

INDEPENDENT TROJAN HORSE INVESTIGATION  
PREPARED FOR BIRMINGHAM CITY COUNCIL



# Investigation Report

## *Trojan Horse letter*

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REPORT OF IAN KERSHAW OF NORTHERN EDUCATION FOR BIRMINGHAM CITY COUNCIL IN RESPECT OF ISSUES ARISING AS A RESULT OF CONCERNS RAISED IN A LETTER DATED 27 NOVEMBER 2013, KNOWN AS THE TROJAN HORSE LETTER.



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## EXECUTIVE SUMMARY

1. In an attachment to an anonymous letter received by Birmingham City Council (“BCC”) on 27 November 2013, suggestions were made that schools within Birmingham have been targeted “to be taken over” to ensure that they are run on strict Islamic principles, with certain schools being specifically named (known as the “Trojan Horse Letter”). BCC has commissioned me and my team from Northern Education to undertake an independent investigation into the issues arising from the Trojan Horse Letter.
2. The allegations made and the issues raised will be familiar to many; they have been widely covered and commented on in the media and continue to remain a top priority for BCC, the Government, other stakeholders and the public at large. I remain acutely aware of the interest that there will be in the findings of this, and other related reports, and my priority throughout has been to conduct the investigation independently, objectively and fairly. The scope and conduct of my investigation is set out clearly in the body of the report.
3. Given the nature of the issues being investigated and the remit of my instructions, my report has focussed and commented on the issues that have been found in certain schools in the Birmingham area. My report deals with a small section of schools where there are concerns and system weaknesses that exist; that includes serious concerns about poor governance in some of these schools. However, Birmingham schools service a large population of students; there are 437 schools in the city (comprising 320 maintained schools<sup>1</sup> and 117 academies<sup>2</sup>) many of which are highly successful in meeting the educational and social needs of our children; here there exist many examples of good schools and good governance.
4. I therefore ask that my report be read with that context in mind. The issues covered in the report do not significantly affect the majority of schools in Birmingham and this bigger picture must not be forgotten. These schools, and the education system more generally, rely on volunteers who willingly and generously give up their free time to improve schools and the delivery of education, to the benefit of many young people. Their excellent contribution should not be forgotten. My investigation should aim to do nothing that risks losing the confidence of people in continuing to volunteer their time and dedication to supporting school leaders, teachers and support staff in the provision of high quality education for the city’s youth.
5. My Terms of Reference for the investigation ask me to report on the following:
  - 5.1 *Do you believe there is any substance in the allegations made in the letter?*
  - 5.2 *If so, do you believe that Birmingham City Council should take any specific steps to avoid or reverse the implementation of such a targeted takeover?*
  - 5.3 *Based on the information obtained during the course of your Inquiry, are there any recommendations that you wish to make to Birmingham City Council in respect of further action or investigations which may be required, in relation to the Trojan Horse letter or otherwise, following the conclusion of your inquiry?*

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<sup>1</sup> Including community schools, voluntary aided schools, voluntary controlled schools, and foundation schools

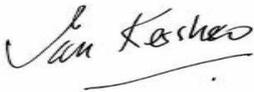
<sup>2</sup> Including free schools and academies

6. My investigation has found that elements of the five steps referred to in the Trojan Horse Letter (as detailed in paragraph 16 below) are present in a large number of the schools considered as part of the investigation. There are also clear patterns of behaviour amongst groups of individuals which is so common that it is reasonable to infer that there are links between these various individuals. This is however an inference which I draw as, to date, there is little express evidence to which I can point of a systematic plot or co-ordinated plan to take over schools serving students of predominantly Muslim faith or background.
7. The evidence drawn out of the investigation suggests that some people take the view that there are schools in East Birmingham that are failing Muslim children and in response there are groups of British male governors and teachers, predominantly of Pakistani heritage, which have formed in order to take action to address the perceived failings. Some of the individuals involved have a great deal of influence in their communities and have used this to coalesce others to influence local schools. It is a determined effort to change schools, often by unacceptable practices, in order to influence educational and religious provision for the students served. It is also seen as a means to raise standards. There is no evidence of a conspiracy to promote an anti-British agenda, violent extremism or radicalisation in schools in East Birmingham.
8. It appears that there is a genuine and understandable desire amongst these groups to improve the education and opportunities for Muslim pupils. This desire is often coupled with a belief that the children can only be served by Muslim leaders and teachers. These 'activists' have regarded the role of being a governor as a means to an end. Where they judge a school to be failing the students, they have seen their role as one of leading change through the replacement of school leadership and an improper manipulation of school governance. There is a need to guard against this behaviour, which does not comply with local authority and school governance legal obligations.
9. The evidence suggests that there is a pattern to this behaviour, with these activist governors translating their improvement agenda into:
  - 9.1 placing demands upon head teachers to modify curriculum provision which denies students their right to access a broad and balanced curriculum, including the right to understand other world religions and the right to sex and relationship education;
  - 9.2 placing inappropriate demands on head teachers by repeatedly requesting information;
  - 9.3 being overly challenging and sometimes aggressive in the management of head teachers;
  - 9.4 undermining head teachers during Ofsted inspections;
  - 9.5 interference in operational matters; and
  - 9.6 inappropriate appointments of friends and relatives.
10. This has resulted in conflict with head teachers, other members of staff and other governors, who are required to follow certain legal obligations in relation to education. In some schools and academies the introduction of Islamic assemblies without the authorisation of SACRE, or the Secretary of State in the case of academies, means that head teachers and governors are breaking the law.
11. Due to certain weaknesses in the systems and processes that surround school governance, as well as local authority failings, this has been allowed to happen unchecked. BCC was aware of some of these concerns, and failed to spot others when it should have done, due to a failure to join up the intelligence it did receive in relation to

these schools. In some cases, BCC was actually a vehicle for promoting some of these problems, with head teachers being eased out through the profligate use of compromise agreements, rather than supported. BCC's inability to address these problems has been exacerbated by a culture within BCC of not wanting to address difficult issues and problems with school governance where there is a risk that BCC may be accused of being racist or Islamophobic.

12. Taking into account these overarching conclusions, and in order to address my second and third Terms of Reference, I have considered whether there are any specific steps that BCC should take to reverse and avoid the impact of the existence of elements of the Trojan Horse behaviour. I have also considered what further action or investigations may be required. This is set out in the conclusions and recommendations section of my team's report.
13. In terms of the structure of the report, the findings, conclusions and recommendations will likely be of most interest and relevance to many who read this report. These sections therefore follow immediately after this summary. However, it is important that I set out after that some background information in relation to the scope of the investigation and the investigation process, coupled with details of the evidence that was obtained. A tremendous amount of evidence has been considered and a significant number of witnesses have come forward. I am grateful to all of those who have provided me with information and co-operated with my investigation, often in very short timescales.
14. The section on background information is also followed by another important section on legal and administrative context. This has assisted me and my team in reaching our findings, conclusions and recommendations, and is also integral to the report.

**Ian Kershaw**

A handwritten signature in black ink that reads "Ian Kershaw".

**Managing Director of Northern Education**

**Date: 14 July 2014**

# TERM OF REFERENCE 1

## Trojan Horse Letter

- 15.** The Terms of Reference do not require us to consider who wrote the Trojan Horse Letter, or whether the Letter is a hoax. For the purposes of this investigation we have worked on the basis that the allegations have been made. The first part of the Terms of Reference requires us to establish whether or not *"there is any substance in the allegations made in the letter?"*. In order to fulfil this part of the Terms of Reference, an analysis of the Trojan Horse Letter is required. We have also considered the timeline in relation to the receipt of the Trojan Horse Letter and any subsequent action taken by BCC. It was important to do this to assist with context in terms of our findings and recommendations.
- 16.** The Trojan Horse Letter sets out a 'Five Step' plan that allegedly will ensure that schools are run on Islamic principles. These five steps are as follows:
- Step 1** Identify schools in a densely populated Muslim locality that you want to target. Start with the poorest performing first as they will be easiest to influence and take over.
  - Step 2** Select a group of Salafi<sup>3</sup> parents within the school community (this sect of Islam is selected because the Trojan Horse Letter calls them 'most committed to Islam' and having the capacity to create sustainable change). When the parents have been identified, start to turn them against the head teacher and leadership team. Tell each parent that that the school is corrupting their children with sex education, teaching about homosexuals, making their children pray Christian prayers and take part in mixed swimming and sports.
  - Step 3** Install a governor to 'drip feed' ideals for an Islamic school. Once successful, the governor will be moved on to another school, to distance them from any troubles and to allow them to do the same in a new school.
  - Step 4** Identify 'weak and disgruntled' staff and encourage them to complain to prompt an investigation, preferably an external investigation, so that the head teacher resigns or is sacked.
  - Step 5** Instigate an anonymous and named letter campaign to governors, local MPs, education authorities, Ofsted, Governor Support, the local papers and the DfE, to keep pressure on the head teacher and place doubt in the minds of stakeholders. This will weaken the head teacher's resolve until they give up.
- 17.** The Trojan Horse Letter says that the plan is simple – *"It is about people seeing our intentions as respectable and our being accepted by the key stakeholders such as the Director of Education and the City Council ... This is all about causing the maximum amount of organized [sic] chaos ..."*.
- 18.** The Trojan Horse Letter claims responsibility for leadership changes at four schools. These schools are Adderley Primary School, Saltley School and Specialist College,

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<sup>3</sup> Salafi is a term used to identify a particular movement or sect within Islam. The term has become associated with a strict approach to Islam

Springfield School and Regents Park Community Primary School and mentions a further two schools.

19. The map attached at Appendix 1 has been prepared to identify the location of schools relevant to the investigation and the proximity of those schools to local mosques. This has been used to seek to inform the extent to which Step 1 of the Trojan Horse Letter exists.

## Findings

20. My investigation has considered the extent to which the evidence collated to date supports a finding that the Five Steps identified in the Trojan Horse Letter are, or have been, present in any schools. The table below summarises our analysis of those schools on which our investigation has focussed<sup>4</sup> (in accordance with the rating system explained in the background section to this report).

School	Evidence of Step 1?  Target poorly performing schools in Muslim areas	Evidence of Step 2?  Select parents to turn against schools	Evidence of Step 3?  Install Governors to encourage Islamic ideals	Evidence of Step 4?  Identify key staff to disrupt from within	Evidence of Step 5?  Instigate campaign of pressure
<b>Adderley Primary</b>	Yes	Possible	Yes	Yes	Yes
<b>Anderton Park School</b>	No	No	Possible	No	Possible
<b>Golden Hillock School</b>	Yes	Yes	Yes	Yes	Yes
<b>Highfield School</b>	Yes	Yes	Yes	No	Yes
<b>Ladypool Primary</b>	No	Yes	Yes	Possible	No
<b>Lozells Primary School</b>	Yes	Yes	Yes	No	Yes
<b>Marlborough Junior School</b>	No	No	Possible	Possible	No
<b>Moseley</b>	Yes	Yes	Yes	Yes	Yes

<sup>4</sup> We have received evidence about concerns in two other schools: Al-Hijrah and Al-Furqan. Although not related directly to the claims made in the Trojan Horse Letter, evidence we have received suggests that there are elements of the behaviour referred to in the Trojan Horse Letter present at these schools. Such evidence is set out in the 'Detailed Findings' section of this report

School	Evidence of Step 1?  Target poorly performing schools in Muslim areas	Evidence of Step 2?  Select parents to turn against schools	Evidence of Step 3?  Install Governors to encourage Islamic ideals	Evidence of Step 4?  Identify key staff to disrupt from within	Evidence of Step 5?  Instigate campaign of pressure
<b>School</b>					
<b>Nansen Primary School</b>	Yes	Yes	Yes	Yes	Yes
<b>Oldknow Academy</b>	No	No	Yes	Yes	Yes
<b>Park View Academy</b>	Yes	No	Yes	Yes	Possible
<b>Regents Park Primary</b>	No	No	No	No	No
<b>Saltley School</b>	Yes	Yes	Yes	Yes	Yes
<b>Washwood Heath Academy</b>	No	No	No	Possible	Possible

21. This analysis has been prepared based on the evidence collated during the investigation. Where the analysis indicates that one or more of the Five Steps identified in the Trojan Horse Letter are present in a particular school, a selection of the evidence in relation to that school, and the wider issues, are dealt with in the 'Detailed Findings' section of this report.

## Conclusions

22. What the above analysis confirms is that, whilst elements of the Five Steps were present in a large number of the schools considered as part of the investigation, the evidence collated to date does not support a conclusion that there was a systematic plot to take over schools. There are concerns which require immediate attention, but the evidence is not sufficient to lead me to construe the behaviour to be a co-ordinated plan to improperly influence the direction and management of schools (or academies) serving students of predominantly Islamic faith or Muslim background.

23. However, what the evidence does show is that there were elements of each of these allegations, or steps, present in certain schools.

24. The fact that an increasing number of people drawn from the Muslim community in Birmingham wish to exercise their right to participate in the oversight and development of schools and academies as governors, trustees or teachers is a matter to be celebrated and welcomed. It is laudable that in East Birmingham individuals would want the local schools to reflect the community in which they are located. However, the evidence shows that the methodology used by some men of Pakistani heritage for achieving this aim, and its impact on education, raises serious concerns.
25. There are a number of key individuals who are encouraging and promoting certain Islamic principles in schools in the Birmingham area, and we have noted a pattern of these individuals moving between schools in the area. These individuals include those in roles such as governors, deputy head teachers, acting head teachers or other teaching staff, trustees (in relation to academy schools) and parents, and often these individuals move between these roles and / or hold a number of different posts across schools. A number of witnesses have expressed concern about the connections between these individuals; unacceptable processes of appointment; their motives; and the impact that this climate is having on certain schools.
26. The evidence shows that these individuals have been seeking to promote and encourage Islamic principles in the schools with which they are involved, for example, by seeking to introduce Islamic collective worship, or raising objections to elements of the school curriculum that are viewed as anti-Islamic (for example, sex education, mixed physical education or citizenship). There is a concern as to whether this has led to breaches of the relevant schools' statutory obligations.
27. The vast majority of governing bodies in Birmingham undertake their responsibilities with care, commitment and diligence. There are, however, a small minority that have taken it upon themselves to represent their own interests rather than the interests of the children they serve. I have recognised that, in these bodies, due processes have failed to be observed in many aspects of the responsibility carried by governors.
28. In a number of schools relevant to the investigation there have been incidents of governing bodies attempting to, and being successful in, removing head teachers or senior members of staff from post, or causing disruption to their roles. This has been manifested either in explicit campaigns to remove specific members of staff, or by the general behaviour of certain governors, or a governing body, to bully or harass a head teacher or seek to remove them without proper process. This goes beyond the governing body's role of *"Holding the Head Teacher to account for the educational performance of the school and its pupils, and the performance management of staff"*. However, what the information collated to date does show is that often there is evidence to show that under-performance of the school can be, but is not always, an issue.
29. We have identified serious governance issues that exist in a small number of schools in East Birmingham as a result of, at best, poor skills, and at worst, serious malpractice by members of certain governing bodies. There exists a pattern of disruptive behaviour by governors across a number of the schools relevant to this investigation. This includes inappropriate, unprofessional and disruptive behaviour during meetings and in carrying out their duties, and particularly interfering with operational matters of the school.
30. It is clear that in some governing bodies there have been individuals who have shown an utter disregard for the Nolan principles and have rejected responsibility for displaying integrity, objectivity and honesty in all matters related to the governance of a school, and as required by regulations. These governing bodies have not seen it as their role to

ensure that some members of the board act as the guardians of good behaviour through processes of audit and risk against the range of responsibilities that governors hold.

- 31.** The evidence suggests that there is a pattern of behaviour by some individuals who have views concerning the delivery of education, whether they be parent governors, community governors, teaching staff or others. These individuals have sought to intervene in the delivery of education, but by using inappropriate methods, including the improper manipulation of school governance. This has resulted in conflict with head teachers, other members of staff and other governors, who are required to follow certain legal obligations in relation to education. Due to weaknesses in the systems and the poor oversight of school governance, which we refer to in detail later in this report, this has been allowed to happen unchecked.

## TERMS OF REFERENCE 2 AND 3

### Conclusions

- 32.** The second and third Terms of Reference require us to consider whether:
- (2) *Birmingham City Council should take any specific steps to avoid or reverse the implementation of such a targeted takeover?; and*
  - (3) *Based on the information obtained during the course of your Inquiry, are there any recommendations that you wish to make to Birmingham City Council in respect of further action or investigations which may be required, in relation to the Trojan Horse letter or otherwise, following the conclusion of your inquiry?*
- 33.** In meeting the second and third Terms of Reference we have considered how the findings and conclusions in relation to Term of Reference 1 can be addressed.
- 34.** There are issues that BCC can and should address, and these are set out below. Whilst the problems identified are not purely ones for BCC to solve, it is outside my Terms of Reference to make recommendations for other parties or bodies to address. Nevertheless, other stakeholders involved with these schools will no doubt wish to reflect on the issues that are raised by this investigation and BCC will need to engage with other bodies in relation to a number of the recommendations. If there is going to be a similar need for academies to address these issues, BCC should seek to share its learning from this investigation where applicable.

### Monitoring risk

- 35.** It is clear from the evidence that resource restraints have resulted in limited oversight by BCC, with dramatic resource reductions being made in recent years. The evidence we have received is that from February 2011 to February 2014, BCC's Schools Improvement Team went from a staff of approximately 158 to 12, and the School and Governor Support Team went from approximately 16 to 8. Having said that, a staff of over approximately 170 for school support is substantial, even for a local authority the size of Birmingham.
- 36.** The overall reduction in resources has resulted in decisions being made about the management of that resource, leaving significant gaps in oversight. This includes a focus of attention on those schools that have been judged by Ofsted to require improvement or are in a category of concern, and BCC adopting a 'hands-off' approach in respect of academy schools despite some of its statutory duties (for example, promoting educational excellence). Further, this is happening at a time when the workload of BCC has increased substantially following changes to Ofsted inspections, which sees local authorities responsible for producing school improvement plans when schools are rated as 'Requiring Improvement' or in a category of concern.
- 37.** Essential data and intelligence (for example, financial information, complaints, soft intelligence from local authority governors) to monitor, audit and evaluate risk against clear standards of governance or the quality of leadership of head teachers is not systematically collected or effectively analysed by BCC. It appears that the only qualitative and quantitative data that BCC rely upon relate to school performance from

Ofsted ratings and examination results. Further, with Ofsted no longer requiring 'outstanding' schools to be subject to the normal inspection regime, this limited intelligence base is further reduced. Complaints data is not coordinated within BCC, let alone analysed.

38. There is no triangulation of this data and intelligence, and the different local authority services seemingly work in silos. Opportunities to pick up governance issues at these schools have therefore been missed. If any action is taken it is reactive rather than proactive.
39. The result is that many schools and academies in Birmingham are not routinely monitored and the quality of their governance is not assessed. This, in turn, has led to an inability, on the part of BCC, to systematically analyse and identify risks to good governance in schools which has been exploited by some groups seeking inappropriately to influence schools.
40. There has been no systematic approach to filtering intelligence or data about the conduct of schools or governing bodies between the staff leading these services in areas of the city. For example, data suggesting that there may have been an unusual number of compromise agreements being proposed, or high levels of staff absenteeism, or high levels of complaints about bullying received from staff in schools, have not been regularly scrutinised. No one is using intelligence to look at trends and to spot any significant issues with governance or leadership.

#### Complaints handling

41. The investigation has shown numerous instances where issues about the conduct of some governing bodies have gone without investigation or challenge by BCC and others. It is also clear that prior to receipt of the Trojan Horse Letter, BCC and others were aware of head teachers' concerns in relation to governors acting in a disruptive and inappropriate manner but ultimately considered this a community cohesion issue rather than a potentially serious school leadership issue. We have seen evidence that, despite this prior notice, BCC were slow to respond to the allegations made in the Trojan Horse Letter.
42. There is clear evidence that a significant number of those governors acting unreasonably have been local authority governors. Such governors might normally have been expected to set an example of high public service standards in displaying integrity, honesty and objectivity. Instead, they have played a part in leading unacceptable bullying and harassment of head teachers and members of leadership teams.
43. BCC has accepted wholly inappropriate interference in operational matters, disruptive and sometimes intimidating behaviour by some governors. Those head teachers who came under intense pressure received little support when they asked for help.
44. The evidence has shown that BCC excessively seeks to resolve problems by arranging for head teachers to leave under compromise agreements, rather than tackling the issues with the governing body.
45. The culture and climate for good behaviour in schools for staff and students is not measured by BCC. This is a skilful activity and requires the gathering of intelligence – from complaints, staff absence, turnover records and resignations.
46. We have also been made aware of a culture within BCC of not wanting to address difficult issues and problems with school governance where there may be a risk of BCC being accused of being racist or Islamophobic.

47. The whistle-blowing process is not effective in securing the trust of employees of BCC working in schools. There was even evidence during the investigation that procedures agreed and approved by me, in order to investigate the veracity of an anonymous but serious complaint about the behaviour [REDACTED] in a school in East Birmingham, were not followed. As a result it has not been possible for me to investigate what may be a serious example of inappropriate behaviour [REDACTED]
48. The proper commitment of BCC to community cohesion has at times, and disastrously, overridden the even more important commitment to doing what is right. In other words, there is a culture that has been allowed to develop inside BCC's Services for Children and Young People that causes senior and more junior officers to shy away from confronting and dealing appropriately with unacceptable behaviours of some governors and some governing bodies. As a result, there are some head teachers who have lost their positions and there are schools where head teachers continue to be placed under unreasonable pressure to comply with demands in ways that amount to bullying and harassment.
49. From what we have seen, it appears that BCC does not possess the capacity to robustly undertake investigations into complaints about governance or leadership in schools. This is a serious weakness which has meant that there is no reliable, authoritative means of providing BCC with objective, accurate assessment about concerns that may be raised by head teachers or by governing bodies.

## Policy

50. There is no overarching BCC policy or strategy that describes the kinds of relationship that it wishes to promote and pursue in the process of supporting or challenging schools to deliver high quality education, whether their status be as a local authority community school, voluntarily aided school, sponsored academy, converter academy or supplementary school. There is no document which sets out BCC's approach or intentions for improving education and relationships, sharing information, or implementing strategies.
51. There is no alignment of the schooling system in Birmingham with regeneration or community cohesion strategies (including Prevent), each of which is crucially dependent upon the delivery of the highest quality provision to improve standards of learning and outcomes.
52. BCC does not have an integrated approach toward the provision of support and challenge to governance, financial probity management, human resource management, employee relations, school improvement, legal employment services or raising of standards through improved leadership and teaching. These services are all currently operating in silos and at arms length from the people and establishments they are responsible for. As a result, opportunities to pick up governance issues at these schools have been missed. BCC needs to be closer to its service users.
53. School and Governor Support services are purchased by the vast majority of schools and therefore a governing body is the customer. However, in relation to School and Governor Support, BCC is also a supervisory body for ensuring compliance. This presents, at times, a conflict of interest - particularly where a governing body is looking to achieve outcomes that may be inappropriate.

### Ofsted and other stakeholders

- 54.** In some schools and academies, Ofsted has failed to identify dysfunctional governance and instances of the manipulation of a balanced curriculum when conducting routine Ofsted inspections, prior to the most recent inspections.
- 55.** BCC cannot rely on Ofsted to assess governance in its schools. Ofsted inspections focus on the ability of governors to support and challenge the leadership of schools and their ability to improve school performance, with little, if any, scrutiny of their conduct in managing governance in a fair, transparent or objective manner as required in the regulations laid down by Parliament. For example, Ofsted does not inspect good financial management, the quality, breadth and balance of a school's curriculum offer to students, or the adequacy of governance generally. Therefore, if this role is not being fulfilled by BCC (and by the DfE in respect of academies), there is a fundamental gap and the gathering and sharing of information between stakeholders (such as Ofsted, BCC, the DfE and the Education Funding Agency) becomes even more important in identifying poor governance. We also note that complaints that go to Ofsted are not shared with BCC; complaints being a fundamental source of learning.
- 56.** It is not possible to discern a relationship between BCC, Ofsted, the DfE and the Education Funding Agency in the process of sharing critical data and intelligence. In the absence of such information flows, it is vital that BCC, Ofsted, DfE and academy trusts make effective use of the general duties upon them and their implicit powers to take early action where intervention may be necessary. Communication between these organisations is a critical part of any early intervention strategy and from the evidence we have seen, this has not occurred in any consistent manner.

### Senior leadership team

- 57.** Induction of new head teachers into their role in relation to supporting good governance is not evident in Birmingham.
- 58.** The responsibility that head teachers and their leadership teams have for providing accurate and timely information and guidance to governing bodies in order to enable them to undertake strategic oversight is, in our view, a heavy one. It requires good judgement on the part of head teachers and sensible, proportionate consideration of strategic matters by governors. Essentially it is a partnership based upon mutual trust and understanding.
- 59.** There is strong evidence that some chairs of governing bodies and some governors have made such partnership impossible.

### Governing bodies

- 60.** There is evidence that a small number of governing bodies lack the basic skills and training required to ensure they fulfil their statutory obligations, such as overseeing the financial performance of the school and making sure its money is well spent, and ensuring clear strategic direction for the school. There is a failure to recognise the need for securing oversight of audit and risk management procedures to meet public accountability standards. This is supported by evidence of:
- 60.1** a lack of impact assessment of curriculum plans and programmes upon equal opportunities and fair access to learning opportunities for boys and girls;
- 60.2** financial regulations being ignored (either deliberately or due to a lack of knowledge);

- 60.3 a lack of probity in financial issues;
  - 60.4 irregular HR/employment processes;
  - 60.5 a lack of objectivity being applied by governors to decision making;
  - 60.6 a lack of transparency in relation to governance; and
  - 60.7 a lack of uptake in the current training offer, both for newly appointed governors and for existing governors.
61. The evidence shows that there has been an acceptance by some officers at BCC of governors intervening in operational matters and the management of schools, irrespective of the impact this has on school leadership. However, there is also evidence that some of the challenge from governors was judged by some BCC officers to be legitimate on their perception of underperformance in the schools. There appears to be an acceptance of disruptive behaviour by governing bodies, which head teachers are expected to manage with little or no support. Evidence also suggests that BCC officers may not have been clear or confident in their ability to intervene when the governing body was acting disruptively.

## SACRE

62. It is our view that Birmingham SACRE has undertaken its responsibilities in advising on a locally agreed syllabus with due diligence and with sensitive care in meeting the needs of a variety of young people from a wide range of world religions. It has also maintained careful records of those schools applying for, and being granted, a determination not to hold a daily act of Christian worship.
63. SACRE has an advisory role but has no specific powers to monitor or evaluate the quality of religious education provision across Birmingham's maintained schools. BCC has not undertaken any reviews of provision for religious education to ascertain whether or not schools are delivering the agreed syllabus. This is, they report, because they do not have sufficient resource to undertake such an exercise.
64. Our experience is that Ofsted section 5 inspections do not generally undertake an in-depth analysis of religious education schemes of work or analysis of the programmes actually delivered. Academies and free schools are not required to follow Birmingham's SACRE agreed Syllabus but are required to provide religious education and daily collective worship of a broadly Christian character (unless designated as a faith academy or where the Secretary of State has determined that a daily act of Christian worship is not appropriate).
65. Where schools do not consider it is appropriate to hold a daily act of Christian collective worship, the head teacher should seek a determination from SACRE that there is no requirement to do so. In making its decision, SACRE must take account of any circumstances relating to the family backgrounds of pupils at the school which are relevant for determining the character of collective worship appropriate in their case. A determination can be given for a group of pupils, rather than the whole school. Where schools deliver Islamic forms of collective worship without a determination or contrary to a decision of SACRE about the character of collective worship, schools are not complying with their legal responsibilities. This is impacting on students in the City.
66. Furthermore, in seeking a determination from SACRE, schools must be mindful of their wider duties to children of all faiths and the obligation to provide a broad and balanced curriculum.

67. An agreement by Birmingham SACRE or the Secretary of State (in respect of a free school or an academy) to a determination to not provide a daily act of Christian worship does not mean that permission has been granted to offer an alternative Islamic, Sikh, Buddhist or any other form of worship in its place every day. This is an area of the law which is unclear and there is no obligation on SACRE when it decides that a daily act of collective worship is not appropriate, to specify what form (if any) the act of worship should take. The only obligation is to have regard to the circumstances and background of the pupils.
68. The use of the call to prayer for Muslims in some schools has led to the coercion of young people into participation in worship during the school day. This is unacceptable for children whose parents have not sent their children to school to receive a religious education at a faith school. Many parents choose to send their children to a secular school, rather than a religious school of Christian denomination or an Islamic faith school, because it is not offering a faith-based ethos or religious education.
69. The investigation has also highlighted the fact that there does not seem to be a clear process for monitoring whether those schools which have not applied for, or renewed, their application to SACRE for a determination to disapply the requirement for a daily act of Christian collective worship are complying with their statutory obligation and whose role it should be to monitor this. It is unclear (and not part of my Terms of Reference) whether academies have applied to the Secretary of State to disapply the requirement for a daily collective act of Christian worship or whether that has been either identified or addressed by the DfE.

## RECOMMENDATIONS

- 70.** The second and third Terms of Reference require us to consider recommendations for BCC in respect of further actions or investigations in relation to the Trojan Horse Letter or otherwise. We have considered how the issues and concerns that we have identified whilst conducting this investigation can be addressed. There is further detail and analysis of the evidence in the 'Detailed Findings' section of this report.
- 71.** Our recommendations cover strategy and leadership, training, monitoring governance, and complaints handling. We have also made a number of recommendations which will require BCC to interact with other bodies. It is crucial that BCC responds to these recommendations and we have therefore also set out our views in relation to monitoring progress in our last recommendation.

### Strategy and leadership

#### Recommendation 1

BCC should work with its schools, academies and partners to agree and establish a vision, strategic direction and policy for working together to provide high standards of education in Birmingham and which explicitly sets out BCC's statutory responsibilities in respect of all schools, including academies and free schools (See Section 13 of the Education Act 1996). Such a strategy should:

- address governor and head teacher relationship issues;
- demonstrate how BCC complies with statutory obligations in respect of school improvement for maintained schools;
- include information sharing agreements with other stakeholders, including academy trusts, academy sponsors, and the Education Funding Agency;
- be built on soft as well as hard intelligence – not just Ofsted inspections and performance data;
- be owned by the schools' community to maximise buy in; and
- be underpinned by a systematic gathering and analysis of relevant data and information from a range of sources in order that an accurate risk assessment can be made around each school and academy.

#### Recommendation 2

BCC must provide its senior corporate team with the support and capacity to create a climate and culture in which all staff working with schools are encouraged and supported in the process of securing good governance for all its schools. All staff should be expected to confront any malpractice by individual governors, groups of governors or a board of governors, and be held accountable when they fail to do so.

### Recommendation 3

BCC should establish a strategic position on cultural issues affecting curriculum, for example, insisting on access to the teaching of music and sports, and access to comprehensive sex and relationship education, and address existing concerns of failure to deliver the curriculum. The strategy should recognise the need for such issues to be addressed, and seek to implement a change of culture to ensure that instances of bad practice are not misinterpreted as race / faith issues. To achieve this BCC needs to have a strong understanding of the difference between issues of culture / tradition, and those of faith / race.

## Training

### Recommendation 4

BCC should take urgent action to ensure that all governing bodies and head teachers are provided with the training and guidance needed to be able to undertake impact assessments of curriculum plans and provision upon access to equal opportunities and fair access to the full range of learning opportunities required for girls and boys in the city. The guidance should be unambiguous about the rights of young people no matter their gender, race, faith, sexual orientation or ability.

### Recommendation 5

The training of governors needs to be rigorous; governors need to be clear on their strategic role and duties, the operational role of the head teacher and the role of BCC. The training should ensure governors understand and respect the Nolan principles of public life. Whilst recognising that governors may bring their own sense of tradition and priorities to a governing body, the principles of good governance must remain paramount.

BCC should take urgent action to ensure that all governing bodies are offered consistent, suitable and high quality training on their roles and duties, to include the Nolan principles and the requirements of the National Curriculum. Governors should be expected to attend the training and confirm their understanding and acceptance of the need to abide by the Nolan principles in exercising their role as governors. Decisive action should be taken by BCC or chairs of governing bodies where any governors act in breach of these principles. A local code of conduct for governors would be of great assistance and BCC should give consideration to this.

### Recommendation 6

Chairs of governors are responsible for leading and managing the governing body. Chairs must be effective leaders, ensuring collaboration across governors and the senior management team. BCC should offer specialist training opportunities for chairs of governors, vice chairs of governors and prospective chairs of governors in relation to leadership and ensuring the application of the Nolan standards.

BCC must facilitate interaction between all chairs of governors in the city and beyond, so that best practice is shared. BCC should also encourage and facilitate chairs to attend national training and to ensure that all chairs are trained by experts who have experience of acting in this role. Chairs should also be offered a mentor with relevant experience and a good track record, ideally external to BCC. Chairs should consistently be assisted by high quality clerks, who are themselves experts in their role.

### Recommendation 7

BCC should review the way in which it can work with schools to provide expert clerking because this is a vital role in assuring adherence to the conduct of governor business which is compliant with the law. This is best done by an independent professional trained to a high standard in school clerking. BCC may consider that this is best done with a small cadre of experts trained and accredited by BCC, whose services are offered to governing bodies.

### Recommendation 8

Newly appointed head teachers should be provided with access to an induction programme that ensures they understand their role in supporting good governance and the processes needed to ensure that governors are provided with timely information and guidance that enables them to make strategic decisions in the interests of students. Head teachers should also be provided with an induction in relation to the BCC services available to support head teachers, governors, and members of the leadership team.

## Monitoring governance

### Recommendation 9

BCC should review its systems and capacity for monitoring and auditing its schools and their governing bodies effectively. There is a need to find the means to separate the service level agreement provided by school and governor services to schools and the management and oversight of compliance of governing bodies' conduct in relation to their legal obligations.

### Recommendation 10

BCC should consider how it may work with representatives of governing bodies in Birmingham to devise a model for assuring the work of governors through an audit and risk process that can be replicated. Consideration may be given to the appointment of governors who sit as 'non-executives' with responsibility for internally scrutinising processes to ensure compliance with regulations and agreed procedures. This would need to be introduced in line with appropriate legislation or statutory guidance.

In the meantime, BCC should review the role of local authority governors to ensure the governing bodies they sit on are operating properly and that the local authority governors ask BCC to intervene when necessary. At present, the role of the local authority governor is the same as other governors – involved with decision-making. There is scope for this to be widened and for local authority governors to adopt a specific monitoring role on governing bodies.

### Recommendation 11

BCC should also consider its process for proposing local authority governors. For example, the current composition of a governing body should be a factor (i.e. are there any gaps in the skill set), as should taking into account any current governance issues at the school. References/previous experience of the proposed governor should also be considered.

More generally, BCC should improve its provision of governors; this should mean not just appointing volunteers, but using the pool of contacts available to secure talent, for example, experienced former head teachers, or people from the business community.

### **Recommendation 12**

BCC should locate its service staff from School and Governor Support, Audit, School Improvement, Legal Services, Human Resources and Employee Relations in the localities contingent with the social care teams in order to increase its access to soft intelligence about leadership, governance and performance in schools.

### **Recommendation 13**

BCC should design a set of indicators that can be used by its locality teams to enable a risk assessment to be regularly carried out about the health of governance and leadership across its schools. The indicators should be sensitive to issues of staff employment practice, staff complaints about bullying, harassment or discrimination, parental complaints and incidents of bullying, as well as complaints from governors.

This should encompass both quantitative and qualitative (i.e. soft) intelligence. There should be a set of triggers developed so that trends of failure could be identified; for example, a certain number of complaints relating to a school should trigger BCC interest / intervention, as should a high turnover of head teachers, teachers and support staff. Such an information system would also assist to benchmark school performance.

## **Complaints handling**

### **Recommendation 14**

BCC should establish a small 'task force' with the necessary skills and experience to undertake investigations into complaints or concerns about the behaviour of governors or leadership in its schools. The team, which should be composed of people with school leadership, audit and governance experience, should have the authority to communicate their findings and recommendations for action directly to the Director of Children's Services.

### **Recommendation 15**

BCC should review the effectiveness of the management of its 'whistleblowing' complaints policy as a matter of urgency. It should consider how it can ensure a single point of receipt with a clear flow chart system for managing the process within specified and monitored timescales. There should be a senior member of staff allocated responsibility for monitoring and reporting on the efficiency and effectiveness of the system. Clear criteria should be agreed for judging effectiveness of the policy with reports to the Director of Children's services made at the end of each month.

BCC should also review the effectiveness of all its School and Children's Services complaints policies so that all complaints are fully investigated.

Complaints should be referred to a cross departmental investigative team that we recommend be established. To ensure independence, this team should be funded by BCC and not the schools. BCC should ensure that there are effective systems in place to report back on such complaints and also to see what lessons can be learned from them.

