



Department
for Education

Improving the spiritual, moral, social and cultural (SMSC) development of pupils

**Departmental advice for independent
schools, academies and free schools**

November 2013

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Summary

About this departmental advice

This is advice from the Department for Education. It is non-statutory, and has been produced to help independent schools (including academies and free schools) understand their obligations under the standard for the Spiritual, Moral, Social and Cultural (SMSC) development of pupils contained in the Education (Independent School Standards) (England) Regulations 2010.

The standard has been revised by the Education (Independent School Standards) (England) (Amendment) Regulations 2012 with effect from 1 January 2013. This Departmental advice is based upon the revised standard and focuses on the revisions.

Expiry or review date

This advice is valid until amended or withdrawn. It will be reviewed in January 2016, when the relevant regulations are themselves due for review, unless it proves necessary to review at an earlier date.

Who is this advice for?

This advice is primarily for:

- the proprietors of independent schools, academy and free school trusts;
- head teachers or other staff of those schools who are responsible for curriculum matters.

Key points

The key points of this advice are:

- to make clear how the independent school standard relating to SMSC has been amended with effect from January 2013;
- to explain the purpose of those amendments;
- to identify the aim of each part of the standard.

Main body of the document

Background

1. Independent schools (including academies and free schools) must meet the Spiritual, Moral, Social and Cultural (SMSC) development standard set out in the Education (Independent School Standards) (England) Regulations.

2. A commitment to make changes to strengthen the SMSC standard was included in the Government's Prevent strategy (see weblink in Associated Resources section on page 12). In line with this commitment, sub-paragraphs 5(1)(a)(ii) and (iii) have been amended to clarify existing requirements on schools. In addition, new sub-paragraphs 5(1)(a)(vi), 5(1)(b) and 5(1)(c) are intended to ensure that schools:

- encourage pupils to respect specified fundamental British values;
- do not promote extremist views, or partisan political views, through their curriculum and/or teaching, and
- offer pupils a balanced presentation of views when political issues are brought to their attention.

3. This advice should not be read as guidance on how to pass an inspection. Ofsted and the three independent inspectorates publish their inspection frameworks, which set out how schools are assessed against the standards, and schools may wish to refer to these documents and the associated resources which explain what inspectors look for in assessing compliance with this standard. Instead, this advice is intended to help schools understand the revisions to the SMSC standard and to give examples of ways in which schools can continue to meet the standard. The advice concentrates on new and revised parts of the standard, although it also covers - in less detail – those parts which are unchanged.

4. Aspects of SMSC can be developed through virtually all parts of the curriculum, although some subjects and activities are likely to be most relevant than others. However, the standard now contains provisions designed to eliminate bias and encourage balance, in addition to requirements about curriculum content. Expectations in all areas must be adjusted for the age and ability of pupils.

Guidance on individual parts of the Standard

Standard 5(1)(a)(i): enable pupils to develop their self-knowledge, self-esteem and self-confidence

5. The purpose of this part of the standard is to ensure that schools do all they can to help their pupils develop into self-assured, confident, happy, positive young people. It was not changed in the recent revision. Pupils should learn to articulate their feelings and justify them in both informal and formal settings and be given responsibility and trust to develop their confidence. Schools can develop these traits by celebrating achievement and encouraging pupils to have the confidence to undertake difficult tasks and have a wide range of experiences. Pupils should also be encouraged to question things which prevent them developing into confident adults – particularly lack of aspiration and unfair discrimination. It is important for adults and older pupils in the school to act as role models for younger pupils.

Standard 5(1)(a)(ii): enable pupils to distinguish right from wrong and to respect the civil and criminal law

6. This part of the standard has been revised so that instead of just referring to respect for ‘the law’, it specifically refers to the civil and criminal law (of England). This is not incompatible with encouraging pupils to respect religious law if the school’s ethos is faith-based; the school should not avoid discussion, of an age-appropriate nature, of potential conflicts between state law and religious law, and the implications for an individual.

7. We expect pupils to understand that while different people may legitimately hold different views as to what is ‘right’ and ‘wrong’, all people living in England are subject to the laws of the land. The school’s ethos, which schools should make parents aware of, should support the rule of law. In teaching religious law, the relationship between state and religious law and the reasons for any differences can be explored. This part of the standard also requires schools to enable pupils to develop their own moral sense, and to understand the impact of their actions on other people.

Standard 5(1)(a)(iii): encourage pupils to accept responsibility for their behaviour, show initiative and understand how they can contribute positively to the lives of those living and working in the locality in which the school is situated and to society more widely

8. This part of the standard has been revised because some schools have interpreted the previous reference to pupils contributing to ‘community life’ rather

narrowly. The new wording is intended to make it clear that the standard reaches beyond the school itself or any particular faith community; it refers to local, national and global society. Schools should ensure that pupil interaction with the world outside the school has that wider focus.

