

Response

Submitted to Out-of-School Settings Safeguarding: Call for evidence
Submitted on 2025-08-18

Who is this for?

About this Call for Evidence

Respondent information

1 Are you responding as an individual or on behalf of an organisation?

Organisation

2 How old are you?

Over 18

3 What is your religious group? Choose one option that best describes your religious group or background.

Jewish

4 What is your ethnic group? Choose one option that best describes your ethnic group or background

Any other ethnic group

5 Would you like us to keep your responses confidential?

No

Summary

Definitions

Questions about respondents' involvement with OOSS

6 In what capacity are you primarily responding? Please note – this response will affect how we analyse your responses

Other

If other, please state below:

We are a rabbinical body with principal responsibility for advocating on behalf of more than 10,000 strictly Orthodox Jewish children nationwide, whose families are steadfastly committed to preserving authentic Torah-based education.

7 If you are answering on behalf of an organisation, are you the Designated Safeguarding Lead (DSL) or deputy DSL? If you are answering as an individual please select N/A.

No

8 What local authority area are you based in?

Please select:

Hackney

9 What do you consider to be the main focus of the primary OOSS you are responding in relation to? We recognise that you may be involved in multiple OOSS so please select the option you are primarily involved with. We will ask you to answer later questions with this OOSS in mind, and refer to it as 'your primary OOSS' throughout. We know that your answers to some questions may differ depending on the type of OOSS you choose below, so if you wish to respond in different capacities, please complete and submit separate responses for each.

Other

If other, please state below:

Faith-based.

10 Apart from the primary organisation you are responding in relation to, what is the focus of any other OOSS you or your child are also involved with?

Other

If other, please state below:

Faith-based

11 How many years have you worked with children in OOSS, or in another capacity? If you are responding as an individual, please select N/A.

Longer than 10 years

12 What age are the children in the OOSS you use, are involved in or responding on behalf of?

Background about safeguarding

Questions about your awareness and understanding of safeguarding in Out-of-School Settings

13 Parents are currently responsible for the decision on whether an OOSS is safe for their child, and OOSS make the decisions on what safeguarding measures are appropriate. Did you know this?

Yes, definitely aware of this

14 Before receiving this call for evidence, were you aware that OOSS are currently unregulated?

Yes, definitely aware of this

15 Before receiving this call for evidence, were you aware that although many do, OOSS are not required to do DBS checks on their staff?

Yes, definitely aware of this

16 What safeguarding measures do you think there should be in all Out-of-School Settings (OOSS)?

Please answer below:

Genuinely effective safeguarding is best delivered through proportionate, community-based practices which protect children without needlessly intruding on private or religious life. Long-standing internal arrangements within our community have consistently safeguarded children's welfare, allowing families to meet their parental and religious duties with confidence and peace of mind.

Safeguarding expectations for OOSS should therefore adopt a voluntary, light-touch and risk-based approach, building on models that already work successfully across diverse communities — rather than imposing school-style regulation on settings that are fundamentally different. Practically, this means upholding parents' primary responsibility through informed consent, ensuring appropriate supervision, applying reasonable safer-recruitment protocols where non-family adults assist, and maintaining basic health and safety standards such as first-aid readiness and emergency contacts.

At the same time, we are increasingly concerned that, under the banners of safeguarding, extremism prevention and integration, ideologically driven agendas are being advanced that push secular and liberal viewpoints at odds with the deeply-held religious convictions of many parents. These initiatives risk exposing children to ideas and lifestyles fundamentally incompatible with their faith — not for genuine educational necessity, but in ways that diminish traditional religious identity.

Our community already provides outstanding safeguarding and moral education, producing young people widely respected for their discipline, academic standards and responsible citizenship. It is therefore essential that safeguarding policy remains focused on protecting children from harm — and is not repurposed as a mechanism for social engineering at the expense of religious freedom and parental rights.

It is essential that any regulation respects cultural and religious autonomy, safeguarding children without requiring religious institutions to deviate from their core beliefs or educational practices. Frameworks that make registration or compliance conditional upon secular standards risk unsettling cohesive communal life and undermining faith-based education.

These community-developed systems deliver lawful, effective safeguarding without eroding family life or religious liberty — a fact borne out by the virtually non-existent violent crime across our community, which is verifiable by statutory authorities. This reflects a unique culture of responsibility, accountability, and effective self-regulation.