#### Recommendation 16

BCC should take urgent action to resolve serious continuing concerns identified at specific schools, including safeguarding issues, site leasing issues, possible financial impropriety and failure to fully investigate whistleblowing allegations.

These would include:

- Follow up with whistleblowing allegation [REDACTED]
- Possible financial impropriety at Al-Hijrah and Saltley School; and
- Site leasing issues at Al-Furqan.

## Recommendations impacting other bodies

#### Recommendation 17

BCC and SACRE should review together their respective oversight, monitoring and enforcement roles in respect of SACRE determinations within the local area, and agree and publish the delineation of these roles. This should include reference to how information and intelligence would be shared between BCC and SACRE.

#### Recommendation 18

BCC should develop a dialogue with Ofsted about reviewing their procedures for evaluating the quality of governance and the curriculum in its schools, given that Ofsted no longer bears responsibility for this in the way that it has previously.

#### Recommendation 19

BCC, in consultation with the DFE, should review the process of due diligence in determining the suitability and capacity of a multi academy trust as a sponsor of a maintained school converting to academy status.

#### Recommendation 20

BCC, with its partners, should consider leading a debate about the requirements of secular schools to provide a daily act of collective worship in schools which must be "*wholly or mainly of a broadly Christian character.*"

## Monitoring the recommendations

### Recommendation 21

BCC should respond to the recommendations in this report by providing clear targets, policies and deadlines for addressing the issues raised.

The appropriate Overview and Scrutiny Committee should keep under review progress against the above recommendations.

BCC should also consider commissioning a follow-up review in 18 months time to evaluate the impact and effectiveness of its actions.

# TERM OF REFERENCE 1 - DETAILED FINDINGS

- 72.** As explained above, the analysis of the evidence collated during the investigation leads me and my team to conclude that, whilst there was not a systematic plot to take over schools, elements of the Five Steps contained in the Trojan Horse Letter were present in a large number of the schools considered as part of the investigation.
- 73.** In the following section we set out a summary of the findings across five themes which are derived from the evidence supporting our conclusion that elements of the Five Steps exist. The themes are as follows:
- A individuals who are promoting Islamic principles in schools predominantly serving the Muslim community;
  - B appointment / removal of governors to support religious preferences;
  - C lack of appropriate skills / potential malpractice of governing bodies;
  - D improper behaviour by governors disrupting the school, including explicit attempts to remove / disrupt head teachers and senior leadership; and
  - E lack of challenge, support and oversight.

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## A Individuals Who Are Promoting Islamic Principles in Schools Predominantly Serving the Muslim Community

### Findings

74. The evidence has shown that there are a number of key individuals, predominantly men of Pakistani heritage, who are encouraging and promoting certain Islamic principles in schools in the Birmingham area, and the evidence suggests a pattern of these individuals moving between schools in the area. These individuals include those in roles such as governors, deputy head teachers, acting head teachers or other teaching staff, trustees (in relation to academy schools) and parents, and often these individuals move between these roles and / or hold a number of different posts across schools. As explained above, there is nothing wrong with individuals wanting to participate in the oversight and development of schools and it is understandable that they would want their local schools to reflect the community in which they are located. There is, however, a concern about the methods by which this is being achieved.
75. In relation to teaching posts, there is evidence to suggest that positions are offered to individuals, despite a lack of experience, if their approach to promoting Islamic principles mirrors that of those who wish to make the appointment. The evidence has shown that there are various connections that exist between these individuals.
76. A number of witnesses have expressed concern about the motives of these individuals and the impact that this climate is having on certain schools. We were also informed of discrimination against female members of staff and pupils, in particular in relation to Park View Academy.
77. The evidence has also shown that these individuals have been seeking to promote and encourage Islamic principles in the schools with which they are involved, for example, by seeking to introduce Islamic collective worship, or raising objections to elements of the school curriculum that are viewed as anti-Islamic for example, sex education, mixed physical education or citizenship. There is a concern as to whether this has led to breaches of the relevant schools' statutory obligations. Section 375(3) of the Education Act 1996 requires that every syllabus of religious education "*shall reflect the fact that the religious traditions in Great Britain are in the main Christian whilst taking account of the teaching and practices of the other principal religions represented in Great Britain.*" The evidence suggests that there may be a small handful of schools where this is not the case.
78. The investigation has also highlighted the fact that there does not seem to be a clear process for monitoring whether those schools who have not applied for or renewed their determination to disapply collective worship are complying with their statutory obligation and whose role it should be to monitor this. It is also a concern that Birmingham SACRE has confirmed that no academy in Birmingham has submitted a request for a Notice of Determination, as assemblies of a wholly or broadly Christian nature are not always taking place in these academies. This does not appear to have been either identified or addressed by SACRE and BCC and, in respect of academies, the DfE.
79. Evidence suggests that the DfE was aware of the connections between some of the individuals and the potential risks that this posed.

## Summary of Evidence

- **Adderley**

- [REDACTED] commented that [REDACTED] very quickly obtained a position [REDACTED] at Adderley School, despite their references referring to a lack of experience. Other evidence suggests [REDACTED] has been very active in promoting Islamic principles across several schools.

- **Al-Furqan**

- Al-Furqan is an Islamic faith voluntarily aided school. We were told that the form of Islam being taught at the school was very narrow. For example, the only music at the school is drumming. We were informed [REDACTED] was pursuing an agenda to change the ethos of the school, and [REDACTED] had a huge influence over the school's Trust and the day-to-day running of the school. [REDACTED] wanting to introduce Sharia law at the school and bringing back the policy of calling teachers "*Ostad/Ostada*", which had been removed by the Interim Executive Board ("IEB") in 2013, but is being brought back due to pressures [REDACTED]. The Al-Furqan Educational Trust ("AFET") has ensured that this requirement is written into the school's Instruments of Governance and the lease for the school's site.
- We were also told that the school's Instruments of Governance (dated April 2005) place an emphasis on Islam to the exclusion of all else, with compulsory religious holidays for Ramadan and Eid and fasting to be encouraged. We were told that the document had been signed by BCC and that BCC was aware of its contents. We were also told that the lease between the school and the Trust states that the school must be run in a certain way, for example, the Head Teacher should be an Usuli Muslim<sup>5</sup>.
- We were informed [REDACTED] that when a [REDACTED] woman was recommended as a [REDACTED] [REDACTED] protested on the basis that a woman "*would not have a strong enough character*" and stated that what the school need was a "*man with a beard.*" We were told that [REDACTED] of Park View Academy agreed with this statement and stated that [REDACTED] Park View Academy and Trust wanted to appoint another candidate.

- **Al-Hijrah**

- We were told that Al-Hijrah's curriculum was very narrow from the school's inception in 1995 to at least the mid 2000s, but had broadened out since the school became voluntary aided in 2002 when "*different 'types' of Muslims*" began attending the school "*for example some would not pray or cover up*". However, music is still not taught in the school and sex education is taught to boys and girls separately.
- [REDACTED] had viewed Al-Hijrah's Instruments of Governance, said their first response was "*who agreed to these?*". [REDACTED] said: "*The instruments included a core curriculum reciting elements of the Quran. In my view, the instruments were more akin to a Saturday supplementary school than a voluntary aided school.*"

- **Anderton**

[REDACTED] told us that a [REDACTED] Governor had made objections in a meeting to "*training staff on homophobic bullying*" and expressed that [REDACTED] did not want this issue to be tackled in the school. Another Governor "*began a texting campaign which*

<sup>5</sup> Usuli is a term used to identify a particular movement or sect within Islam

suggested that the parents were not good Muslims if they did not vote for [REDACTED] " when [REDACTED]

- **Golden Hillock**

### Appointments

- We were told by witnesses that [REDACTED] governor was also [REDACTED] of the Park View Educational Trust ("PVET") [REDACTED]; PVET then became Golden Hillock's support school in around March 2013. [REDACTED] said that Golden Hillock governors were governors at other schools, [REDACTED] [REDACTED]. We were also told that [REDACTED] [REDACTED] governors from Golden Hillock would meet outside the Governing Body meetings in their own meetings, and [REDACTED] [REDACTED] believed this included meeting with others who did not belong to the Governing Body.
- [REDACTED] described how, when Golden Hillock was being supported by Park View (shortly prior to obtaining academy status with PVET as its sponsor), [REDACTED] [REDACTED] [REDACTED] the position was awarded to a relative of the [REDACTED] [REDACTED] at Park View Academy. This appointment, and the family connection between the individuals, was also referred to by other witnesses who further commented on the lack of qualification of the individual appointed. [REDACTED] noted that this appointment and the appointment [REDACTED] [REDACTED] were made without governors' involvement. Several other instances of persons connected with the [REDACTED] staff at Park View were noted [REDACTED]
- In a document titled 'Notes of Visit' dated 23 April 2013, [REDACTED] Department for Education ("DfE") referred to the appointment of [REDACTED] [REDACTED]. The note states "*looking to [REDACTED] who was at PV but currently works at [REDACTED] believes this is possible because of the connection between the [REDACTED] and governors at PV. (This is illustrative of the manner of complex relationships between PV and other schools, which may ultimately be a risk rather than a benefit when personal agendas are factored in.)*"

### Encouragement and promotion of Islamic principles

- We were told that prior to the school's conversion to an academy, the Governing Body became very angry and rejected a Sex and Relationships Education ("SRE") policy which was presented by [REDACTED] the senior leadership team. The Board of Governors suspended teaching of the subject and asked the staff member to liaise with a local Imam in relation to more appropriate content. A "*watered down*" version of the policy, which did not cover the dangers of pornography and female genital mutilation, was later presented by [REDACTED] of Park View Academy and accepted by the Governing Board. However, [REDACTED] governors did not request that female genital mutilation be removed from the curriculum and we were informed by a witness that children at the school continued to receive sex education whilst the new policy was being agreed.
- [REDACTED] commented that following the appointment of [REDACTED], the school became closely aligned with Park View. [REDACTED] reported that a series of PowerPoint presentations appeared on flat screens around the school, one of which [REDACTED] [REDACTED] member of staff found unacceptable because it referred to "*The One True God*".

- [REDACTED] although there was no pressure on students to pray, there was an increased focus on prayer following the involvement with Park View Academy. [REDACTED] believes that changes implemented at this time *"had the effect of Islamising the School"*. We were also informed that in March 2013, a teacher [REDACTED] stated during Friday prayers that *"other religions do not exist and there is only one God"*.
- [REDACTED] reported that during an assembly a teacher told children not to listen to Christians as they were all liars. We understand that this incident was reported to a school-based police officer as a crime inciting religious and racial hatred. We are informed that the police officer escalated the matter to the Counter-Terrorism Unit who subsequently visited the School to discuss content of assemblies [REDACTED] referred to a teacher telling children they were lucky to be Muslims and not ignorant like Christians and Jews.
- [REDACTED] believe that [REDACTED] want the School to be run as an Islamic faith school". [REDACTED] commented that the Park View leadership has an agenda *"to get Golden Hillock to be an Islamic school in all but name"*.

- **Highfield Junior and Infant School**

- [REDACTED] reported that within weeks of the appointment of a [REDACTED] the Governing Body asked the [REDACTED] to agree to a collective worship determination and to implement Arabic as the main foreign language on the basis that it had been approved by [REDACTED] [REDACTED]. It later became apparent that the proposal to introduce Arabic was in contradiction of the results of a questionnaire completed by parents.
- An Ofsted inspection in May 2014 stated that:
  - The Governing Body have not dealt with parental concerns in the way that they should, for example, they have advocated policies such as single-sex swimming lessons that do not reflect the inclusive ethos of the school; and
  - Governors have not paid sufficient attention to the school's sex and relationships education or equalities policy.

- **Ladypool Primary School**

- We have had sight of an anonymous letter which states that Christmas was cancelled at school, that non-Salafi staff are being forced out of jobs and that compulsory Arabic lessons have been introduced at the school. We were also informed that teachers were told to scrap afternoon lessons (which covered subjects such as Religious Education and music) in favour of *"SATs work"*.
- In relation to the allegations, [REDACTED] commented that Arabic had not yet been introduced but that the language offering had been discussed and following an informal parental survey, Arabic was the most popular choice. [REDACTED] said that it was not true that Islamic greetings were used at the school, nor that the previous year's Christmas celebrations had been cancelled.
- [REDACTED] noted that BCC had to provide support, as [REDACTED] is *"inexperienced and there are leadership issues"*..

- **Lozells Primary School**

- We were informed that from around December 2012 there was a [REDACTED] whose agenda was to take over the school and who was “inciting racial hatred and unrest in the community”. [REDACTED] understood [REDACTED] also to be a member of staff at Park View. [REDACTED] stated that [REDACTED] removed [REDACTED] from Religious Education classes, sought to remove [REDACTED] from music classes, and required the school to provide prayer facilities at lunchtimes.
- We were informed that [REDACTED] subsequently began a petition [REDACTED] [REDACTED] reported that [REDACTED] subsequently posted wording on a social media site suggesting that children were not allowed to pray inside the school. [REDACTED] was an employee Park View and when contact about the incident, Park View’s response was to offer to tell [REDACTED] Lozells “how to run a good school for Muslims.” It was reported to us that now more requests than ever before are being received from parents asking for the withdrawal of children from certain activities.
- [REDACTED] noted that [REDACTED] “took a dislike” to [REDACTED] and expressed that there seemed to be an agenda to keep practising Muslims out of the school. We were also informed that [REDACTED] then informed [REDACTED] that “[REDACTED] could not get away with this in the community” and contacted the local mosque for advice “as to how to exert reasonable pressure.”

- **Marlborough Junior School**

- BCC received an email [REDACTED] from an anonymous whistleblower which raised concerns about the behaviour of [REDACTED] appointed by the school [REDACTED]. The email stated that [REDACTED] had formerly worked [REDACTED] at [REDACTED] School and appeared to have an association with [REDACTED] Governors. The email also reported that [REDACTED] commented that if staff complained to Ofsted they would be found out because [REDACTED] knows the Inspector who [REDACTED] claimed had provided “inside information.”
- We were informed by [REDACTED] of “3<sup>rd</sup> hand information reported as hearsay” in relation to staff concerns / unhappiness and of a degree of nepotism [REDACTED] [REDACTED]

- **Moseley**

- We were told [REDACTED] member of staff had been telephoned [REDACTED] by one of the governors and asked to align with fellow Muslims rather than the school.
- [REDACTED] reported [REDACTED] Governor “we have got to take full control of the governing body because white professionals want Muslim children to fail.”
- We were told that the focus of the Governing Body at Moseley was the introduction of a daily act of collective worship and the appointment of Muslim staff to the leadership team.

- **Nansen**

- Nansen School became an Academy sponsored by PVET in October 2012, although we were informed that the involvement with Park View started before this time; [REDACTED] [REDACTED] Governing Body at Nansen also held [REDACTED] at Park View. [REDACTED] of Nansen was appointed [REDACTED]. Witnesses expressed a concern around this appointment on the basis that the individual was appointed despite [REDACTED] lack of experience and weak reference, and the interview panel was

weighted with representatives from Park View, notwithstanding that the individual was [REDACTED] Park View and had connections with [REDACTED] Park View. We were also informed that [REDACTED] from Park View and that rather than being appointed on merit, the individual was appointed to work at [REDACTED] school [REDACTED]

- We were told that [REDACTED] significant changes were made to the school to bring religion to the forefront. Friday prayers were started and the call to prayer was played loudly in the school, study of French was replaced with the study of Arabic, Islamic religious assemblies were reinstated, all staff were issued with the MCB Guidance, [REDACTED] insisted that staff covered their shoulders to be respectful of the community they were working in, and the school had effectively become an Islamic school. We were also informed that a 'Whatsapp' group [REDACTED] was started [REDACTED]
- We were informed that after Nansen became an Academy, teaching materials were provided by Park View and Christmas and Diwali celebrations no longer took place. [REDACTED] [REDACTED] said that "there's a real senses (sic) of if you speak out against it, then you're speaking out against Islam and you're a bad Muslim" and that there was a "real climate of fear". [REDACTED] commented that PVET would not allow a doll to be used to represent Jesus in a nativity play, and queried why the nativity was going ahead.
- We were informed that once Nansen became part of PVET, [REDACTED] were informed that the school would be restructured "to [Park View's] model" and there was no room for discussion. We were told that the attempt to introduce a secondary school model failed, and that the school was in a state of "pure chaos". We were also told that 28 female teaching assistants were dismissed, leaving 15 teaching assistants for a school of 815 students.
- An Ofsted inspection in April 2014 found that governance, safety, pupils' cultural development, equal opportunities and teaching of religious education were all inadequate. The report also noted that pupils have a limited knowledge of religious beliefs other than Islam and that subjects such as music had been removed from the timetable. [REDACTED] [REDACTED] commented that music had been removed from the Year 5 and 6 timetables because the curriculum had been collapsed to focus on exams.

- **Oldknow Academy**

- We are told that in or around December 2013, a Christmas assembly was held during which statements were made that children should not be sending Christmas cards, that Jesus was not born of Mary and that it was unbelievable that Christians believe in the Christmas story; children were encouraged to chant 'No, we don't' when asked questions such as 'Do we celebrate or believe in Christmas?' and whether they believed that Jesus was born on Christmas day.
- The Education Funding Agency's report dated May 2014 stated that:
  - the Academy is increasingly Islamic in its vision, ethos and day-to-day operations, for example, removal of music from summer pantomime, cancellation of Easter, Diwali and Christmas performances, removal of summer fair stalls associated with gambling, and staff reports that Christianity had been added to learning only because of EFA's visit;
  - recent changes to the curriculum led to subjects becoming marginalised - PSHE and SRE are not taught;

- o the Academy's SACRE determination expired in January 2013 and has not been renewed. Children informed inspectors that assemblies of other faiths took place in addition to Islamic assemblies. Staff stated that non-Muslim staff are no longer allowed to take part in Friday assemblies; and
- o the Academy is acting as a faith school and is not making efforts to attract pupils of all faith denominations - for the last three years the Academy has led a foreign language / faith trip to Saudi Arabia which was not open to non-Muslims.

- **Park View Academy**

### Appointments

- We were informed that [REDACTED] following the appointment of [REDACTED] [REDACTED] the school applied for a disapplication of the requirement to hold a daily act of Christian worship (a "Determination") without the knowledge of the senior management team. We were told that following this application Islamic assemblies took place and there was a "very subtle shift" to Islamisation of the school, for example, curtains being fitted in the sports hall for girls' PE lessons and washing facilities in the bathrooms.
- [REDACTED] described the culture at Park View as being like a 'gang': "All the [REDACTED] [REDACTED] were in the brotherhood. The Brotherhood discriminated against a lot of people, especially teachers from a different race or different religion. It was like a gang. Anything that would happen in that school the Brotherhood would know first. [REDACTED] [REDACTED] to fit [REDACTED] I was told to "be quiet and to fit in". [REDACTED] [REDACTED] explained the existence of nepotism at the school – where jobs would be advertised for the sake of it, and positions would be filled very quickly by a friend or relative.
- [REDACTED] commented that systems within the school "meant that [REDACTED] [REDACTED] could employ their friends and people who share their viewpoint and ideologies". [REDACTED] said that a number of individuals who had some connection with [REDACTED] Park View Academy and Trust moved between schools and took up senior leadership positions at other schools [REDACTED] [REDACTED] [REDACTED] told us that [REDACTED] [REDACTED] "should have been the Head Teacher, but because [REDACTED] is white, [REDACTED] is not Muslim, [REDACTED] has not got a beard and [REDACTED] does not believe in Islam, [REDACTED] would not get that position".
- We were informed [REDACTED] that the movement of leadership [REDACTED] [REDACTED] was as a result of a "deliberate strategy to develop capacity to have a skillset that we trust ... in our way of working to bring about change," and that this movement of leadership to support other schools was a normal multi-academy trust intervention model. [REDACTED] noted that once a sponsored school has been "transformed ... a year down the line" PVET could not recruit a new head teacher that does not have its "philosophy" to avoid a disconnect with how quickly the school can progress.
- We were told that a number of [REDACTED] governors and [REDACTED] staff at Park View "all mix with one another and know each other. They all are on governing bodies of other schools". We were also told that [REDACTED] governor in the areas will have been trained [REDACTED] We were told that this individual asked one governor [REDACTED] [REDACTED] "what have you done at that school? How come Islam

has not been on the agenda in the school, considering the children are 99% Muslim?". We are aware that [REDACTED] is, or has been, a Governor for [REDACTED]

[REDACTED] Four out of six of these appointments were as [REDACTED] [REDACTED] We were informed [REDACTED] that the individual has also been a longstanding governor [REDACTED] [REDACTED]

[REDACTED] However, it was not unusual for [REDACTED] to be a governor at six different schools because of this [REDACTED] role.

- [REDACTED] commented that a body called the Muslim Parents Association was set up to inform parents "how they could interact with schools and have a better understanding of what goes on in schools." It was noted that the aims of the Association were to increase positive integration with schools and improve the quality of teaching and learning in particular in relation to Mosque based education. We were informed that meetings of the Association are used to help recruit Governors.
- [REDACTED] referred to BCC school governance training sessions run by [REDACTED] [REDACTED] which we are informed "promoted better knowledge of Muslim parents' rights and was also a strong tool for networking." [REDACTED] [REDACTED] stated a belief that the Trojan Horse allegations are "complete nonsense" but originate from people "networking and learning their rights."
- [REDACTED] commented that it was only by chance that the trustees of Park View Educational Trust are also the Governing Body of Park View School. [REDACTED] informed us that [REDACTED] of Park View's [REDACTED] in the last 17 years have been non-Muslims.
- We were informed of irregularities in staff recruitment, including: recruiting self-employed staff without following proper process; appointing staff with no recruitment process; and use of monitoring forms by recruitment panels because [REDACTED] "would not appoint anyone who was gay". We were informed that [REDACTED] Park View commented that the next person recruited needed to be a white woman because Park View had too many Muslim men. [REDACTED] commented that information contained in monitoring forms [REDACTED] and was not sent to the interview panel.
- [REDACTED] said that "the reality is by the development of the Park View Trust, the Trust has been able to systematically take over sponsorship of failing schools". [REDACTED] [REDACTED] explained that [REDACTED] had made it clear that a certain number of schools were expected to move under the control of PVET in the next 12 to 18 months. "It was very much a case of people knew it was happening but obviously we were not able to affect it". [REDACTED] commented that the idea of Park View creating a Multi-Academy Trust was first suggested by the DfE and that Park View had no intention of sponsoring Highfield, Adderley, or Saltley Schools.
- [REDACTED] commented that "every time there is a problem or a new project the leadership leave it up to [REDACTED] to sort out and once things are running smoothly they will hand the project over to a Muslim member of staff, usually male, and somehow connected to [REDACTED] and others."

### Encouragement and promotion of Islamic principles

- We were told that concerns were held, back in 2010, about [REDACTED] individuals involved with the school who had conservative Muslim ideals and were keen to promote Islamic principles in schools.

- We were also informed of a concern regarding wider segregation as a result of certain practices at the school, such as: segregation in assemblies and some classrooms; racist content in assemblies, such as telling children that they would not gain employment due to the colour of their skin; school posters with comments such as “if you do not pray you will go to hell”; sex education classes which purported to quote the Quran as stating that “if a woman said no to sex with her husband then the angels would punish her from dusk till dawn,” (there are conflicting reports of whether or not a complaint in relation to this was addressed by the school); discrimination against women; and Islamic songs and prayer at the Christmas concert instead of carols.
- Witnesses told us that during lunchtime, the Adhan<sup>6</sup> went out live. ██████████ stated that previously specific children’s names were called on a microphone and that on one occasion a ball was taken from children who continued to play after the call to prayer had sounded, whilst ██████████ said it was a reminder to pray, but it was a choice.
- However, ██████████ said that male and female pupils have never been forced to sit separately; although there were separate PE lessons and due to the impact of this segregation on timetabling, RE was taught separately. We were also informed that segregation noted in a DfE report was due to boys behaving badly in some of the observed classes. We were informed that wearing headscarves was not compulsory for girls and that although one poster which stated that ‘the difference between Muslims and Non-Muslims is prayer’ appeared at the school, this was removed.
- We received conflicting statements from various individuals who wished to remain anonymous – some referred to teaching of creationism, compulsory headscarves, biased recruitment of Muslim men and segregation, whilst others denied such allegations. Minutes of a Governing Body meeting dated 11 July 2013 noted that PE and PSHE are taught in single gender groups.
- We were also informed that:
  - “girls in classrooms are told by their teachers, ██████████ that a good Muslim woman will wear a hijab, not wear tight trousers and should tie up her hair;”
  - “these ██████████ will enter classrooms and shake all the boys’ hands,” which the boys then copy amongst each other; and
  - “boys ... will speak Urdu and say words like ‘Insh’allah’, which means “God willing”.
- ██████████ Muslim member of staff commented that when ██████████ told boys to desist from behaviour similar to that described above, they would question whether ██████████ was Muslim.
- ██████████ raised concerns about discrimination against female pupils and staff; ██████████ expressed an opinion that “female staff have for a long time felt that they do not have equal rights,” and that “there has been an issue with the equal treatment of girls.” We were informed that:
  - female pupils were ordered to return from a tennis coaching programme “because the school policy ██████████ does not allow girls to have a male coach and to take part in any activity with boys;”
  - concerns were raised with ██████████ who was also provided with a document titled ‘Improving Participation of Muslim Girls in Physical Education and School Sport’, who stated that mixed physical education was not allowed because it

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<sup>6</sup> An Islamic call to prayer

made the men feel uncomfortable and they *"did not want the girls to be seen with their bits jumping up and down."* ██████████ commented that this suggested *"some men were seeing girls like this rather than professional adult educators and the girls as children in their care;"*

- ██████████ was instructed ██████████ that *"girls are under no circumstances ever to take part in any sport when a male is present;"*
- a residential netball tournament was cancelled with no consultation with parents because the organisers were not able to guarantee there would be no males present;
- complaints were raised internally about incidents of staff being spoken to disrespectfully, *"especially regarding female members of staff being treated as inferior."* ██████████ noted that this *"had become common at Park View School and any complaints about male Muslims laughed off and never taken seriously."*
- ██████████ noted that children are afraid to speak to staff, that staff have been threatened not to talk to anyone outside of the academy and that those who complain or raise concerns about the academy have been *"trolled"* on Twitter and that mothers in the community *"are not sufficiently educated to distinguish between Islam and culture"* and are afraid to raise opposition to practices which purport to be carried out in the name of Islam. A report of Ofsted inspections dated 5-6 and 17-18 March 2014 stated that a significant number of staff reported to inspectors that they have no confidence in senior leaders or governors and that some staff feel intimidated and are fearful of speaking out.
- ██████████ noted that 'Whatsapp' groups were created in relation to Park View and that one such group had been closed ██████████ because people within the group were making comments which *"did not sit comfortably with other Muslim sects."* When asked about staff comments on social media, ██████████ Park View Academy and Trust stated that such views are personal views and are not brought into the school. This individual also stated that ██████████ was not a member of the social media websites and therefore could not comment further.
- We were informed that the Academy is in the process of applying for a SACRE determination – one witness stated that it was not understood by the school that an academy was required to apply for a determination, and another witness stated that the school believed that the determination in place before the school converted to an academy would have been carried across.

- **Saltley**

- ██████████ described how ██████████ became involved in the catering tender and insisted that the kitchen serve exclusively HMC (Halal Monitoring Committee) Halal food, despite the catering consultants advising that this was not appropriate for other religions and would limit suppliers, thereby having cost implications.
- We were also informed that an equalities audit was carried out by an associate of the ██████████ Governors ██████████ We understand that the report was not published to staff, but that at a meeting this individual reported that the school was an exemplar of good practice but that there was a problem in that the Senior Leadership Team was white. We were also told that ██████████ at Al-Hijrah was brought in as ██████████ despite having *"dubious credentials"*.

- We were told that [REDACTED] [REDACTED] targets, as implemented by the Board of Governors, was *"to ensure that the staffing structure, at all levels represents the community that the school serves."* This was interpreted [REDACTED] [REDACTED] as a suggestion that the Senior Leadership Team at the school should all be Muslims.
- [REDACTED] stated that [REDACTED] was made aware of several instances in which male Muslim members of staff had undermined non-Muslim members of staff, but he had failed to take any action.
- In minutes of the Governing Body dated 31 January 2013, one governor [REDACTED] [REDACTED] *"expressed a desire to select the subjects pupils were to study and requested a list to choose from at the next meeting."* It is reported that the same governor queried whether the word 'sex' had to appear in the Sex and Relationships policy.

- **Washwood Heath**

- Evidence provided by one individuals suggests that in the late 1990s / early 2000s there were tensions [REDACTED] [REDACTED] One witness [REDACTED] [REDACTED] [REDACTED] stated that *"[REDACTED] had to leave after conflict with [REDACTED] Governors."* [REDACTED] referred to being invited to a party where they had to listen to a *"sort of sermon [at the school] on the benefits of Islam and the non-benefits of Christianity."*
- We have also had sight of a report [REDACTED] in relation to an inquiry commissioned by BCC into *"issues causing concern at Washwood Heath"* and lessons to be learnt for the rest of Birmingham. The report is undated but appears to be from around 1999 / 2000. It states *"we have been left under no illusions that the governing body is polarised on religious and racial grounds"* and refers to members of staff who *"appear to be of the view that there is some sort of 'Muslim conspiracy'"*. This *"manifests itself via the attempts and/or desire of Muslim governors to fill teaching posts with Muslims."*
- We were told that more recently [REDACTED] [REDACTED] of the school's Trust was approached by [REDACTED] [REDACTED] (and Governor of [REDACTED]) who is involved with a number of local schools and is [REDACTED] asking for [REDACTED] opinion on (1) the quality of [REDACTED] [REDACTED] leadership, and (2) challenges that had been made to leadership appointments as they allegedly did not reflect the community in which the school served. The same individual also approached a number of Muslim members of staff and asked for their opinion on the quality of [REDACTED] [REDACTED] leadership.

- **General**

- [REDACTED] noted a belief that *"sometimes there has been pressure from Governors to change the curriculum"* and *"the connectivity of key people is noteworthy"* but they are nor sure how *"organised it is."* [REDACTED] commented that Ofsted does not look in detail at schools' curriculum and instead focuses on standards and progress.
- Another informed us that [REDACTED] did not recognise any of the steps in the Trojan Horse Letter and commented that:
  - there is a myth that schools in the inner city will fail and Park View has succeeded in challenging that myth;

- the Chair of PVET was the lead author of the document produced by the Muslim Council of Britain about *"meeting the needs of Muslim pupils in state schools"* which was created using common queries raised by schools, local authorities and parents. Other contributors included BCC and head teachers;
  - *there* are issues around prejudice, discrimination and racism in relation to basic requests such as the serving of halal meats in Schools;
  - *"Schools should not be a place where we ask children to leave their identity, culture, ... religious beliefs outside the school gate;"* and
  - 38% of children in the city are of an Islamic faith background and therefore if there was proportionate representation, there would be 160 Muslim head teachers, when actually there are possibly less than 12 Muslim head teachers.
- We were informed by one witness that there was a *"little coterie of governor trainers" "backed by Saudi funding and [which] (naturally) uses networks of kinship through cousins and half cousins to develop its mission – as does any Pakistani party."*
  - ██████████ commented on the community in Alum Rock and noted that it is very tight knit and *"everybody is connected"*. We were also informed that the men *"in control"* in the community are either related or are from Mirpur in Pakistan and *"think that Alum Rock is their little slice of Mirpur and that they can control everybody within the community."* One witness stated that the way the men *"have chosen to behave is in no way prescribed by or linked to Islam or its teachings. It is directly linked to self-promotion and their culture, in particular the Mirpuri culture."*
  - ██████████ commented that of the 300,000 Muslims in Birmingham, 150,000 are Mirpuri and that there is a concentration of Mirpuri Muslims in East Birmingham. We were informed that Mirpuris within the community are vying for power and status and a minority may not understand that the degree of challenge which may be appropriate in the troubled region of Mirpur is not appropriate in an open and democratic society.
  - In respect of a determination from SACRE to disapply Christian collective worship, we were told that it might not always be apparent if a school, having not applied for a determination or its determination having expired, was not following Christian collective worship. It appears that SACRE and BCC do not have a formal oversight or monitoring role in this respect. It was also unclear who would be responsible for taking action against a school which did not have a determination in place but which was practising Islamic collective worship.
  - We are informed by Birmingham SACRE that a Freedom of Information request revealed that no free school or academy in Birmingham has submitted a request for a Notice of Determination or renewal of an expired Determination and that therefore *"all schools and academies in the city, which do not have a determination granted by SACRE before they became academies, should hold a Daily act of Collective Worship of a wholly or mainly or broadly Christian nature."* However, this does not appear to have been happening in practice. We were told that SACRE may informally advise BCC if an academy or free school is failing to comply, but SACRE has no authority to compel compliance.

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## B Appointment / Removal of Governors to Support Religious Preferences

### Findings

80. The evidence collated during the investigation suggests that improper processes have been followed by individual governors and governing bodies in relation to the appointment and removal of governors, possibly in an attempt to secure a majority and / or influence the approach taken by governing bodies. It appears that there is limited scrutiny by BCC of this process; this is considered further in Section E.
81. Evidence also suggests that the change in the membership of governing bodies is often followed by an increased desire to promote an Islamic principles.
82. There is also a concern as to how, and on what basis, local authority governors have and are being appointed to governing bodies. The evidence suggests that there is limited consultation with the relevant governing body when a proposed appointment is made, and in some cases consideration is not given to the appropriate skill sets of the candidates, including taking into account whether there are existing issues or membership concerns with the relevant governing body.

### Summary of Evidence

#### • Anderton

- We have been told that when one particular Governor was running for election ██████ ██████ "began a texting campaign which suggested that the parents were not good Muslims if they did not vote for ██████". The Governor in question was ██████ and ██████
- In 2013, there were three community governor vacancies at the school. We were told by one witness that ██████ Governor "went to his Mosque and said 'we need more Islamic influence at Anderton Park'". ██████ individuals who were friends with this Governor subsequently applied, with a ██████ candidate putting ██████ forward. ██████ the ██████ Muslim candidates were appointed. Following their appointment these ██████ Governors did not attend for five months. We understand that this was raised as an issue as they could be removed if they did not attend for a six month period. The ██████ Governors then attended the following month.

#### • Golden Hillock

- ██████ said it appeared that some of the governors "appointed their friends as Community Governors, despite ██████ objections that due process had not been followed". ██████ Governors stated that ██████ was appointed as a ██████ governor and ██████ did not inform anyone during the application process of the ██████ relationship, which ██████ described as "an oversight".
- ██████ commented that there was no formal process to join the Governing Body. The witness described being informally asked to join and then the day before the next governing body meeting being told "Oh, you're joining tomorrow."

#### • Ladypool Primary School

- We are told that in summer 2012 a ‘campaign’ was launched to reinstate [REDACTED]. This was achieved at a meeting at which a former Governor was “drafted in as an unelected clerk”, another former Governor [REDACTED] attended as an “overseer”, and a suspended member of staff [REDACTED]. We were also informed that the irregularities with the appointment were highlighted to BCC’s School and Governor Support.

- **Moseley**

- We were told that [REDACTED] in September 2007, over a short period of time, a Muslim majority of members was secured and “there was a lot of behind the scenes activity to make sure this happened”. This included strong resistance to an ‘Old Moseleian’ Governor when historically such a post had been reserved. We were told that the change in composition of the Governors marked a shift in their approach, leading to a difficult working relationship [REDACTED].
- We were also told that [REDACTED] governors would hold separate pre-meetings before the main Governing Body meetings, and that “there was a lot of collusion between certain of the Governors” and “agendas for meetings were discussed in advance and individuals were given responsibility for raising certain issues and for ensuring that there was a [REDACTED] majority on votes”.

- **Saltley**

- Some witnesses raised concerns about the governor selection process at Saltley, with supportive non-Muslims starting to leave, and other governors being recruited by only requiring vesting by one nominated person. [REDACTED] Governing Body refused a request for someone to become a governor saying that it was not appropriate because “[REDACTED] was not representative of the community”.
- We were told a [REDACTED] was interested in becoming a governor, but the Governors said they wanted to look at other people. A Muslim Governor was subsequently co-opted, and was voted [REDACTED].
- [REDACTED] questioned the selection process that was followed for appointing new governors – “although there was a voting process, there were some ballot papers which were photocopied ... I also wasn’t sure whether the vote had been done without any influence.”
- We were told that [REDACTED] there was one non-Muslim Governor on the Governing Body and the “Governors had got to the point where they were recruiting their own Governors”.