9. In other respects this standard is unchanged. Schools should develop pupils who know how to act responsibly, and who become more independent as they grow older while knowing the value and importance of making a positive impact on the lives of other people. Schools can meet the standard in many different ways, including group activities that teach co-operation and initiative, giving pupils responsibility within school, and enabling pupils to serve other people in the wider community.

Standard 5(1)(a)(iv): principles are promoted which....provide pupils with a broad general knowledge of public institutions and services in England

10. This part of the standard (which was not changed in the recent revision) is designed to ensure that children grow up knowing how public institutions (eg Parliament, the police force, the Post Office) and services (eg healthcare, welfare services and education) operate. Pupils should understand how public services have evolved - especially if their role is best understood in a historical context - and how they relate to the daily lives of pupils and their families. Activities such as educational visits, and work-shadowing or work experience in relevant organisations, can enhance pupils' experience in this area.

Standard 5(1)(a)(v): assist pupils to acquire an appreciation of and respect for their own and other cultures in a way that promotes tolerance and harmony between different cultural traditions

11. This part of the standard was not changed in the recent revision. Enabling pupils to gain knowledge and respect for their own culture is an essential part of the standard and schools should ensure that work on other cultures takes place on a secure foundation. Culture is about the factors that are common to communities, such as custom, traditions, dress, food, and so on. It can be examined from both a historical and a contemporary perspective. While culture is different to faith, the two can be interlinked, and influence each other. Pupils must be encouraged to regard all faiths, races and cultures with respect. Teaching should also have a positive aspect, preparing pupils to interact easily with people of different cultures and faiths. Schools should develop opportunities for pupils through links with other schools and organisations, as well as the content of curriculum.

Standard 5(1)(a)(vi): encourage pupils to respect the fundamental British values of democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs

12. This is a new part of the standard. It has some aspects in common with other parts, particularly those relating to respect for the law and mutual tolerance, while seeking to place those in an overall context of British society based on parliamentary democracy and liberty for the individual within a legal framework.

13. The list below describes the kinds of understanding and knowledge that can be expected in pupils as a result of schools meeting this part of the standard.

- An understanding as to how citizens can influence decision-making through the democratic process;
- An understanding that participation in elections by those opposed to democracy should be allowed by law, but the success of such candidates is undesirable for the well-being of society if it would lead to the end of democracy;
- An appreciation that living under the rule of law protects individual citizens and is essential for their well-being and safety;
- An understanding that bodies such as the police and the army can be held to account to the people, through the democratic organs of government;
- An understanding that the freedom to hold other faiths and beliefs is protected in law, and an acceptance that other people having different faiths or beliefs to oneself (or having none) should not be the cause of prejudicial or discriminatory behaviour;
- Some understanding of the problems of identifying and combatting discrimination (based on protected characteristics as listed in the Equality Act 2010).

Attempts to promote systems that undermine the principles comprising these fundamental British values would be inconsistent with this part of the standard.

14. There are many different actions that schools can take to meet this part of the standard, such as:

- Include in suitable parts of the curriculum, as appropriate for the age of pupils, material on the strengths, advantages and disadvantages of democracy, and how democracy works in Britain, in contrast to other forms of government in other countries;
- Ensure that all pupils within the school have a voice that is listened to, for example by having democratic processes such as a school council whose members are voted for by the pupils;
- Organise visits to local councils, Parliament and places of worship of other faiths,

and encourage contacts with those in political or local office;

- Use opportunities such as general or local elections to hold mock elections whereby pupils can learn how to argue and defend points of view;
- Use teaching resources from a wide variety of sources to help pupils understand a range of faiths, and beliefs such as atheism and humanism.

Standard 5(1)(b) – [the proprietor] precludes the promotion of partisan political views in the teaching of any subject in the school

15. The aim of this new part of the standard is to prevent the political indoctrination of pupils through the curriculum. The wording is based on section 406(1)(b) of the Education Act 1996, which applies to maintained schools. As explained below, the aim is not to prevent pupils from being exposed to political views or from discussing political issues in school. Pupils should not, however, be actively encouraged by teachers or others to support particular political viewpoints. This part of the standard should be read in conjunction with 5(1)(c).

The following are definitions of the key terms used in this part of the standard.

Partisan - in a case relating to the alleged promotion of partisan political views in maintained schools¹ the judge considered that the best synonym for "partisan" was "one-sided".

Political views – views expressed for a political purpose. A political purpose is either directly or indirectly:

- to further the interests of a particular political party; or
- to procure changes to the laws of this or another country; or
- to procure the reversal of government policy or of particular decisions of governmental authorities in this or another country.

16. This part of the standard is concerned with the active promotion of partisan political views by schools. It does not prevent the presentation of political views. In the case referred to above the judge also observed: "If, for example, a history class is shown Nazi propaganda, or a citizenship class is shown a racist film, this is not 'promoting' the views shown, but merely presenting them."

