, provided that all other evaluation areas are at least 'secure' and safeguarding duties are fully met. If applied consistently, this could be a useful way to support improvement across both the state and independent school sector.

**Question: What do you think about the other evaluation scales we have considered?**

See response to question on 5-point scale above.



**Question: Do you have any other ideas we could consider?**

No.

**Question: What do you think about including data alongside report cards, for example information about how well children and learners achieve?**

We fully support the proposal to include data alongside report cards as this will help parents (and other interested parties) better understand how a school is performing and make an informed choice about whether it is right for their child. However, it is essential that any performance data is presented with the appropriate contextual data. This should include information such as the percentage of pupils eligible for free school meals, the percentage of looked after and previously looked after children, and pupil ethnicity, and the same information at the level of the local authority for context. Without this important information, there is a risk that data may be misleading or misinterpreted, particularly in the case of schools that serve more disadvantaged and/or diverse communities. Providing all this information in one place will also be helpful as, while much of it is already publicly available, it is generally published across a range of sources and platforms that can be difficult for parents and other non-specialists to access, navigate, and interpret.

## **PROPOSAL 2: EDUCATION INSPECTION TOOLKITS**

**Question: What do you think about the inspection toolkits?**

**For those responding about schools**

**Leadership and governance**

This section sets out a broad and appropriate range of leadership responsibilities, including strategic oversight, staff wellbeing, and engagement with parents and the wider community. It also outlines a clear line of progression from 'causing concern' to 'exemplary', which helps clarify expectations and will help to support school improvement. However, since leadership and governance should, at least in part, be assessed according to how effectively schools meet their legal obligations to promote equality and prevent discrimination, we would like to see more explicit reference to schools' duties under the Equality Act 2010 in this section of the toolkit. As noted above, we also believe that the duty to inspect schools on how well they promote community cohesion should be reinstated. This could sit quite naturally within the section on engagement with parents, carers, and the community, and would reflect the vital role that schools play in fostering understanding and integration across different groups.

**Curriculum**

This section of the toolkit accurately articulates what good curriculum practice looks like: a broad, ambitious, and coherent offer that is accessible to all pupils (including disadvantaged pupils and those with SEND). The descriptors are well-structured and the progression from 'causing concern' to 'exemplary' provides useful clarity. We agree with the view, articulated in the consultation document, that one of the strengths of the current Education Inspection Framework (EIF) is its strong focus on the curriculum, and it is right that the toolkit builds on this.



A particularly strong element of this section is the statement that a school will be rated as ‘causing concern’ in cases where, ‘the narrow range of subjects does not prepare pupils for the opportunities, responsibilities and experiences of life in Britain.’ We largely support this wording, which rightly situates curriculum quality within the wider purpose of education in a diverse, democratic society.

Furthermore, as noted in our 2019 submission to the consultation on the EIF,<sup>1</sup> curriculum breadth must apply within subjects as well as across them. This view appears to be echoed in the toolkit, where, in order to be rated ‘secure’, the curriculum for each subject must be ‘well designed to build pupils’ knowledge sequentially and cumulatively’. In the context of Religious Education specifically, this means the inclusion of non-religious worldviews like humanism. A curriculum that presents RE in a narrow or exclusively religious way cannot be considered broad or balanced and will, as established in case law,<sup>2</sup> fail to meet the relevant legal requirements for the subject.<sup>3</sup>

Nevertheless, teaching about humanism remains patchy. Our 2022 review of locally agreed RE syllabuses<sup>4</sup> found that, although more than 90 percent mentioned humanism, it was rarely given equal treatment to major world religions. In most cases, coverage was limited to cursory references rather than in-depth teaching, although there were some notable exceptions. Ofsted’s own 2024 review of Religious Education similarly found that, in half of the secondary schools visited, RE curriculums did not include non-religious worldviews.<sup>5</sup> This not only impacts the overall quality of the subject but leads pupils (and their parents) to question its value. A recent YouGov poll found that 57% of respondents saw RE as either ‘not very important’ or ‘not important at all’.<sup>6</sup> This is perhaps unsurprising given that England is now one of the least religious countries in the world. The 2021 Census showed that the number of people ticking ‘no religion’ rose by over 8 million between 2011 and 2021, from 25% to 37%. Among 0–15 year olds, 44% ticked ‘no religion’.<sup>7</sup> These

<sup>1</sup> Humanists UK (2019) “‘Good schools must teach fully inclusive RE”, Humanists UK tells Ofsted”, 18 April 2019. Available at: <https://humanists.uk/2019/04/18/good-schools-must-teach-fully-inclusive-re-humanists-uk-tells-ofsted/> [accessed 15 April 2025].