- **General**

- [REDACTED] said that “[REDACTED] experience of the process used to appoint local authority governors has led me to believe that this may easily have exacerbated the current issues with governance in Birmingham”. [REDACTED] local authority governors were appointed without consultation with the Board of Governors and without the appropriate skill set, which meant inappropriate appointments were made. This included appointing local authority governors who had disrupted another school’s

governing board resulting in staff and governor resignations. It is notable that the proposal process is reliant on information flows from the Governing Body, rather than objective assessment of composition of the Governing Body and existing governance issues.

- We have seen evidence that many of the individuals identified to us in the course of the investigation as having influenced schools through improper manipulation of school governance, were local authority governors.
- Another witness commented that one fifth of Governing Body members were appointed by BCC. We were also told that it became clear *"a few months ago that people were beginning to say that they wanted to serve on a particular governing body rather than saying that they wanted to be a governor in the city."*
- We were informed that the process in relation to appointment of local authority governors has been suspended and a new process for local governor appointments is currently being drafted by BCC.

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## C Lack of Appropriate Skills / Potential Malpractice of Governing Bodies

### Findings

- 83.** The evidence shows that there are some serious governance issues that exist in a small number of schools in East Birmingham as a result of, at best, poor skills, and at worst, serious malpractice by members of certain governing bodies.
- 84.** In respect of Al-Furqan, the investigation has raised concerns about proper human resources (HR) processes being followed in respect of the employment of staff. For example, some staff did not have employment contracts, and others were not paid for sickness absences. There are also serious questions to be asked about the process for negotiating the lease of the school's premises, which contained various conditions around Islamic practices, and issues of financial probity around other transactions.
- 85.** Al-Hijrah is an Islamic voluntarily aided school (the first nationally), supported by the Al-Hijrah Trust. Whilst the investigation does not reveal any plot to destabilise the school in the way the Trojan Horse Letter suggests, there are a number of examples of inappropriate, if not illegal, behaviour [REDACTED]. There are serious governance issues that need to be addressed, particularly concerning questionable financial transactions. Despite it being a maintained school, BCC has had considerable difficulty monitoring and intervening in the school. The recent Ofsted reports have also identified a fundamental lack of skills of the Governing Body. We are aware that attempts had been made by BCC to address these issues, such as implementing a warning notice in order to replace the Governing Body with an IEB. This was overturned by Ofsted on appeal despite the valid concerns about the probity and conduct of the Governing Body. BCC has continued to pursue these issues with some rigour, resulting in an IEB recently being approved by the Secretary of State.
- 86.** This investigation has also revealed that there are fundamental problems with the governance at Golden Hillock School (now an academy school) and Saltley School. For example, it appears that proper financial processes have not been followed for the procurement of services, and particularly that legal services were being procured without reference to BCC's legal services. Further, recent Ofsted reports and an audit report into Golden Hillock, have revealed deep-seated issues with the quality of governance at the school.
- 87.** There is evidence that a small number of governing bodies lack the basic skills and training required to ensure they fulfil their statutory obligations, such as overseeing the financial performance of the school and making sure its money is well spent, and ensuring clear strategic direction for the school. There is a failure to recognise the need for securing oversight of audit and risk management procedures to meet public accountability standards. This is supported by evidence of:
- 87.1** financial regulations being ignored (either deliberately or due to a lack of knowledge);
  - 87.2** a lack of probity in financial issues;
  - 87.3** irregular HR/employment processes;

- 87.4 a lack of objectivity being applied by governors to decision making;
- 87.5 a lack of transparency in relation to governance; and
- 87.6 a lack of uptake in the current training offer, both for newly appointed governors and for existing governors.
- 88. The evidence suggests that members of some governing bodies lack knowledge or understanding of the Nolan principles which apply to their roles as governors.

**Summary of evidence:**

- **Adderley**

- [REDACTED]
- It has been suggested by some [REDACTED] [REDACTED] was an attempt to remove [REDACTED] in order to install a replacement [REDACTED] promote Islamic principles in the school (i.e. part of the alleged Trojan Horse plot). The evidence gathered to date does not suggest this to be the case, and the time and scope of the current investigation has not allowed for this specific, individual incident to be pursued in such detail. However, from a governance perspective, [REDACTED]
- We were also informed that [REDACTED] [REDACTED] was appointed as a governor very shortly after being dismissed [REDACTED]

- **Al-Furqan**

- Witnesses raised concerns about governance issues at the school. For example, there was a lack of governing board minutes, unusual patterns of financial transactions and alleged nepotism when procuring goods and services, and in the appointment of staff. We were told that [REDACTED] the Governing Body is [REDACTED] also a Trustee of Al-Furqan Educational Trust, [REDACTED]
- A concern was also raised about the school's lease, which appears to have been signed by the Chair of the AFET, the AFET being the Landlord (with the Chair of the AFET also being the Chair of the school's Governing Body) and by the LEA's Governor on behalf of the Governing Body, with the BCC having been involved in negotiating the lease.
- [REDACTED] as recently as January 2014, staff were not paid for time off and had no written employment contracts.

- **Al-Hijrah**

- We were informed that BCC took control of payroll and removed chequebooks from the school's control in or around 2010 but that the [REDACTED] Governors [REDACTED] [REDACTED] controlled sign off on any payment over £500. One witness noted that the school was wasting money and gave an example of teachers being paid a bonus if they attended school instead of calling in sick.
- An Ofsted report in March 2013 made a finding that governors have not *"managed the schools' financial resources well"* and they do not have a *"shared and clear understanding of the schools' strategic direction"*. As a result of this finding, BCC requested that a financial audit be undertaken, and this was completed by BCC's Birmingham Audit in March 2014. The report made a number of concerning findings:
  - *"We have serious concerns about the financial governance at the school. There is no clear financial framework in place..."*
  - *"There is little evidence of any structured financial reporting to governors. This inadequate monitoring, and a number of questionable financial decisions made by the Governing Body, has led to a serious budget overspend and a large carried forward deficit ... The school remains in a very vulnerable financial position."*
  - The questionable financial decisions included: *"absence of an agreement with the Al-Hijrah Trust to pay annual rent of £300,000"*, *"the lack of evidence to support the Governing Body's decision to agree to pay a large settlement payment to the former Head Teacher"*, and *"the inclusion of income totalling £550,000 in the 2013/14 budget plan which was based on payments pledged from the Al-Hijrah Trust"*.
  - The failures to follow proper financial and auditing processes identified in the report represent breaches of the Governors' fiduciary duties.
- The circumstances around the payment of rent and the valuation of the rental figure are unclear. [REDACTED] expressed an opinion that *"they needed the [rent] to help to keep the Trust afloat as ... they were in financial difficulty."* We were also informed that following a request for paperwork to evidence the rent figure, the Trust provided a one page document which stated that the school had come into existence because of the Trust and the school had been renting the site for free so should now pay the Trust back. We were told that after some governors requested paperwork in relation to the rental agreement, a meeting was immediately called and the only voting attendees were Trust members – the motion to accept the rental agreement was passed [REDACTED] [REDACTED] [REDACTED]
- [REDACTED] state [REDACTED] [REDACTED] [REDACTED] agreed without the Cabinet's consent and that BCC could not use its powers to intervene. [REDACTED] noted that this had previously been raised with Ofsted but there was a *"long history of Ofsted ignoring our concerns."*
- An Ofsted Report in December 2013 also raised a number of concerns about governance issues:
  - *"...the governors lack the ability to offer the school effective strategic direction or challenge and have not sufficiently monitored the school's progress over time."*

- *"governors have not checked sufficiently on the quality of teaching..."*
- *"Governance is ineffective."*
- A routine Section 8 Ofsted report was then carried out in April 2014, which reached the following conclusions: *"Governance remains inadequate"... "Governors continue to spend money on projects that are not addressing key the weaknesses across the school"*.
- **Golden Hillock**
  - We were informed that at meetings, Governors *"would answer their mobile phones, walk out, argue amongst themselves and generally, would not follow the code of conduct"*. We were also told by witnesses that confidential information in relation to [REDACTED] [REDACTED] was leaked by a governor [REDACTED] [REDACTED] before it had been publicly announced.
  - However, [REDACTED] stated that *"everyone had a fair chance to speak at Governors' meetings"* and that the Head Teacher was always given time to prepare answers to Governors' questions. [REDACTED] noted that the minutes of meetings did not always reflect what was said at the meeting and *"wanted it recorded that Governors had asked challenging questions."*
  - The impression given was that governors were becoming involved in operational matters rather than strategy. For example, governors would bypass the Head Teacher and go direct to Heads of Departments, [REDACTED] Governors attended the school prom to monitor the music and see how male and female pupils were mixing. We were also told that the Governors suspended the teaching of sex education [REDACTED] [REDACTED] and asked that the content be reviewed with a local Imam. One witness described the Governing Body's involvement with the school as *"dictatorial"*.
  - [REDACTED] [REDACTED] Governors acknowledged [REDACTED] would have meetings with the Senior Leadership Team and stated that governors [REDACTED] [REDACTED] [REDACTED] asked to become subject leads would liaise directly with the relevant Head of Department.
  - An Ofsted report in January 2013 highlighted governance issues at Golden Hillock that needed addressing, and a subsequent monitoring visit in March 2013 recommended that an external audit be carried out on the *"systems and ways of working of the governing body to ensure that it meets best practice"*. By this stage, [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
  - In April 2013, an Academy Broker from the DfE attended the school with the Acting Head Teacher *"to gain an overview of provision at the school to better understand a potential sponsored Academy solution."* The notes of this visit state [REDACTED] [REDACTED] the Governing Body was *"driven by personal agendas"* and that there were only [REDACTED] governors who *"operate for altruistic reasons"* and this did not include [REDACTED] [REDACTED] described that the Governors were *"like a bunch of animals."*
  - A firm called Continuity Governance was then commissioned by the Governing Body to prepare a report, as recommended by the Ofsted report in January 2013. The report, published in July 2013, was highly critical:
    - *"...there are significant issues with the systems, practices and behaviours within the Governing Body at Golden Hillock School."*

- *"The relationship between the Governing Body and the school can best be described as adversarial, characterised by high levels of challenge and low levels of support."*
- *"Governors do not always understand and appreciate the difference between their corporate and personal roles which is characterised through inappropriate behaviours".*
- *"...the basic knowledge of some governors to understand the detail of school performance is not sufficiently sound."*
- We are told that the Governors did not like the outcome and therefore the issues raised in the report were not addressed, [REDACTED] stated that [REDACTED] was furious and refused to publish the report. [REDACTED] told us that the report was not given to the Governing Body because [REDACTED] intended to challenge the report before sending it, [REDACTED]. The report was not provided to BCC – we are told that BCC were informed that a copy could not be provided to them.
- It is therefore of note that nine months later, following an Ofsted inspection on 30 March – 1 April 2014, Golden Hillock (which was now an academy school under the control of PVET) was placed into special measures. The Ofsted report included the following findings:
  - *"There are fundamental weaknesses in leadership and management, including governance, which have an adverse impact on students' well-being, their process and on the quality of provision in the school."*
  - *"Governance is inadequate ... It [the Governing Body] has played little part in shaping the overall academy development plan or in considering how the academy's finances should be used to support academy developments."*
  - *"Academy policies have been given scant consideration. The equalities policy is not fit for purpose."*
  - *"Development plans do not set out clearly how to use the academy's resources to address the most pressing areas for improvement."*
- A Section 8 Ofsted inspection was then carried out on 2-3 April 2014 and found that *"Governors in the predecessor school [pre Academy status] had actively resisted engagement in the Prevent programme and the academy has only very recently begun to engage following the pressure of local inspection activity"*.
- Notwithstanding that BCC does not appear to have received a copy of the Continuity Governance audit report, BCC failed to identify governance issues at the school at any time during conversion to a Park View Academy. [REDACTED] stated that [REDACTED] governing body meetings [REDACTED] did not witness any bullish behaviour and noted only *"operational interference"* by the Governors – although they also noted that the Governors may have acted differently [REDACTED]
- We were told [REDACTED] that the [REDACTED] governing body have been engaging the services of solicitors and a PR company to manage recent issues relating to the Trojan Horse Letter, but the formal financial processes do not appear to have been followed for example, decisions voted and made, orders placed, signatures provided,

copies of contracts provided and it is not clear who is signing or authorising these contracts.

- [REDACTED] said there was a day's training a year for the governing body, but this was more around planning than what their role was.

- **Oldknow Academy**

- A School Improvement Partner Report dated Summer Term 2010 noted [REDACTED] [REDACTED] "*Chair of Governors confusion over strategic and operational roles*" and stated that following a visit on 5 July 2010 "*there is now greater clarity around Governors' strategic role.*" The report also noted support being provided by BCC's School and Governor Support service.
- An Education Funding Agency report dated May 2014 stated that:
  - There are more parent governors than the Articles of Association allow for; there is evidence of parent governors being appointed without due process being followed and there are also two co-opted governors even though the Articles do not allow for this kind of appointment;
  - The Chair of Governors told interviewers that he chose the Governors and had recently chosen one for his "*white face and Christian faith*";
  - The Chair of the Trust has an inappropriate role in day-to-day running of the Academy - he has unrestricted access to the Academy and attends unannounced without signing in; and
  - Declarations of interest are not accurate - two or three trustees held directorships which were not declared.

- **Saltley**

- We were told by [REDACTED] that the Governing Body of Saltley employed the services of a private investigation firm to investigate [REDACTED] [REDACTED] emails, and that the Governing Body did not follow the correct processes for raising the order.
- We were told that the Governing Body continue to order services paid for out of the school's budget. Again, the correct process (which involves raising an order for the work before it is commissioned and before an invoice is received) are not being followed. This includes for solicitors' fees for what appeared to be employment issues, rather than using BCC's legal department. We were informed [REDACTED] that the reason BCC's legal department were not used was because BCC was failing to respond to queries and had previously provided inaccurate advice. Another witness raised concerns about how the Governors had been able to incur in excess of £60,000 on solicitors, consultants and private investigators and why this had not been investigated by either BCC or the National Governors' Association. [REDACTED] stated that [REDACTED] asked BCC to carry out a financial review and that a report was produced prior to December 2013 "*but no questions came back.*"
- BCC has informed the investigation that a financial audit has recently been completed and will shortly be sent to the school in draft form for comment.

- There was also a Section 8 Ofsted report at the school in November 2013 which stated that governors had failed to act upon BCC advice about their roles and responsibilities, and that governors were spending a disproportionate amount of time on routine aspects of school life.
- **General**
  - ██████████ described the training offered to governors by the council. A delegate fee is payable but we were informed that *"generally the sessions are well attended."* BCC's current training offering is detailed on its website and in a document titled 'Governor Training and Development Courses and Events for Schools and Academies 2013-2014 academic year.'
  - We were informed that whilst training is offered, in some cases governors have never received training, despite having held the role for a number of years.
  - In relation to head teacher training and inductions, we were informed there is currently no BCC formal induction process for head teachers, there is now no national training in place for head teachers and induction is not covered in the national professional qualification for head teachers.
  - ██████████ commented that *"going forward BCC has to offer more support to Head Teachers and in particular to those individuals who are stepping up into the role as a new Head Teacher. There ought to be considerable training provided around the issues of governance and in particular there ought to be training on how a Head Teacher ought to handle false accusations, as I do not believe such training is currently available."*

## D Improper Behaviour by Governors Disrupting the School, Including Explicit Attempts of Governing Bodies to Remove / Disrupt Head Teachers and Senior Leadership

### Findings

89. The evidence has shown that there exists a pattern of disruptive behaviour by governors across a number of the schools relevant to this investigation. This includes inappropriate, unprofessional and disruptive behaviour during meetings and in carrying out their duties, and particularly interfering with operational matters of the school - this being in contravention of the responsibilities of the governing body, as described in the DfE's guidance to governors, most recently in the Governor's Handbook, May 2014, which says that governing bodies should be "avoiding routine involvement in operational matters."
90. The evidence collated has identified that in a number of schools relevant to the investigation there have been incidents of governing bodies attempting to, and being successful in, removing head teachers or senior members of staff from post or causing disruption to their roles. This has been manifested either in explicit campaigns to remove specific members of staff, or by the general behaviour of certain governors, or a governing body, to bully or harass a head teacher or seek to remove to them without proper process. This goes beyond the Governing Body's role of "*holding the head teacher to account for the educational performance of the school and its pupils, and the performance management of staff*". However, what the information collated to date does show is that often there is evidence to show that under-performance of the school can be, but is not always, an issue.
91. It is clear that there has been inappropriate conduct which has not been addressed or managed by either other members of the governing body or BCC. Where some governors and senior staff have objected to the conduct of governors towards head teachers BCC has failed to respond. Further evidence in relation to the conduct of BCC can be found at Section E.

### Summary of Evidence

- **Adderley Primary School**

- We were informed that Governor behaviour included trying to influence the school's admission policy to admit [REDACTED] family members despite the school being oversubscribed; engaging in lengthy and inappropriate debates at governing body meetings; and requesting a copy of [REDACTED] personal diary.
- We were told that members of the Governing Body raised "*so many petty problems*" that [REDACTED] felt unable to run the school. Examples included requiring blackout curtains for an after-school fitness class; raising repeated requests / concerns in relation to Health & Safety and Religious Education; and refusal to allow the school to celebrate Christmas and Easter, despite previous positive encouragement by the local community.
- [REDACTED] reported that after the appointment of [REDACTED] in 2006, [REDACTED] suspended [REDACTED] [REDACTED] of the allegations to support the suspension. Following the suspension, BCC advised [REDACTED] [REDACTED] [REDACTED] to return to work because the suspension was illegal. We were

informed that on return to work, the Governors told [REDACTED] [REDACTED] [REDACTED] that if [REDACTED] did not behave [REDACTED] "would be going out feet first".

- Action Notes of Children & Family Services Cabinet Member Briefing Meeting [REDACTED] [REDACTED] comment on a "history over last 10 years of the community seeing off Head Teachers," via school support staff with close ties to the community who "when asked to work differently, object and use the community to force Heads out or Heads have left because of pressures."

- **Al-Furqan**

- Witnesses described an alleged campaign of harassment [REDACTED] to remove [REDACTED] staff ([REDACTED] not Muslim) from the school, including torrents of emails being sent to head teachers, copying in Michael Gove and David Cameron. During one particular incident [REDACTED] [REDACTED] became particularly aggressive. The police became involved as a result of the incident, [REDACTED] [REDACTED]
- Evidence collated further shows that [REDACTED] [REDACTED] [REDACTED] started a petition to remove [REDACTED] [REDACTED] [REDACTED] (who were not Muslim) from the school. [REDACTED] [REDACTED] left the school [REDACTED] [REDACTED] [REDACTED] feared being attacked. The petition was sent to the Chair of the IEB, copying in others, including [REDACTED] Park View Educational Trust and [REDACTED] Governors at Oldknow Academy School. It is not clear why these individuals would have been involved in issues concerning Al-Furqan School.
- [REDACTED] said that "[REDACTED] many of the staff are in fear" and [REDACTED] [REDACTED] experienced harassment and physical intimidation [REDACTED] at the school [REDACTED] [REDACTED]
- We were also informed that [REDACTED] of the governing body [REDACTED] [REDACTED] contacts [REDACTED] referred to above and informs [REDACTED] of what is said during board meetings. The witness' belief is that [REDACTED] [REDACTED] then passes this information to the school's Trust in order to undermine the IEB. In relation to [REDACTED] [REDACTED] connection to the Trust, [REDACTED] stated that [REDACTED] [REDACTED] "is always popping in and out [REDACTED] the school."
- Another witness stated that [REDACTED] has seen "immense pressure put on white, non-Muslim senior staff to get out of the school". [REDACTED] stated that [REDACTED] believes the Trust want to get rid of all non-Muslim staff and that they want to recover control of the school from the IEB.

- **Al-Hijrah**

- We were informed that following the approval of an IEB on 16 May 2014, the [REDACTED] [REDACTED] along with protesting parents, physically blocked a BCC officer from entering the school. [REDACTED] was subsequently banned from the school and on breaching the ban, is subject to a High Court injunction.

- **Anderton Primary School**

- One particularly vocal [REDACTED] Governor was described as "extremely difficult", particularly during meetings when [REDACTED] would raise "the same questions relentlessly and presents [REDACTED] in an intimidating and bullying fashion." [REDACTED] stated "[REDACTED] [REDACTED] reduce governors to tears and at least three (possibly four) clerks have resigned as a result of being accused ... of lying in meetings minutes".

- A witness told us that the [REDACTED] of the school left due to what were described as *"Trojan Horse issues"*. We were told that [REDACTED] *"often felt pressure, fearful of threatened by a [REDACTED] [REDACTED] parent group"*, which was a newly formed group called Anderton Park Parents' Association Group.

- **Golden Hillock**

- [REDACTED] told us that *"there has been a steady but concerted effort by [REDACTED] [REDACTED] the School's Governors to undermine the management of the School"*. We were [REDACTED] informed that governors were frequently hostile in meetings, would arrange meetings with little or no notice, on one occasion demanded a sample of books to check teachers' marking, and would try to attend senior leadership team meetings which were held to discuss operational matters.
- [REDACTED] said how there was a *"disruptive [REDACTED]"* on the Governing Body which made *"various attempts"* to remove [REDACTED]. This included constantly raising the issue of examination results at every meeting and speaking to BCC about removing [REDACTED] [REDACTED] [REDACTED]. [REDACTED] informed BCC of a series of changes required at the school, including the removal of the [REDACTED] [REDACTED]. Witnesses also told us that questions would be asked [REDACTED] implying [REDACTED] *'not really up to doing the job'*. We were also told that [REDACTED] Governors would meet outside of the Governing Body meetings to discuss issues, possibly with other people who did not belong to the Golden Hillock Governing Body.
- We were also told how [REDACTED] Governors *"repeatedly bombarded the school [REDACTED] with detailed questions, particularly in relation to the School's exam results, with the expectation of equally detailed responses"*. The witness explained more than 200 requests were received [REDACTED] [REDACTED]. Another said [REDACTED] [REDACTED] *"constantly criticised"* [REDACTED]. Several witnesses said questions and information would be asked repeatedly [REDACTED] [REDACTED].
- [REDACTED] [REDACTED] [REDACTED] witnessed the bullying of [REDACTED] by the Governing Body at a meeting of the Governors. [REDACTED] [REDACTED] also reported being personally insulted and verbally abused at the meeting.
- Several witnesses described how a demonstration outside the school was instigated by a governor [REDACTED] [REDACTED] demanding the sacking of [REDACTED] [REDACTED] due to [REDACTED] [REDACTED] examination results. The demonstration included placards which read *"Sack the teachers", "Lazy staff"*. Other witnesses stated that whilst [REDACTED] who instigated the demonstration was *"very good [REDACTED]"* and was not associated with any particular group of Governors ([REDACTED] *"was no one's person"*), the fall in grades and the subsequent protest delivered the school into the hands of a few Governors who wanted the school to be in special measures in order to remove senior management because they wanted *"power and a school in their hands."*
- Some witnesses expressed to us that the protest in 2012 was attended by [REDACTED] [REDACTED] Governors [REDACTED] as a concerned parent [REDACTED]. We were informed by [REDACTED] that the Governing Body supported [REDACTED] [REDACTED] and did not intimidate [REDACTED], but felt that [REDACTED] was too kind and did not have the necessary qualities [REDACTED] [REDACTED] felt that if the same circumstances arose elsewhere the Governors would be seen as concerned parents, but due to the location, they are instead *"accused as being hard line Muslims"*. [REDACTED] stated that [REDACTED] [REDACTED] was not *"pushed"* to leave the School.

- We were informed that following the demonstration, the Governors set up a task force to consider why the school had failed to achieve the GCSE results target. [REDACTED] described the Governors' investigation as overbearing and uninformed and stated that this culminated in a verbal attack on [REDACTED] during a [REDACTED] meeting.
- [REDACTED] the Governors from [REDACTED] "disruptive" [REDACTED] also wrote in [REDACTED] local neighbourhood forum minutes that the school had let the community down.
- [REDACTED] explained how, in January 2013, [REDACTED] 'disruptive' Governors spoke to the Lead Ofsted Inspector during an inspection at the school and said that the school was in a terrible state due to the poor leadership of [REDACTED] although the Inspector confirmed that he could find no evidence to support these claims. We were told by [REDACTED] that during this inspection, [REDACTED] governors went round the school telling people to fill in a form "telling them how crap the school is".
- Following "unrelenting pressure" from [REDACTED] Governors, [REDACTED] resigned in [REDACTED]
- [REDACTED] explained that [REDACTED] the Governing Body continued to be disruptive after the school became an academy and that as a consequence of this the [REDACTED] commissioned an independent review – a copy of which was never provided to the Governors. [REDACTED] told us that the report was not given to the Governing Body because [REDACTED] had intended to challenge the report before sending it, but he did not have time [REDACTED] [REDACTED] [REDACTED] Details of this review are provided in Section C above.

- **Highfield Junior and Infant School**

- [REDACTED] reported that a group of [REDACTED] Governors (who commanded a majority at most meetings) always voted identically, and it was believed that this group would meet ahead of the Governing Body meeting to discuss how they were going to vote.
- We were informed [REDACTED] of a campaign to remove [REDACTED] This included setting extremely high personal targets, a series of complaints being made (such as allegations of misappropriation of exam papers), questioning of [REDACTED] appointment in light of [REDACTED] background [REDACTED] and complaints to Ofsted, the police and the persons of interest team. Investigations were carried out in all instances and the outcome was that all allegations were unfounded. Some complaints were anonymous and some were from parents. We were informed that parents would demand to speak to [REDACTED] but [REDACTED] never raised any concerns about the number or nature of the complaints.

- **Moseley School**

- We were told how governor meetings would be arranged at short notice, and [REDACTED] would receive numerous emails from governors asking for information. Daily collective worship also became a big issue for the Governing Body, despite the Governing Body having voted on seeking a determination to disapply Christian collective worship in 2008 and it being rejected. We were told that it was raised again by some of the Muslim Governors at a curriculum committee meeting and the issue was pushed repeatedly despite this not being the appropriate forum.
- We were told how the behaviour of the Governors in 2007 / 2008 acted so as to place a significant amount of pressure [REDACTED] resulting in [REDACTED] no choice but to resign [REDACTED] We were told

how [REDACTED] would often turn up late to meetings with [REDACTED] [REDACTED] or would ask for a meeting with [REDACTED] [REDACTED] with no, or little, notice, and that the Governors subjected [REDACTED] to a "sustained campaign of emails", which took three days out of the working week to respond to. [REDACTED] said it became "clear that there had been a pre-meeting between the Muslim Board members before the main Board meeting. It seemed as if there was a lot of collusion ... and it was apparent that the agendas for meetings were discussed in advance and individuals were given responsibility for raising certain issues".

- The treatment received by [REDACTED] who followed was similar. There was "a lack of trust".
- Witnesses told us how the Governing Body would frequently involve themselves in operational matters when [REDACTED] [REDACTED] such as issues concerning a member of staff's targets and collective worship. We were also informed that governors made unannounced visits to the school, made direct contact with children, wanted to attend Friday prayers and called their own meetings of School Council. The governors also contacted the school's National Challenge Adviser and asked to meet him [REDACTED]
- In February / March 2009, one of the governors gave pupils a lecture that Moseley was worse than Al-Hijrah as a school.
- [REDACTED] said they believed [REDACTED] was campaigning the removal of the [REDACTED] [REDACTED] children from the school had informed [REDACTED] that local Mosque members were petitioning parents on the way to school. [REDACTED] noted that an A5 leaflet was circulated outside the school [REDACTED] [REDACTED] – the leaflet asked [REDACTED] was the kind of person parents wanted [REDACTED]
- We were also told how the governors always brought matters to a vote and would always vote [REDACTED] [REDACTED] "there was no real integrity in the process and people would vote on sectarian lines. Objectivity, fairness and openness were gone completely. The Governors would also have conversations and make decisions away from meetings and come up with a plan".
- We were told that in November 2009, [REDACTED] received an email from [REDACTED] explaining [REDACTED] did not need to attend school the next day as their relationship had been terminated. We were informed that the following day [REDACTED] [REDACTED] were waiting at the school with the intention of escorting [REDACTED] [REDACTED] from the premises. However, having obtained legal advice, [REDACTED] [REDACTED] escorted [REDACTED] off the premises. In March 2010, the Governing Body was replaced by an IEB.
- We were informed that [REDACTED] was so disruptive that following a complaint to BCC's Governor Support Service, an investigation was undertaken and [REDACTED] was removed.
- [REDACTED] [REDACTED] took the view that the Governing Body had become overly-politicised, with their behaviour being disruptive. Possible links between the Governing Body and the Respect Party were noted by more than one witness.

- **Nansen School**

- We were told [REDACTED] that [REDACTED] PVET become very involved in operational issues at Nansen. We were also told that [REDACTED] was on the interview panel for a senior leadership position, although this directly contradicts information provided by [REDACTED]
- [REDACTED] reported that after July 2011, it appeared that there was “a ‘hidden agenda’ at the GB meetings and generally in and around the school,” to discredit the Senior Leadership Team. We were informed of governors asking the same question “time and time again”, being very difficult meetings and governors “almost mocking” the Senior Leadership Team.
- One witness referred to “systemised bullying” and an agenda to remove [REDACTED] from the school. We were also informed that after the departure [REDACTED] [REDACTED] at Park View told staff at Nansen that they were not to talk about or to the [REDACTED] and also that they would be dismissed if they talked about anything that was happening within the school.

- **Park View**

- We were informed that in or around 1998 the Governing Body became hypercritical of the senior leadership and [REDACTED] was very critical of [REDACTED] [REDACTED]. We were also informed that BCC seriously considered withdrawing the delegated powers of the Governing Body due to governors’ behaviour, and that a conciliation process involving BCC [REDACTED] followed. One witness stated that in subsequent years the teaching staff passed a vote of no confidence in the Governing Body following irregularities [REDACTED] [REDACTED]. BCC’s response was to state that whilst the process was flawed, it did not want to exchange one set of problems for another.
- [REDACTED] commented that [REDACTED] was not bullied out of the school but was removed because of [REDACTED] behaviour and a letter [REDACTED] [REDACTED] condemning the School. [REDACTED] [REDACTED] informed that despite underperformance [REDACTED] would not recognise problems with management of the School and instead said it was a problem with the children.
- [REDACTED] commented that whilst governors have pushed to improve results, get Halal food into Schools and to have more Islamic worship, governors have not been pushing to remove [REDACTED]

- **Saltley School**

- Witnesses described how the relationship between the Governing Body and [REDACTED] [REDACTED] deteriorated in early 2013, with [REDACTED] [REDACTED] being increasingly criticised and asked to justify everything [REDACTED] [REDACTED] governors regularly asking questions about the day-to-day management of the school, and the school’s senior leadership team being asked to produce packs of evidence for all decisions.
- There were known to be [REDACTED] [REDACTED] Governors involved in the “harassment, bullying and intimidation” [REDACTED] [REDACTED] at Saltley. A number of witnesses described a “hostile” and “challenging” attitude [REDACTED] [REDACTED] with an “aggressive” tone in [REDACTED] [REDACTED] meetings and “constant undermining”. [REDACTED] [REDACTED] whilst [REDACTED] [REDACTED] saw the governors as being disrespectful and challenging [REDACTED] [REDACTED] authority, the governors were not trying to be unsupportive but were “just being cautious” in relation to decisions which would bind the school.

- Increasingly the governors interfered with operational matters and we were told that there started to become a real lack of understanding of the role of governors. We were told [REDACTED] *"that the Governors should decide what staff do in terms of their roles and responsibilities and queried why [REDACTED] was making the decisions on the recruitment of staff"*. We were told by another witness that the *"Governors could be challenging in quite an intimidating way"* and asked questions related to the day-to-day management of the school.
- We were told that [REDACTED] the [REDACTED] Governing Body would turn up to the school unannounced and go to the staff room and tell staff to come to [REDACTED] with any problems. [REDACTED] also had weekly meetings with [REDACTED] often discussing operational issues. [REDACTED] would be called to meetings at short notice and often on a Friday.
- However, [REDACTED] stated that [REDACTED] failed to consult Governors about new ideas and proposals and it was felt that governor meetings were just a *"tick box exercise"*.
- In February 2013, an external independent investigation was commissioned [REDACTED] [REDACTED] [REDACTED]. On completion of the investigation, a supplementary paper was produced by the investigator which noted remarks and observations made during the investigation process which gave the investigator cause for concern. The concerns raised were that some witnesses interviewed appeared frightened and were reluctant to talk, but comments were made to suggest that:
  - o Some members of the Governing Body may use undue influence;
  - o Matters were decided by the Governing Body before meetings;
  - o There was an atmosphere of distrust and constant criticism of the school by [REDACTED] [REDACTED] Governors; and
  - o There were friends and relatives of staff with connections to [REDACTED] [REDACTED] Governors.

It is not clear whether this paper was provided [REDACTED] [REDACTED] to BCC.
- Lack of support by governors for the school's leaders was first formally highlighted in an Ofsted report dated 9 May 2013. A number of witnesses described how a protest was then organised in September 2013 against [REDACTED] [REDACTED]. This followed an incident when [REDACTED] [REDACTED] was expelled [REDACTED] [REDACTED] and this expulsion was overturned by the Governors. The protest was organised via a message on Facebook. [REDACTED] [REDACTED] said the message inviting the protest *"must be one of the Governors because no one knows that kind of level of detail because it's not a public thing"*. [REDACTED] [REDACTED] commented that the theory that this *"campaign of abuse"* was incited by a Governor *"was a possible interpretation of events but [they] did not see any proof."*
- Witnesses also explained that the police informed them that [REDACTED] [REDACTED] had been visiting mosques on the morning of the protest inviting people to attend the protest. We were also told that [REDACTED] [REDACTED] the Governors told [REDACTED] [REDACTED] that all police involvement at the protest had to be approved [REDACTED] [REDACTED].
- [REDACTED] [REDACTED] commented that [REDACTED] [REDACTED] at Al-Hijrah had previously [REDACTED] [REDACTED] at Saltley School and that the witness believed he had been engaged as a

consultant as “he was helping the Governing Body at Saltley School to get rid [REDACTED]  
[REDACTED]

- [REDACTED] described a request made [REDACTED] wanted a list of Senior Management Team and their wages, as we may be paying them too much”. A number of witnesses also described how the Governors commissioned the services of a private investigator to review the emails of the Senior Leadership Team. It was perceived as being a way to try and find a reason for getting rid of key members of staff. We have had sight of an invoice relating to ‘Operation Saltley’ payable to ‘Expert Investigations Limited’.
- [REDACTED] Governors then signed a Partnership Level Agreement for the school which included the following duties for [REDACTED]
  - o “Review leadership to see if it is fit to make the school ‘outstanding’; reflects the diversity of the school community & is providing best values”;
  - o “Fully involve the GB in all strategic and School matters” and
  - o “To establish Governor involvement in observation walks, site tours, lesson observations etc”.

One witness noted that this evidenced “adversarial climate” at the school.

- There was a Section 8 Ofsted report at the school in November 2013 which was critical of the Governing Body, saying that governors had failed to act upon BCC advice about their roles and responsibilities, and that governors were spending a disproportionate amount of time on routine aspects of school life. The report also noted that relationships between the Governing Body and the Head Teacher were poor and were hindering the development of the school. One witness explained that following the report, a letter was sent to BCC by the Governors placing the blame on the Head Teacher.
- On 25 November 2013, BCC then wrote a letter to [REDACTED] Governors noting its “concerns about the governance of Saltley School”. The letter noted that the Section 8 Ofsted inspection required urgent action and commented that “little if any progress had been made”. The letter also noted that BCC was “concerned about the Governing Body’s understanding of its role” and advised that the Governing Body should “reflect on its leadership and composition to ensure its members have the necessary skills, knowledge and understanding to lead the school out of its current fragile situation.” The letter concluded by recommending that the National Governors Association carry out an external review of governance. It is notable that this letter was sent two days before BCC received the Trojan Horse Letter.
- The National Governors’ Association did then carry out an external review of governance in the period January to March 2014. The associated report dated 9 April 2014 recommended an overhaul of the Governing Body. Under the heading ‘Key actions to be undertaken’, the report stated “overhaul GB organisation to ensure strategic focus”. This action included: a review of constitution and structure of the Governing Body; a recommendation for skills assessment, training and appraisal systems for governors; development of chairing and clerking; and improvement of ethos, protocols and behaviour in relation to preparation for and conduct during meetings.
- Following this, an Ofsted inspection was carried out in April 2014 and put the school into special measures. The inspection report stated that:

- Governors interfered with the day-to-day running of the school and refused to accept that the school is in crisis;
  - The Chair of Governors and Vice Chair of Governors were unaware that staff are divided, morale is low and increasing number of staff have decided to leave; and
  - That the Senior Leadership Team has no confidence in the Governing Body.
- The report also stated that the findings of the National Governors' Association's external review had not been shared with BCC or the whole of the Governing Body.
  - Notwithstanding the series of events above, the Governors remained in position until their collective resignation in June 2014.
  - ██████████ expressed a view that the issues between ██████████ and ██████████ were not caused by "a conspiracy to bully or remove ██████████" but rather by "an ██████████ who had naive views on how a Governing Body should behave." The witness noted that whilst at the time there was no reason to doubt that the Governors thought that they were acting in the school's best interests, this may now be brought into question.

