**SUBMISSION TO THE INDEPENDENT REVIEW INTO ANTISEMITISM IN SCHOOLS AND COLLEGES**

## Introduction

1. UK Lawyers for Israel (UKLFI Ltd) is an association of lawyers who support Israel and seek the proper application of law and regulatory requirements in matters relating to Israel. A connected charity, UKLFI Charitable Trust helps victims of antisemitism and furthers legal education relating to Israel and antisemitism. This evidence is provided on behalf of both entities, together referred to as UKLFI.

2. Amongst other activities, UKLFI supports the parents of Jewish pupils who have experienced antisemitism in educational settings, providing legal analysis, assisting with drafting complaints, and engaging with schools, colleges, local authorities, regulatory bodies, and government.

3. UKLFI's '*Parents' Toolkit'* for tackling antisemitism and anti-Israel bias in UK schools is a practical guidance resource designed to assist parents in identifying, addressing, and constructively challenging antisemitism, political bias, and related safeguarding concerns within schools. The Toolkit provides an overview of the legal and regulatory framework relevant to many of the issues addressed in this submission and may assist the Review as a practical reference resource in understanding the broader legal, regulatory, and safeguarding context in which antisemitism within schools and colleges may be addressed.

4. The Toolkit was developed on the back of a substantial body of work involving issues such as teachers displaying political insignia in schools; staff encouraging children to participate in political activism such as "*Strike for Palestine*" events; use of politically partial or factually inaccurate teaching materials; antisemitic social media activity by

staff; swastika depictions and other antisemitic behaviour by pupils; school-organised Gaza-related political activities; and bullying, intimidation, or harassment directed at Jewish pupils or teachers or those perceived to hold Israeli or Zionist identities or sympathies.

5. That work has also revealed significant institutional failings in a number of areas. These include inadequate safeguarding responses; weak and defensive complaints-handling procedures; insufficient oversight of teaching materials and external organisations; and a broader failure within some settings to recognise contemporary manifestations of antisemitism. Jewish pupils and teachers have reported feeling marginalised, isolated, intimidated, reluctant to express their identity openly, and, in some cases, fearful of attending school altogether.

6. In some cases, problems are resolved by moving to a different school or avoided by choosing a Jewish school in the first place. However this entails further ghettoisation of the school system, with an increasing proportion of non-Jewish children having little or no contact with Jewish peers or teachers.

7. These concerns arise within a broader context in which antisemitism has increased markedly since the horrific terrorist attacks carried out by Hamas against Israel on 7 October 2023. Jonathan Hall KC, the Government's independent reviewer of terrorism and state threats, has described antisemitism as the UK's "*biggest national security emergency*" since 2017.

8. Schools play a central role in shaping children's understanding of minorities, democracy, tolerance, and respectful civic engagement. Children currently being educated will become the professionals, public servants, and leaders of the future. If antisemitism is not recognised and addressed clearly and effectively within schools, there is a serious risk that hostility towards Jews will become further normalised within wider society and embedded in institutions and other organisations.

9. We hear with increasing frequency from Jewish individuals who are considering leaving the UK because they no longer believe they have a future here. That should concern all those who value the immense contribution that the Jewish community has made, and continues to make, to British civic, cultural, academic, and economic life. Britain would be a poorer place without its Jews.

10. We set out below: (i) key themes and concerns; (ii) various existing legal mechanisms available to the Department for Education (DfE) for addressing them; and (iii) conclusions and recommendations.

## (i) Key themes and concerns

Politicised, One-Sided and Inaccurate Teaching Materials

11. One of the most consistent and concerning patterns arising from our work is the use of teaching materials relating to Israel and/or Palestine that are factually inaccurate, politically partial, or both. These materials shape pupils' perceptions of Jewish identity and Israel in ways that contribute directly to hostility, stigmatisation, and the marginalisation of Jewish children.