Conversely, heavy-handed regulation risks conflating safeguarding with curriculum control — a move that would be both unnecessary and counterproductive. As the Bible states, "You shall diligently safeguard your lives"(Deuteronomy 4:15): protecting children is a sacred duty that our community has honoured faithfully and successfully for generations.

17 If you had a concern about safeguarding standards within an OOSS, where would you go to report that issue?

The school of the affected child

If other, please state below:

18 Which of the following are your primary sources for information on safeguarding in OOSS? (select up to three)

My colleagues, Parents/carers of children attending, Schools

If other, please state below:

Government action on safeguarding

Questions about government guidance on safeguarding in OOSS

19 Are you already aware of either the existing government guidance for parents and carers (if you are a parent), and providers (if you are a provider), or the explanatory safeguarding posters and leaflet?

Yes

20 To what extent do you agree or disagree that the existing government guidance for parents and carers, and providers is helpful?

Disagree Strongly

21 To what extent do you agree or disagree that the explanatory safeguarding posters and leaflet are helpful?

Disagree Strongly

22 Which, if any, of the following do you think could improve the guidance and resources for providers/parents and carers?

Other

If other, please state below:

To be effective and trusted, safeguarding guidance and resources must be genuinely neutral, evidence-based, and framed to support parents and providers — not to pursue a predetermined regulatory outcome. Materials should recognise that long-established, community-driven safeguarding systems — including those in independent and faith-based settings — already deliver safe and reliable outcomes, with minimal risk.

The most constructive way to achieve safeguarding in out-of-school settings is through voluntary, community-based engagement that builds on these proven systems, rather than through imposition of uniform regulatory models.

Safeguarding policy should draw a clear distinction between: (A) primary safeguarding (the responsibility of parents), (B) secondary safeguarding (voluntary support mechanisms), and (C) tertiary safeguarding (compulsory state intervention). Only the latter justifies coercive powers and, in law, requires a high statutory threshold of significant harm. Absent this clarity, the term “safeguarding” becomes conceptually blurred — risking the inappropriate application of coercive measures in situations where support or guidance would be more lawful and effective.

Guidance should therefore reinforce voluntary, proportionate support for families, reserving compulsory intervention strictly for cases where there is credible evidence that a child faces serious harm and no less intrusive alternative is available.

Such an approach respects existing community oversight, promotes cooperation and trust, and ensures safeguarding measures are properly targeted towards genuine welfare concerns. This preserves confidence, upholds diversity, protects parental primacy and lawful religious practice, and maintains compatibility with our pluralistic democratic values and legal framework.

Questions about sharing information on safeguarding in OOSS

23 What, if anything, do you think prevents parents and carers from easily accessing safeguarding information (such as a safeguarding policy or process) for OOSS?

Other

If other, please state below:

Parents access safeguarding information through trusted, voluntary community systems — making further government intervention unnecessary.

24 Based on your experience of the primary OOSS you are responding in relation to [see Respondent information Q8], which, if any, of the following does the setting share with parents and carers?

If other, please state below:

25 Based on your experience, how do you think OOSS should inform parents and carers of safeguarding arrangements in their setting?

If other, please state below:

Questions about accreditation schemes

26 Thinking about the primary OOSS you are responding in relation to, are they members or affiliates of any of the following accreditation schemes or membership bodies?

If another accreditation organisation or membership scheme, please state below:

27 If the setting is not a member or affiliate of an accreditation or registration scheme, why do you think that is?

If other, please state below:

Safety in educational settings

Questions about your awareness and understanding of safety in Out-of-School Settings

28 Does the OOSS you are responding in relation to have any of the following security measures or training in place, as part of an incident response plan?

29 Does this OOSS currently have a process for referring children, vulnerable to radicalisation and/or extremism, for further support from the local authority?

Not Answered

30 Have you accessed training on safeguarding children from radicalisation and/or extremism in this OOSS?

Not Answered

31 Do you have any other concerns or have identified any gaps in the support or guidance, with regards to keeping the people and setting safe and secure?

Please answer below:

Our home-based setting maintains proportionate and practical safety measures at all times — including emergency contacts, first-aid access, secure premises and communication capability. In public venues, we fully comply with on-site procedures and implement sensible incident planning, while in third-party environments parents make responsible assessments of venue arrangements and take appropriate action where needed. Should any new duties arise under “Martyn’s Law”, they must be applied on a proportionate, risk-based scale and not imposed indiscriminately on family homes or small, community-based settings.