- **General**

- ██████████ told us: *"Looking back, I believe that Governors have confused their role in relation to performance management/pay assessment with control of operational matters, and that ██████████ to deal sufficiently with, or stand up to, Governors who sought to take control of operational matters. My view is that ██████████ need to try and find common ground with Governors and help them understand their role more appropriately, but not let governing bodies dominate ██████████ This has not always happened."*
- We were also told that the Schools and Governor Support Service, which was seen as an invaluable service providing support to Head Teachers and Governors, has now been reduced. Previously it was seen as an unbiased body which almost sat alongside BCC, but it has now been integrated so is not seen as having that independent element.
- ██████████ described the environment within which Birmingham schools were operating in around 2008. *"I think that the role played by the Department for Education and the National Challenge at the time of many of the events described below is important to understanding the pressures and tensions faced by underperforming schools. In my view, there was a significant amount of downward pressure from these bodies; parents started to become aware of under performing schools through the National Challenge programme, and Governing Bodies thought that they were not doing a good job if they were not taking the schools to task on performance issues."*
- ██████████ however, commented that *"In my view there is a certain degree of inevitability about tensions between senior leaders and Governing Bodies where there is an underperforming school ██████████ I believe that such tensions have sometimes resulted in angry and frustrated Governors who have made their views known in ways that are sometimes interpreted as inappropriate, rude and aggressive. However, I do not believe that this anger is based on race or faith, or that "the Muslims" are attempting to "take over the schools".*

- [REDACTED] commented that *"My view is that there is a history of inappropriate behaviour by Governors linked to anger at underperformance, perceived community disenfranchisement and cultural misunderstanding and suspicion (in itself skill deficiency) on both the parts of Governors and some Head Teachers. I do not think this was/is wilful manipulation I think people were just reacting to what they saw."*
- [REDACTED] said that *"BCC has not had the capacity or authority to address and prevent governance issues with schools as and when they arise. This, combined with an environment in which the accountability and expectations of Head Teachers and schools is ever increasing, has created a context where a few Governors have been able to manipulate and bully senior leaders"*.
- [REDACTED] commented that weaknesses in the education system opens the door for an opportunist to *"grab hold of a school"*, and that the potential for abuse of power has increased as a result of the new Ofsted framework, the diminution of BCC and increasing independence of schools.
- [REDACTED] observed that on a number of governing bodies there are groups of Muslim males who know each other, are loathe to challenge each other and are reluctant to vote for an idea which they suspect would not be agreed by a majority. [REDACTED] noted that whilst such behaviour can be wrong, some of these individuals do not appreciate that they should not behave in such a way.

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## E Lack of Challenge, Support and Oversight of Governance in Schools

### Findings

92. There are a number of stakeholders who are responsible for the monitoring and oversight of schools and the education provided to young people. This includes BCC, the DfE, Ofsted and others. The investigation has shown that the fulfilment of these responsibilities by stakeholders has been found to have been lacking in some respects.

93. Due to the breadth of this finding, we have considered the issues raised by the investigation under the three separate headings – (i) challenge, (ii) support, and (iii) oversight.

#### (i) Lack of Challenge

94. The investigation has shown numerous instances where issues about the conduct of some governing bodies have gone without investigation or challenge by BCC and others. The evidence shows that when issues have been identified or complaints made, there has often been a lack of response by those informed. It is also clear that prior to receipt of the Trojan Horse Letter, BCC and others were aware of head teachers' concerns in relation to *"groups of influential governors ... putting unreasonable pressure on Head Teachers"* and *"organised community action focussed on a group of Muslim Governors"*. Notwithstanding this, there were delays in BCC taking action in relation to the allegations contained in the Trojan Horse Letter.

95. The evidence shows that there has been an acceptance by some officers at BCC of governors intervening in operational matters and the management of schools, irrespective of the impact this has on school leadership. However, there is also evidence that some of the challenge from governors was judged by some BCC officers to be legitimate on their perception of underperformance in the schools. There also appears to be an acceptance of disruptive behaviour by governing bodies, which head teachers are expected to manage with little, or no support. This appears to be coupled with a reluctance of some officers from BCC to challenge governing bodies for fear of appearing racist or Islamophobic. Evidence in relation to Saltley also suggests that BCC officers were not clear or confident in their ability to intervene when the Governing Body was acting disruptively.

96. Golden Hillock School presents a situation where there were a series of failures by BCC to intervene, despite repeatedly being made aware of the issues. BCC was clearly aware that there were problems with the Governing Body, but these concerns were often disregarded, not responded to or the response was that there was nothing BCC could do. Whilst it is clear that the Governing Body were difficult to deal with, BCC seemingly allowed the situation to continue rather than to take proactive steps. Ofsted was also made aware of the dysfunctional relationship between the Governing Body and the Head Teacher during its inspection in January 2013, but did not record there being an issue with governance.

97. Moseley School provides another example where BCC was made aware of the issues with the Governing Body. It appears that when action was eventually taken, the approach was [REDACTED] under a compromise agreement, rather than tackle the issue of the Governors. Saltley School provides a further example of

governance issues which were raised numerous times with BCC, but went unchallenged, even after BCC received the Trojan Horse Letter.

98. BCC witnesses claim that due to significant resource reductions they have not been able to monitor all schools effectively. They have focussed their attention on those schools that have been judged by Ofsted to require improvement or those in a category of concern. This means that many maintained schools in Birmingham are not routinely monitored and the quality of their governance is not assessed. The evidence has shown that there is a trend of BCC seeking to resolve problems by arranging for head teachers to leave under compromise agreements, rather than tackling the issues with the Governing Body.
99. In some schools and academies, Ofsted have failed to identify dysfunctional governance and instances of the manipulation of a balanced curriculum when conducting routine Ofsted inspections.

### Summary of Evidence

- **Adderley Primary School**

- ██████████ stated that BCC's response to problems with the Governing Body at the school was to introduce ██████████ Governors for a period of 12 months. Despite the reservations of ██████████ ██████████ were appointed by BCC. ██████████ subsequently, ██████████ Governors made it impossible ██████████ to carry out ██████████ responsibilities ██████████ due to their interference.

- **Al-Hijrah**

- The recent Section 8 Ofsted report was highly critical of Al-Hijrah's governance. It also concluded that the Governors and BCC are unable to work together, and the report made a judgement that "*BCC's statement of action is not fit for purpose*". However, the report also recognised that "*recent attempts by a local authority officer to visit the school have been thwarted by senior leaders. BCC has not been able to support or challenge the school*". We were informed by one witness that Governors did not prevent BCC entering the School.
- An IEB replaced the School's Governing Body in May 2014. In the preceding year BCC had issued a formal warning notice in relation to a request for an IEB but this was later overturned by Ofsted and subsequently withdrawn by BCC. We are informed by one witness that the request was potentially illegal and that Ofsted chastised BCC for making the application. Ofsted told us that a letter explaining the reasons for overturning BCC's request for an IEB was sent to BCC on 13 June 2013 - it has not been possible to locate a copy of this letter.

- **Anderton Park School**

- Evidence demonstrated that there was an issue at Anderton with ██████████ who was proving to be particularly disruptive. As a result, we were told that steps were taken to suspend ██████████ and assistance was provided by BCC to ensure the correct procedures were followed. Unfortunately, despite seeking BCC guidance for this process, shortly after the suspension, it was over-turned due to a failure to adhere to the appropriate timescales for serving notice.
- We were told that following the re-instatement of ██████████ to address the concerns of the Governing Body, BCC agreed to address issues of professional behaviour with the formally suspended ██████████. However, only one meeting took place, and it did not

appear that any monitoring was undertaken or progress reports provided to the Governing Body. Further, no training has been offered to the other governors on how to deal with the formally suspended [REDACTED]

- **Golden Hillock**

- We were informed that a BCC representative attended the school in the summer of 2012 and that during this meeting the representative said that BCC could not take any action, and suggested that [REDACTED] "grow a pair".
- BCC was made aware of the public protest held in September 2012 by the Governors as they wanted the Head Teacher to sack the Head of English due to poor results. BCC's response was that it could not do anything and it was not prepared to put an IEB in place.
- We were told that in November 2012, [REDACTED] visited Governor Support at BCC explaining the attempts made by some governors to de-stabilise the school and undermine [REDACTED] and asking for the Board of Governors to be disbanded and replaced with an IEB. Despite BCC seeming to agree, no further response was received from BCC.
- [REDACTED] [REDACTED] reported contacting Governor Support in late 2012/early 2013. [REDACTED] they were in touch with Governor Support a few times to ask for advice, and there was an occasion where BCC representatives turned up to observe a governing body meeting and were refused entry by the Governors. [REDACTED] that [REDACTED] [REDACTED] collated evidence in relation to the Governors' behaviour and sent it to BCC in late 2012 but no response was received.
- We were also told that during the Ofsted inspection in January 2013, it was explained to the Inspector that a small group of the school's Governors were actively trying to cause the school to be placed in special measures so that they could remove [REDACTED]. The Inspector recognised that the Board of Governors was dysfunctional, but thought there was capacity to improve without external intervention. Ofsted's report did not record there being an issue with governance or a difficult relationship with [REDACTED] [REDACTED]. The report concluded that "Governors carry out their statutory duties well..." and "Governors rigorously challenge school leaders and expect them to improve the quality of teaching and to raise student achievement".
- In February 2013, [REDACTED] wrote to a senior member of BCC's school service expressing "serious concerns regarding the actions of the School's Board of Governors". No reply was received. Around this time, another witness told two individuals at BCC that [REDACTED] looked stressed and ill. Again, no response was received. [REDACTED] [REDACTED] the [REDACTED] resigned.
- [REDACTED] commented that there "seems to be an ingrained model of behaviour [at BCC], which is about bowing to people and being politically correct." [REDACTED] commented that BCC seemed to "work on the principal that if they don't answer a letter, they don't have to deal with the problem ... really burying your head in the sand stuff."

- **Lozells Primary School**

- [REDACTED] commented that the School requested an investigation by BCC into the petition run by [REDACTED] against [REDACTED] and that BCC's School and Governor Support team were very helpful in relation to the matter.

- **Marlborough Junior School**

- BCC received an email dated 23 April 2014 from an anonymous [REDACTED] which raised concerns about the behaviour of [REDACTED] at the School. On 9 May 2014 BCC made this investigation aware of the email and on 12 May 2014, we responded setting out steps for BCC to complete and report back on within three weeks.
- BCC took no investigative action until prompted to do so by emails that we sent on 25 June 2014 and 27 June 2014. On 2 July 2014 we received an email stating that an independent investigation had been commissioned and that an urgent visit by a School Improvement Officer would be requested. On 8 July 2014 this investigation received a further anonymous letter dated 30 May 2014 which raised concerns in relation to Marlborough School.
- We are concerned that had we not pursued the matter following our initial contact with BCC, no action would have been taken. We have also expressed to BCC that its failure to act has potentially limited the scope of this investigation in relation to potential issues at Marlborough Junior School. This course of events demonstrates a clear failure of BCC to investigate potentially serious concerns in a timely manner.

- **Moseley**

- Witness evidence described how complaints were made by [REDACTED] and [REDACTED] to BCC – namely that the Governing Body were dissatisfied with [REDACTED] performance and [REDACTED] complained about the hard time that [REDACTED] getting from [REDACTED] Governors. It appears that no support was offered to either [REDACTED] or the Governing Body in order to mediate or help salvage this relationship. The school's School Improvement Partner was also informed about the problems between [REDACTED] and the Governors.
- We were told that when concerns were again raised with BCC in September 2008, the response was that [REDACTED] could resign; *"there was no proposal whatsoever that the situation would be addressed"*. We were also told that a representative from ASCL (the Association of School and College Leaders) who dealt with the case reported the situation at Moseley to Ed Balls, who was then Secretary of State for Children, Schools and Families.
- Shortly after this an investigation was undertaken by BCC, with an appointed observer sitting in on a governing body meeting. The outcome of the investigation concluded that *"the Board was unable to meet its statutory responsibilities and strategic role"* and recommended that the Governing Body be removed and replaced with an IEB. However, no action was taken by BCC in respect of this Governing Body at the time.
- Under [REDACTED] we were told that complaints were again made to senior members of BCC about the *"alarming conduct of the Governors"*, including a letter written in March 2009 and further issues raised in September 2009, including a request for direct intervention. We were told that BCC's response was to invite [REDACTED] to a meeting with [REDACTED]
- We were also told that in December 2010, [REDACTED] delivered a presentation to representatives from the DfE in relation to *"five anonymised case studies of incidents of concern"* [REDACTED] We were informed that *"the outcome of the meeting was an invitation [REDACTED] speak with [REDACTED] directly, however nothing ever happened to further this arrangement."*

- [REDACTED] following receipt of letters of complaint from [REDACTED] [REDACTED] staff members, [REDACTED] students and [REDACTED] parents, the Director of Children's Services commissioned a report into the appointment of [REDACTED]. The report found that the appointment process was flawed and this raised doubts about the robustness and fairness of the process. The report also noted that there had been a breach of the Staffing Regulations and that legal advice would need to be taken to clarify the contractual situation.
- **Nansen**
  - [REDACTED] commented that whilst the removal of [REDACTED] [REDACTED] "seemed odd", Nansen was already an academy and therefore BCC had no visibility. [REDACTED] commented that there is no mechanism for BCC to find out what is going on in state-run academies as there is no information sharing with the DfE.
- **Park View**
  - [REDACTED] informed us that as early as 1998/1999, BCC failed to deal with problematic [REDACTED] at Park View because it was "frightened of upsetting local communities," and that due to this failure it is now "dealing with 21 schools."
- **Saltley**
  - [REDACTED] [REDACTED] told us that in early 2013, they informed [REDACTED] at BCC about the issues that [REDACTED] at Saltley was experiencing with [REDACTED] [REDACTED] and the pressure [REDACTED] was under. After expressing their concerns on a number of occasions they were told to "butt out" and that the [REDACTED] "did not know how to handle this [REDACTED]".
  - We were also told that a complaint was made to BCC in February 2013 about [REDACTED] [REDACTED] inability to meet the needs of the school and a request was made for BCC to put in place an IEB. BCC's response was that they would discuss the request. The impression given was that BCC were aware of the issues being raised. Further issues were raised with BCC in March 2013, asking for [REDACTED] to be dissolved, but we are told that BCC said it did not have enough evidence.
  - [REDACTED] informed us that [REDACTED] called a meeting with BCC in February 2013 to discuss concerns around the behaviour of [REDACTED] and subsequently [REDACTED] sent a letter to BCC explaining the concerns in detail. We were also told that in March/April 2013 BCC told [REDACTED] that it was asking legitimate questions and [REDACTED] was not responding effectively enough, and that BCC intended to "pull together a package" for [REDACTED].
  - We are told that BCC was informed that [REDACTED] had met with the Ofsted Inspector during an inspection in May 2013 and made negative comments about the school and [REDACTED] this being further evidence that [REDACTED] needed to be dissolved. One witness stated that [REDACTED] was subsequently "severely reprimanded" by BCC for speaking to the Ofsted Inspector as it may have jeopardised the school. Further evidence about the failure of [REDACTED] to recognise that governance issues had to be addressed by them were sent to BCC, Ofsted and the HMI at the end of May 2013. Ofsted informed us that whilst complaints about schools are confidential to Ofsted, it kept BCC informed of the progress of any monitoring process, and that BCC similarly kept it informed of the school's progress.

- BCC was also kept informed when the Governors over-turned an exclusion [REDACTED] from the school and a protest was arranged accusing [REDACTED] of being a racist and Islamophobic.
- [REDACTED] contacted a senior member of staff at BCC on around 12 July 2013 because they were so concerned about [REDACTED] and the situation [REDACTED] was in. We are informed that BCC assured [REDACTED] that the situation would be monitored.
- Action Notes of a Cabinet Member Briefing Meeting, [REDACTED] noted "*formal whistleblowing on Saltley received.*" [REDACTED] BCC wrote to Councillors expressing concerns about Governing Bodies of Schools with large numbers of pupils from an Islamic background putting unreasonable pressure on head teachers (see below for further details).
- We were told that BCC took no action in response to the concerns raised. We were told that in October 2013 when [REDACTED] requested that BCC investigate [REDACTED] BCC said they would support [REDACTED] in leaving the school. [REDACTED] said "*I'm pretty convinced that they [BCC] were actually afraid to confront the community.*" [REDACTED] through Schools Improvement, in the mediation between [REDACTED] commented that [REDACTED] persuaded [REDACTED] that "*it was in [REDACTED] interests to move on.*" [REDACTED] commented that an alternative to [REDACTED] leaving the school was to remove [REDACTED] but that it was felt this "*would have created uproar in the communities.*" [REDACTED] expressed discomfort in relation to [REDACTED] departure and stated that this concern was raised with BCC. [REDACTED] stated they believed it was considered easier to move [REDACTED] on than "*deal with [REDACTED]*" because "*there were some with problems of perception of Islamophobia.*" [REDACTED] stated that there was not enough evidence to support the introduction of an IEB.
- [REDACTED] expressed a view that [REDACTED] should have been removed from the school in 2013 because it appeared that there was no scope for the relationship to improve, and it would be easier to remove [REDACTED] from the school rather than [REDACTED]
- We have seen evidence that BCC felt unable to intervene because it considered that Ofsted would overturn a warning notice on the basis that the issues in relation to the Governing Body did not relate to standards. It is not clear why BCC considered that Ofsted would take this approach. Part 4 of the Education and Inspections Act 2006 sets out circumstances in which a local authority is entitled to issue a warning notice, including "*where has been a serious breakdown in the way the school is managed or governed which is prejudicing, or likely to prejudice, such standards of performance.*"
- Action Notes of a Cabinet Member Briefing Meeting, [REDACTED] [REDACTED] [REDACTED] commented that Ofsted provided a draft letter following a whistleblowing inspection, that [REDACTED] instructed [REDACTED] not to reply, [REDACTED] [REDACTED] and that there was no power to remove [REDACTED]
- One witness noted that in November 2013, prior to the Ofsted review, [REDACTED] [REDACTED] raised concerns with BCC through a series of emails, and stated that these concerns were not investigated. This witness also commented that BCC was "*unable to effectively support [REDACTED]*"

- As explained above, there was then a Section 8 Ofsted report conducted at the school in November 2013 which was critical of the Governing Body, saying that Governors had failed to act upon BCC advice about their roles and responsibilities, and that Governors were spending a disproportionate amount of time on routine aspects of school life. On 25 November 2013, BCC wrote a letter to [REDACTED] noting its “concerns about the governance of Saltley School” and saying that the inspection required urgent action. The letter recommended that the National Governors’ Association carry out an external review of Governance.
  - We were also told that due to the serious governance concerns and Ofsted Section 8 findings, union representatives raised these concerns with BCC in January 2014 and requested a meeting. Such a meeting was held in March 2014 when governance issues at Saltley were discussed.
  - The National Governors’ Association’ review reported in April 2014 and recommended a overhaul of the Governing Body. Shortly following this, a further Ofsted inspection was carried out in April 2014 which put the school into special measures. The inspection report was also critical of the Governors, saying that they interfered with the day-to-day running of the school, and refused to accept that the school is in crisis.
  - Notwithstanding the series of events above, the Governors remained in position until their collective resignation in June 2014.
  - In relation to the recent installation of an IEB, [REDACTED] stated that the “all white” IEB was an example of “an agenda to re-whiten the education system.”
- Trojan Horse Letter
    - BCC has provided this investigation with a timeline<sup>7</sup> of key meetings and events relating to the Trojan Horse Letter. The dates up until the appointment of Northern Education are as follows:

Date	Event
14/10/12	<ul style="list-style-type: none"> <li>● Head teachers’ Forum meeting at which concerns were raised about the behaviour of governors in schools with a large population of Muslim students.</li> <li>● Off-record conversation [REDACTED] [REDACTED] [REDACTED] [REDACTED]</li> </ul>
15/05/13	<ul style="list-style-type: none"> <li>● Meeting between [REDACTED] [REDACTED] to consider concerns raised about pressure being placed upon certain head teachers by governors serving students with large Muslim population of students.</li> </ul>
27/11/13	<ul style="list-style-type: none"> <li>● Receipt of original Trojan Horse Letter in Leader’s office.</li> </ul>
06/12/13	<ul style="list-style-type: none"> <li>● Trojan Horse Letter first referred to Chief Executive.</li> </ul>
09/12/13	<ul style="list-style-type: none"> <li>● [REDACTED]</li> </ul>

<sup>7</sup> The timeline is based on documentary evidence provided by a BCC witness.



Park, Oldknow Academy and Marlborough Junior School. In relation to Saltley School, ██████ said that they had regularly spoken to governors regarding their role and the parameters between day-to-day duties and strategic management but that it appears *"not a blind bit of notice has been taken"*. ██████ said that there had *"been a series of head teachers who have been given a very difficult time by their board of governors. I do not remember the local authority intervening to ask those responsible to desist from such behaviour"*.

- ██████ noted that ██████ some ██████ expressed concerns that ██████ governors were acting strategically across a number of schools and that a BCC report was prepared for the Councillors for Social Cohesion and Children and Family Services. A meeting with the Councillors followed and BCC worked to attempt to resolve the problems identified.
- Notes of the meeting between Councillors and BCC which took place on 15 May 2013 were headed 'Community Cohesion' and noted in relation to:
  - Saltley – *"Governors unsupportive of ██████ whom they appointed ██████ and ██████ "is extremely compliant in School Improvement but inexperienced in engaging governors."*
  - Golden Hillock – *"█████ ██████ believe that there is ██████ Governors acting strategically across a number of Schools. There is a Muslim Governors organisation."*
  - Al-Furqan – *"Trust still very active in the background and how they will impact on the choice of sponsor and future academisation is being risk assessed."*
  - Al-Hijrah – *"Long history of LA concern in relation to governance, leadership & management and standards, borne out by recent Ofsted."*
  - Park View – *"█████ is exceptional in ██████ capacity to develop effective working relationship in a constantly evolving Islamic context."*
- In an email dated 19 July 2013 to Councillors, BCC stated:
  - That there were *"growing concerns amongst Head Teachers that some governing bodies of schools with large numbers of pupils from an Islamic background, or at least groups of influential governors within governing bodies, were putting unreasonable pressure on Head Teachers to raise standards and/or address other issues of concern"*; and
  - *"There was and is a view that some Head Teachers had been hounded out and this was as a result of organised community action focussed on a group of Muslim Governors. Officer perception was that at least some of the governor challenge was legitimate and grew out of high aspirations but that sometimes the method of challenge might be inappropriate"*.
- ██████ noted that *"if Governors are stepping over the mark and [BCC is] aware of the issues, School and Governor Support will help"* but that BCC is focussed on schools it has identified as vulnerable because it does not have the capacity to take a systematic approach. We were informed that last year 125 of the 430 schools in BCC's area were identified as needing support, and that the team responsible for delivering support comprised eight people (reduced from 120 people in 2010). ██████ said that since September 2013, BCC has introduced eight IEBs.

- We were informed [REDACTED] that the approach to supporting schools is fragmented in respect of what support is provided and to whom. [REDACTED] also noted that due to the number of enquiries received *"priority is given to taking action and resolving issues, not documenting and recording them."*
- [REDACTED] said that the decision of whether a head teacher should be moved on or whether the governing body should be challenged *"can be affected by the cultural concern of not wanting to appear racist or Islamophobic"*.
- Documentation provided by BCC does suggest that [REDACTED] there is an unexpectedly large number of [REDACTED] who have left under compromise agreements due to *"mutual agreement"* or *"breakdowns in relationships"*. It is also of note that the majority of these individuals were white. [REDACTED] stated that nobody at BCC spotted this trend or did anything about it. We were also informed that the 'Schools HR' division of BCC produced its own compromise agreements and it was not clear if the legal department had any involvement.
- [REDACTED] there has been a reluctance by BCC to tackle governors head on and that instead BCC has prioritised the *"pleasing and appeasing"* of certain groups of governors and parents.
- [REDACTED] commented that *"Local Authorities have been neutered in their relationship with schools; even with their own maintained schools,"* due to the conflict between exercising powers to install IEBs and being dependent on Schools to buy in local authority services (due to devolution of funding) and the threat that schools will convert to academies if the local authority does not meet their demands.

## (ii) Lack of Support

- 100.** The evidence collated suggests that governors, head teachers and members of staff perceive BCC to have failed to provide a consistent level of support and guidance in relation to governance issues.
- 101.** The evidence demonstrates that there has been a perception of a lack of support from BCC in assisting senior management and governors in some schools. It is of concern that we have received witness evidence stating they were not aware of the Prevent programme and that no guidance has been offered. The School Improvement Partner and National Challenge Adviser model, provided intelligence about the standards and performance of individual schools across the country, until 2010. Its withdrawal has removed an important source of up to date, relevant information, to local authorities and the DfE on the quality of education in individual schools.
- 102.** We have also seen evidence to suggest that the support provided to schools in relation to the process of converting to an academy is inadequate. The process of due diligence carried out by BCC and DfE has failed to identify potential risks associated with conversion to academy status, in some instances.

## Summary of Evidence

- **Adderley**
  - A Section 8 Ofsted report dated 4 April 2014 identified that school leaders and governors had not been made aware of the Prevent programme.
- **Al-Furqan**

- [REDACTED] described an alleged campaign of harassment by one Muslim [REDACTED] to remove a particular member of staff (who was not Muslim) from the school. The police became involved. We were told that *"not once did the LA [REDACTED] a name or number of someone to talk about [REDACTED]"*. [REDACTED] went on to say that *"Overall, the level of support given by the LA has been outrageous... In my view additional support is needed for non-Muslims working in schools such as Al-Furqan"*.
- [REDACTED] stated that the [REDACTED] from BCC was initially very supportive, but had a caseload of 200 schools. [REDACTED] commented that BCC *"does not seem fit for purpose."*
- **Anderton Park School**
  - [REDACTED] told us that *"Overall, the support from [Local Authority Officer] and BCC has not been sufficient. We have been on our own. No protocols and no guidance has been provided by the council"*.
- **Golden Hillock**
  - [REDACTED] commented that Governors never received any government or BCC support because they were *"already branded as trouble makers."* We were informed that calls to the National Governors' Support helpline and the Local Governors' Support Helpline were not responded to. [REDACTED] felt that BCC *"was taking care of its own"* and was *"not interested in a school in Sparkbrook full of Asian children."*
  - [REDACTED] commented that BCC *"was not particularly helpful and seemed to step away from intervention and prevention."* In relation to the decision to convert to an academy, we were informed that BCC gave the impression that it wanted to remove responsibility for the School *"as this was easier than addressing the issues at the School."*
- **Highfield Junior and Infant School**
  - In a School Improvement Partner Report Briefing [REDACTED] it was noted that [REDACTED] felt that BCC was not communicating well enough about the changes within BASS and what those changes would mean for Schools.
- **Park View Educational Trust**
  - Witnesses commented that the DfE encouraged the academy to become a Multi-Academy Trust. The witness expressed concerns that the growth of PVET was *"far too fast"* and an opinion that whilst PVET staff included experienced Governors, they did not have *"any idea about how to run a Multi-Academy Trust."* The witness commented that *"the Government is to blame partly for allowing schools to be put in a position where they can't cope."*
  - In relation to the DfE's approval of PVET's sponsorship of Golden Hillock and Nansen, we have had sight of documentation noting the approval of 'Fast Track' sponsorship and academy Orders. The documents appear to rely on Ofsted ratings of Park View as evidence of PVET's ability to act as sponsor, without any substantive due diligence. This is particularly concerning in relation to Golden Hillock, where there is evidence that the DfE were aware *"of complex relationships between PV and other schools, which may ultimately be a risk rather than a benefit when personal agendas are factored in,"* and where there appears to have been no consideration of the success or otherwise of the sponsorship of Nansen where we were informed that there was no external monitoring of the transition which one witness told us *"demolished"* the school.

— [REDACTED]

— [REDACTED] commented that there was “*huge pressure*” from the DfE for failing schools to be turned into academies and that BCC resource was directed to the academy agenda resulting in staff being distracted from their other work in school improvement. [REDACTED] expressed an opinion that “*schools were encouraged to become academies to free them from BCC’s control.*” [REDACTED] referred to this as “*forced academisation*” of schools in ‘Special Measures’ and noted that it “*undoubtedly*” affected engagement between schools and BCC.

• **General**

— We were told [REDACTED] [REDACTED] that “*No guidance or protocols in relation to dealing with racism or similar has ever been provided by the local authority. In 2013 I’d become aware of the Police strategy called ‘Prevent’ and had begun attending meetings. [REDACTED] [REDACTED] attended a conference on Counter Terrorism in London. Birmingham’s local authority has a Prevent strategy worker however this is not up front with primary schools, and Prevent were not made known [REDACTED] by the local authority. There has been no central co-ordination or support from the local authority. There is very little support, nothing from [REDACTED] and nothing from governor support. Head teachers are on their own with no strategy or procedures and with no support*”.

— [REDACTED] commented that the removal of the School Improvement Partner System in Birmingham was catastrophic as the Secretary of State / regional commissioners will not fill the gaps that have been left by this partnering system – “*Diversity in the system and over-centralisation/decommissioning of Local Authority bodies (such as the School Improvement Division and the School & Governor Support Service) has diminished local accountability structures and broken down the Birmingham family of schools. In my view, unscrupulous people may have moved into, and exploited, the vacuum left by these diminished checks and balances. Looking back we have not equipped Head Teachers to deal sufficiently with badly behaved Governors, and it is not clear that the Local Authority now has capacity to do so.*”

— [REDACTED] commented that in order to avoid difficulties with governing bodies, new head teachers require support, such as a systematic programme of induction and follow ups, alongside training on governor recruitment and training for governors on their role.

(iii) **Lack of Oversight**

103. The evidence suggests that there has been a lack of oversight by BCC and others in monitoring governance in schools, against quality assurance criteria. This has led to an inability, on the part of BCC, to systematically analyse and identify risks to good governance in schools. This has been exploited by some people and resulted in inappropriate practice in some schools.

104. Schools decide whether or not to purchase services from BCC via service level agreements. Where schools do, there is intelligence which is made available to BCC. However, it is not screened or analysed and therefore BCC is unable to look at trends to

identify schools that may be at risk of poor governance or leadership. Where schools do not purchase services BCC has no way of capturing the intelligence about a range of practices, which would include finance, HR, complaints, audits and governor support. There is no triangulation of this data and intelligence, and the different BCC services seemingly work in silos. Opportunities to pick up governance issues at these schools have therefore been missed. If any action is taken it is reactive rather than proactive.

- 105.** School and Governor support services are purchased by the vast majority of schools and therefore a governing body is the customer. School and Governor support however, is also BCC's supervisory body for ensuring compliance. This presents, at times, a conflict of interest, particularly where a governing body is looking to achieve outcomes that may be inappropriate.
- 106.** The analysis of this data and intelligence should be used as an early warning sign, to enable BCC to provide support to schools which are likely to need intervention or where governance is poor. The power to intervene arises when standards or performance of pupils are unacceptably low; where a breakdown in management or governance in a school means that standards of performance are likely to be prejudiced; or where safety of pupils or staff is threatened. The threshold for intervention is therefore high and will link closely with views and reports from Ofsted. However, formal intervention is a last resort and it is therefore vital that BCC, Ofsted, DfE and academy trusts make effective use of the general duties upon them and their implicit powers to take early action where intervention may be necessary. Communication between these organisations is a critical part of any early intervention strategy and has not occurred in any consistent manner.
- 107.** The decision made by BCC to reduce resources in the central education team has resulted in a reduction in its ability to effectively monitor all schools. This has led to a focus on schools which are judged by Ofsted to be less than good or at risk according to performance data. BCC has adopted a 'hands-off' approach in respect of academies, despite some of its statutory duties, for example, promoting educational excellence.

### Summary of Evidence

- **Adderley**

- We have seen evidence of BCC oversight through Primary Evaluative Reviews commissioned by the School Improvement Partner Team for the period of 2009 to 2011.
- A Section 8 Ofsted report dated 4 April 2014 concluded that *"The school is not monitored by BCC as it was judged to be good...by Ofsted at the time of its last inspection. BCC has not provided proper oversight of the school... Since November 2013, there has been a significant breakdown in the relationship between the school and BCC"*.

- **Golden Hillock**

- ██████████ said: *"...from March to October [2013] we were still a local authority school but we were being operated as an academy under the Park View's rules... they [BCC] didn't get involved or anything. They weren't interested. It was like, 'Oh, we've done the deal. Got rid of Golden Hillock. They're somebody else's problem'"*.
- It is therefore of note that following the Ofsted inspection on 2 - 3 April 2014, Golden Hillock was placed into special measures. Of particular concern were the following findings:

- *"There are fundamental weaknesses in leadership and management, including governance, which have an adverse impact on students' well-being, their progress and on the quality of provision in the school."*
  - *"Governance is inadequate... It [the Governing Body] has played little part in shaping the overall academy development plan or in considering how the academy's finances should be used to support academy developments."*
  - *"Academy policies have been given scant consideration. The equalities policy is not fit for purpose."*
  - *"Development plans do not set out clearly how to use the academy's resources to address the most pressing areas for improvement."*
- A Section 8 Ofsted inspection was then carried out on 2 - 3 April 2014 and found that *"Governors in the predecessor school [pre Academy status] had actively resisted engagement in the Prevent programme, and the academy has only very recently begun to engage following the pressure of local inspection activity"*. It is of note that the earlier Ofsted report and the interaction by BCC prior to and during conversion to an academy did not pick up these issues.

- **General**

- **Structural changes and intelligence gathering**

- We were told that in 2010 a number of structural changes were made in BCC which saw a team of 300 staff in the School Effectiveness Division reduced to 13 staff. *"In these circumstances, I find it difficult to understand how the Local Authority can undertake any effective monitoring of or intervention in schools"*. A number of BCC witnesses noted a reduction in staffing since 2010. We are informed that the current provision is two HR consultants for each of the four geographic areas that Birmingham is split into by BCC, who will work with dedicated officers from Employee Relations, School and Governor Support, and School and Settings Improvement.
- We were informed that financial audits of schools by BCC are now very rare but that an audit would be carried out if BCC was alerted to fraud or irregularities (such as appointment or procurement irregularities). Previously a rolling audit programme existed, but due to the number of schools in Birmingham, themed audits now take place which involve visits to a sample of schools. ██████████ noted that *"if a school becomes an academy, it goes totally off the local authority's radar."*
- ██████████ noted that the schools have a *"substantial degree of autonomy and therefore financial management is by exception."*
- ██████████ told us that there are a number of sources of information and intelligence used to identify vulnerable schools, including: Ofsted reports; exam results; BCC HR Services and Financial Services (subscribed to by 80% of schools); BCC School and Governor Support services (subscribed to by 90% of schools); and information from head teachers and governors.
- We were told that prior to 2010 BCC had a *"large data team providing data for all of the schools. That team was able to drill down into the details and provide any information required. Now the [education team] are given an allocation of time from a general data team which is also shared with social care so there is limited capacity."* The same witness stated *"in theory, we are able to stitch all the data and intelligence with respect to schools"*

together and pick up patterns. However, in practice, [the team] is totally absorbed in reacting and picking up emergencies and does not have the luxury to step back." The lack of capacity to monitor all schools, and a reliance on Ofsted ratings, was noted [REDACTED]

- [REDACTED] noted that historically, information was shared between functions such as advisory, audit, finance and HR, and that risk assessments would be produced for each school. The witness stated that the position today is that *"if there are issues with a school ... this would not be dealt with ... unless it was brought to our attention."* Although we heard evidence that information is passed between teams, we received conflicting reports as to whether or not formal collaborative meetings are held.
- We were also informed that the removal of School Improvement Partners in 2010 *"resulted in a massive loss of intelligence."*
- [REDACTED] commented that the School and Governor Support service is now fully traded. [REDACTED] expressed an opinion that there is no conflict between the interests in traded services and BCC's statutory duties *"as both strive for the same end and work within the same framework."* [REDACTED] felt that the service's primary loyalty was not to head teachers or BCC, but to the children.