<sup>2</sup> See *R (Fox) v Secretary of State for Education* [2015]. Available at: <https://www.judiciary.gov.uk/wp-content/uploads/2015/11/r-fox-vssfe.pdf> [accessed 15 April 2025] and *R (Bowen) v Kent County Council* [2023]. Available at: <https://humanists.uk/wp-content/uploads/2023-05-26-R-Bowen-v-Kent-CC-Judgment.pdf> [accessed 15 April 2025].

<sup>3</sup> Juss, S. (2023) *High Court rulings on Religious Education and the Composition of Standing Advisory Councils on Religious Education: Legal guidance on what these mean for local authorities, Agreed Syllabus Conferences, and SACREs*. Available at: <https://humanists.uk/wp-content/uploads/2023-Legal-Commentary-on-SACREs-and-RE-Professor-Satvinder-Juss.pdf> [accessed 15 April 2025].

<sup>4</sup> Humanists UK (2022) *Audit of Locally Agreed Syllabuses for Religious Education in England* (unpublished).

<sup>5</sup> Ofsted (2024) *Deep and meaningful? The religious education subject report*, para. 71. Available at: <https://www.gov.uk/government/publications/subject-report-series-religious-education/deep-and-meaningful-the-religious-education-subject-report#main-findings> [accessed 15 April 2025].

<sup>6</sup> Yougov (2025), ‘How important is it to teach Religious studies at secondary school?’ Available at: <https://yougov.co.uk/topics/society/trackers/how-important-is-it-to-teach-religious-studies-at-secondary-school> [accessed 15 April 2025].

<sup>7</sup> Humanists UK (2022), ‘Non-religious surge: 37% tick ‘No religion’ in 2021 Census – UK among least religious countries in the world’, (29 November 2022). Available at: <https://humanists.uk/2022/11/29/non-religious-surge-37-tick-no-religion-in-2021-census-uk-among-least-religious-countries-in-the-world/> [accessed 15 April 2025].



figures underline the need for RE to reflect the beliefs and values of today's more non-religious and diverse society. The inspection framework must therefore ensure that schools are meeting this requirement by teaching about a range of religious and non-religious worldviews, including humanism, in a meaningful and balanced way.

We also remain concerned that non-examined, statutory subjects like RE, RSE, and citizenship are frequently marginalised, particularly at Key Stage 4. This problem is likely to be further exacerbated by the removal of subject-specific deep dives from inspections in 2024. These subjects already struggle to secure adequate curriculum time and attention. For instance, recent research by the National Association of Teachers of Religious Education (NATRE) found that 87% of responding primary schools reported meeting their statutory duties for teaching RE.<sup>8</sup> At secondary level, just 61% meet these requirements at KS4 (although at KS3 compliance is higher than at primary level, with 91% of schools reporting that the statutory requirements are met).<sup>9</sup> While far from perfect, deep dives were one of the few mechanisms through which schools could be held to account for the proper delivery of the non-examined portion of the basic curriculum. Without this layer of scrutiny, there is a risk that these areas will be further deprioritised, weakening their role in supporting pupils' personal development and understanding of the wider world. The inspection framework should therefore make clear that these subjects will still be evaluated, even in the absence of formal deep dives.

### **Behaviour and attitudes**

This section rightly highlights the importance of schools adopting an inclusive approach to behaviour management, and we are pleased to see a dedicated subsection focusing on 'Inclusive behaviour culture, policy and practice' (p.13). The focus on creating an environment in which all pupils feel safe, supported, and respected is to be welcomed, as is the expectation that behaviour policies are applied fairly and consistently, and that pupils are taught to show respect for difference.

We also support the inclusion of the prevention of bullying, discrimination, harassment, and abuse as a key criterion against which schools should be evaluated. It is vital that schools are held to account for tackling such behaviours effectively and for creating a culture in which they are not tolerated. However, the section would benefit from a clearer and more explicit connection to schools' duties under the Equality Act 2010, including the Public Sector Equality Duty (PSED). While there is some reference to promoting respect for difference, the framework should more clearly reflect schools' legal responsibilities with relation to protected characteristics. We also note the absence of any reference to 'Fundamental British Values', which include mutual respect and tolerance of those with different faiths and beliefs, and believe that these should be included explicitly in the toolkit.