For safeguarding policy to remain lawful, effective and respectful of diversity, it must be framed upon clear national standards rather than delegated to subjective, discretionary decision-making at local level. Terms such as “radicalisation” or “extremism” therefore require precise legal definition: vague or open-ended wording risks inappropriate misinterpretation of lawful religious practice — particularly within Haredi Torah-based settings — as a safeguarding concern. Such outcomes would be incompatible with Articles 8, 9 and A2P1 of the ECHR, risk indirect discrimination, and must be expressly avoided in any future framework.

Information about potential Out-of-School Setting safeguarding reform and policy development Questions

about potential approaches to Out-of-School Settings Safeguarding Reform

32 If the government were to take a registration and/or regulation approach, which of the following would you most like to see introduced? Please refer to pages 25-27 of the Call for Evidence document and/or the information below.

Other

If another form of intervention, please state:

None of the above. I believe that registration/regulation is unnecessary and would be counter-productive.

33 Do you have any additional comments or suggestions with the registration and/or regulation policy approach to safeguarding reform in OOSS?

Please answer below:

I do not support the introduction of compulsory registration or regulation for OOSS. Safeguarding measures should be deployed only where there is clear, credible evidence of serious harm or systemic risk – not on the basis of generalised assumptions about law-abiding families. The existing legal framework – including common-law duties and the statutory powers available to local authorities under the Children Act 1989 – already allows intervention wherever such evidence is present. Expanding regulation to small-scale, family-based or faith-led provision risks diverting limited safeguarding capacity away from children in mainstream settings who are demonstrably at risk, towards unnecessary scrutiny of low-risk minority environments.

Blanket registration systems of this nature disproportionately affect faith communities, invite ideological bias in application (particularly where key terms such as “suitability” lack statutory definition), and undermine the presumption of lawful parental conduct protected under Articles 8, 9 and A2P1 of the European Convention on Human Rights. Any safeguarding reform should therefore remain voluntary, supportive, and strictly evidence-based, with formal

intervention reserved only for those situations where credible indicators of serious harm are present.

34 If the government were to take an engagement-based approach, which of the following would you most like to see introduced? Please refer to pages 28-29 of the Call for Evidence document and/or the information below.

Other

If other, please state below:

Close collaboration with informed representatives of strictly Orthodox Jewish parents would be welcomed — provided such engagement is voluntary, respectful, and genuinely intended to support parents rather than to regulate them or expand school-style oversight into Torah-based educational settings.

Safeguarding must remain focused on protecting children from actual abuse or neglect, not on monitoring values, beliefs or forms of religious education. Constructive engagement should therefore empower parents with practical, user-friendly tools — such as plain-language checklists, safety prompts and clear signposting — while remaining strictly outside curricular or theological matters. It is essential that any such guidance comes with explicit assurances that it will never be used as a pathway to registration, inspection or data capture.

Out-of-school settings are fundamentally different from schools and must not be treated as such. School-based tools such as the KCSIE curriculum are ill-suited to low-risk, family-centred faith provision, which already operates long-standing internal safeguards and demonstrates exceptionally low rates of risk and offending when compared with mainstream environments. Safeguarding must preserve parental primacy: when engagement begins to resemble compulsion, participation drops and safe provision disappears from view — defeating the very objective of protection.

Accordingly, genuine engagement must be undertaken with those who authentically reflect the strictly Orthodox parent body, rather than with bodies that may be subject to external pressures or political incentives to compromise on traditional Torah-based values. Only through such authentic representation can engagement be both effective and trustworthy.

35 Do you have any additional comments or suggestions concerning the engagement-based approach to safeguarding reform in OOSS?

Please answer below:

Engagement is only effective when it is genuinely voluntary, culturally respectful, and grounded in authentic partnership — rather than perceived as regulation by another name. A constructive engagement model must therefore involve faith-literate guidance developed collaboratively with strictly Orthodox representatives who are embedded in community norms and access to named local authority contacts who are available to assist upon request, rather than to inspect or enforce.

Parents possess a fundamental legal and human right to educate their children in accordance with their religious convictions (Article 9 ECHR; A2P1), and safeguarding initiatives must safeguard that autonomy by operating on the presumption of lawful conduct — supporting voluntary collaboration rather than imposing permission-based oversight on everyday religious education.