### Monitoring governance

- [REDACTED] stated that whilst there were indicators of governance such as Ofsted reports and complaints, there is no way to assess governance in Birmingham. We were informed that the reason for this is *"capacity and lack of it"* and a lack of *"willingness of governing bodies to engage with BCC."*
- [REDACTED] commented that difficulty in monitoring governance is exacerbated by inconsistency in Ofsted's willingness to work with BCC. [REDACTED] told us that in relation to at least one School, Ofsted had not considered concerns raised by BCC, and instead preferred to *"start from scratch"* in their assessment of the School. In relation to governance issues in Birmingham, Ofsted informed us that complaints received remain confidential to Ofsted but that it will endeavour to inform the relevant statutory authority at the earliest opportunity if a concern is identified.
- We were also informed that BCC set up the Birmingham Education Partnership in order to maintain connections between the City's schools and deliver school improvement. [REDACTED] commented that this body has evolved to become *"a group run by Head Teachers for Head Teachers,"* with no impartial objective standards or agenda, and the result had been the alienation of some schools and the governor community.
- [REDACTED] stated a belief that not all schools understand who BCC is and what their purpose is in the system – schools had noted a lack of communication about BCC's processes and approach to schools. Another witness stated that some individuals had quickly identified that BCC had limited control over schools and many have viewed this as a route to convert *"a state school with an almost exclusively Muslim population into a faith school, which was preferable to raising money to fund the conversion."*
- [REDACTED] concluded that *"I think there is deep-rooted suspicion, anger and mutual accusations between some head teachers and Governing Bodies, largely as a result of inadequate training, systematic weakness, and diminishing local accountability structures. Over-centralisation means that many checks and balances which were once there are no longer in existence."*

- [REDACTED] commented that the current government is focused on increasing the number of academies which has created an environment in which governing bodies seem to think they are free to do as they wish and that statutory provisions (such as equality and employment provisions) do not apply to them. [REDACTED] also noted that there is no requirement for Ofsted to consider governance of a school, and that the Government has removed the focus on community cohesion and the need to look into financial standards. We were informed that this has created an environment in which a governing body can be taken over by a small group of people who are corruptive – although this does not mean they are Islamic extremists, across the UK there are many dysfunctional governing bodies where various interest groups have taken over. [REDACTED] [REDACTED] this corruption should not turn into communities being used as a scapegoat when it is clearly a Government failure.■

### Education Services Review

- We have had sight of a BCC 'Education Services Review' ("ESR") discussion paper dated 9 April 2014 which is stated to "*address the action to review and reset the relationship with schools*" following the publication of a Peoples Directorate report titled 'Integrated Transformation – Our Strategy for Improving Service for Children and Young People in Birmingham' in December 2013. The ESR document describes a process of engagement with schools, BCC and stakeholders about the relationship and satisfaction with BCC in terms of the services it delivers to schools and its relationship with schools. Broadly, the conclusions are that governance is poor, the relationship between schools and BCC has broken down, that services are not robust or of high quality. The document suggests structural change and the adoption of a model used by other local authorities in the UK.
- However, before a new structure is adopted it is important that the underlying themes mentioned in the report are given full consideration and analysis (for example the impact of a lengthy assessment process for pupils with Special Educational Needs or how to ensure that parents concerns about standards of education are minimised), and in particular that the existing relationship between BCC, governors, schools and academies is robust before moving to a new model of delivery. It is important that any model chosen specifically meets the needs of Birmingham schools.

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■ [REDACTED]

# BACKGROUND

## Scope of the Investigation

**108.** BCC commissioned me and my team from Northern Education to undertake an independent investigation into the allegations and issues arising from the Trojan Horse Letter. References in this report to ‘we’ and ‘our’ refer to me and my team from Northern Education, who are named at Appendix 3. Specifically, I have been asked to report to the leader of BCC (Sir Albert Bore), Councillors Brigid Jones and John Cotton, the Director for People (Peter Hay) and the Chief Executive (Mark Rogers) on the following: -

- (1) *Do you believe there is any substance in the allegations made in the letter?*
- (2) *If so, do you believe that Birmingham City Council should take any specific steps to avoid or reverse the implementation of such a targeted takeover?*
- (3) *Based on the information obtained during the course of your Inquiry, are there any recommendations that you wish to make to Birmingham City Council in respect of further action or investigations which may be required, in relation to the Trojan Horse letter or otherwise, following the conclusion of your inquiry?*

**109.** The full Terms of Reference of our appointment is attached at Appendix 4 to this report.

**110.** As a result of the Terms of Reference, our investigation has focussed on those schools where the evidence collated to date suggests that there may be concerns and issues similar to those identified in the Trojan Horse Letter.

**111.** There are other investigations being undertaken in relation to the allegations contained in the Trojan Horse Letter by other bodies. In particular, Mr Peter Clarke, Education Commissioner, has been asked by the DfE to investigate the same issues on a wider geographical scale. Mr Clarke’s investigation will necessarily involve investigating both relevant academy schools and state maintained schools. In comparison, as this investigation is being conducted on behalf of BCC, our remit is largely limited to state maintained schools. There will however be some academy schools that were, until recently, state maintained and therefore they will also fall within the remit of my investigation. This encompasses the following schools:

School	Date	Sponsor (where applicable)
<b>Golden Hillock School</b>	1 October 2013	Park View Academy Trust
<b>Nansen Primary School</b>	1 October 2012	Park View Academy Trust
<b>Oldknow Academy</b>	1 April 2012	Converted
<b>Park View School</b>	1 April 2012	Converted
<b>Washwood Heath</b>	1 July 2013	Converted

112. To the extent that this has assisted the investigation, and in the interests of cost savings and efficiency, and to reduce the burden on witnesses, the Terms of Reference asked that we co-ordinate this investigation with Mr Clarke in relation to such schools. Such co-ordination and co-operation has indeed taken place.

## The Investigation Process

113. The findings, recommendations and conclusions of this report have been arrived at having regard to the evidence that has been placed before the investigation. The evidence received in a short space of time has been substantial.
114. However, due to the seriousness of the issues being investigated and the need to report urgently so that any concerns can be addressed by BCC as soon as possible, it has not been possible to speak to all potential witnesses or collect and review all potentially relevant documentary evidence. Instead, my team and I have sought to adopt a proportionate, but thorough, approach to gathering evidence and we have focussed on reviewing and considering the evidence most pertinent to the issues raised in the Trojan Horse Letter.
115. We have not sought to make individual findings of fact or to prove or disprove what witnesses have told me during my investigation. Rather we have considered the body of evidence collated - both witness evidence and documentary evidence - as a whole, and based our conclusions on that body of evidence.
116. Shortly following my appointment by BCC on 11 April 2014, my team was given access to a dedicated BCC email address ([trojanhorse@birmingham.gov.uk](mailto:trojanhorse@birmingham.gov.uk)) and a BCC free postal address (Freepost, MID22594, Birmingham, B4 7BR) by which potential witnesses could contact us and/or relevant documents could be sent. After a short period, a specific email address ([trojan@eversheds.com](mailto:trojan@eversheds.com)) and freephone number (both independent of BCC) were set up to allow witnesses to contact me to provide any relevant information.
117. The concerns identified in the Trojan Horse Letter go beyond the six schools listed in the letter itself. Therefore, the approach taken at the outset was to focus the investigation on: (i) the 21 schools that were inspected by Ofsted as a result of the Trojan Horse Letter; and (ii) any other schools where information provided to the dedicated email and postal addresses and freephone number suggested that they should be investigated.
118. In order to prioritise the collation of evidence, the investigation then adopted a 'GAR' (Green, Amber, Red) rating system in order to identify those schools which required greater focus. The ratings used indicated the intensity of the investigation of that school, rather than necessarily the level of concern about the issues identified, with red indicating that an increased level of investigation was needed.
119. Using this rating system, the investigation has focussed on those schools rated as 'Red'. In addition, even where evidence did not relate to a 'Red' school, if considered relevant to the Terms of Reference, it has been taken into account and relied upon for the purposes of the report. However, as a result of this rating system, the time restraints under which the investigation has necessarily operated and the proportionate approach that has been taken during the evidence gathering phase, there will be some material relating to schools rated as 'Green' which will not have been read or considered. This material will however be passed over to BCC at the conclusion of the investigation and a comprehensive record retained. In addition, any documents received after 12 June 2014 will not have been reviewed or considered, whether or not they related to a Red, Green or Amber school,

unless a document was specifically drawn to our attention as being highly material to the investigation. Again, this material will be passed to BCC.

120. Further details of the steps taken, and the evidence considered, in order to fulfil the Terms of Reference, are set out below.
121. In addition, as explained above, I have been liaising with the Education Commissioner, Peter Clarke, in respect of the evidence gathered during his investigation. This has included sharing relevant evidence where appropriate. However, our investigations have worked at different paces, which has in turn meant that it has not been possible to share all evidence relevant to our respective Terms of Reference. This means there may well be relevant information collated by Mr Clarke that comes to light at a later stage which my team and I will not have been able to consider for the purposes of this investigation.
122. Given the sensitive nature of the investigation, we also took into account the data protection issues that were likely to arise. I have therefore ensured that all witnesses providing information to the investigation are aware of how their information will be used and have consented to such use.
123. During the investigation, I have been assisted by my colleagues from Northern Education, who are education specialists, as well as Eversheds LLP, an independent law firm, in collating the evidence upon which my report is based. Details of the investigation team are contained at Appendix 3.

#### Document Collation

124. The volume of documentary evidence collated during the course of the investigation has been substantial. Between 28 April 2014 to 11 July 2014, 81 lever arch files of evidence was received amounting to approximately 24,300 pages; 55 lever arch files of evidence related to 'Red' and 'Amber' schools, and 26 lever arch files related to 'Green' schools. In total 57 lever arch files of documents were reviewed as part of this process, amounting to approximately 17,100 pages of evidence.
125. At the outset, a comprehensive review of all documents received into the dedicated BCC e-mail account and free postal address, between the period 28 April 2014 and 19 May 2014, was undertaken.
126. From 20 May 2014 onwards, further and substantial tranches of documents were received. In light of these volumes and taking into account the need to report urgently and the need to adopt a proportionate, but thorough, approach to gathering evidence, the review of the documentary evidence relating to schools rated as 'Red' and 'Amber' was prioritised. Documents relating to 'Green' rated schools were not reviewed from this stage onwards. In addition, any documents received after 12 June 2014, whether or not they related to a Red, Green or Amber school, were not reviewed or considered unless a document was specifically drawn to our attention as being highly material to the investigation.
127. A large volume of the evidence stems from requests made to various organisations, which include the Education Commissioner at the DfE and various departments within BCC. A considerable volume of the evidence was also submitted by both members of the public and individuals who came to meet with the investigation team.
128. The evidence considered during the document review process comprised of the following:

- documents provided by witnesses during and after meetings with myself and members of my team;
- documents held by BCC’s School and Governor Support team in relation to the governing bodies of schools that were potentially relevant to the investigation;
- reports and materials held by BCC’s School Improvement team relating to the issue of school improvement in respect of the schools that were potentially relevant to the investigation;
- relevant documents from BCC’s Directorate for People and BCC’s Children’s Services Department;
- relevant documents from BCC’s Corporate Fraud team;
- various documents in respect of governance and funding, and policy documents, from the DfE in respect of those schools which are now academies;
- The latest Ofsted inspection reports published in June 2014 relating to schools that were potentially relevant to the investigation, as well as the most recent Ofsted reports produced in the normal course of business;
- materials on the PREVENT strategy, its composition and objectives; and
- comments left on the BCC “Your Views” webpage.

129. Whilst a large amount of documentary evidence has been reviewed, the majority of the documentation received has not been relevant to the investigation’s Terms of Reference.

### Interviewing Witnesses

130. A number of witnesses have contacted me voluntarily to provide information. Others have been invited to speak to me and my team. Some have accepted that invitation and others have not. In addition, witness evidence has been shared by the Education Commissioner, Peter Clarke.

131. Set out below is a summary of the number of witnesses I have invited to speak to me, and the number of witnesses whose evidence has been collated as part of the investigation. Invitations made to witnesses focussed on those witnesses associated with ‘Red’ schools and the prioritisation of witnesses was reviewed throughout the investigation:

<b>Number of witnesses invited</b>	104
<b>Number of witnesses interviewed</b>	76*  (18 witnesses were seen jointly by Ian Kershaw and the Education Commissioner, Peter Clarke)
<b>Number of witnesses that failed to respond to the initial invitation and subsequent follow up letter</b>	15
<b>Number of witnesses that declined to meet with me or a decision was made that it was no longer necessary to speak with them</b>	12

<b>Number of witnesses that declined to attend an interview but provided a written statement</b>	1
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\* three individuals were interviewed twice, and their additional interview is included within this figure.

- 132.** In addition, there were seven interviews conducted by the Education Commissioner's team where this information was shared with my investigation and this witness evidence has also been taken into account when preparing my report.
- 133.** A list of the individuals who were interviewed and/or whose evidence I have considered as part of my investigation is attached at Appendix 5 of this report.
- 134.** For the majority of witnesses who were interviewed by me or my team, a comprehensive note of the information provided was taken. Using the notes from the interview, a witness statement was then prepared to formally record each individual's evidence. This draft witness statement was then sent to individuals for them to review and confirm the accuracy of the information provided by signing the witness statement. In some cases witnesses have not always returned these statements signed. Where this has been the case, the individuals concerned have been notified that, due to time constraints, we would rely on the draft versions of these witness statements as being an accurate reflection of the discussion that took place with my investigation team. Some witnesses have informed us that they do not wish for a draft version to be used and have withdrawn their consent for use of their witness evidence in the investigation. In these cases, the evidence has not been included in the report.
- 135.** In some cases, meetings with witnesses were recorded and a transcript of the meeting prepared. Again, we have written to witnesses to ask them to confirm the accuracy of those transcripts, and in cases where the witnesses have not responded, we have had to rely on the transcript of those recordings being an accurate reflection of the discussion that took place. During the course of the investigation 77 witness statements and attendance notes were prepared following interviews with witnesses. Furthermore, 25 transcripts were reviewed following the witness interview. In total, approximately 1,800 pages of evidence was produced following the interview phase and considered as part of the investigation, in addition to the documentary evidence referred to above.

## LEGAL AND ADMINISTRATIVE CONTEXT

- 136.** In order to fulfil my Terms of Reference, I have had to consider and assess the legal and administrative context in which the schools in Birmingham have been operating. Understanding the context is essential in order to make accurate findings and relevant recommendations.
- 137.** The law and guidance which collectively describe the roles and responsibilities of BCC, the DfE and schools and academies is complex. For this reason, I have set out in this section the key legal powers and duties which have informed my investigation, and refer the reader to Appendices 6 to 8 for further detail. Key legislation, policies and guidance considered during the investigation relate to the following areas:
- 137.1** The role of BCC and its power to advise/support schools;
- 137.2** Appointment of governors and their role;
- 137.3** School/academy inspection, monitoring/audit and intervention; and
- 137.4** Application and interpretation of the national curriculum.

### Powers and Duties of BCC

- 138.** Attached to this report are a number of Appendices which set out the legal obligations of the Council, governors and Ofsted.
- 139.** BCC's responsibilities include:
- 139.1** Section 175 of the Education Act 2002, which requires a local authority to make arrangements for ensuring that their education functions are exercised with a view to safeguarding and promoting the welfare of children;
- 139.2** Section 18 of the Children Act 2004, which requires all local authorities to promote the well being of children and appoint a Director of Children's Services ("DCS") and designate a Lead Member for Children's Services ("LMCS") who have responsibility for all children in the local area regardless of the type of school they attend. The functions for which the DCS is responsible are set out at s.18(2) of the Act and include (but are not limited to): the performance of local authority functions relating to the education; social care of children and young people; and for ensuring that effective systems are in place for discharging these functions. The guidance in relation to this legislation states that the DCS, who should be a first tier officer of BCC, and the LMCS must *"work with Head Teachers, School Governors and Academy sponsors and Principals to promote educational excellence for all children and young people and be ambitious in tackling under performance."*
- 139.3** Section 19 of the Children Act 2004, which requires every local authority in England to designate one of its members as the LMCS.
- 140.** Local authorities also have a range of general obligations, including a duty to contribute towards the spiritual, moral mental and physical development of the community by securing efficient primary and secondary education, promoting high standards, ensuring

fair access to opportunity for education and promoting the fulfilment of learning potential. Local authorities also have a general duty to provide sufficient schools and equipment to meet the needs of pupils, secure the diversity of provision and increase opportunities for parental choice. The Academies and Free Schools Programme is seen as an important part of securing diversity of provision. Local authorities also have responsibility for publishing coordinated admission arrangements and making arrangements for parents to express a preference for the school that they wish their child to attend. There are also duties on BCC to ensure the needs are met of those pupils who have Special Educational Needs (“SEN”), who have been excluded from school, and who need other specialist provision.

- 141.** Local authorities and schools must also ensure that the national curriculum is followed to provide a balanced and broadly based curriculum which promotes the spiritual, moral, cultural, mental and physical development of pupils at the school and of society and prepares pupils for the opportunities, responsibilities and experiences of later life. The Model Funding Agreement for academies includes a non-statutory requirement for the Academy Trust to provide balanced and broadly based curriculum to include English, Maths and Science. The Secretary of State may disapply or modify the national curriculum. Currently the national curriculum requires the study of a wide range of subjects including music, information and communication technology, physical education, history, geography, art and design, as well as the core subjects of maths, English and science. It should be noted that the national curriculum may be less prescriptive following the implementation of DfE consultation in September 2014. As an interim measure, the national curriculum has been disapplied to give greater flexibility to schools although the core subjects of maths, English and science must still be taught.
- 142.** Sections 60-66 of the Education and Inspections Act 2006 enable local authorities to challenge poor performance in the schools they maintain. The Secretary of State may also direct local authorities to give warning notices in respect of maintained schools which require improvement. Local authorities can also issue warning notices and ask Ofsted to inspect and intervene. However, to intervene effectively a local authority needs to work closely with Ofsted. Where Ofsted identifies a school which requires improvement, has serious weaknesses or requires special measures BCC must produce a statement of action.
- 143.** In addition to powers and duties under Education law, local authorities also have general powers which enable them to proactively collaborate with other public sector bodies (for example the Police, Ofsted, government departments and academies).

## School Governance

- 144.** Section 20 of the Education Act 2002 requires all maintained schools to have an Instrument of Government which determines the constitution of the governing body and other matters relating to the governance of the school. The Instrument of Government must be approved by the relevant local authority.
- 145.** In maintained schools governing bodies must ‘conduct the school with a view to promoting high standards of educational achievement at the school’. In doing so, governing bodies should have a strong focus on three core strategic functions:
  - 145.1** Ensuring that the vision, ethos and strategic direction of the school are clearly defined;
  - 145.2** Ensuring that the head teacher performs his or her responsibilities for the educational performance of the school; and

- 145.3** Ensuring the sound, proper and effective use of the school's financial resources.
- 146.** The advice notes at Appendix 7 to this report summarise the key legislation and guidance which apply to school governance and to school and academy funding.
- 147.** The legislation and guidance in respect of school and academy funding states that it is a requirement implicit in regulations and guidance that school governors have control and accountability in respect of the management of a school's budget, and that BCC and the Schools Forum also have oversight of the budget.
- 148.** In exercising their functions, governing bodies must act with integrity, objectivity, honesty and in the best interests of the school. They must be open about the decisions they make as well as the actions they take, and be prepared to explain their decisions and actions to interested parties. Governing bodies must also act collectively and are held to account by local authorities.
- 149.** These functions are reflected in regulations for maintained schools that came into force in September 2013 and in the criteria Ofsted inspectors use to judge the effectiveness of governance in both maintained schools and academies.
- 150.** Maintained school governing bodies are corporate bodies that are legally responsible for the conduct of the school. Every maintained school has a governing body, consisting of specified numbers of various categories of governors depending on the type and size of school (as defined in the schools' instrument of government). Generally governors are drawn from the following categories:
- 150.1** Parent governors: parents of children at the school;
- 150.2** Staff governors: members of the school staff;
- 150.3** Authority governors (previously known as local education authority governors): nominated by BCC;
- 150.4** Community governors: members of the local community (appointed by the rest of the governing body);
- 150.5** Foundation governors: persons appointed by a person other than BCC for the purpose of securing that the character of the school is preserved and developed and, where the school has a foundation, for the purpose of securing that the school is conducted in accordance with the school's governing documents;
- 150.6** Partnership and sponsor governors: representatives of the founding body, usually foundation or voluntary schools.
- 151.** Regardless of which category a governor belongs to, all governors share the same duties and responsibilities.
- 152.** The legal framework for the appointment and removal of governors of maintained schools is set out in the School Governance (Constitution)(England) Regulations 2007. The advice note at Appendix 8 of this report sets out in more detail the legal framework for the appointment and removal of governors of maintained schools.
- 153.** The governing body is led by the chair of governors, elected by the governing body from within its membership. Unless the Secretary of State had exercised his power under section 67 of the Education and Inspections Act 2006 to appoint governors for a school that is eligible for intervention and to nominate one of those as chair, a school's

governing body must elect a chair and vice-chair from among their number. However, anyone who works at the school cannot stand for the position of chair or vice-chair. The clerk to a governing body also plays a key role, with their role being to advise the governing body on the nature of its functions and duties and ensure the governing body operates efficiently and effectively.

- 154.** In addition to his/her duties as a governor, the chair is also responsible for leading and managing the governing body. The chair should be an effective leader and develop a collaborative culture across governors and the school leadership team. Within that collaborative culture, the chair should lead change and continuous improvement within the context of wider relationships with other chairs of governors, BCC and the benefit of national training and guidance. The chair has an important role in ensuring the effective and proper governance of meetings and proper decision making with the assistance and support of the clerk to the governing body.
- 155.** Since 1 September 2003, particular committees can be given delegated powers to make decisions about the school that do not then require any approval by the full governing body. Therefore, most governing bodies use a committee structure to undertake these monitoring and evaluation roles for example curriculum, finance, staffing committees, etc.
- 156.** The DfE's Governor's Handbook, May 2014, says that the evidence suggests that Governors who deliver well in their role often govern *"more than one school to develop a more strategic perspective and create more robust accountability through the ability to compare and contrast across schools."*

## The Nolan Principles

- 157.** In addition to the legislation described above in relation to governors' responsibilities, my team and I have been guided by the 'Nolan Principles of Conduct Underpinning Public Life' – the seven principles which apply to anyone who works as a public officer-holder. This includes teachers, governors, civil servants and others appointed to work in the education sector. The principles are supported by the National Governors' Association ("NGA"). A number of the principles are also embedded in legislation; Regulation 2(a) of The School Governance (Roles, Procedures and Allowances) (England) Regulations 2013 requires governing bodies to *"act with integrity, objectivity and honesty and in the best interests of the school"*. It is clear that these are guiding principles for good school governance.
- 158.** The seven Nolan Principles are:
- 158.1 Selflessness** – Holders of public office should act solely in terms of the public interest.
- 158.2 Integrity** – Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
- 158.3 Objectivity** – Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
- 158.4 Accountability** – Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

- 158.5 Openness** – Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
- 158.6 Honesty** – Holders of public office should be truthful.
- 158.7 Leadership** – Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.
- 159.** The principles are a test of good governance and have been used as a basis for assessment during the investigation.

## Inspection and Intervention

### Ofsted

- 160.** Ofsted (Office for Standards in Education, Children’s Services and Skills) is an independent body (reporting directly to Parliament) which inspects and regulates services which care for children and young people, and those providing education and skills for learners of all ages.
- 161.** The statutory basis for Ofsted inspections is the Education Act 2005 (as amended). Under this Act Ofsted is required to inspect the schools listed at section 5 of the Act (this includes maintained schools and academies), with the exception of exempt schools, at prescribed intervals not exceeding five school years (“Section 5 inspection”). Exempt schools are maintained primary and secondary schools, and academies, that were judged to be ‘outstanding’ overall at their most recent section 5 inspection are exempt from future inspection under section 5. However, where Her Majesty’s Chief Inspector (“HMCI”) or the Secretary of State has concerns about the performance of an exempt school (or any other school covered by this framework) HMCI has powers to inspect at any time under section 8 of the Education Act 2005 (as amended).
- 162.** Ofsted’s inspections of schools are intended to:
- 162.1** Provide parents with an expert and independent assessment of how well a school is performing, and help inform those who are choosing a school for their child;
- 162.2** Provide information to the Secretary of State for Education and to Parliament about the work of schools and the extent to which an acceptable standard of education is being provided; and
- 162.3** Promote the improvement of individual schools and the education system as a whole.
- 163.** In September 2012 Ofsted published a new framework for inspection with a focus on schools where there were concerns about standards of education and performance. The framework states that inspectors are required to report on the quality of education and specifically cover achievement of pupils, quality of teaching, behaviour and safety of pupils and quality of leadership in, and management of, the school. Inspectors are also required to consider the spiritual, moral, social and cultural development of pupils at the school and the extent to which the needs of the range of pupils at the school are met.
- 164.** The statutory guidance which should be followed by local authorities where schools need improvement or where an Ofsted inspection has judged a school to be inadequate focuses on improving performance but also gives a range of intervention powers including

appointing additional governors, suspending delegation and the right to apply to the Secretary of State to appoint an IEB. It is good practice for Ofsted and the local authority to work closely together to ensure that concerns about the performance of schools are addressed quickly and effectively to ensure that both the local authority and Ofsted comply with their legal duties.

## Intervention

- 165.** Where maintained schools are eligible for intervention, the Secretary of State has the power to:
- 165.1** Appoint additional governors and nominate one of those governors to be the chair of the governing body;
  - 165.2** Appoint an IEB;
  - 165.3** Give a direction to BCC requiring the school to be discontinued; and
  - 165.4** Direct BCC to consider giving a performance standards and safety warning notice or a teachers' pay and conditions warning notice.
- 166.** Where maintained schools are eligible for intervention, BCC has the power to:
- 166.1** Require the governing body to enter into specified arrangements for the provision of advisory services to the governing body; to make specified arrangements for collaboration with the governing body of another school; to make specified arrangements for collaboration with a further education body; or to take specified steps for the purpose of creating or joining a federation;
  - 166.2** Appoint additional governors if the Secretary of State has not exercised his power to appoint additional governors;
  - 166.3** Appoint interim executive members; and
  - 166.4** Suspend the governing body's right to a delegated budget.
  - 166.5** A governing body has a formal right of appeal to Ofsted in the event that a local authority imposes such a warning notice.

## Interrelationship of the legal roles and responsibilities of governors, BCC and the DfE

- 167.** There are a number of stakeholders who are responsible for the monitoring and oversight of schools in Birmingham and the education provided to young people. This includes BCC, the DfE, school governors, Ofsted and others. The law and guidance which describes the roles and responsibilities of these stakeholders is complex and makes it difficult to identify where responsibility lies when failures arise. The information below sets out the roles of governors, BCC and the DfE interact in relation to school governance.
- 168.** Education legislation gives schools power to govern themselves with little reliance on Government and BCC. Local authorities have few levers of control over the day-to-day management of maintained schools and even less in respect of academies who receive funding directly from, and are directly accountable to, the Secretary of State. BCC levers of control for all schools regardless of designation are bound up in the respective roles of

the DCS and LMCS as outlined in statutory guidance under the Children Act 2004 and the general duties of local authorities as outlined in the Education Act 1996 and 2002.

- 169.** The majority of BCC's education budget is delegated to schools for the Governors to manage themselves in accordance with the Scheme of Financial Delegation; the content of which is heavily prescribed. The Schools Forum has oversight of the overall spend, especially in respect of overspend and under spend of budgets and strategic planning. Local authorities have the responsibility to audit spend and where concerns are raised will undertake specific audits. In practice, this is managed through the normal budget setting process involving senior council officers, the Schools Forum and councillors.
- 170.** In relation to the use of government funding, academies and maintained schools have similar obligations (set out in the Funding Agreement and the Scheme of Financial Delegation respectively). The money provided by government can only be used for certain purposes and schools/academies must follow transparent and fair processes to make sure value for money is secured where contracts are entered into.
- 171.** It is common practice for schools to buy back advisory and support services from the local authority – in Birmingham, schools pay an annual fee to access local authority advice on various areas of school management such as:
- 171.1** School and Governor Support – We understand that this service is intended to provide a range of professional support and advice (including delivering training) to head teachers, senior staff and governing bodies, and to act as a critical friend;
- 171.2** Human Resources – We understand that this service provides comprehensive HR and Employee Relations support and advice that enables schools to meet their statutory, strategic and contractual obligations;
- 171.3** Legal Services – We understand that this service provides education and children law support and advice for schools; and
- 171.4** Audit Services – We understand that this service provides internal audit support and advice, guidance, and training on a consultancy basis.
- 172.** We understand that the School Improvement team identifies schools which are underperforming and works directly with schools to improve outcomes for children.
- 173.** We understand that there is not a single system for co-ordinating all contact with schools. Intelligence can be gathered from a number of advisory and support services, including Schools Improvement, School and Governor Support, Human Resources etc, but we do not believe that this information is accumulated to provide an overall picture of issues within a school.
- 174.** The Birmingham Schools Forum is a body comprising representatives of maintained schools, academies, and early years providers within the BCC area, together with other local partners and stakeholders. Its role is to advise BCC on matters affecting schools funding, such as the allocation of Dedicated Schools Grant (DSG), and the local Fair Funding Formula which distribute budgets to schools, early years providers and other maintained education settings. It meets, on average, twice per school term and these meetings are open to the public.
- 175.** School governors have the right to appoint and dismiss staff although the Local Authority is the residual employer and can make representations about the appointment and

dismissal of head teachers. Where a teacher is dismissed by a school the costs of redundancy or dismissal payments are met from the school budget.

### School Curriculum

- 176.** Whilst the Trojan Horse Letter (and therefore the investigation's Terms of Reference) do not specifically encompass curriculum issues, governors and teachers have to ensure that the curriculum is delivered and observed and that the specified subjects which make up the national curriculum are taught. During the investigation we have heard a number of people comment about the curriculum being adapted to suit the needs of Muslim pupils, particularly in respect of teaching music, art and religious education ("RE"). This section of the report therefore comments on the legal obligations in respect of the curriculum.
- 177.** Schools are under a legal obligation to follow the national curriculum unless elements of it have been disapplied. As well as the core subjects of English, Maths and Science the curriculum includes music, physical education, religious education and the study of modern languages. There has been a great deal of case law as a result of schools and local authorities trying to balance the requirements to deliver the national curriculum with duties to respect Human Rights, the requirements of faith groups and equality duties. There is commentary on some of those cases in Appendix 9. There have been a number of concerns raised during the course of this investigation in respect of governing bodies, senior leadership teams and teachers tailoring the curriculum to meet the needs of their communities and the Muslim faith.
- 178.** The Department for Children, Schools and Families issued non statutory guidance about RE in 2010. That guidance emphasises that RE is a distinctive but core part of the curriculum and refers to the statutory duty to provide a curriculum which promotes the spiritual, moral, cultural, mental and physical development of pupils and of society and prepares pupils for the opportunities responsibilities and experiences of later life. The Guidance also provides a checklist for governors and head teachers including a checklist for managing the right of withdrawal from RE. The Guidance suggests it is appropriate to include a wide range of representatives on SACRE (Standing Advisory Council for Religious Education – referred to further below) to assist in mutual understanding and promote community cohesion.
- 179.** Governing bodies and head teachers as well as local authorities must ensure RE is included in the curriculum and follows the locally agreed syllabus. Schools with a religious character follow their own syllabus.
- 180.** In maintained schools (unlike schools with a religious character) no one can be disqualified from employment on the grounds of religious opinions or practices.

### The Role of the Standing Advisory Council for Religious Education

- 181.** Every local authority is required to have a Standing Advisory Council for Religious Education ("SACRE"). SACRE advise the local authority on matters connected with religious worship and religious education. SACRE must advise its local authority on matters connected with:
- 181.1** Religious worship in community/foundation schools which do not have a religious character (this includes the particular methods of teaching, the choice of materials and the provision for the training of teachers);
- 181.2** Religious education to be given in accordance with the agreed syllabus; and
- 181.3** Determining cases where the requirements for Christian collective worship is not to apply.

- 182.** The constitution of SACRE is made up of four representative groups. Each of the groups has equal voting rights: one vote per group. Decisions within a group about how that vote is to be cast do not require unanimity. The four representative groups are:
- 182.1** Persons to represent Christian denominations and other faiths so as to, in the opinion of the local authority, appropriately reflect the principal religious traditions in the area. The number of representative members appointed to each faith should represent the proportionate strength of that religion in the area;
  - 182.2** Persons to represent the Church of England;
  - 182.3** Persons to represent teachers, having regard to the circumstances of the area; and
  - 182.4** Persons to represent the local authority.
- 183.** As mentioned above, SACRE can consider whether it is appropriate for the requirement for Christian collective worship to apply to a particular school, class or pupil, if an application is made by the Head Teacher to do so. The Head Teacher must consult with the Governing Body prior to making the application. The Governing Body may, if it thinks fit, take steps to consult with the parents of pupils at the school regarding the matter. If SACRE determine that the requirement for Christian collective worship is not appropriate then this requirement can be disapplied. This decision must be reviewed at least every five years, or sooner, if requested by the Head Teacher.
- 184.** The Secretary of State also has the power to revoke a SACRE determination regarding Christian collective worship. The Secretary of State can use these powers where a SACRE has acted or is proposing to act unreasonably, or has failed to discharge its duties. An equivalent provision applies to academies, but the Academy Trust would apply, through the EFA, to the Secretary of State for the determination.

### Muslim Council for Britain Guidance

- 185.** In 2007, the Muslim Council for Britain published a guidance document titled "Towards Greater Understanding: Meeting the needs of Muslim Pupils in State Schools" (the "MCB Guidance"). Attached at Appendix 9 to the report is a copy of the MCB Guidance, along with a high level review of its content (with references to relevant case law and links to Equalities Guidance).
- 186.** The purpose of the document was to provide information and guidance on relevant Islamic beliefs, practices and values and to deal with issues arising within schools that are important to and may be of concern to Muslim pupils and their parents. The document states that it is intended to be used as a source of reference by schools when reviewing their policies and practices in relation to meeting the needs of their Muslim pupils. The guidance addresses specific curriculum areas and whole school issues, such as uniform and collective worship.
- 187.** The MCB Guidance is not statutory or issued by the government. It is important that the practical suggestions in the MCB Guidance are not interpreted as a prescriptive code. The wishes of individual parents and the overall needs of the school and its pupils must be taken into account, as well as the legal obligations in respect of delivering a broad and balanced curriculum and meeting wider equality duties. The MCB Guidance should also be read alongside statutory government guidance and toolkits, for example the DfE Guidance on the Equality Act 2010 and the "Public Sector Equality Duty Guidance for Schools" published by the Equality and Human Rights Commission.

- 188.** It is important to distinguish between the content of the curriculum, which is not caught by discrimination law, and its delivery, which is included. This means that schools should include a full range of materials and ideas in the syllabus. In recent guidance issued by the DfE there are examples of the types of issues which would amount to unlawful discrimination in the delivery of the curriculum. The MCB Guidance recognises what is required in terms of content and suggests ways in which the delivery of the curriculum could be adapted to meet the needs of practising Muslims. There is a danger that the suggestions are read as the only acceptable way of delivering the curriculum to meet the needs of practicing Muslims. It is important that governors and teachers ensure that the specific needs are addressed in their own setting taking account of all relevant guidance and the full range of its statutory duties. We have seen during the course of the investigation that assessment and interpretation of specific needs, guidance and statutory duties is a complex and challenging task for head teachers and governors, and that BCC has been reluctant to provide advice on cultural issues.