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<sup>8</sup> NATRE (2024) *An analysis of the provision for RE in Primary Schools – Autumn 2024*. Available at: <https://www.natre.org.uk/uploads/Research/NATRE-Primary%20Survey-2024.pdf> [accessed 15 April 2025].

<sup>9</sup> NATRE (2023) *An analysis of a survey of teachers on the impact of political policy on student opportunity to study RE/RME and RVE*. Available at: <https://www.natre.org.uk/uploads/NATRE%20News/2023/NATRE-Secondary-Survey-2023.pdf> [accessed 15 April 2025].





### Personal development and wellbeing

It is positive to see statutory Relationships, Sex and Health Education (RSHE) prominently included in this part of the toolkit, with the 'secure' section making it clear that this must teach 'the importance of equality of opportunity and respect for diversity'. This sends a strong signal about the centrality of RSHE to pupils' personal development and preparation for life in a diverse society. Nevertheless, in this context, the emphasis on 'equality of opportunity' may be too narrow. RSHE and related personal development activities (such as SMSC provision) seek to foster something closer to equality of esteem, encouraging pupils to value and respect one another regardless of background or identity. Developing inclusive attitudes and behaviours is just as important as understanding the rights and opportunities that children and young people should have in education and, later, employment.

Furthermore, the summary of a 'secure' programme for RSHE does not make it clear that the subject must be factually accurate and evidence-based. This is particularly important in the context of RSHE in schools with a religious character, which are currently permitted to deliver the subject in line with the tenets of their faith. We have previously raised with ministers, the DfE, and Ofsted, the way in which this legal provision has been used by schools to justify the use of faith-based RSE resources which promote factual inaccuracies, pseudoscience, and stereotypical and discriminatory attitudes towards women and LGBT people.<sup>10</sup> One such resource, *A Fertile Heart*, was publicly criticised by then Shadow Minister for Domestic Violence and Safeguarding, Jess Phillips MP, who described it as 'dangerous' and fostering a 'culture that ends in gross levels of sexual violence'.<sup>11</sup> Although the UK Government condemned the material,<sup>12</sup> decisions about content still sit with individual schools, so it is vital that inspectors consider this issue as part of the inspection framework.

In common with previous sections, there are also some important omissions that ought to be addressed. Again, there is no reference to schools' legal duties under the Equality Act, including the Public Sector Equality Duty (PSED). These should be clearly linked to the expectations set out here. Likewise, there is no mention of Fundamental British Values, which are not only relevant to the aims of RSHE, but also to broader work on the promotion of community cohesion – something we believe should be reintroduced as a key aspect of the inspection framework. We would also expect this section to emphasise the importance of the broad range of children's rights outlined in the UN Convention on the Rights of the Child (UNCRC), which underpins many aspects of personal development and wellbeing. Indeed, given the broadening of this category to include 'wellbeing',

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<sup>10</sup> Humanists UK (2021) 'Exposed: Catholic school resources say "man was created to be the initiator in sexual relationships", women "receiver-responders"', 24 January 2021. Available at: <https://humanists.uk/2021/01/24/exposed-catholic-school-resources-say-man-was-created-to-be-the-initiator-in-sexual-relationships-women-receiver-responders/> [accessed 16 April 2025].

<sup>11</sup> Hazel, W. (2021) 'Labour's Jess Phillips to write to Government over 'unacceptable' Catholic sex education resource', *The i Paper*, 29 January 2021. Available at: <https://inews.co.uk/uncategorized/labour-jess-phillips-government-unacceptable-catholic-sex-education-850916> [accessed 16 April 2025].

<sup>12</sup> Humanists UK (2021) 'UK Government slams Catholic RSE resource over "gender stereotypes" that "could normalise non-consensual behaviour"', 14 June 2021. Available at: <https://humanists.uk/2021/06/14/uk-government-slams-catholic-rse-resource-over-gender-stereotypes-th-at-could-normalise-non-consensual-behaviour/> [accessed 17 April 2025].



and the requirement (in the 'secure' category) for leaders to 'listen to, and take account of, pupils' views' (p.19) in the context of pastoral care, it is surprising that more has not been made of children's rights, including the right to have their voices heard, as set out in Article 12 of the Convention, throughout the document.