Engagement frameworks that operate in practice as forms of registration, monitoring, or assessment are unlikely to be trusted or used. Once participation begins to feel compulsory — or is perceived as a pathway to curriculum oversight, theological regulation, registration or inspection — smaller voluntary providers tend to withdraw, which reduces transparency and may inadvertently weaken long-standing, safe provision. To strengthen genuine safeguarding, engagement must therefore focus on building trust, reinforcing existing successful practices, and maintaining a clear distinction between voluntary partnership and regulatory control.

36 If the government were to take an information-based approach, which of the following would you most like to see introduced? Please refer to pages 30/31 of the Call for Evidence document and/or the information below.

Other

If other, please state below:

If an information-based approach is adopted, it should be explicitly designed to support and empower parents — not to monitor, regulate, or collect data about them. In the Haredi community, safeguarding is most effectively upheld through strong parental vigilance, close-knit communal structures, and practical advice that is culturally appropriate, respectful, and rooted in real-world experience.

The most valuable resources would therefore be clear, plain-language materials that help parents identify genuine risks to a child's physical or emotional wellbeing — entirely free from ideological content — alongside optional "red-flag" prompts and checklists to assist families in making informed choices about out-of-school activities.

Above all, any such initiative must not serve as a de facto registration or inspection tool. Its purpose must be to inform and assist while preserving parental primacy under Articles 8, 9 and A2P1 of the European Convention on Human Rights. Only such an approach is likely to be effective, trusted, and compatible with safeguarding within a diverse democratic society.

37 Do you have any additional comments or suggestions concerning the information-based approach to safeguarding reform in OOSS?

Please answer below:

An information-based approach should be straightforward, accessible and focused on empowering parents — not regulating them. In practice, parents benefit most from short, practical tools such as concise safety checklists, clear “red flag” indicators and simple guidance on when and how to escalate genuine concerns. This kind of voluntary, parent-centred support best reflects the principle of parental primacy and is therefore the most appropriate model for strengthening safeguarding within out-of-school settings.

38 Currently, parents are responsible for the decision on whether a setting is safe for their child. Instead, do you think another body should have a role in setting and/or monitoring safeguarding measures, bearing in mind that this would have burden implications?

Not Answered

39 Of the following, which would be your preferred option for how Government should help to improve safeguarding in OOSS?

Not Answered

If other, please state below:

40 Considering the wide range of OOSS, all with their own unique considerations, are there any type of settings that you think should be focussed on as part of any future safeguarding reforms?

Other

If other, please state below:

Safeguarding reform should be directed only where there is credible, evidence-based risk of harm and should not be extended indiscriminately to low-risk, faith-based environments where long-standing internal systems already safeguard children effectively. Oversight should therefore continue to rest with independent bodies, given that local authorities and the police already possess clear statutory powers to intervene wherever credible evidence of harm or risk arises.

41 Why? What evidence has informed your answer to the above question?

Please answer below:

Parents are the primary and most effective guardians of their children's safety. In my family and community, small home-based learning groups have operated safely, transparently and with strong parental involvement for many decades. These environments are characterised by open-door study arrangements, multiple adults present, and exceptionally high levels of communal oversight — all of which prevent isolation and promote child visibility.

The Haredi community has a demonstrable record of safety and responsibility: attendance is consistent, truancy is almost unheard of, and children's welfare is continuously monitored through close-knit family and communal structures. Existing legislation — including the Children Act, criminal law and emergency powers available to local authorities, courts and police — already provides ample scope to intervene wherever there is credible evidence of harm, ensuring effective protection when required.

Extending school-style regulatory systems to small, voluntary faith settings would not improve safeguarding outcomes. Rather, it risks driving legitimate provision out of public view and diminish transparency.

Safeguarding policy must remain focused on preventing demonstrable harm, with intervention only where credible evidence exists and no less intrusive alternative is available — not on regulating religious belief or imposing constraints on lawful parental choice. Poorly defined, belief-based regimes risk indirect discrimination and may infringe fundamental rights under the ECHR.

The more effective strategy is to promote existing voluntary guidance, ensuring any reforms remain proportionate, evidence-led and risk-based — allowing local authorities to prioritise mainstream children in genuine danger rather than engaging in broad surveillance of low-risk, family-centred or faith-based activities. The consistently strong outcomes achieved by children educated within our settings — who grow into responsible, productive and law-abiding citizens — demonstrate the effectiveness and compatibility of this approach with both safeguarding requirements and pluralistic democratic values.