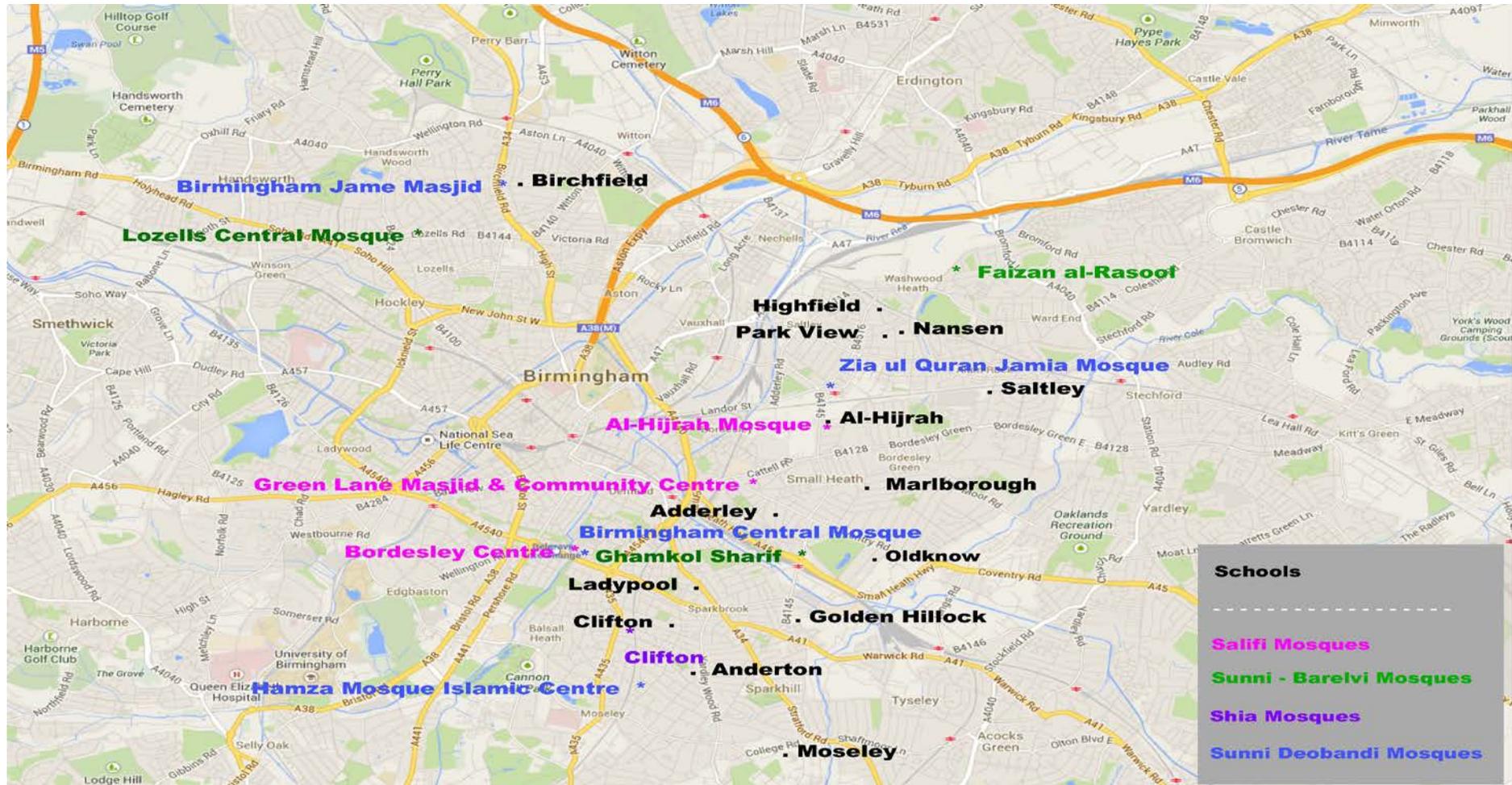
## OTHER CONSIDERATIONS

### Prevent Strategy

- 189.** I am aware of the government's Prevent strategy and note that Ofsted referred to this in its reports of the 21 schools inspected as a result of the Trojan Horse Letter. I have set out at Appendix 10 some background information on the strategy and its implementation in Birmingham.

## APPENDIX 1

### Map Identifying the Location of Schools Relevant to the Investigation and the Proximity of Those Schools to Local Mosques







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## APPENDIX 3

### Details of the Investigation Team and Advisors



**Ian Kershaw**

Birmingham City Council's full-time special adviser and the Managing Director of Northern Education.



**Peter Parish**

Director of Operations at Northern Education



**Paul McHugh**

Senior Associate at Northern Education



**John Collings**

A member of the Northern Education's Executive Board



**David Anstead**

Associate at Northern Education

## Independent Advisers – Eversheds LLP



**Sarah Garner**

Partner in Eversheds Inquiries and Investigations team and a member of the central government team.



**Peter Watkin Jones**

Lead Partner of Eversheds Inquiries and Investigations Team.



**Frances Woodhead**

Partner, Local Government

## APPENDIX 4

### Terms of Reference

You are asked to report to the Leader, Councillors Brigid Jones and John Cotton, Director for People (Peter Hay) and the Chief Executive (Mark Rogers) on the following:

In an attachment to an anonymous letter received by the Leader's office on the 27<sup>th</sup> November 2013, known as "the Trojan Horse letter", it is suggested that schools within Birmingham have been targeted "to be taken over", to ensure that they are run on strict Islamic principles. Certain schools are specifically named.

1. Do you believe that there is any substance in the allegations made in the letter?
2. If so, does the evidence you have assembled lead you to recommend that Birmingham City Council should take any specific steps to prevent or reverse any adverse impacts?
3. Based on the information obtained during the course of your Inquiry, are there any other recommendations that you wish to make to Birmingham City Council in respect of further investigations which may be required, in relation to the Trojan Horse letter or otherwise, following the conclusion of your Inquiry?

There are other current investigations instigated by other bodies. In particular, Mr Peter Clarke has been asked by the Department of Education to investigate the same issues on a wider geographical scale. Some schools that were recently local authority maintained will fall to be investigated by Mr Clarke as they have now attained academy status. To the extent that it will assist both your and Mr Clarke's investigations, and in the interests of efficiency, and to reduce the burden on witnesses, you are asked to coordinate your investigation with Mr Clarke in relation to such schools if they fall within the remit of both investigations.

You are asked to report no later than the end of July 2014.











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Towards Greater Understanding

# Meeting the needs of Muslim pupils in state schools

Information & Guidance for Schools



**M C B**

The Muslim Council of Britain

*This information and guidance document and updated versions can be downloaded from  
The MCB website:  
[www.mcb.org.uk](http://www.mcb.org.uk)*



**The Muslim Council of Britain**

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Islamic Relief is a British aid agency addressing the needs of the world's poorest people.



Muslim Aid is a well established UK based charity organization that provides aid and relief to poor and needy of the world.

*In the name of Allah, Most Gracious, Most Merciful*

## Foreword

There are approximately 1.6 million Muslims in Britain. They form the country's largest religious minority and come from diverse ethnic backgrounds. Although three quarters of British Muslims are of South Asian origin, there are also significant numbers of Muslims from North Africa and the Middle East, Central and Eastern Africa, Eastern Europe, Turkey, Iran and Afghanistan. In addition, there are significant numbers of British White and African-Caribbean converts to Islam.

Islam and Muslims are thus part of the mosaic that comprises modern Britain, with half of the Muslim population being British born. There are over 400,000 Muslim pupils in school education, of whom approximately 96% are in the maintained sector. The faith commitments of Muslim pupils and their families encompass all aspects of everyday life and conduct, including daily life in school. It is important therefore, that educators and schools have good understanding of how they can respond positively to meeting the needs of Muslim pupils.

Many of our schools have a cherished tradition of fostering an inclusive ethos which values and addresses the differences and needs of the communities they serve. We are convinced that with a reasonable degree of mutual understanding and goodwill, even more progress can be made in responding positively to the educational aspirations and concerns of Muslim pupils and their parents. The current climate, in which there is much negative portrayal of Islam and Muslims requires that this be given greater priority and impetus to ensure that Muslim pupils are appropriately accommodated for and become an integral part of mainstream school life and thereby of society as a whole.

Comprehensive information and guidance of this nature is long overdue. Its purpose is to promote greater understanding of the faith, religious and cultural needs of Muslim pupils and how they can be accommodated within schools. It also provides useful information and guidance and features of good practice on meeting these needs.

One of the recommendations made by the Runnymede Trust report (1997) on 'Islamophobia-a challenge for us all' was that Local Authorities should work with schools to develop guidelines on the issues concerning Muslims. Many of the areas highlighted by the report have been addressed within this document.

We trust that this information and guidance will become a useful reference point for local authorities, schools, governors and teachers in recognising, understanding, and endeavouring to respond positively to the needs and concerns of Muslim pupils and parents. It is also recommended to Muslim parents to further their understanding of school practices and what they can reasonably expect from schools.

Finally, we hope that this guidance is helpful in serving the purpose for which it is intended,  
Insha-Allah (God Willing).

**Dr. Muhammad Abdul Bari**  
Secretary General  
The Muslim Council of Britain

**Tahir Alam**  
Chair of Education Committee  
The Muslim Council of Britain

# About this guide

This information and guidance for schools draws from and builds on guidance documents already in existence. In the development and writing stage headteachers of state schools, local authorities, Muslim organisations as well as various specialists have been consulted for their views and comments.

The purpose of this guide is to provide background information on relevant Islamic beliefs and practices and values and to deal with issues arising within schools that are important to and may be of concern to Muslim pupils and their parents. The information and guidance document is intended to be used, as a source of reference by schools when reviewing their policies and practices in relation to meeting the needs of their Muslim pupils.

This guidance addresses specific curriculum areas and whole school issues, such as uniform and collective worship. Each section explains the rationale for Muslim needs and aspirations and suggests positive ways for schools to establish good practice. We have attempted to cover the issues most commonly raised by pupils, parents, teachers, schools and governors, while taking into account the diversity of belief and practice within the Muslim community.

Whilst the guide has been designed to be used primarily as a reference document, the reader may find it helpful to read through section 1 – ‘A Muslim inclusive approach’ – before referring to any particular section.

Most of this document will be of relevance to all maintained schools across Britain, although the guide focuses primarily on the education system in England. Certain legal aspects, for example in relation to curriculum requirements and collective worship, differ in the education systems operative in Northern Ireland, Scotland and Wales.

We hope that the appendices will serve as additional useful references. The information and guidance provided, as well as appendices are not intended to be exhaustive and will be reviewed, updated and developed in future and will be available on The Muslim Council of Britain website ([www.mcb.org.uk](http://www.mcb.org.uk)). Any comments from the users of this document is welcomed.

## Training

In addition to this guidance, training is also available for school teachers and governors on the theme of this guidance ‘Islam and Muslim Cultural Awareness Training’ for schools and for local authority advisors. (*see appendix 1*)

# Islam and Education

Islam attaches great importance to education, knowledge and learning. The very first word of the Qur'an to be revealed to the Prophet Muhammad was 'Iqra', which means 'read' and there are numerous references in the Qur'an and sayings of the Prophet that emphasise the importance of knowledge and learning.

*O' My Lord! Advance me in knowledge. (Qur'an 20:114)*

*Say (Muhammad), "Are those who know equal to those who do not know?, It is those who are endowed with understanding that receive admonition. (Qur'an 39: 9)*

Islam holds knowledge and learning as sacred and, therefore, central to the development of any civilisation. With respect to the Islamic civilisation, Franz Rosenthal in his book 'Knowledge Triumphant' aptly captures the essence and centrality of knowledge and learning in the development of Islamic civilisation in the following words:

*'Ilm' (knowledge) is one of those concepts that have dominated Islam and given Muslim civilisation its distinctive shape and complexion. In fact, there is no other concept that has been operative as a determinant of Muslim civilisation in all its aspects to the same extent as 'ilm' ... There is no branch of Muslim intellectual life, of Muslim religious and political life, and of the daily life of the average Muslim that remained untouched by the all-pervasive attitude towards "knowledge" of something of supreme value for Muslim being. Ilm is Islam, even if the theologians have been hesitant to accept the technical correctness of this equation. The very fact of their passionate discussion of the concept attests to its fundamental importance for Islam.'*

Knowledge and learning has traditionally been divided into two categories - revealed knowledge (Qur'an and Prophetic sayings) and acquired knowledge (natural sciences, physics, astronomy, history, mathematics etc.) and the pursuit of both has historically been a preoccupation of Muslim scholars. Empowered with this open-minded attitude to knowledge and learning, Muslims were able to absorb and assimilate the various contributions of the Greek, Roman, Persian, Indian and Chinese civilisations.

This open minded spirit of enquiry and synthesis of Eastern and Western ideas brought about great advances in medicine, mathematics, physics, astronomy, geography, architecture, art,

literature and history. Many crucial systems such as algebra, Arabic numerals and the concept of zero (vital to the advancement of mathematics) were transmitted to medieval Europe through Muslim scholars. Further, sophisticated instruments like the astrolabe and the quadrant as well as good navigational maps crucial to the European voyages of discovery were developed by the Muslims.

Robert Briffalt in his book 'The Making of Humanity' captures Islam's contribution to civilisation in the following words:

*...There is not a single aspect of European growth in which the decisive influence of Islamic culture is not traceable, nowhere is it so clear and momentous as in the genesis of that power which constitutes the paramount distinctive force of the modern world and the supreme source of its victory – natural science and the scientific spirit... What we call science arose in Europe as a result of a new spirit of enquiry, of new methods of investigation, of the method of experiment, observation, measurement of the development of mathematics in a form unknown to the Greeks. That spirit and those methods were introduced into the European world by the Arabs.*

It is important for educators to appreciate and understand the centrality of knowledge and education in the philosophy of Islam and the substantial Muslim contributions to European and world civilisation. Within the educational context it is important to explore opportunities to emphasise on common and shared aspects of the Islamic and European civilisations in various fields such as religion, culture, linguistic and intellectual exchanges.

# Muslims in Britain

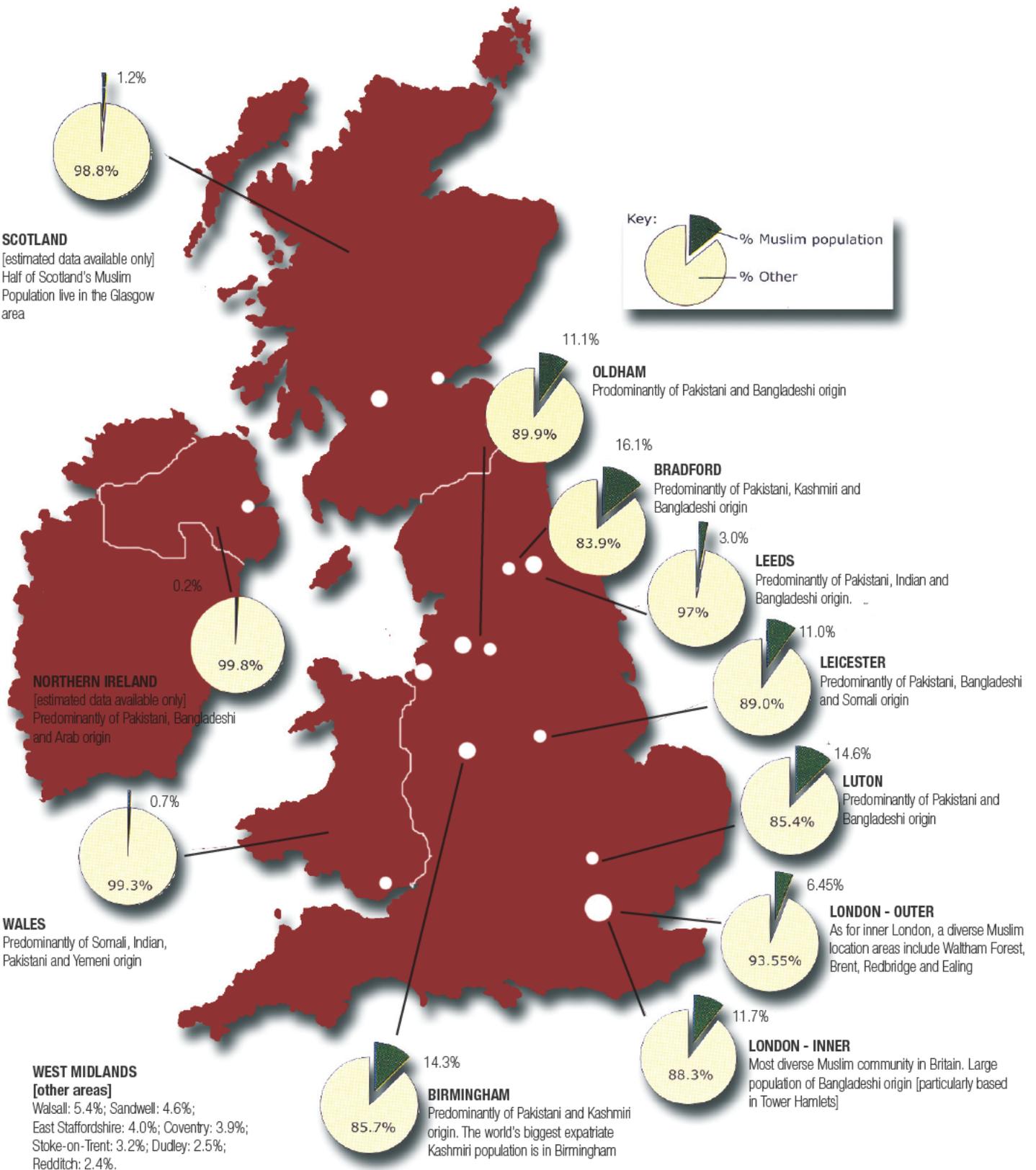
Britain has historic links and relations with peoples and countries from all over the world. Muslims have a relationship with Britain that stretches back more than a thousand years. Today, Muslims form a vibrant community that forms an integral part of British society. Muslims can be found in all spheres of British life making valuable contributions to social, economic and political life as civil servants, doctors, engineers, scientists, teachers, business people, local councillors and members of parliament.

The largest migration of Muslims began in the early 1950s, emanating mainly from rural areas of South Asia. Muslim migrants arrived in Britain primarily to compensate for labour shortages following the Second World War. They settled mainly in the inner-city areas of London, the industrial towns of the Midlands, and the textile towns of Lancashire, Yorkshire and Strathclyde.

In the past 30 years the community has expanded in number and in diversity through an influx both of educated professionals and of people seeking refuge from troubled parts of the world, including East Africa, Central Asia and South East Asia. There are also significant numbers of converts of British and European origin.



# British Muslim Population



Source: Statistics are taken from UK census 2001.

# Muslims in Schools

There is no large-scale monitoring of educational attainment in terms of religious affinity and faith community. However, proxies of faith community are to an extent provided by ethnicity, since pupils of Pakistani, Bangladeshi, Somali and Turkish heritage in schools are predominantly Muslims.

The collection and publication of statistical data relating to educational attainment in terms of ethnicity is clearly an important component of highlighting inequality in outcomes. However, the current practice of not collecting and publishing attainment data in relation to religious background means that possible links between faith identities and underachievement are overlooked.

Some sections of the Muslim community do achieve high academic success but a significant number of Muslim pupils' specifically from, Pakistani, Bangladeshi, Turkish and Somali backgrounds are among those who experience the highest levels of academic underachievement and consequent lack of qualifications in Britain.<sup>2</sup>

Many evidence-based reasons are cited for underachievement, including socio-economic deprivation, low expectations, Islamophobia or racism and interrupted schooling. Critical factors for the achievement of children broadly reside within three interconnected spheres of influence: home, school and society. It is vital that educational inequality and disadvantage in all spheres are tackled seriously to give all children the best possible opportunities to be successful as individuals and to positively contribute to the wellbeing and success of our society. Raising the achievement of identified underachieving groups can have a positive effect on the achievement of a school as a whole.

The significant levels of underachievement of Muslim pupils, in one sense, is all the more surprising because of the value that Islam places on education. Muslim pupils' faith and cultural heritage should be affirmed and developed positively within schools to contribute to promote the value and importance of education and to overcoming barriers to learning and achievement.

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<sup>2</sup> DfES - 'Ethnicity and Education' 2006 Edition page 56-58

# Tackling Islamophobia

Islamophobia is the term currently being used to denote an extreme and abnormal fear of and/or aversion to Islam in general and Muslims in particular. It is officially acknowledged that Muslims are experiencing Islamophobia both personally and institutionally through forms of marginalisation, discrimination, prejudice and stereotyping. For further details see the 2004 report of the 'Commission on British Muslims and Islamophobia'.

The attacks on the World Trade Centre in New York on 11 September 2001 and in London in July 2005, the war in Iraq and ongoing instability in the Middle-East have already led to increased anti-Islamic and anti-Muslim sentiments in Britain.

Further to this, the Commission for Racial Equality defines 'institutional racism' as 'organisational structures, policies and practices which result in ethnic minorities being treated unfairly and less equally, often without intent or knowledge'.<sup>3</sup> These reports indicate that the areas where the greatest degree of discrimination is likely to be encountered is in education, employment and media. Ethnicity data provides statistical evidence that Pakistani and Bangladeshi Muslim communities are suffering deprivation in education, employment, housing, healthcare and access to justice. The 2004 report of the Commission on British Muslims and Islamophobia and, the 2006 report on 'Review of the evidence base on faith communities' by the Department for Communities and Local Government highlight the continuation of these disadvantages.

Within education, many schools in England, Scotland and Wales have responded positively to issues related to cultural diversity and to meeting the needs of Muslim pupils. However, others have not been receptive of legitimate and reasonable requests made by Muslim parents and pupils in relation to their faith-based aspirations and concerns. Many of these issues relate to aspects of schooling such as collective worship, communal changing, swimming, halal meals and sex education.

Schools can play a vital role in facilitating the positive integration of Muslim pupils within the wider community and thereby preventing or at least beginning the process of tackling some of the problems of marginalisation. More closer cooperation and working between Muslim communities and schools can create an environment where Muslim children feel more included and valued. The statutory and moral responsibility to develop cohesive future generations must and can be achieved through commitment to change, mutual respect and to understanding the beliefs, values and cultures of others.

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<sup>3</sup> Quoted in 'Aiming High: Raising the Achievement of Minority Ethnic Pupils', published by the Department for Education and Skills in 2003.

“Meeting the needs of  
Muslim pupils in  
state schools”

# 1

## A Muslim inclusive approach

A child's first significant encounter with wider society is often when he or she goes to school. It is vital that initial experiences and relationships are positive and supportive, fulfilling all aspects of an individual's needs. All children, to whatever extent possible, whatever their background, should be educated in the fullness of their being in consistency with their beliefs and the wishes of their parents, in a spirit that values their multiple identities, (faith, cultural and British). This will contribute to nurturing self-esteem and self-confidence, forming the basis for understanding and appreciation for the heritage and beliefs of others.

The Education Act 1944 emphasises the right of parents, subject to reasonable constraints, to have their children educated in accordance with their wishes:

*Local education authorities shall have regard to the general principle that, so far as is compatible with the provision of efficient instruction and training and the avoidance of unreasonable public expenditure, pupils are to be educated in accordance with the wishes of their parents.<sup>1</sup>*

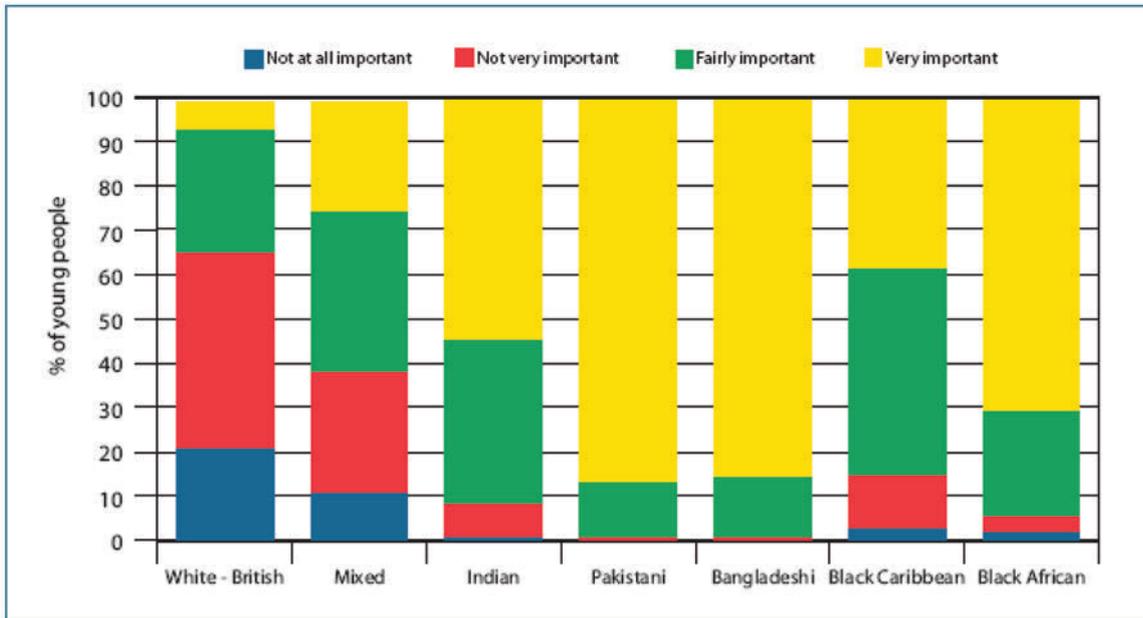
According to the 'Ethnicity and Education' report in 2006 by the Department for Education and Skills, religion appears to be more important to young people from Indian, Pakistani, Bangladeshi, Caribbean and African communities than it is for white British or mixed heritage young people. Nearly all Pakistani and Bangladeshi pupils said they were Muslim (99 per cent in each instance) and the vast majority (99%) within these two groups said that religion was fairly or very important to them, compared to 34% pupils of white British background.

It is essential that positive account is taken of the faith dimension of Muslim pupils in education and schooling. The faith of Muslim pupils should be seen as an asset to addressing constructively many of the issues that young people face today, including educational failure, disaffection, drugs, crime and sexually-transmitted diseases. Islam is an important reference point for Muslim children and has an extremely relevant message to convey to Muslims in all spheres of life and also to contribute to wider society.

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<sup>1</sup> Education Act 1944, Section 76

## Importance of religion to young person's way of life



Some community schools adopt a policy where the religion and faith of their pupils is strictly regarded as a matter of private and personal concern for each pupil and is therefore not appropriately addressed within the school. This approach makes it more difficult for schools to appreciate and respond positively to meeting some of the distinctive spiritual, moral, social and cultural needs of Muslim children, particularly if they are inappropriately categorised as 'Asians'. Asian needs and Muslim needs are not necessarily the same.

Recognition and inclusion of the faith identity and religious needs of Muslim pupils can contribute positively to their personal development and school life. Failure to recognise and affirm, or even worse the creation of situations involving conflicts of belief or conscience is likely to have an alienating effect where pupils may feel that they are not valued and may give rise to inappropriate assumptions that in order to progress in society they will have to compromise or give up aspects of who they are, and their religious beliefs and values. Unfortunately Muslim pupils are sometimes placed in situations where they feel pressured into acting contrary to their beliefs and conscience and also experience islamophobic sentiments and comments within schools. This can have a reciprocal effect on the child's considered opinion of the school and, indeed, education itself.

Where participation of Muslim pupils in activities or aspects of the curriculum conflicts with religious beliefs and values, problems can and should be resolved with mutual recognition, understanding and flexibility.

It is important for Muslim pupils' sense of self-esteem and worth that they see themselves reflected positively in the ethos, curriculum and life of their school. It is vital that school curriculum in particular takes adequate account of pupils backgrounds and builds on the fusion of their faith, cultural and British identity. What the nature of this fusion is and how it is responded to, goes to the very heart of what it means to be a British Muslim in contemporary society. There are ample opportunities to develop inclusive aspects from the Muslim perspective in all subject areas, as appropriately highlighted in the DfES publication 'Aiming High':

*Pupils...may not see their culture, history, or values reflected in their school experience. Teachers need the confidence, competence and materials to use the existing flexibility within the curriculum to make subjects more relevant to pupils' own experiences and reflect their cultural heritage.*

The Every Child Matters agenda applies to all, including meeting the needs of Muslim pupils. They will succeed further if they are also given opportunities to flourish in aspects of the curriculum with which they have greater affinity and association. Some schools do study the contribution of the Islamic civilisation to Europe, for example in history, art, mathematics and science. This approach could inspire and motivate more pupils to feel that they are part of an institution that clearly values their Islamic heritage. As a consequence of this strategy, it is hoped that Muslim pupils will see themselves as an integral part of school life and of wider society and not on the margins of society or separate. It is also important to emphasise on the common aspects of British, European and Islamic heritage and history.

Schools can play a vital role in making children aware of prejudice and in enabling them to contribute to the creation of a more inclusive and just society. They can be at the forefront of leading by example in the promotion of greater understanding and tolerance, respect, equality and social harmony and cohesion in society.

We recognise that local authorities and schools, as part of their general strategies, do attempt to address the diverse religious and cultural needs of their pupils and try to respond to the communities they serve. Although there are many similarities with other faith groups, many of the issues facing Muslim pupils are different in kind and in degree. Schools need to be better informed and have greater and more accurate appreciation of their Muslim pupil's needs.

The following sections address issues which frequently arise as concerns for Muslim pupils and parents within schools. Several curriculum areas are covered as well as more general whole school issues such as uniform, halal meals and collective worship. Each section attempts to explain the reasons behind Muslim needs and suggests ways in which they can be responded to positively through mutual understanding, cooperation and flexibility.

The suggestions and advice outlined in this document captures much of the good practice from various schools around the country and is presented in an easy-to-use format. We hope that the information and guidance provided will make a valuable contribution to the creation of a positive inclusive culture within schools that values all pupils and enables them to become confident and valuable members of society.

# 2

## Dress codes in schools

### Modesty

The concept of 'haya' which is defined as 'to encompass notions of modesty, humility, decency and dignity', is a central value in Islam, as in many other faith traditions, and applies to all aspects of human behaviour and conduct. Schools should therefore have the expectation that Muslim pupils will endeavour to observe the principles of haya in all aspects of their conduct. It is important to recognise and appreciate that different faiths and cultures may and often do differ in their demarcation between modesty and immodesty.

One important aspect of modesty in Islam relates to the covering of the body. In principle the dress for both boys and girls should be modest and neither tight-fitting nor transparent and not accentuate the body shape. In practice this means a wide variety of styles are acceptable. In public boys should always be covered between the navel and knee and girls should be covered except for their hands and faces, a concept known as 'hijab'.<sup>4</sup>

### School uniform

Issues and policies regarding school dress, including school uniform, are determined by the governing body and implemented by the headteacher. In drafting and renewing policies, it is reasonable to expect that the views of all stakeholders, including parent governors, other parents and pupils, are given due consideration.

Governors are also required to have regard to their responsibilities under the Race Relations Amendment Act 2000 which requires them to assess the impact of all policies, including uniform or dress codes, upon all pupils.

The DfES guidance on school uniform requires schools to be sensitive and considerate towards the culture, race and religion of all their pupils and :

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<sup>4</sup> Linguistically hijab means 'to cover'. This takes the form of a headscarf and covering of the rest of the body with exception of the face and hands. For some Muslims fulfilling this requirement may mean the wearing of the jilbab (a long outer garment down to the ankles).

*'expects schools to accommodate these needs within a general uniform policy, for example, allowing Muslim girls to wear appropriate dress and Sikh boys to wear traditional head dress. The DfES does not consider it appropriate that any pupil should be disciplined for non-compliance with a school uniform policy, which results from them having to adhere to a particular cultural, race or religious dress code'.<sup>5</sup>*

Schools should accommodate Muslim girls so that they are allowed to wear a full-length loose school skirt or loose trousers, a long-sleeved shirt and a head scarf to cover their hair. Schools may wish to specify the colour, styling and size of scarf for reasons of uniformity.

Schools have a right to expect that Muslim parents will provide their children with suitable clothing for the climate and ensure that any headscarves worn can be safely tied for work in potentially hazardous places such as science laboratories, food technology areas, design and technology workshops and physical education areas.

## **Sportswear**

The most suitable sportswear for boys and girls that respects the requirements of Islamic modesty is a tracksuit and in addition for girls a headscarf tied in a safe and secure manner.

*(See also the section 7 physical education)*

## **Beards**

Following the example of the Prophet Muhammad (peace be upon him) many Muslim males choose to keep a beard, which is considered to be an adornment of a man's face. Any decision by Muslim pupils to manifest their religion by growing a beard should be respected by their school.

## **Religious Amulets**

Some Muslim children may wear amulets containing Qur'anic verses that are wrapped or sewn in cloth, or contained in lockets worn usually around the neck. These have religious significance for those who wear them and should not be considered as jewellery. Schools should be sensitive and allow such amulets to be worn discretely.

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<sup>5</sup> [www.teachernet.gov.uk/management/atoz/u/uniform](http://www.teachernet.gov.uk/management/atoz/u/uniform).

## DRESS CODES IN SCHOOLS

### Features of good practice

- School uniform policy includes the particular dress requirements of Muslim pupils.
- School allows their Muslim girls to adhere to the Islamic requirements for dress, for example full-length skirts.
- Muslim girls who choose to wear the headscarf during all school lessons and activities are permitted to do so, including during physical education.
- Boys and girls are allowed to wear tracksuits during physical education activities.

School respects the decision of Muslim boys to grow a beard.

- School allows religious amulets to be worn discretely, for example Qur'anic verses in lockets worn around the neck.



# 3

## Halal Meals

In common with some other religions, Islam has clear rules concerning the consumption of food and these are governed by two principles: food should be 'halal' (permissible) and 'tayyib' (good, healthy, natural and wholesome). Consumption of wholesome food and leading a healthy lifestyle are seen as religious obligations.

Halal refers to meat from animals<sup>6</sup> that has been slaughtered in accordance with the prescribed Islamic manner, similar to kosher meat in Judaism. For meat to be halal it must be slaughtered by a Muslim and God's name must be pronounced at the beginning of the slaughtering process. Although the stunning of animals is a legal requirement in the UK, Muslims and Jews are exempt from this, as animals that are stunned are not considered permissible for consumption.

In Islam the flesh of swine is not permissible for consumption. Food containing ingredients derived from pig, non-herbivores and animals that are not slaughtered in the prescribed Islamic manner is also forbidden. By the same token, food cooked in any fat or lard from these animals is forbidden.

Care needs to be exercised by supervisory staff at celebrations and parties where it is difficult to ensure the same degree of differentiation. During such events in school, sweets and cakes are normally shared amongst children. It is important to be aware that sweets, chocolates and cakes that contain alcohol or meat derivatives (for example, animal gelatine) are not permissible for consumption by Muslims. In all cases it is important that schools ensure that all served items are clearly labelled as to whether they are 'halal' and 'vegetarian'.

### Etiquettes of eating

Muslims normally begin eating by reciting a small prayer, as this was the practice of Prophet Muhammad (peace be upon him). Muslims always prefer to eat with their right hand, regardless of whether they are using cutlery or not.

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<sup>6</sup> For example, cows, goats, chickens, sheep and turkey.

## HALAL MEALS

### Features of good practice

- School meals policies incorporate the requirements for the provision of halal meals.
- All kitchen staff receive guidance and training in the handling, preparation and serving of halal food.
- School ensures that the meat supplied is from a reputable halal supplier.

Storage, preparation and serving of halal food is done separately from non-halal meat or meat products to avoid cross contamination, for example, utensils used in the preparation and serving of halal food are not mixed with those used for non-halal food.

- Food is clearly labelled as halal or vegetarian at the point of serving.

# 4

## Provisions for prayers

### Five daily prayers

The observance of five obligatory daily prayers is one of the five 'pillars' of Islam. Children from the age of seven are to be encouraged to pray regularly and prayer becomes obligatory upon all males and females at the age of puberty. Performing the five daily prayers involves adopting body postures consisting of standing, bowing, prostrating and sitting whilst facing Makkah in modern Saudi Arabia

### Prayer (Salah) times

Prayer Name	Time	During School Hours ?
Fajr	Between dawn and sunrise	NEVER
Zuhr	Between midday and afternoon	ALWAYS
Asr	Between mid-afternoon and sunset	SOMETIMES
Maghrib	Immediately after sunset	NEVER <sup>7</sup>
Isha	Between nightfall and dawn	NEVER

### Prayers at school

Only two of the prescribed prayers (Zuhr and Asr) need to be accommodated by schools. Zuhr prayer will normally fall within the lunch hour or afternoon break during the school day. During summer times 'Asr prayer does not coincide with the school day. However, Asr prayer during winter times may fall within school hours and can be accommodated during afternoon break or just after school. The obligatory portion of each prayer, including the ritual wash, will usually take about twenty minutes.

Although it is preferable to perform prayers in a mosque and in congregation, a Muslim may pray individually and almost anywhere. The only condition is that the place of prayer should be clean and pure. It is for this reason that prayer mats are normally used.

<sup>7</sup> Schools need to be aware that in cases of after school activities such as extra lessons, clubs and detentions, the Maghrib prayer in winter times may fall during school hours and this needs to be considered. The same is true for schools in the north of the UK, where sunset is very early during the winter.

In accommodating prayer requirements, schools need to allow pupils to use an appropriate classroom or area for the purpose of prayer. Care should be taken to avoid allocating rooms that may have displays with distracting imagery, such as posters of the human body in a science laboratory. Schools should be aware that some pupils may request separate prayer facilities for boys and girls, as they may feel more comfortable praying in a single-gender group.

### **Cleanliness before praying (Wudu)**

Cleanliness and ritual washing (Wudu) is an essential prerequisite for all daily prayers and takes a few minutes to complete. Muslim pupils who wish to pray will need access to washing facilities to perform Wudu, which includes the washing of their hands, mouth, face, arms to the elbow, and feet. This state of purification becomes nullified when one goes to the toilet or breaks wind.

After visiting the toilet, Muslims are required to wash their private parts with water to meet cleanliness requirements, hence pupils will need to use water cans or bottles that are easily accessible from a storage space in or near the washing area.

### **Friday prayer (Jumu'ah)**

The Friday prayer has a special significance and importance. It has to be performed in congregation and replaces the Zuhr prayer. It is obligatory for males and optional or recommended for females. It is different from the normal prayer in that it is shortened and has to be preceded by a sermon (Khutbah). The Friday prayer can be led by a suitable external visitor, a teacher or an older pupil. In its entirety the Friday prayer (ablution, sermon and prayer) should take between 20 to 30 minutes to complete depending on, pupil numbers and availability of washing facilities.