### Inclusion

The toolkit rightly identifies inclusion as a core feature of effective school provision and the decision to include this as a dedicated evaluation area is to be welcomed. It places clear emphasis on supporting pupils with SEND and those facing 'disadvantage' (which, in common with the DfE's definition of this term,<sup>13</sup> appears to refer primarily to socioeconomic disadvantage<sup>14</sup>), and on fostering a sense of belonging. However, as with other parts of the toolkit, the concept of inclusion is both inadequately defined and conceived too narrowly. It does not adequately reflect the full range of protected characteristics under the Equality Act 2010, nor does it link clearly to the Public Sector Equality Duty. Issues such as race, sex, religion or belief, sexual orientation, and gender identity are largely absent from the language of the document. If inspectors are to evaluate inclusion meaningfully, the toolkit must support them in assessing how schools are meeting their legal obligations in these areas. We would also expect to see a stronger connection to children's rights and to the promotion of respect and equality as fundamental to inclusive education.

### Safeguarding

Although this falls somewhat outside of our central area of expertise, we are broadly supportive of the content of the safeguarding section of the toolkit and the decision to grade this evaluation area with a binary judgment of 'met' or 'not met'. The accompanying explanation makes clear that this is not about minimal compliance, but about ensuring that providers are doing everything they can to keep children and learners safe. We welcome the expectation that schools should both meet statutory requirements and foster an open and positive culture around safeguarding. This reflects a sound understanding of what effective safeguarding involves in practice. Given the serious impact safeguarding failings may have, it is appropriate that provision is either adequate or it is not. We also support the inclusion of clear guidance on how safeguarding links to other areas, such as pupil wellbeing, behaviour, and inclusion. The framework's emphasis on vigilance, responsiveness, and whole-school culture is proportionate and appropriate, and should help ensure safeguarding remains central to inspection and school improvement.

### **Question: What do you think about the research, statutory guidance and professional standards that we have considered? Are there any others we should consider?**

While the list of research, statutory, and non-statutory guidance Ofsted has considered in the development of the toolkits is largely appropriate, there are some notable omissions. For instance, there is no reference to the 2014 guidance on promoting fundamental British values through SMSC

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<sup>13</sup> According to a recent report by the National Audit Office, 'DfE considers children as disadvantaged if they have been registered for free school meals in the past six years or are currently, or have previously been, looked after by the local authority'. (NAO (2024) *Improving educational outcomes for disadvantaged children*. Available at: <https://www.nao.org.uk/wp-content/uploads/2024/07/improving-educational-outcomes-for-disadvantaged-children-1.pdf>).

<sup>14</sup> Ofsted (2024) 'School inspection handbook' – Clarification for schools: Terminology. Available at: <https://www.gov.uk/government/publications/school-inspection-handbook-eif/school-inspection-handbook-for-september-2023> [accessed 15 April 2025].



<sup>15</sup> or, despite its shared status with RHSE as a part of the ‘basic curriculum’, to any research or guidance on Religious Education. This may be because the most recent non-statutory guidance on RE was produced in 2010.<sup>16</sup> However, this explicitly advocates for the inclusion of non-religious worldviews and may be supplemented by subsequent material, such as the final report of the Commission on Religious Education (CoRE)<sup>17</sup> and the RE Council’s National Content Standard for Religious Education.<sup>18</sup> As the only legal guidance published on the matter, we would also advise that attention is given to Professor Satvinder Juss’s legal opinion on the inclusion of humanism in RE in light of the judgments in *Fox v Secretary of State for Education* and *Bowen v Kent County Council*.<sup>19</sup>

Another omission is on the duty of schools to promote community cohesion. This duty was deprioritised for inspection after 2010, despite opposition from teaching unions, education charities, and researchers. It would be worthwhile to include the work of Professor Ted Cante, particularly *Cohesion: Coming of Age at 21 Years*<sup>20</sup>. Professor Cante recommends the return of the requirement for Ofsted to inspect the duty to promote community cohesion, including the requirements for schools to reconsider their admissions policies, a framework for challenging students’ beliefs through the curriculum and extra-curricular activities, and involving parents and communities in the recognition and acceptance of diversity.