17. Unlike other parts of the SMSC standard, this part of the standard does not require the proprietor to promote positive outcomes. It is about preventing a negative outcome for pupils.

¹ Dimmock v Secretary of State for Education and Skills

18. Concepts such as democracy and the historical development of the political process in society cannot be meaningfully taught without reference to political belief and practice, and the use of concrete examples is normally helpful in promoting understanding. Furthermore, the part of the standard at paragraph 5(1)(c) envisages that political issues will be discussed in schools.

19. However, teaching staff should not exploit pupils' vulnerability by seeking to convince them that a particular political position is necessarily correct, or by trying to impose their own views on pupils. Such action may also amount to a breach of Part 2 of the Teachers' Standards on personal and professional conduct (see weblink in Associated Resources section on page 12), which can be taken into account for the purposes of proceedings under the Teachers' Disciplinary (England) Regulations 2012, which apply to teachers in independent schools. Schools should ensure that teachers are aware of the professional standards applying to them and the requirements of this standard.

20. While this part of the standard does not preclude the presentation of controversial political viewpoints to pupils, schools should ensure that views are not promoted which are inconsistent with the requirements of any other part of the standard (for example views which are derogatory of particular ethnic groups or faiths, or which are actively in opposition to the fundamental British values referred to in the standard).

21. If the curriculum includes sessions conducted by visiting speakers the school should consider vetting them if they may hold views which are inconsistent with the requirements of any part of the SMSC standard, and if still used, ensure that the content of their presentation is agreed beforehand.

Standard 5(1)(c) – [the proprietor] takes such steps as are reasonably practicable to ensure that where political issues are brought to the attention of pupils—

(i) while they are in attendance at the school;

(ii) while they are taking part in extra-curricular activities which are provided or organised by or on behalf of the school; or

(iii) in the promotion at the school, including through the distribution of promotional material, of extra-curricular activities taking place at the school or elsewhere;

they are offered a balanced presentation of opposing views.

22. This new part of the standard is modelled on section 407 of the Education Act 1996, which applies to maintained schools. The aim of this standard is to ensure that

schools take steps, in every aspect of their work, to ensure that when political issues are discussed or arise, pupils are made aware that there are normally countervailing views and a balance is struck between the opinions and beliefs discussed. This may be during lessons, or when extra-curricular activities within the school such as debates take place, or through the use of external speakers. In the case referred to above, the judge considered that “the word ‘balanced’ in s.407 means nothing more than ‘fair and dispassionate’.”

23. Schools should take a common-sense approach to securing balance. This part of the standard does not require the closely matched presentation of the opposite view where a partisan political view has been expressed. Schools need not take a mechanistic approach to securing balance, and it would be acceptable for a school to demonstrate that it had provided balance over a period of time.

24. One way in which balance could be demonstrated is by creating a clear school policy that sets out how visiting speakers are chosen and how balance is to be achieved over a period. There is no reason why speakers should not include representatives of political parties or campaigning organisations.

25. Where a speaker has expressed partisan political views on a subject it might also be appropriate to present opposing views on the subject to pupils in the course of subsequent class teaching. It would not be necessary to challenge the speaker’s views at the time or arrange for a speaker with opposing views to address pupils at a later date.

26. It should be noted that the standard also relates to the use of promotional literature in the school building for events which are not part of the curriculum, which pupils might see and as a result wish to attend the events in question. Although such events may be political in nature, the school should aim to ensure that they are not unbalanced (for example by advertising events held only by one political party or proponents of one particular view) and that they do not risk breaches of other SMSC standards (for example, by advertising speakers who are promoting anti-democratic beliefs).

Other relevant standards

27. The standards in Part 1 (Quality of Education) are also relevant, since curriculum and teaching in subjects such as history and personal, social and health education may well touch upon the principles and political issues in the SMSC standard.

28. However, it should be particularly noted that issues have arisen in relation to standard 3(f) which requires the proprietor to ensure that –

- The teaching at the school utilises effectively classroom resources of an adequate quality, quantity and range.

29. Amongst other expectations, when the teaching of subjects touches on matters covered by the SMSC standard, such as forms of government or political ideologies, the resources (books, films etc.) used for teaching should be of a range which fulfil the requirements of the SMSC standard, for example, by representing a range of views.

30. This does not mean that individual items should all reflect the principles referred to in the standard. Confident teaching about potentially controversial or difficult subjects is likely to use some material which presents opinions which are not compatible with the principles referred to in the SMSC standard but are useful to illustrate the full range of opinion on a matter.

Enquiries

Any enquiries about this advice, or issues raised by it, should be sent to:

registration.enquiries@education.gsi.gov.uk

Associated resources (external links)

- <https://www.gov.uk/government/publications/prevent-strategy-2011>
- <https://www.gov.uk/government/publications/teachers-standards>



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