Schools need to be aware that it is likely that a greater number of pupils will participate in the observance of Friday prayer than the daily prayers. Facilities for the Friday prayer remain the same as those required for other prayers.

It is worth mentioning here that under the terms of the 1988 Education Reform Act, children are allowed to leave school premises to receive religious education. Parents may make such requests in writing to take their children to the mosque eg. for obligatory Friday congregational prayers. However, arrangements made within school would satisfy pupils and parents and make such requests unnecessary.

## PROVISIONS FOR PRAYER

### Features of good practice

- School makes arrangements for their Muslim pupils who wish to perform daily prayers in school.
- School makes arrangements to allow Muslim children who wish to perform their Friday congregational prayer on school site, led by an older pupil, teacher or external visitor.
- School allocates a regular place for the daily prayers that fall within school time.
- School ensures washing facilities are available, preferably in close proximity to the prayer area.
- School builds or adapts a washing facility in the toilet areas where pupils can conveniently make ablution which includes washing of the feet.



# 5

## Ramadan - The Month of Fasting

### The importance of fasting

Fasting during the month of Ramadan is the fourth 'pillar' of Islam, an act of worship of great spiritual, moral and social significance for Muslims. It is obligatory for all males and females to fast once they attain the age of puberty (for some children this can be as young as age nine). The physical dimension of fasting involves completely abstaining from all forms of nourishment, food, liquids (including water) and smoking from dawn to sunset for the whole month. Younger children may fast for all or part of the month but this is entirely optional. The spiritual and moral dimension of fasting is considered to be of far greater importance than the physical dimension. In general, Muslims are encouraged not to use Ramadan as an opportunity to avoid aspects of normal life but rather to cope with normal life under a different set of guidelines and conditions. However, schools need to be aware of some important considerations in relation to fasting pupils. Fasting pupils will normally get up before dawn to have their breakfast, which does interrupt their sleeping pattern.

During Ramadan, Muslims should focus on additional worship and God-consciousness, in order to improve themselves in all aspects of their lives and dealings with others, including their character, respect for others, kindness, forgiveness and avoidance of bad language and poor behaviour. In addition, having empathy with the poor, donating generously for charitable causes, the sharing of food and inviting others to one's home to open the fast are important features of Ramadan. Muslims also focus on reading more of the Qur'an and performing additional prayers in the mosque every evening.

Schools can develop the spiritual, moral, social and cultural aspects of their children and school life by recognising and building upon the essence and spirit of Ramadan. Whilst the discipline and the challenge of fasting is to continue with the normality of everyday life, staff should exercise a degree of understanding, by encouraging pupils to avoid excessive exertion in physical education to prevent dehydration. By the same token they may praise pupils who are clearly making a special effort regarding their attitudes and behaviour.

Teachers can take this opportunity to be more inclusive and teach pupils about Ramadan in religious education and to invite guests from the Muslim community to take collective worship

or assemblies. Some schools offer their staff awareness training about factors affecting their pupils during Ramadan.

The Islamic calendar is based on a lunar cycle, therefore, the month of Ramadan begins 10 or 11 days earlier each year on the Gregorian calendar; hence it takes Ramadan about 33 years to move through the seasons from January to December.

## **Primary school pupils**

Although fasting for the entire month does not become obligatory until the age of puberty, it is common practice for Muslim children to begin to fast before this age, in order to become progressively accustomed to the obligation. Most children aged 10 and 11 (years 5 & 6) are likely to fast all 30 days. Children are enthusiastic and get a great sense of achievement joining their families in taking part in the spirit of Ramadan and often begin at a younger age.

The younger the child, the more difficult it tends to be for children to fast without their physical stamina and concentration levels being affected. This can be problematic for very young children and we would advise that schools liaise with parents to encourage very young children to fast half days or to avoid fasting during school days as this can have a significant effect on their concentration levels and degree of alertness while at school. It is important to be aware that young children are more likely to fast when Ramadan falls in the winter months, when the days are shorter and the climate is cooler.

Whether a pupil decides to fast or not is a matter to be decided between the parent and child. Breaking the fast before the correct time may be regarded as being worse than not fasting at all by some pupils and parents. Schools should not encourage children to break their fast early unless it is for health and safety reasons. The overriding consideration should be that the children do not feel disadvantaged in school activities because of their religious observance.

## **Prayers during Ramadan**

The same daily prayers are offered in school time as at other times of the year, but in Ramadan it is usual for more students to offer their prayers in school. Schools should recognise this by putting in place acceptable arrangements for prayer, including reasonable extra space ready for the first day of fasting, these arrangements should be shared with pupils, parents and staff so that everyone is clear of the facilities offered.

## **Celebrating Ramadan**

Muslims approach Ramadan with enthusiasm and it is customary for Muslims to congratulate one another on its arrival. The school can value and build on this spirit by having themes based on Ramadan at collective worship or assemblies, and by organising communal 'Iftar' (breaking the fast) when pupils, parents, community members and teachers – both Muslims and non-Muslims – can all join in the ending of the fast and eating together. Some schools enter into the charitable spirit of Ramadan by raising funds for the poor and the needy in the world.

## Physical Education

The majority of pupils who are fasting are able to take part in most physical activities during Ramadan without putting themselves at risk or in danger. Fasting may make some children feel tired or drowsy, or even develop headaches due to dehydration. This may necessitate some Muslim pupils having to reduce their physical exercise. Schools may wish to consider and plan less strenuous activities in physical education lessons during Ramadan.

## Examinations during Ramadan

It is inevitable that certain statutory and internal school examinations may fall during Ramadan. Schools should give appropriate consideration when scheduling internal examinations, since the combination of preparing for exams and fasting may prove challenging for some pupils.

## Parents' evenings and after school functions

During Ramadan, the evenings can be a very busy period for Muslim families, particularly if the breaking of the fast (Iftar) falls in the early evening. Furthermore, some adults will spend their time observing additional religious activities, like the special evening prayers (*Taraweeh*) at the mosque. This may make it difficult for parents to attend meetings or other functions in the evening during the month of Ramadan. The scheduling of parent evenings before or after the month of Ramadan would be appreciated by parents and is likely to ensure better attendance.

## Exemption from fasting

There are certain circumstances and conditions in which Muslims are exempt from fasting. These include menstruating women, those for whom fasting is likely to have a seriously detrimental effect on health and physical well-being and those who cannot survive without taking medication or nourishment, for example diabetics. Those travelling on long and difficult journeys may not fast if it is likely to cause serious hardship. Any missed fasting days have to be made up at a later date or in some circumstances compensated for, by feeding the poor.

## Medication

No oral medication can be taken by a person who is fasting. Anyone needing regular medication during fasting hours is normally exempt from fasting in any case. Medication can be taken once the fast has ended. Medical injections can be taken by a person who is fasting, although not those injections that influence body nutrition. Guidance should be sought from local Muslim organisations on specific issues if necessary. During emergencies, where a child's wellbeing is at risk, medicine should be administered. Routine vaccinations should be scheduled for other times of the year.

## **Detentions and after school activities**

When Ramadan falls during the winter months, after-school detention or activities for a pupil who is fasting could mean that the pupil is not able to reach home in time to break their fast. Whilst accepting full responsibility for breaching school rules, schools should be aware that pupils are able to carry out their religious duty of breaking the fast on time. A drink or anything to eat is sufficient and many schools do make this provision available when required. Some parents may request that their children break the fast at home with their family.

## **Swimming during Ramadan**

In general, participation in swimming is an acceptable activity whilst fasting. However, for many pupils this activity may prove to be an issue, as the potential for swallowing water is very high. Some pupils or parents consider the risk too great and may wish to avoid swimming whilst fasting. Others may take the view that as swallowing is unintentional it does not break the fast.

Schools with a significant number of Muslim pupils should try to avoid scheduling swimming lessons during Ramadan to remove unnecessary barriers to full participation.

## **Sex and relationship education**

Whilst fasting, Muslims are not permitted to engage in any sexual relations and are expected to take measures to avoid sexual thoughts and discourse. Schools are therefore advised to avoid scheduling the teaching of sex and relationship education, including aspects that are part of the science curriculum, during Ramadan.

## **Special Ramadan evening prayers (Taraweeh)**

During Ramadan many pupils may observe special additional prayers called Taraweeh. These usually take place at the mosque every evening and last approximately an hour. These prayers are optional and may be observed individually or with one's family at home.

## RAMADAN - THE MONTH OF FASTING

### Features of good practice

- School has a written policy for the requirements and implications of Ramadan for their Muslim pupils.
- School offers its staff Ramadan awareness training about factors affecting pupils during Ramadan.
- School recognises and celebrates the spirit and values of Ramadan through collective worship or assembly themes and communal Iftar (collective breaking of the fast).
- School is aware of the likely increase in the number of pupils offering prayer during the month of Ramadan and facilities are provided accordingly, for example a larger area for daily prayers.
- Adequate arrangements are in place to supervise fasting children, during the lunch hour. These arrangements are well publicised amongst pupils and parents.
- School takes account of Ramadan when planning internal examinations and tries to avoid scheduling them during the month of Ramadan.
- School avoids scheduling sex and relationship education and swimming during Ramadan.

School teachers are considerate and mindful that fasting children avoid engaging in over-demanding exercises during physical education lessons that may result in dehydration.

- If possible, school avoids holding parents' meetings and other school social events in the evening during the month of Ramadan.

School gives the option for those Muslim pupils who are entitled to free school meals to take packed lunches home, should they wish to do so.



# 6

## Islamic Festivals

Like all other religions, Islam has a number of special celebrations. The two main annual celebrations are Eid ul-Fitr (festival of charity) and Eid ul-Adha (festival of sacrifice).

### **Festival of charity (Eid ul-Fitr)**

Eid ul-Fitr celebrates the successful completion of the month of Ramadan and every Muslim is required to give charity on this occasion. The day starts with a light meal followed by special congregational prayers often attended by the whole family. Muslims usually spend the rest of the day visiting relatives or friends, and eating special food. It is customary to wear one's finest or new clothes and also to exchange gifts and money.

### **Festival of sacrifice (Eid ul-Adha)**

Eid ul-Adha celebrates the completion of the Hajj (the annual pilgrimage to Makkah). In many countries after the public prayers, those who can afford to, sacrifice a lamb or a goat to signify the Prophet Ibrahim's (Abraham's) obedience to God, shown by his readiness to sacrifice his son Ismail (Ishmael). Eid ul Adha is celebrated by Muslims all over the world, not only those performing the Hajj. Many Muslims arrange for their sacrifice to be made overseas so that the meat of the sacrificed animal reaches those they consider to be in most need of it. The day of Eid-ul-Adha itself is similar in nature to the day of Eid-ul-Fitr.

### **Celebrating Islamic festivals**

Schools can recognise and celebrate the Eid festivals by highlighting the importance of the message of Eid through collective worship and assemblies. Schools may want to share sweets amongst all children to mark this event. In addition, schools may make the normal school meals a special Eid meal for all the children and invite some parents and special guests. Holding balls and discos to celebrate Islamic festivals would be considered inappropriate by Muslim parents.

As Eid days are based on the lunar calendar, there can be some uncertainty in determining the exact dates of the two Eids in advance. This makes planning for Eid holidays difficult. Schools are advised to liaise with their local mosque or other Muslim organisations for more information. Schools should allow at least one day off for each of the Eid celebrations as obligatory religious observance. Eid holidays should be marked as authorised absences.<sup>8</sup> In addition, schools with a high proportion of Muslim pupils can alter school holidays to have time off at Eid without prejudice to their pupils and the schools' attendance record.

## Other celebrations

There are a number of other important occasions in the Islamic calendar which schools can recognise through assembly themes. They include the Islamic New Year (Hijrah), Night of Power (Lailatul Qadr), Birthday of the Prophet Muhammad (peace be upon him) and the day of Ashurah.<sup>9</sup>

## Social events and celebrations

When organising either celebration or social events it is important for schools to consider the appropriateness of certain events, such as school balls/discos, fashion shows that might inadvertently exclude pupils and parents from the Islamic faith background. Alcohol is prohibited within Islam, and its presence at a function may make it uncomfortable for some pupils and their parents to attend.

## ISLAMIC FESTIVALS

### Features of good practice

- The school includes possible dates for the two Eid festivals in their yearly calendar.
- The school grants Eid holidays as authorised absences for the observance of the special Eid prayers and celebrations for the two Eid festivals.
- The school recognises and celebrates the two Eids and other Islamic festivals in collective worship or assembly themes.
- The school celebrates Eid by sharing sweets amongst their children to mark the event. In addition, the school may make the normal school meal a special Eid meal for their pupils.

<sup>8</sup> For further information see Section 444 of the 1996 Education Act.

<sup>9</sup> Children who belong to the Shi'a Muslim community may take this day off as a religious holiday.

# 7

## Physical Education

Physical education is a very important part of school life and full participation is to be encouraged, in order to develop a healthier lifestyle. Physical education is a compulsory part of the national curriculum at all key stages and covers six areas of activity: athletics, dance, games, gymnastics, outdoor and adventurous activities, and swimming. At Key Stage 1 and 2 pupils must experience all six areas of activity. At Key Stage 3, pupils pursue at least four areas of activity, whilst at Key Stage 4 pupils are required to pursue at least two.

There are some basic Islamic requirements for modesty which need to be considered in order to remove any unnecessary barriers for Muslim pupils to participate fully in physical education and swimming in particular.

### **Dress for physical education**

The most suitable sportswear for boys and girls that respects the requirements of Islamic modesty is a tracksuit. In addition, for girls, the headscarf can be tied in a safe and secure manner, or special sports hijabs can be used.<sup>10</sup>

### **Changing (primary schools)**

In the vast majority of primary schools, when changing for PE, both boys and girls have no choice but to change in mixed group environments for sports activities. Muslim children are likely to exhibit resistance to this sort of compromising and immodest exposure, but are often pressurised to conform to institutional norms which do not take account of their own or their parents' beliefs and values.

Schools need to take account of, and be more responsive and sensitive to, the moral values of the children and communities they serve. In primary schools where there are no separate changing facilities, schools can use portable partitions to allow girls and boys to change in

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<sup>10</sup> Please also see section 2. School Uniform

single-gender groups within the classrooms. Teachers also need to be sensitive to gender separation in this context.

As a permanent solution, schools could consider providing separate changing facilities that include individual changing cubicles, particularly in schools that have significant or large Muslim pupil populations.

### **Changing (secondary schools)**

In secondary schools, changing facilities are always gender specific but almost always communal. Communal changing compromises the Islamic modesty requirements and having to change down to their undergarments in the presence of their peers and teachers can be a source of embarrassment or even be undignifying for many pupils. Pupils who may have problems with weight or physique can be subjected to unnecessary embarrassment in situations where there is no choice but to change communally.

Secondary schools can provide a choice for their pupils to change in greater privacy, for example, by including individual changing cubicles within changing facilities.

### **Mixed gender sports activities**

Some sports involve physical contact with other team players, for example basketball and football. Most Muslim parents would find it objectionable for boys and girls to play such sports in mixed-gender groups. Schools can respond positively to this concern by making sure that contact sports are always in single-gender groups.

### **Showering after physical education**

Some schools may have policies for children to shower at school after sports activities. These arrangements sometimes take the form of naked communal showering, which involves profound indignity. The practice of allowing Muslim children to shower in bathing costumes or shorts does not solve the problem if other pupils are naked in the same communal shower area. Islam forbids nakedness in front of others or being among others who are naked.

Muslim children should not be expected to participate in communal showering. Sensitivity and understanding by school and staff in these matters will be much appreciated both by Muslim pupils and by their parents. One practical solution in a school environment would be the installation of individual shower cubicles. In the absence of separate cubicles for changing and showering, Muslim children should be allowed to delay showering until they reach home.

## Swimming

Swimming is a requirement of the national curriculum at Key Stage 2 and becomes optional at Key Stage 3. It is a beneficial and enjoyable activity that develops a valuable skill for life.

Many schools, both primary and secondary, hold mixed swimming lessons but the changing arrangements, although single gender, are often communal. Some schools have taken the initiative of offering single-sex swimming lessons and ensure that their pupils change in individual cubicles. However, they do not always ensure that the accompanying teacher and pool attendants are of the same gender as the children. Adjoining changing and showering areas of the pool are sometimes used by members of the public at the same time as the children. This raises serious concern in that some members of the public may sometimes become totally naked in the presence of these children.

The practice of boys and girls swimming in mixed-group sessions or being exposed to complete nakedness of others, when changing, is unacceptable for reasons of modesty and decency to Muslim parents, as well as to many non-Muslim parents. Given the choice between mixed or single-sex swimming, Muslim parents would always opt for a wholly single-sex environment for swimming.

The Swimming Charter published by the DfES in December 2003 under the heading 'Ethnic Minority Groups' states:

*The Swimming Advisory Group's report highlighted the fact that many children from ethnic communities were failing to reach the minimum Key Stage 2 target.*

*This is particularly true for children of Islamic faith background whose parents may object on grounds of modesty and decency. Muslim girls in particular may exhibit reluctance to swimming in mixed classes with boys. Making alternative arrangements such as all male and all female classes can often solve these issues. Schools, local authorities ... and pool managers should work together to remove unnecessary barriers to learning. They should consider block booking separate classes for girls and boys (either from a number of schools or with different age groups from the same school), using same sex teachers for classes, if appropriate, and adopt flexible clothing codes.*

Schools should make every effort to provide a single-sex environment for swimming and allow Muslim children to wear swimwear that complies with the requirements of modesty and decency according to the teachings of Islam. Some schools have been able to meet these requirements in providing an appropriate single-gender environment and also allowing girls to wear full leotards and leggings in the pool. Provided these guidelines are adhered to, there should be no reason why Muslim children should be withdrawn from swimming lessons.

If schools are unable to make arrangements for a single-sex environment for swimming, then Muslim pupils should have the option to be excused from swimming on religious grounds. Parents should be encouraged to take advantage of single-sex arrangements that some swimming pools offer outside school hours, where their children can go and learn to swim.

## Dance

Dance is one of the activity areas of the national curriculum for physical education. Muslims consider that most dance activities, as practised in the curriculum, are not consistent with the Islamic requirements for modesty as they may involve sexual connotations and messages when performed within mixed-gender groups or if performed in front of mixed audiences. Most primary and secondary schools hold dance in mixed-gender classes and may include popular dance styles, in which movements of the body are seen as sexually expressive and seductive in nature.

At Key Stage 1 and the early phase of Key Stage 2 dance is equated with expressive and creative movements connected with emotions or forces of nature. In this form it would be acceptable to most Muslim pupils and parents.

However, most Muslim parents will find little or no educational merit or value in dance or dancing after early childhood and may even find it objectionable on moral and religious grounds once children have become sexually mature (puberty). Some parents may consider it to be acceptable within a single-sex context provided the dance movements have no sexual connotations. As dancing is not a normal activity for most Muslim families, Muslim pupils are likely to exhibit reluctance to taking part in it, particularly in mixed-gender sessions. By the same token, dance performances before a mixed gender audience may also be objectionable.

Schools are asked to respect these views and principles, which are held sincerely on the grounds of conscience, and to honour parents' wishes by not placing pupils in situations of religious and moral compromise.

Whilst Muslims have no wish to constrain the freedom of others, they would urge schools to organise and manage physical education so that pupils can choose other acceptable forms of activity, for example, athletics, games, gymnastics, outdoor and adventurous activities and swimming within the curriculum.

If the above is not possible, parental requests for children to be excused from dance should be treated as an issue of religious conscience and respected accordingly.

## PHYSICAL EDUCATION

### Features of good practice

- School has a policy for physical education that includes Islamic requirements for modesty in dress / sportswear and changing arrangements for P.E.
- Primary schools arrange separate changing areas for physical education for boys and girls or use portable or curtain screens within classrooms where separate changing areas are not available. Teachers are sensitive to gender separation in this context.
- At primary level, schools build separate changing facilities for boys and girls with individual changing cubicles, particularly for older children.
- At secondary level, schools incorporate individual changing and shower cubicles.
- The needs of Muslim girls who choose to wear the head scarf are accommodated during PE lessons.
- Boys and girls are allowed to wear tracksuits during PE activities.
- School makes provision to allow boys and girls to swim in single gender classes and ensures that teachers and attendants are of the same gender as the pupils.

In cases where adequately sensitive provision for Muslim pupils cannot be made, schools are flexible in allowing parents to excuse their children from swimming and encourages them to explore other options and opportunities available at the local community swimming pools, (where there may be acceptable forms of provision).

- School allows Muslim pupils who wish not to participate in dance the flexibility to participate in an alternative curriculum activity.
- School ensures contact-sports activities are conducted in single gender groups.

# 8

## Religious Education (RE)

Every pupil in a maintained school has a statutory entitlement to RE, which provides an important opportunity to develop their own faith and to learn about the faiths of others, particularly the Christian faith which has historically moulded life and culture in Britain. Having a positive approach and an accurate and greater understanding of faiths other than one's own is essential to a healthy multicultural and multi-faith society.

In all maintained schools without a specific faith ethos, RE is taught according to a locally agreed syllabus, drawn up by an appointed and representative conference initiated by the local Standing Advisory Committee for Religious Education (SACRE). The agreed syllabus takes account of the Department for Education and Skills non-statutory framework for religious education. In local authorities with significant or high numbers of pupils from a particular faith or faiths, the locally agreed syllabus needs to take account of this and allow adequate flexibility for schools to reflect their pupils' religious backgrounds when apportioning syllabus time.

There are many schools with a significant or a high composition of Muslim pupils, in which the syllabus time allocation does not take adequate account of or reflect their religious background, resulting in a relatively small proportion of study time in RE being devoted to the study of Islam. Although learning about other religions is important, a broadly proportionate recognition of the pupils' religious background would clearly be more engaging and relevant.

Religious education at Key Stage 4, particularly where focused on Islam, can be one of the most fulfilling, rewarding and high-achieving subjects for Muslim pupils. Muslim parents and the wider Muslim community would very much regard it as the essential core of any Muslim child's education. RE teachers usually find that giving Muslim pupils the opportunity to take the double Islam option in GCSE Religious Studies generates higher interest and motivation levels in other subjects as well, with an increased likelihood of better examination results.

Most Muslims have no objection to learning about other religions and their beliefs and practices. A serious study of the Qur'an, for example, leads naturally to a study of the 'People of the Book' (Jews and Christians). A balance needs to be kept between giving Muslims a good grounding in and detailed study of their own faith and learning about other major faiths practised within

society. It is also important, in schools where there are no Muslims, for all pupils to learn about Islam. This is particularly important given the need to develop an accurate understanding of Islam and Muslims in Britain in a climate of fear and suspicion brought about by negative and inaccurate portrayal of Islam and Muslims.

## **Images of Prophets and the Divine**

Muslims believe that God should not and cannot be represented in any form, whether two-dimensional or three-dimensional. It would therefore be inappropriate to ask Muslim pupils to draw pictures or make models of God in any incarnate form of the Divine, from any religious traditions. Similarly, all of the prophets (peace be upon them) are afforded great reverence and respect and therefore drawing pictures or role-playing them is considered equally inappropriate.

## **Visiting places of worship**

Muslim pupils are allowed to take part in educational visits to all places of worship, including churches, synagogues and temples. Some parents may object to this, but if they are made aware of the objectives and the purpose of the trip, namely that it is for educational purposes and not for worship, this should usually be sufficient to allay their concerns.

## **Statutory right to withdraw**

The Education Act 1944 gives parents the right to withdraw their children from Religious Education and remains unchanged in the subsequent Acts of 1988 and 1996. The right of parents to withdraw from RE applies also to faith schools. Where parents are dissatisfied with the provision of RE content, they may choose to exercise their right to withdraw their children by writing to the school. Schools should comply and respect this right and make alternative supervisory arrangements for withdrawn pupils.

If Muslim parents withdraw their children from Religious Education there are two options to be considered:

1. The Muslim children withdrawn from Religious Education may be given alternative work to do, supervised by a member of staff.
2. If a suitably qualified Muslim teacher is available (even from outside the school), the 1996 Education Act allows children who have been withdrawn from Religious Education to receive religious studies lessons in their own faith within the school, as long as this is at no extra cost to the school. If arranged in an atmosphere of mutual respect, such arrangements can help to cement a relationship of understanding and co-operation between the school and Muslim parents.

The introduction of such a course of study, and of similar initiatives which cater for the needs of Muslim pupils, can make a significant contribution towards the establishment of sound understanding and positive relations between school, home and community.

## RELIGIOUS EDUCATION (RE)

### Features of good practice

- When drawing up the RE policy the school takes account of the religious background of its pupil population when allocating syllabus time in the teaching of religious education.
- The school ensures that adequate religious education resources are available, including materials about Islam, and that these are accurate and authentic.
- At Key Stage 4, all Muslim pupils are given the opportunity to study the Islam options (Islamic Studies) as part of GCSE Religious Studies.
- The school respects and honours the rights of parents to withdraw their children from RE lessons if requested in writing.



# 9

## Collective Worship

One of the aims of the national curriculum and therefore of the education system is to cater for pupils' spiritual, moral, social and cultural development. The provision of collective worship is one of the key mechanisms for promoting the spiritual and moral dimension of a child's education in school.

The Education Act 1996 (Section 386 & 387) makes it clear that schools must arrange for all pupils to attend a daily act of collective worship, which normally takes place during the morning assembly. The same legislation states that the majority of such acts in any term should be 'wholly or mainly of a broadly Christian character' and the act of collective worship must also be appropriate to the 'family background of the pupils'. This does not preclude the school from providing acts of worship of a non-Christian character (for example Islamic or Jewish), provided the majority of the acts of worship over a term are of broadly Christian character. The implications of such arrangements are that all pupils would be present in the same hall, some observing and others actively participating in the act of collective worship when it is appropriate to their faith background.

Spirituality for a Muslim is necessarily Islamic in its nature, character and expression. As with other faiths, Islamic spirituality is rooted within its own beliefs, values and traditions. It is important that Muslim pupils are enabled to give expression to their own sense of spirituality in the form of collective worship.

The vast majority of Muslim pupils in the maintained sector do not receive any act of collective worship appropriate to their family and faith background. Unfortunately this is often the case even in schools with significant or even very high numbers of Muslim pupils, where the collective worship that is arranged is of Christian, 'multicultural' or of 'non-faith' character. The non-religious or 'multicultural' approach not only fails to meet legal requirements but can make worship meaningless and inappropriate for pupils, as distinct references to their faith and spirituality are removed. The law does not allow schools to obtain a determination to replace the basic statutorily defined 'acts of worship' with non-religious assemblies. A form of collective worship that is appropriate to pupils' faith backgrounds should be provided. A school can have a determination so that collective worship does not have to be wholly or mainly broadly Christian character. It can also arrange for separate worship for different groups of pupils.

It is not permissible for Muslims to actively participate in non-Islamic acts of worship. Within the

context of collective worship in schools, this would include the saying of non-Islamic prayers or the singing of hymns or religious songs from other faith traditions or bowing their heads. In situations where Muslim pupils are merely observing non-Islamic acts of worship, it should be made clear that they are not to participate in the act of worship. Muslim pupils should also not be expected to play roles which involve the enactment of the Divine or Prophets.

The collective worship theme or message content as well as the supplications or prayers should be drawn from the Islamic tradition for Islamic collective worship for Muslim pupils. For an act of collective worship to be fully appropriate and meaningful, it should be conducted or led by a person who is of the same faith background as that of the pupils. Collective worship, whether it is Islamic, Christian or of any other character should contribute positively to a school's values and ethos.

Collective worship of an Islamic character has great potential to motivate and inspire Muslim pupils. There are many examples of schools with pupils from diverse faith backgrounds celebrating and valuing the faiths and spirituality of all their pupils. By ignoring issues of faith or failing to meet religious needs, schools may be missing an important opportunity for the spiritual and moral development of all their pupils in a manner that recognises and values them uniquely and equally.

## Determinations

A determination is a legal decision made by the Standing Advisory Council for Religious Education (SACRE) to lift the statutory requirement of worship to be 'wholly or mainly of a broadly Christian character'. A school cannot determine not to have an act of collective worship or replace it with non-religious assemblies. Determinations are usually sought for schools where a significant number of pupils or the majority of pupils are affiliated to faiths other than Christianity.

For schools with pupils from different faiths, e.g. Muslims, Hindus, Sikhs and Jews, a part-school determination could be made in accordance with the requirements of the relevant legislation. The broadly Christian character aspect may then continue to operate for those pupils for whom it is appropriate.

In schools, for instance, where the majority of the pupils are of the Islamic faith background, collective worship which is wholly or mainly of a broadly Christian character would be inappropriate. In such a situation, the headteacher, in consultation with parents and the governing body, should apply for a determination which releases the school from the basic statutory requirements (wholly or mainly of a broadly Christian character) and empowers the school to implement arrangements more appropriate to the faith background(s) of their pupils, e.g. Islamic collective worship for Muslim pupils. A determination can be made in whole or in part. Part determinations allow for Muslim, Christian and Sikh pupils, for example, to have separate acts of collective worship. In the case of a whole school determination that is Islamic, parents retain the right to withdraw their children from such worship.<sup>11</sup>

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<sup>11</sup> Para 79, Circular 1/94 on Religious Education and Collective Worship

## Statutory right to withdraw

The Education Act 1944 gave parents the right to withdraw their children from collective worship and this remained unchanged in the subsequent 1988 and 1996 Acts. Where parents are dissatisfied with the provision that a school makes, they may choose to exercise their right to withdraw their child by writing to the school. Schools should respect this right and make alternative supervisory arrangements for the withdrawn pupils. In schools with a faith character parents also have the statutory right to withdraw their children from acts of collective worship.

## COLLECTIVE WORSHIP

### Features of good practice

- Schools with a significant number of Muslim pupils apply for part-determination and offer daily Islamic collective worship for their Muslim pupils' spiritual and moral development. In coherence with the values and ethos of the school.
- Schools with very high Muslim pupil populations have a whole school determination and offer daily Islamic collective worship for their Muslim pupils' spiritual and moral development.
- Often Schools with significant or large numbers of Muslim pupils that have not applied for part-determination or whole-school determination do collective acts of worship according to a particular faith (eg Christian) where there are pupils of Muslim and other faiths present.

In such cases we would advise that the school ensures that the character of their daily act of collective worship takes appropriate account of and reflects the faith of their Muslim pupils over the course of a term. In a whole school setting, for instance, Muslim pupils could be observers of Christian collective worship and, similarly, non-Muslims could be observers of Islamic collective worship. Neither should be active participants in the collective worship of other faiths but could benefit from the general message and shared values. The principle of being 'observers' and 'active participants' should be made clear to the pupils.

- School ensures that Islamic collective worship is meaningful and appropriate and is delivered by a person of the same faith background as the pupils eg. Muslim teachers or external visitors.
- School ensures that Muslim pupils do not actively participate in any acts of collective worship that are not Islamic in character.
- Schools respect and honour the right of parents to withdraw their children from collective worship if requested in writing.

# 10

## Sex and Relationship Education (SRE)

### **Relevant legislation and guidance:**

*“The local education authority...and the governing body and head teacher of the school, shall take such steps as are reasonably practicable to secure that where sex education is given to any registered pupils at the school it is given in such a manner as to encourage those pupils to have due regard to moral considerations and the value of family life.” (Section 46 of the Education Act 1986)*

*“The teaching of some aspects of sex and relationship education might be of concern to teachers and parents. Sensitive issues should be covered by the school’s policy and in consultation with parents. Schools of a particular religious ethos may choose to reflect that in their sex and education policy...” (DfEE circular 0116/2000)*

*“If the parent of any pupil in attendance at a maintained school requests that [they] may be wholly or partly excused from receiving sex education at the school, the pupil shall, except so far as such education is compromised in the National Curriculum, be so excused accordingly until the request is withdrawn.” (Section 405 of the Education Act 1996)*

Sex and relationship education (SRE) is a compulsory requirement of the national curriculum in secondary schools and optional in primary schools with the exception of those aspects which are part of the science curriculum, such as human anatomy. SRE is concerned with learning about sex, sexuality, feelings, relationships, sexually transmitted diseases, abortion and contraception, and the physical aspects of reproduction.

Islam provides a great deal of guidance about sexual behaviour and the way in which men and women should relate to each other, both within and outside of marriage. As with some other faiths, Islam considers marriage as the only channel for experiencing a sexual relationship, with family life being the foundation of a stable society. Pre-marital and extra-marital sexual relations are considered unacceptable contexts for fulfilling ones natural sexual desires. Therefore, girlfriend/boyfriend as well as homosexual relationships are not acceptable practices according to Islamic teachings.

From an Islamic perspective, the aim of sex and relationship education should be to prepare Muslim pupils to lead their personal and public lives in a manner consistent with their Islamic moral principles and values. It is also important to understand the different sexual values and behaviours that they will observe within a pluralist society.

SRE is optional in primary schools and it is for the governors to decide whether it should be taught or not, what age groups it should be taught to, by whom it is taught and the resource materials used. For those primary schools that teach SRE, the materials and resources used are normally less explicit in its nature than in secondary schools. The concern most Muslim parents have in this area is not whether sex education is taught or not, but rather they are wary of the moral framework or context in terms of methodology and content, and the implicit and explicit messages and assumptions that underpin the teaching of it.

Schools may teach SRE without any clear references to a moral framework appropriate for Muslim pupils and make assumptions about the sexual behaviour of all their pupils. Some schools may use material in the form of images and videos which would be considered sexually explicit and inappropriate by many Muslim and non-Muslim parents alike. Schools normally do, and indeed are required to, inform parents when SRE is to be taught and to provide an opportunity for parents to view all the resources to be used. Some schools may also use objects or graphic diagrams depicting private organs in order to teach pupils about contraception such as condoms. Muslim parents would consider such demonstrations as well as distribution of contraceptive pills and condoms to young people in schools to be completely inappropriate and encouraging morally unacceptable behaviour.

Another objective of sex education is to encourage discourse and debate and to provide an opportunity for children to ask open questions about sexual matters. This type of explicit discussion, when done in mixed gender group sessions, can be very embarrassing for many children and compromises their sense of modesty and decency.

Often schools will invite external agencies, nurses or health professionals to teach aspects of SRE to their pupils. In such cases schools should ensure the material is acceptable, and gives appropriate consideration and reflection of Islamic perspectives, moral values and conduct with regard to Muslim pupils.

SRE should provide factual information objectively and educate young people to look forward to adult life with a sense of responsibility, accountability and happiness and be ready to build a strong, stable family life. When devising sex education policies, schools need to take account of the aspirations and concerns that are important to Muslim parents in relation to the education of their children. Sex education should be taught in such a way that it, 'reflects the parents' wishes and the community they serve.'<sup>12</sup>

In addressing issues such as sexual conduct and behaviour, abortion, contraception, sexual orientation, hygiene, forced marriages, drugs, child abuse and relationships between males and females, Islamic moral perspectives should be included and explored when teaching Muslim pupils. Such inclusion would make the subject more meaningful and relevant to

<sup>12</sup> DfES Circular 0116/2000, paragraph 8, page 4]

<sup>13</sup> See Ramadan section for further information

preparing Muslim pupils for the responsibilities, moral challenges and risks that they may face in relationships during their life.

We would advise that schools should avoid the teaching of sex and relationship education during the month of Ramadan, as sexual thoughts and feelings are to be particularly avoided, whilst one is fasting.<sup>13</sup>

## Statutory right to withdraw

As with religious education and collective worship, parents also have a statutory right to withdraw their children from sex and relationship education lessons, with the exception of aspects that are part of the science national curriculum.

If parents are dissatisfied with the content of a sex and relationship education programme, they may write to the headteacher to have their children withdrawn from such provision. Schools should respect this right and make alternative supervision arrangements for their pupils to be supervised.

## SEX AND RELATIONSHIP EDUCATION (SRE)

### Features of good practice

- Sex and relationship education (SRE) is taught in single-sex groups, by a teacher of the same gender.
- School provides an opportunity for parents and community groups to view all schemes of work and resources used for teaching SRE. Where there is a need, letters informing parents about SRE teaching are translated.
- The use of sexually explicit videos, pictures and objects are avoided as aids for the teaching of SRE.
- School takes account of Muslim sensitivities and sensibilities with respect to sexual morality and includes Islamic moral perspectives when teaching SRE to Muslim pupils.
- School has a clear policy drawn up in consultation with Muslim teachers, parents and religious organisations on SRE which informs parents of the right to withdraw their children. The school respects and honours this right if exercised in writing.

School is considerate towards parents who may prefer to view SRE material in a single gender environment.

# 11

## Modern foreign languages

The National Curriculum requires all children at Key Stage 3 (aged 11 – 14) to study a modern foreign language such as French, German, Arabic, Spanish, Turkish and Bengali, Chinese and Urdu. At Key Stage 4 (aged 14-16) it is expected that at least 50 per cent of the pupils will study a modern foreign language. Languages are also being introduced into primary schools (Key Stage 2) and by 2010 all primary schools will be required to offer a modern foreign language to their pupils. Schools should consider giving Muslim pupils the opportunity to study Arabic and/or other languages relevant to their family background.