It would also be useful to refer to the Women and Equalities Committee inquiry into community cohesion, currently ongoing.<sup>21</sup> For example, the Belong Network submitted written evidence to the committee recommending ‘The Government should make it clear that it is mandatory for school and college students to engage in activities that deepen their level of contact with peers from different ethnic, faith and class backgrounds. This should be backed up with guidance on how this duty can be implemented.’<sup>22</sup> Professor Ted Cante provided oral evidence to the inquiry on 22 April, explaining: ‘Most schools do not appear to understand that they are under a statutory duty to

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<sup>15</sup> DfE (2014) *Promoting fundamental British values as part of SMSC in schools* Departmental advice for maintained schools. Available at: [https://assets.publishing.service.gov.uk/media/5a758c9540f0b6397f35f469/SMSC\\_Guidance\\_Maintained\\_Schools.pdf](https://assets.publishing.service.gov.uk/media/5a758c9540f0b6397f35f469/SMSC_Guidance_Maintained_Schools.pdf) [accessed 17 April 2025].

<sup>16</sup> DCSF (2010) *Religious education in English schools: Non-statutory guidance 2010*. Available at: <https://assets.publishing.service.gov.uk/media/5a7adb3ce5274a34770e7953/DCSF-00114-2010.pdf> [accessed 15 April 2025].

<sup>17</sup> Commission on Religious Education (2018) *Religion and Worldviews: The Way Forward. A National Plan for RE*. Available at: <https://religiouseducationcouncil.org.uk/rec/wp-content/uploads/2017/05/Final-Report-of-the-Commission-on-RE.pdf> [accessed 16 April 2025].

<sup>18</sup> Religious Education Council of England and Wales (2023) *National Content Standard for RE in England – 1st Edition – 2023*. Available at: <https://religiouseducationcouncil.org.uk/rec/wp-content/uploads/2023/09/RE-Council-National-Content-Standard-for-Religious-Education-for-England-July23.pdf> [accessed 16 April 2025].

<sup>19</sup> Juss, S. (2023) *High Court rulings on Religious Education and the Composition of Standing Advisory Councils on Religious Education: Legal guidance on what these mean for local authorities, Agreed Syllabus Conferences, and SACREs*

<sup>20</sup> Professor Ted Cante (2022) *Cohesion: Coming of Age at 21 Years*. Available at: <https://tedcante.co.uk/wp-content/uploads/2022/12/Cohesion-Coming-of-Age-at-21-TC-Dec-22.pdf> [accessed 24 April 2025]

<sup>21</sup> UK Parliament, Women and Equalities Committee, Community cohesion inquiry, <https://committees.parliament.uk/work/8696/community-cohesion/publications/>

<sup>22</sup> The Belong Network (2025), evidence submitted to the Women and Equalities Committee community cohesion inquiry, <https://committees.parliament.uk/writtenevidence/136229/html/> [accessed 24 April 2025].





promote community cohesion... it's just not inspected upon. We need to bring that back into the inspection regime. This is all about trying to deal with the situation where children are separated by the school system. Not just in faith schools but in non-faith schools away we often see highly segregated environments. Schools are fundamental to shaping the networks within the school and community environment.'<sup>23</sup>

**Question: What do you think about our working definition of inclusion, and how we will inspect inclusion?**

It is useful to have a working definition of inclusion provided as part of this consultation, and we largely support its emphasis on high expectations, cultivating a sense of belonging, and the removal of barriers to participation and learning. However, while the definition uses inclusive language, the only explicit reference to a particular marginalised group is to children with SEND. There is no mention of other aspects of diversity – such as race, religion or belief, sex, sexual orientation, or gender identity – which are central to pupils' experiences of inclusion (or exclusion) in schools.

This omission is potentially misleading, and appears to have contributed to a narrow interpretation of inclusion within the School and Independent School Inspection toolkits, where the focus is largely on SEND and socioeconomic disadvantage. In contrast, international frameworks such as the Cali Commitment – an international benchmark for inclusive education – define inclusion as a transformative process rooted in human rights, that embraces diversity in all its forms.<sup>24</sup>

We recommend that Ofsted revise the definition to ensure it clearly reflects the full range of factors that shape inclusion and explicitly aligns with schools' duties under the Equality Act 2010.

**Question: How suitable is the toolkit for use in special schools and alternative providers?**

No response.

**Question: Do you think the toolkit will be suitable for different phases of education and other types of providers?**

No response.

**For those responding about independent schools**

**Question: What do you think about the inspection toolkits?**

**General comments**

In common with our responses to the questions on the toolkit for state schools, insufficient attention is devoted to the broad range of responsibilities independent schools have under the Equality Act and inclusion is inadequately defined and operationalised (see previous responses pertaining to state schools).

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<sup>23</sup> UK Parliament, Women and Equalities Committee, Community cohesion inquiry, Oral evidence Tuesday 22 April, 15:40:25 – 15:42:13, <https://committees.parliament.uk/event/23495/formal-meeting-oral-evidence-session/> [accessed 24 April 2025].

<sup>24</sup> UNESCO (2019) *Cali commitment to equity and inclusion in education*. Available at: <https://unesdoc.unesco.org/ark:/48223/pf0000370910/PDF/370910eng.pdf.multi> [accessed 17 April 2025].



## Curriculum

While it is good that this part of the toolkit replicates the standards for state schools, it is important to recognise that independent schools are subject to more permissive curriculum legislation. As a result, some features of an inadequate curriculum are more likely to arise in this context and should be explicitly addressed in the toolkit. Here, we have in mind the expectation, set out in paragraph 2.8 of the DfE's non-statutory guidance on the Independent School Standards, that independent schools should not present creationism as 'having a similar or superior evidence base to scientific theories'. This is currently prohibited in state schools, but a number of independent providers with religious character nevertheless choose to teach creationism as fact, significantly limiting the scientific knowledge and understanding of learners as a result.<sup>25</sup>

There should also be a clear and explicit reference to the requirement that written curriculum policies, 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', as set out in Section 2(1)(b)(ii) of the Schedule to the Education (Independent School Standards) Regulations 2014.

## Personal development and wellbeing

This section of the Independent School toolkit mirrors that used for the state sector – making clear that schools will be rated as 'causing concern' if they 'undermine or fail to promote equality of opportunity' or do not 'make sure that the curriculum teaches about healthy relationships' (p.21). But it isn't clear whether, as is currently set out in paragraph 464 of the *Non-association independent schools inspection handbook*,<sup>26</sup> independent secondary schools that don't teach about lesbian, gay, and bisexual relationships will still be considered to be in breach of the Independent School Standards and flagged as 'causing concern' on this basis.

Since the overarching standards are not being changed, we assume that this remains the case. However, it is of utmost importance that this is clearly communicated to the providers of independent schools, especially those with a religious character, which have frequently been found to have breached this standard.<sup>27</sup>

Additionally, more effort needs to be made to ensure that the parental right to withdraw is not being misused by schools as a way to avoid their statutory obligations to provide RSHE. For instance, in the past we have been made aware of schools putting pressure on parents to withdraw,<sup>28</sup> or even

<sup>25</sup> See e.g. Scaramanga, J. and Reiss, M. (2023) 'Evolutionary stasis: creationism, evolution and climate change in the Accelerated Christian Education curriculum', *Cultural Studies of Science Education*, Vol.18, 809-827. <https://link.springer.com/article/10.1007/s11422-023-10187-y>

<sup>26</sup> Ofsted (2025) *Non-association independent schools inspection handbook*. Available at: <https://www.gov.uk/government/publications/independent-schools-inspection-handbook-eif> [accessed 17 April 2025].

<sup>27</sup> Humanists UK (2023) 'Ofsted repeatedly fails three Jewish schools that won't teach about LGBT or non-Jewish people', 28 July 2023. Available at: <https://humanists.uk/2023/07/28/ofsted-repeatedly-fails-three-jewish-schools-that-wont-teach-about-lgbt-or-non-jewish-people/> [accessed 17 April 2025]

<sup>28</sup> Humanists UK (2019) 'Jewish school caught encouraging mass withdrawal of pupils from RSE so school can foster "good religious girls"', 24 July 2019. Available at: <https://humanism.org.uk/2019/07/24/jewish-school-caught-encouraging-mass-withdrawal-of-children-from-rse-so-school-can-foster-good-religious-girls/>



bypassing parental consultation altogether, refusing to teach the subject, and stating this is because 'in practice, all parents will exercise their statutory right to withdraw their children from sex education'.<sup>29</sup> The toolkit should make it clear that this is not an acceptable approach and speaks more to the views of the school on RSHE than the views of parents.