All secondary schools offer children the opportunity to study European languages and some schools with a significant or high proportion of pupils from ethnic minorities already offer the opportunity to study modern foreign languages such as Urdu, Turkish, Bengali which they may also speak or study outside the school. Where there is a demand, schools should consider offering these languages to their pupils.

Arabic, the language of the Qur'an, holds an important status for all Muslims regardless of their linguistic backgrounds. All Muslim children learn to read and recite the Qur'an in Arabic, and are required to perform their prayers and supplications in this language. Offering Arabic as an option in both primary and secondary schools would provide Muslim children with wider linguistic skills and offers greater access to their religious and cultural heritage, thus giving them a stronger sense of self-esteem and achievement.

## MODERN FOREIGN LANGUAGES

### Features of good practice

- The school provides opportunities for Muslim pupils to study Arabic and/or other languages relevant to their background at Key Stage 3 and Key Stage 4.
- Where a modern foreign language is being introduced into primary schools, Muslim pupils are given the opportunity to study Arabic and/or other languages relevant to their family background.



# 12

## Expressive Arts

### Music

Music is part of the national curriculum and is required to be taught at Key Stages 1, 2 and 3. There is a great diversity of opinion regarding music amongst Muslims. These are often influenced by local cultures and varying religious interpretations. Traditionally, music is limited to the human voice and non-tuneable percussion instruments such as drums. Within these constraints, Muslim artists have been very creative. Relying on the beauty and harmony of their voices, Muslims use music to remember God, nature, justice, morality and history.

Traditionally these types of musical renderings are called 'Nasheeds' and Muslims have been singing these for centuries, especially during wedding celebrations and festivals. Nasheeds have been significantly developed by Muslim artists as an alternative to potentially harmful forms of music, and have since grown in popularity amongst Muslims living in Britain.

All forms of music that may include the use of obscene and blasphemous language, encourage or promote immoral behaviour, arouse lustful feelings, encourage the consumption of intoxicants and drugs or contain unethical and un-Islamic lyrics would be considered objectionable. For this reason some Muslim parents may express concerns in the way music is taught in school and the extent to which their children may participate in it. Some Muslims may hold a very conservative attitude towards music and may seek to avoid it altogether, not wishing their children to participate in school music lessons. In such cases the school can show great understanding by providing alternative musical learning opportunities.

In the national curriculum there is no parental right to withdraw from music. However, parents may ask to see the syllabus and schemes of work. If they have consequent moral or religious concerns these can be raised with the headteacher who may be able to resolve them. Failing this the matter can also be taken up with the governors, who must have in place a formal arrangement for dealing with complaints relating to the curriculum. Where there is goodwill and understanding on all sides such issues are almost always resolved.

## Drama

Dramas, plays and artistic works for Muslim pupils are encouraged for educational purposes. However, parents may have reservations regarding participation in theatrical plays or acting that involves physical contact between males and females, the encouragement of gender role-reversal (girls dressing as boys and vice-versa) or performing in a manner that may encourage sexual feelings. Physical contact with someone of the opposite sex, to whom one could be legally married, is to be avoided as this is not considered acceptable according to Islamic social norms. Schools should avoid placing Muslim pupils in situations where they may feel uncomfortable and believe they are having to compromise their religious moral norms.

Muslim pupils should not be expected to participate in drama or musical presentations associated with celebrating aspects of other religions, such as nativity plays or Diwali, as some of these are likely to involve playing roles which are considered to be inconsistent with Islamic beliefs and teachings.

## Art

In Islam the creation of three dimensional figurative imagery of humans is generally regarded as unacceptable because of the risk of idolatress practices and some pupils and parents may raise objections to this. The school should avoid encouraging Muslim pupils from producing three dimensional imagery of humans and focus on other forms of art, calligraphy, textile art, ceramic glass, metal/woodwork, landscape drawing, paintings, architectural representations, geometric figures, photography and mosaic art.

## EXPRESSIVE ARTS

### Features of good practice

- The school avoids studying forms of music and drama that may raise religious or moral concerns for Muslim pupils and parents.
- Particularly in schools with a large number of Muslim pupils, the music curriculum provides opportunities for cultural inclusion. For example, there are opportunities to explore or study the art of Qur'anic recitation and composing and singing of nasheeds.



# 13

## Islamic resources in the school library

A library is an important resource for learning whilst at school. A culturally inclusive library gives children the opportunity to read about their own faith and cultural heritage and the culture and heritage of others.

Many schools with large proportions of Muslim pupils often have very few books which reflect their faith and cultural heritage. Often teachers may unwittingly buy Islamic books for the school that are written by non-specialist or unfriendly authors and that may have factual inaccuracies and may even misrepresent Islam. Schools should endeavour to buy relevant and authentic books on the Islamic heritage and civilisation for the school library and for class use. This could be done in consultation with Muslim teachers, Muslim parents and local Islamic centres.

Other resources such as Islamic lifestyle magazines, Muslim newspapers and Islamic web sites, can be valuable tools for inspiring children to learn.<sup>14</sup> Again, care should be taken to ensure that the content is appropriate and authentic.

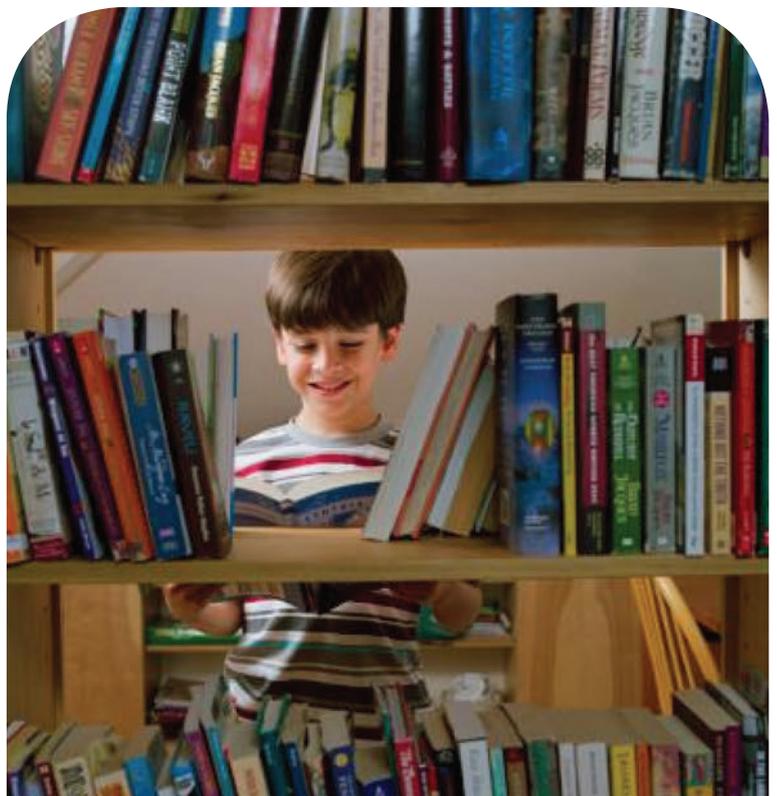
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<sup>14</sup> See appendix 5 for Muslim news and media magazines.

## ISLAMIC RESOURCES IN THE SCHOOL LIBRARY

### Features of good practice

- Schools, particularly those with a significant population of Muslim pupils, ensure that their library resources are inclusive of the Islamic faith, culture and civilisation.
- The school ensures that all library resources on Islam and Muslims are accurate and authentic.



# 14

## Educational Visits

Class outings for educational purposes should not generally pose any problems for Muslim pupils and their parents. Parents should be made aware of the objectives and purpose of the trip. Care should be taken when planning the event to ensure that Muslim pupils' needs, especially dietary and prayer requirements, are taken into account.

### **Residential trips**

When organising overnight trips involving Muslim pupils, mixed-gender groups should be avoided. This will encourage greater participation, particularly from Muslim girls, as Muslim parents will be more willing to send their children if they are assured that the Islamic requirements of modesty and morality will not be compromised.

### **Farm visits**

On organised farm visits, for Muslim pupils to look at or to learn about pigs and explore the views of those who eat meat from pigs should not be an issue. However, it would be inappropriate to encourage Muslim pupils to touch, stroke or feed pigs when on farm visits.

## EDUCATIONAL VISITS

### Features of good practice

- The school gives consideration to and accommodates the dietary and prayer requirements for Muslims pupils when organising educational visits.
- The school organises overnight residential trips in single-gender groups to encourage greater participation from Muslim pupils.
- The school ensures that any activities outside the school do not compromise the pupils' religious beliefs.



# 15

## Further Issues

### Muslim Names

Some non-Muslim teachers may find certain Muslim names difficult to pronounce. Nevertheless, care should be taken to pronounce names as accurately as possible. In some cases shortening the name can change the meaning and can cause offence. For example, the name Abdullah means 'servant of Allah', whereas if shortened to 'Abdul' it means 'servant' or 'slave'.

### Shaking Hands

It is part of Muslim etiquette for people of the same gender to shake hands and greet each other with the words 'assalaam-u-alaikum' (peace be upon you). This is considered to be a religious obligation. Muslim pupils may greet Muslim adults and others with a handshake even within the school environment, and this should not be interpreted as children being over-friendly with teachers.

As most Muslims do not usually shake hands with a member of the opposite sex, staff need to be aware that some pupils and parents may exhibit reluctance or even refuse to do this, for example, at prize-giving ceremonies. This should not be interpreted as offensive, as it is not intended to be so.

### Raffle Tickets

Many schools hold fundraising events in the form of raffles for school funds or for worthy charitable causes. Muslims regard raffles as a form of gambling, which is prohibited according to the teachings of Islam. Schools should not encourage Muslim pupils to buy or sell raffle tickets. Muslim pupils and parents should of course be encouraged to contribute generously to charitable and other worthy causes.

### Cases of Domestic Conflict

In cases where the school believes that domestic conflict is causing problems for a Muslim pupil, the involvement of a suitably qualified and experienced Muslim member of staff may often enhance the possibility and process of finding a satisfactory solution. Essentially, however, issues of child protection should be dealt with in accordance with school policy and statutory requirements.

# 16

## Engaging with the Muslim Community

### **Muslim participation in school governance.**

Governing bodies play a key role in the strategic management of their school and are responsible for deciding the framework within which the school is to be run. The governing body has responsibility for the following areas:

- Standards – ensuring a strategic and systematic approach to promoting high standards of educational achievement.
- Targets – setting appropriate targets for pupil achievement at Key Stages 1,2,3 and 4
- Curriculum – ensuring the national curriculum and religious education are taught and the curriculum is balanced and broadly based.
- Policies – deciding how, in broad strategic terms, the school should be run.
- Finance – determining how to spend the budget allocated to the school.
- Staffing – deciding the number of staff and the pay policy.
- Appointment – appointing the head, deputy head and other staff.
- Discipline – agreeing to procedures concerning staff conduct and discipline.

Members are elected or appointed from the four main groups of ‘stakeholders’ – parents, the local authority, staff and the local community.

Many schools, even those with a significant or high Muslim pupil population, have difficulty in recruiting governors from the Muslim community. Consequently, there is inadequate input from Muslim parents and the Muslim community. This can sometimes weaken or undermine the process of tackling and overcoming barriers which prevent children from achieving their full potential academically and in their spiritual, moral, social and cultural development. In addition to contributing to policies regarding all aspects of school life, the involvement of Muslim governors fulfils a key role in advising and contributing to issues which are of importance to Muslim pupils. Muslim governors can communicate the views and aspirations of Muslim parents and the local community in relation to the education of their children.

Through positive interaction and relationship building with parents, local mosques and community organisations, schools can begin to address the issue of under-representation of Muslims on their governing bodies and can positively encourage parents to support their children in school education.

## Staff

Teachers play a critical role in educating children in terms of their academic success and in their development as responsible and valuable members of the society. Equally teachers make important and valuable contributions to pupils' spiritual, moral, social and cultural development.

The role of Muslim teachers and support staff in schools with a significant or high numbers of Muslim pupil composition is of increasing importance in the drive to respond positively to the needs of Muslim pupils. As well as being role models for all children, Muslim teachers and support staff can bridge the gap between schools and parents, advising and leading on the development and implementation of strategies to meet the needs of Muslim pupils.

Schools should therefore endeavour to ensure that their teaching and support staff have an appropriate representation from the Muslim community and should seek their involvement and participation in decision-making at a management and leadership level.

## Mosque education

The mosque occupies a central place in the Muslim community and plays an important role in providing essential Islamic education for Muslim children. For most children this takes place in the evenings or at weekends. It is valuable for mainstream schools to develop a good understanding and working relationship with their local mosques. This partnership and mutual support are for the development of the child as a whole in raising educational achievement and promoting spiritual and moral development in a cohesive manner.

## ENGAGING WITH THE MUSLIM COMMUNITY

### Features of good practice

- The school ensures that it has appropriate representation of Muslims on its governing body, broadly reflecting the diversity of its pupil composition.
- The school ensures that its teaching and non-teaching staff receive appropriate training in Islam and Muslim cultural awareness.
- The school seeks to have appropriate representation from the Muslim community amongst teaching staff in management and leadership.
- The school encourages Muslim teachers to play an appropriate and supportive role in meeting the particular needs of their Muslim pupils.



## APPENDIX 1:

# Islam and Muslim Cultural Awareness training for schools & local authority advisors.

The training (INSET) that we offer is based on the theme of this guidance document. It is aimed at teachers, teaching assistants and learning mentors or others who work with children within a school setting. It is designed for state schools and seeks to explore two aspects-

- (i) **Islam and Muslim Cultural Awareness** – Covers basic beliefs and values but focuses more on those that have implications for educators and educational institutions.
- (ii) **Meeting the needs of Muslim pupils** – Covers what the particular needs of Muslim pupils are and how they can be positively responded to and accommodated by teachers and institutions based on best practice.

The training session also provide an excellent opportunity for teachers to raise any questions on Muslim beliefs, heritage and practices as well as on issues that they may have come across in schools in relation to their Muslim pupils.

The training session duration is **three hours** and includes a presentation, workshop and discussions.

**For further information and to book an INSET session please contact:**  
**[education@mcb.org.uk](mailto:education@mcb.org.uk)**

## APPENDIX 2:

# MCB Books for Primary Schools

### What is the 'Books for Schools' project?

The Books For Schools project aims to provide mainstream primary schools with high-quality Islamic resources (including books, custom made teacher notes, pupil activities, worksheets, CDs, DVDs, videos and accompanying teaching aids) in order to promote harmony and respect amongst Britain's diverse communities. Our resources are designed to facilitate the teaching of Islam within the Schools Curriculum as outlined by QCA guidelines.

### How can this resource facilitate the teaching of Islam in RE

Our resource has been designed by educationalists and teachers with reference to the RE Non Statutory Framework (QCA). It covers both Key Stages 1 and 2 and aims to enhance children's experience of diversity in all areas of the curriculum, including the hidden, through enjoyable, cross-curricular based work. This self-contained resource pack provides teachers with all the materials needed to teach about basic Muslim beliefs, pillars and practices through four original, engaging and interactive class/small group projects.

### How much does a pack cost and from where can I order it?

Materials have been designed to be reusable / photocopyable. We recommend one resource pack per primary school; these are priced at only £250/pack can be ordered from MCBDirect, The Muslim Council of Britain, P O BOX 57330, LONDON E1 2WJ. To order a pack or for further details please email [booksforschools@mcb.org.uk](mailto:booksforschools@mcb.org.uk).

### What does a resource pack contain?

*A resource pack consists of:*

- *Four user friendly, child orientated projects*
- *Six objects/artefacts in common use by Muslim children in various parts of the world*
- *Two audio visual items (CD and a Video)*
- *Seventeen children's books and booklets*
- *Two card model kits*
- *Four posters*

*The projects are:*

- *Folder 1: Introducing the Qur'an*
- *Folder 2: Eid-ul-Adha and the Hajj*
- *Folder 3: Prayer, Fasting and Id-ul-Fitr*
- *Folder 4: Islam Through the Arts*

The objects/artefacts are:

- Compass (used to locate the direction of Makkah for Prayers)
- Hijab (head scarf worn by girls and women)
- Ihram (two pieces of white cloth worn by men during the Hajj pilgrimage)
- Prayer cap (often worn by boys and men when offering Prayers)
- Prayer mat (often used when offering daily prayers)
- Rehal (wooden Qur'an stand)

The audio visual items are:

- Expressions of Faith (CD)
- Wafa's Eid (video with accompanying booklet and poster)

The books and booklets are:

- A Caring Neighbour
- A Gift of Friendship
- Colouring Book 2: The Arts of the Muslim World
- Dawud Wharansby Ali
- Dear Diary
- English Translation of Holy Quran
- Islam: Beliefs and Teachings
- Muslim Child
- My Eid-ul-Fitr
- Ramadan
- Seeing Things More Clearly
- Stories from the Muslim World
- Tell Me About Hajj
- Tell Me About Muhammad
- The Colour of Home
- The Greatest Stories from the Quran
- The Meat Eating Vegetarian

The card model kits are:

- The Holy Ka'bah
- Mosque

The posters are:

- 5 Basic Duties of Islam
- Sacred Places
- Prophets of Allah
- How to make Wudu and Salah

These resource materials open up a range of possibilities including use of stories, songs, games, role play and art to facilitate a rich and varied learning experience.

## APPENDIX 3: Useful websites

### [www.myh.org.uk](http://www.myh.org.uk)

The Muslim Youth Helpline is a confidential and reputable helpline for young Muslims. All their helpline workers are young people trained to help in whatever problems or difficulties young Muslims face.

### [www.ams-uk.org](http://www.ams-uk.org)

The Association of Muslim Schools (AMS) is an umbrella organisation representing the interests of independent Muslim faith schools and those within the state sector.

### [www.muslim-ed-trust.org.uk](http://www.muslim-ed-trust.org.uk)

The Muslim Educational Trust has published a number of useful books and articles, including Sex Education, a Muslim perspective and 'British Muslims and Schools.

### [www.islamic-foundation.com](http://www.islamic-foundation.com)

The Islamic Foundation is a centre for education, training, research and publication. It has an on-line Islamic bookshop.

### [www.salaam.co.uk](http://www.salaam.co.uk)

A comprehensive portal for the British Muslim community with mosques database, archives and courses.

### [www.muslimheritage.com](http://www.muslimheritage.com)

A specialist and comprehensive web site focusing on the Muslim contribution to world civilisation in the fields of science, mathematics, technology and the arts. An excellent resource to access material on the cultural achievements of Islamic civilisation.

### [www.harunyahya.com](http://www.harunyahya.com)

A useful web site for exploring Islamic perspectives on aspects of science and intellectual enquiry , for example in relation to theories of evolution.

## APPENDIX 4: Useful Links & Resources

### Useful publications

#### ISB – Virtual classroom

This Virtual Classroom site aims to help pupils learn about Islam and Muslim contribution to world heritage in a fun and exciting way.

[www.isb.org.uk/virtual/newsite](http://www.isb.org.uk/virtual/newsite)

#### Sex Education:

The Muslim Perspective  
Ghulam Sarwar

[www.muslim-ed-trust.org.uk](http://www.muslim-ed-trust.org.uk)

#### What does Islam say?

Ibrahim Hewitt

[www.muslim-ed-trust.org.uk](http://www.muslim-ed-trust.org.uk)

#### The Miracle of Life

Fatima D'Oyen.

#### A guide to Islamic family life and sexual health for young people.

[www.islamic-foundation.com](http://www.islamic-foundation.com)

The 1001 Inventions is an excellent pack (posters and book) to support teachers and the classroom environment. Includes science activities for 11-16 year olds for the Science National Curriculum.

[www.1001inventions.com](http://www.1001inventions.com)

#### Relationship and Sexual Health

#### Education from an Islamic Perspective

Supporting information & Lesson Ideas for teachers & other professionals.

**Kirklees Metropolitan Council**

[www.kirkleesmc.gov.uk](http://www.kirkleesmc.gov.uk)

#### Islamic Relief

Since the launch of the highly successful schools publication, *Reacting to Poverty*, a resource for Key Stage 4+, Islamic Relief has been doing assemblies in schools across the UK, engaging with teachers and pupils during its campaigns, organising teachers' workshops and has also produced another booklet, *Citizenship and Muslim Perspectives* ~ teachers sharing ideas. Islamic Relief hopes to continue and extend its range of activities. If you are interested in the 'Reacting to poverty' resource pack, or would like a visitor from Islamic Relief to do an assembly please contact Islamic Relief.

[www.islamic-relief.com](http://www.islamic-relief.com)

#### Nasiha citizenship

Citizenship resources for Madrassah and Schools. Resources to teach Muslims their roles and responsibilities as UK citizens from an Islamic perspective. Examples of lessons include, companionship, anti-social behaviour, and controlling anger. There are approximately 30 lesson titles.

[www.nasiha.co.uk](http://www.nasiha.co.uk)

## **APPENDIX 5:**

### Muslim news media and magazines

#### **EMEL magazine**

A monthly lifestyle magazine for British Muslims. A useful resource for school libraries.

[www.emelmagazine.com](http://www.emelmagazine.com)

#### **Muslim Weekly Newspaper**

[www.themuslimweekly.com](http://www.themuslimweekly.com)

#### **Muslim News**

[www.muslimnews.co.uk](http://www.muslimnews.co.uk)

#### **Islamic Times**

[www.islamictimes.co.uk](http://www.islamictimes.co.uk)

# GLOSSARY

<b>Allah</b>	Arabic name for God. Allah is the Maker of all creatures. He is not just the God of Muslims, but of all humankind.
<b>Assalaam-u-alaikum'</b>	Meaning 'peace be upon you', is the traditional Islamic greeting.
<b>'Asr</b>	Name of the prayer after mid-afternoon.
<b>Ashurah</b>	The Day of Ashurah commemorates the martyrdom of Husayn, the grandson of Prophet Muhammad (peace be upon him) and is a day of mourning for Shi'a Muslims.
<b>Eid ul Fitr</b>	The annual festival which marks the end of Ramadan.
<b>Eid ul Adha</b>	The annual festival of sacrifice between 10-13 of the Islamic month Dhul Hijjah. It commemorates the Muslim belief, found also in Judaism and Christianity, that Prophet Abraham was prepared to sacrifice his son Ishmael.
<b>Fajr</b>	Name of the prayer at dawn.
<b>Fard</b>	Compulsory duty prescribed by Allah.
<b>Halal</b>	That which is lawful (permitted) in Islam.
<b>Haram</b>	That which is unlawful (forbidden) in Islam.
<b>Haya</b>	Meaning 'modesty', 'self-respect', 'bashfulness', etc. Refers to the feeling of shame when a bad act is done or something indecent happens
<b>Hijab</b>	A veil or head-covering that a Muslim woman would wear when meeting strangers or going out.
<b>Hadith</b>	A report of a saying, deed or action approved by Prophet Muhammad (peace be upon him).

<b>Iftar</b>	The breaking of the fast
<b>Iqra'</b>	Meaning 'read', the first word of the Qur'an revealed to Prophet Muhammad (pbuh)
<b>'Isha</b>	Name of the prayer at night
<b>Islam</b>	This is the name given by Allah to the religion for humankind. The word means submission and obedience for Allah's commands to attain peace in this life
<b>Jumu'ah</b>	The special congregational prayer said at midday every Friday.
<b>Khutbah</b>	The religious sermon given before Jumm'ah.
<b>Lailat ul Qadr</b>	'The Night of Power,' the night in which the Qur'an was first revealed.
<b>Maghrib</b>	Name of the prayer just after sunset.
<b>Masjid</b>	Literally 'a place of prostration'. commonly known as a mosque.
<b>Muhammad (pbuh)</b>	The final Messenger of Allah to mankind. He was Muhammad bin 'Abdullah (pbuh).
<b>Muslim</b>	A person who believes in the Oneness of God, the Qur'an as the revealed word of God and Muhammad (peace be upon him) as the final messenger of God.
<b>Nasheed</b>	Music limited to the human voice and percussion instruments. The themes focus on God, the Prophets and spiritual issues.
<b>Qur'an</b>	The book of Muslims, the final book of guidance from Allah, sent down to Muhammad (pbuh) through the angel Jibra'il (Gabriel) over a period of 23 years.

<b>Ramadan</b>	The month of fasting, the ninth and holiest month of the Islamic calendar
<b>Salah</b>	The compulsory prayer, offered at five set times every day.
<b>Shari'ah</b>	Way, path, law, or code of conduct.
<b>Taraweeh</b>	The special prayer said after Isha during the month of Ramadan.
<b>Tayyib</b>	Food that is good, healthy, natural and wholesome.
<b>Wudu</b>	Ritual wash for prayer in a prescribed way.
<b>Zuhr</b>	Name of the prayer just after midday.

## **The Muslim Council of Britain**

The Muslim Council of Britain (MCB), founded in 1997, is an inclusive umbrella body that actively supports and conscientiously represents the interests of Muslims in Britain and is pledged to working for the common good of British society as a whole.

The MCB has over 400 affiliates, including major national, regional and local organisations, specialist institutions and professional bodies. Its members include mosques, educational institutions, charities, cultural and welfare organisations, relief agencies, women's associations and youth organisations.

The MCB seeks to meet the growing needs and expectations of the Muslim community in areas such as policy research, strategic planning for the community, encouraging participation in local and national affairs, the media and outreach to the wider society.

## **The MCB aims are to:**

To promote cooperation, consensus and unity on Muslim affairs in Britain.

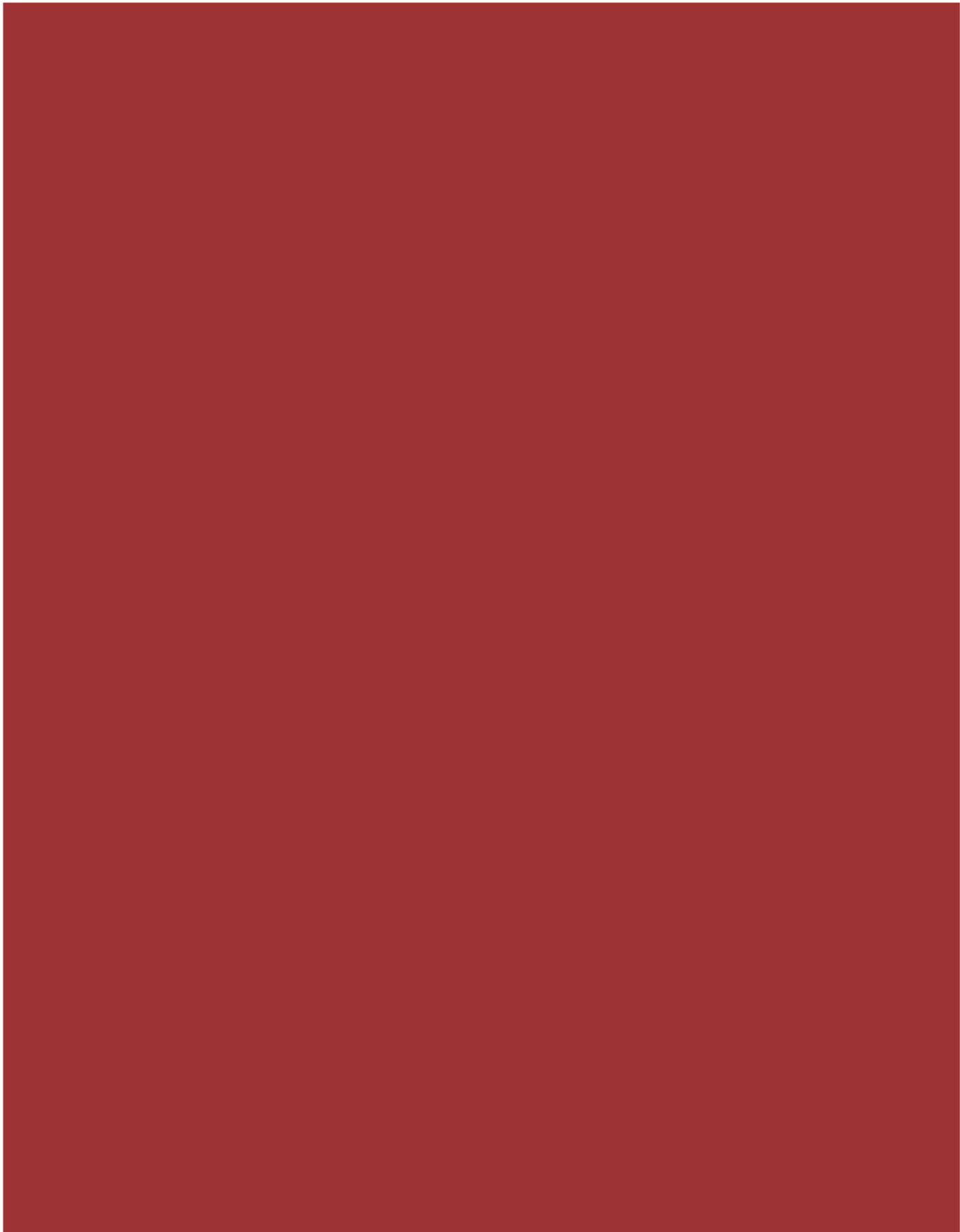
To encourage and strengthen all existing efforts being made for the benefit of the Muslim community.

To work for a more enlightened appreciation of Islam and Muslims in the wider society.

To establish a position for the Muslim community within British society that is fair and based on the true nature of our rights and responsibilities.

To work for the eradication of disadvantage and forms of discrimination faced by Muslims.

To foster better community relations and work for the good of society as a whole.



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## APPENDIX 10

### Prevent Strategy

The Prevent strategy is one of the four elements of the Government's Counter-Terrorism Strategy "CONTEST", the other elements being "Pursue" (stopping terrorist attack), "Protect" (strengthening protection against a terrorist attack), and "Prepare" (mitigating the impact of a terrorist attack). The current version of the Prevent strategy was published in 2011, following a review of the previous version. Prevent aims to stop individuals becoming terrorists or supporting terrorism. It focuses on the following objectives:

Responding to the ideological challenge of terrorism and the threat from those who promote it. This addresses the issue that terrorist groups have an ideology and that promoting that ideology facilitates radicalisation and recruitment;

Preventing people from being drawn into terrorism and ensuring they are given appropriate advice and support. This addresses the issue that radicalisation is usually a process, not an event, and during that process it is possible to intervene to prevent vulnerable people from being drawn into terrorist-related activity; and

Working with sectors and institutions where there risks of radicalisation that need to be addressed. Priority areas include education, faith, health, criminal justice and charities. The internet is a sector in its own right but delivery of Prevent programmes through the internet is a theme running through the strategy.

The Home Secretary is responsible for the UK's Counter-Terrorism Strategy. Other Government departments have their own Prevent teams, responsible for delivery of their contribution to the strategy. The Home Office expects local areas to have partnerships with the task of taking forward work on prevent in their areas, using the most appropriate structure in their area and to a level which is proportionate to local risk. The strategy, therefore, supports local authorities to tackle violent extremism at a local level, focusing on those areas facing the greatest challenges.

BCC's Social Cohesion and Equality division holds responsibility for co-ordinating BCC's Prevent strategy. BCC's Delivery Plan utilises intelligence from West Midlands Police (e.g. Counter-Terrorism Local Profile) and from community organisations in order to target funding and provision as necessary to support vulnerable communities and institutions. Members from such organisations sit on the PVE Steering Group, which has responsibility to ensure the programme delivers within its agreed parameters (cost, timescale, impact), resolve the strategic and directional issues between projects which need the input and agreement of senior stakeholders to progress the integration into mainstream, and provide assurance. A Prevent Programme Manager also attends Local Delivery Groups in each of the identified vulnerable constituencies within Birmingham, which includes representation from BCC as well as local partner organisations that operate in the specific constituency, to ensure that Prevent agenda is included in discussions and any future plans for the areas.

Over the years BCC has provided funding for numerous projects, some specifically aimed at children, to comply with the Prevent agenda. These have included a Young Muslim Leadership Programme, Success Clubs, and Birmingham Citizenship and Interfaith Consultations and Conference. The aim has been to enable young people to develop skills which are likely to lead to personal success and to explore shared values and common interests between different faiths within Birmingham.

## APPENDIX 11

### General Bibliography of Legislation Guidance and Policy Documents Considered

#### LEGISLATION

##### Acts of Parliament

Academies Act 2010  
 Children Act 1989  
 Children Act 2004  
 Education Act 1996  
 Education Act 2002  
 Education Act 2005  
 Education and Inspections Act 2006  
 Equality Act 2010  
 School Standards and Framework Act 1998

#### STATUTORY INSTRUMENTS

Local Authority Budget, Schools Budget and Individual Schools Budget (England) Regulations 2003  
 School and Early Years Finance (England) Regulations 2013  
 School Governance (Constitution) (England) Regulations 2007  
 School Governance (Constitution) (England) Regulations 2012  
 School Governance (Roles, Procedures and Allowances) (England) Regulations 2013  
 School Governance (Transition from an Interim Executive Board) (England) Regulations 2010  
 School Staffing (England) Regulations 2009  
 Schools Forums (England) Regulations 2012

#### GUIDANCE

Title	Source	Date
Academies Financial Handbook 2013: For academy trustees, accounting officers, principal finance officers and auditors	Education Funding Agency	Issued June 2013. Updated October 2013
Consistent financial reporting framework: 2013 to 2014 (Departmental advice for schools and local authorities)	Department for Education (DfE)	March 2013
The constitution of governing bodies of maintained schools: Statutory guidance for governing bodies of maintained schools and local authorities in England	Department for Education (DfE)	May 2014
The Equality Act 2010 and schools: Departmental advice for school leaders, school staff, governing bodies and local authorities	Department for Education (DfE)	May 2014
Equality Act 2010 Technical Guidance: Technical Guidance for Schools in England	Equality and Human Rights Commission	July 2013
The essential guide to the public sector equality duty (England and non-devolved public authorities in Scotland and Wales)	Equality and Human Rights Commission	November 2012
Governor's handbook: For governors in maintained schools, academies and free schools	Department for Education (DfE)	January 2014

Title	Source	Date
Human Rights: Human Lives: A Guide to the Human Rights Act for Public Authorities	Equality and Human Rights Commission	May 2014
Keeping children safe in education: Statutory guidance for schools and colleges	Department for Education (DfE)	April 2014
Learning together to be safe: A toolkit to help schools contribute to the prevention of violent extremism	Department for Children, Schools and Families (DCSF)	2008
Religious education in English schools: Non-statutory guidance 2010	Department for Children, Schools and Families (DCSF)	2010
Schemes for financing schools: Statutory guidance for local authorities	Department for Education (DfE)	February 2014
Schools causing concern: Statutory guidance for local authorities	Department for Education (DfE)	May 2014
Schools Forum: A guide for schools and academies on its role and their responsibilities	Education Funding Agency	June 2013
Schools Forum: Operational and good practice guide (For local authorities and members of Schools Forums)	Education Funding Agency	October 2013
School Uniform: Guidance for governing bodies, school leaders, school staff and local authorities	Department for Education (DfE)	September 2013
Statutory Guidance on the School Governance (Constitution) (England) Regulations 2007 – Community and community special schools version	Department for Education and Skills	May 2007
Statutory Guidance on the School Governance (Constitution) (England) Regulations 2007 – Foundation and foundation special schools version	Department for Education and Skills	May 2007
Statutory Guidance on the School Governance (Constitution) (England) Regulations 2007 – Voluntary Aided Schools version	Department for Education and Skills	May 2007
Towards Greater Understanding: Meeting the needs of Muslim pupils in state schools: Information & Guidance for Schools	The Muslim Council of Britain	2007
Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children	Department for Education (DfE)	March 2013

## POLICY DOCUMENTS

Title	Source	Date
The framework for school inspection: The framework for inspecting schools in England under section 5 of the Education Act 2005 (as amended)	The Office for Standards in Education, Children's Services and Skills (Ofsted)	April 2014
Religious Education and Collective Worship: Circular number 1/94	Department for Education (DfE)	31 January 1994
School Funding Reform: Arrangements for 2013-14	Department for Education (DfE)	2012
School Funding Reform: Findings from the Review of 2013-14: Arrangements and Changes for 2014-15	Department for Education (DfE)	June 2013
School inspection handbook: Handbook for inspecting schools in England under section 5 of the Education Act 2005	The Office for Standards in Education, Children's Services and Skills (Ofsted)	April 2014
Tackling extremism in the UK: Report from the Prime Minister's Task Force on Tackling Radicalisation and Extremism	Cabinet Office	December 2013
Teaching approaches that help to build resilience to extremism among young people: Research Report DFE-RR119	Department for Education (DfE)	May 2011

## OTHER DOCUMENTS

Title	Source	Date
Birmingham City Council Fair Funding Scheme	Birmingham City Council	November 2013
Code of Practice for School Governors: Academies	National Governors' Association	June 2013
Code of Practice for School Governors: Maintained Schools	National Governors' Association	June 2013