**Question: What do you think about our proposed approach to align the inspection of non-association independent schools and state-funded schools as far as possible?**

We strongly support the proposal to align the inspection framework for non-association independent schools as closely as possible with that of state-funded schools. All children and young people, regardless of the type of school they attend, should be entitled to the same high standards of education, safeguarding and inclusion. Aligning the frameworks will help ensure greater consistency, transparency, and fairness across the system. It will also reinforce the principle that independent schools are subject to and accountable for the same fundamental expectations around pupil wellbeing, equality and educational quality as other schools.

## **PROPOSAL 3: INSPECTION METHODOLOGY**

**Question: What do you think about our proposed changes to how we carry out an inspection?**

While the precise mechanics of inspection fall outside our policy remit, we are concerned that the removal of deep dive inspections may disproportionately affect non-examined subjects such as RE, RSHE, and Citizenship. Further detail on this issue is provided in our response to the questions on the toolkit for state schools.

## **PROPOSAL 4: FULL INSPECTIONS AND MONITORING INSPECTIONS, STATE-FUNDED SCHOOLS**

**Question: What do you think about our proposed changes to monitoring?**

We welcome the shift towards a more targeted and responsive approach to monitoring, but its effectiveness will depend on how well the underlying inspection framework identifies the full range of issues that can affect the quality and inclusiveness of education. As outlined in our responses to the questions about the toolkits, we are concerned that some areas, particularly those relating to curriculum compliance, equalities legislation, and ethos, may be under-scrutinised unless they are clearly linked to 'attention needed' or 'causing concern' grades.

For example, where schools omit or distort statutory content in subjects like RE or RSE, or fail to meet their duties under the Equality Act 2010, this should be reflected in inspection outcomes and trigger appropriate follow-up. While we do not take a view on the specific mechanics of inspection, we believe it is essential that the monitoring system is capable of identifying and addressing these kinds of failings.

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<sup>29</sup> Humanists UK (2014) 'Yesodey Hatorah says censoring exam questions "has successfully been in place within the Charedi schools throughout England for many years"', 28 March 2014. Available at: <https://humanism.org.uk/2014/03/28/yesodey-hatorah-says-censoring-exam-questions-successfully-plac-e-within-charedi-schools-throughout-england-many-years/> [accessed 17 April 2025].



## **PROPOSAL 5: IDENTIFYING STATE-FUNDED SCHOOLS CAUSING CONCERN**

### **Question: What do you think about how we propose to identify schools causing concern?**

This is not an area in which we have specific expertise, but it is nonetheless vital that the system includes a clear and effective way to identify schools that are underperforming or otherwise failing to meet their legal duties to children and their families. Schools that are causing concern or that require improvement must be supported to address weaknesses and, where necessary, be held to account. The proposals appear to provide a sensible basis for doing so.

## **ADDITIONAL QUESTIONS**

### **Question: What do you consider are the likely workload and well-being implications of these proposals?**

No response, falls outside our policy remit.

### **Question: What could we do to help reduce or manage any unintended consequences?**

No response, falls outside our policy remit.

### **Question: Is there anything else about the changes to inspection that you would like to tell us?**

No response.

### **Question: Please tell us how you think our proposals may or may not impact equality.**

While the proposals rightly place greater emphasis on inclusion and equality of opportunity, their likely impact on equality may be limited by the narrow way these concepts are currently framed. Across the toolkits, the focus is primarily on SEND and 'disadvantage' – the latter left undefined – with little reference to other protected characteristics under the Equality Act 2010, such as race, religion or belief, sex, sexual orientation, or gender reassignment. This limited framing risks reinforcing a partial understanding of equality and overlooks the way disadvantage is often shaped by intersecting aspects of identity.

Although the accompanying Equality Impact Assessment acknowledges these protected characteristics, this has not been meaningfully carried through into the design of the toolkits. Without clearer reference to the full range of schools' legal duties under the Equality Act, and a more expansive, rights-based understanding of inclusion, there is a risk that the proposals will fail to deliver equitable outcomes for all pupils.

**For more details, information, and evidence, contact Humanists UK:**

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