12. We regularly assist parents both publicly and confidentially, including in circumstances where families fear retaliation or social exclusion if concerns are raised directly with schools. Examples of inaccurate and/or partisan material we have encountered include the following:

- Materials presenting Israel's military action in Gaza as constituting "*genocide*", supported by statements conveyed to pupils as established facts, when both the facts and the conclusion are deeply disputed and have not been determined by any competent court.[1]

- A resource framing Hamas's terrorist attacks of 7 October 2023 as a justified act of retaliation against "*illegal Israeli settlements, long-term illegal Israeli occupation, and violence against Muslims around the Al-Aqsa Mosque*", and explaining that Palestinian children throw rocks at Israeli tanks "*in retaliation for Israel illegally occupying East Jerusalem*".[2]

- A resource on "*Life at the Time of Jesus*" which repeatedly refers to Judea, Samaria and Galilee as "Palestine", when no such entity existed at that time, thereby enhancing Palestinian claims and diminishing Jewish claims to the territory between the Jordan river and the Mediterranean sea.[3]

- A lesson in which pupils were shown a series of so-called "*shrinking Palestine*" maps.[4] The maps purport to depict the loss of Palestinian land ownership over time. However, none of the maps in fact depicts land owned by Palestinians, and the series as a whole falsely implies a process of Jewish encroachment on Palestinian land, distorting the historical reality that for centuries the territory was administered by successive colonial powers and was not under the sovereignty of

[1] Annexes A and B. We have also received a report that a teacher orally described Israeli actions in Gaza as "genocide"

[2] Annex C slide 5

[3] Annex D

[4] Annex E

either Jews or Arabs. This type of misinformation contributes to a climate of hostility towards Jewish pupils by reinforcing a narrative in which Jews are cast as aggressors, creating an environment in which Jewish children become targets of harassment and bullying.

- Materials which present conflicting narratives regarding the Middle East as equally valid, where the Palestinian narrative presented is largely false and the Jewish/Israeli narrative is mainly true.[5] Quite apart from the lack of academic rigour in this approach, it teaches and endorses misinformation that promotes antisemitic hostility. We appreciate that proponents of these materials are well-meaning and that they may sometimes achieve some short-term gains in imparting knowledge and understanding of different views. However, we are concerned that overall and in the longer term they promote animosity towards the Jewish State and those associated with it.

13. Many schools currently lack adequate mechanisms and expertise to assess the factual accuracy, political impartiality, historical reliability, and safeguarding implications of teaching materials relating to Israel before using them. In some cases, however, individual teachers and staff members also appear actively to seek out and utilise such materials precisely because they align with their own ideological or political views concerning Israel. The problem is therefore twofold: (i) institutional failures of oversight and quality control; and (ii) the risk that individual staff members acting as political advocates or campaigners may deliberately introduce one-sided or inflammatory narratives into the classroom.

14. This reflects a broader structural problem. There is currently no coherent regulatory framework governing politically sensitive educational materials used in schools. Academies and free schools enjoy broad autonomy over curriculum content, and even maintained schools operate within a fragmented system in which oversight is limited. In practice, highly politicised materials may therefore enter classrooms unchecked. A further difficulty is that educational materials supplied by external organisations are often not publicly available, meaning that parents and external specialists may be unable to scrutinise the content being used.

15. **We therefore propose that all schools should be required to maintain records of externally produced materials, programmes, workshops and assemblies used or conducted and to make such materials available for inspection by parents, regulators, and other interested parties**, subject to any necessary measures to protect copyright.

[5] Annexes F and G

16. **We further propose that mandatory political impartiality, factual accuracy, safeguarding, and age-appropriateness assessments should be required for all externally produced educational resources dealing with politically sensitive issues before they are used in schools, regardless of the originating organisation.**

17. **This Review should also consider recommending structured, non-violent communication (NVC) sessions for staff and pupils to equip them with the tools to exchange views on Israel-Palestine respectfully.**

18. A recurring theme in our work is that existing legal requirements for political impartiality, safeguarding, and equality are often undermined by weak oversight and enforcement. **The Review should therefore consider not only the substantive legal framework, but also the mechanisms for monitoring compliance, ensuring accountability and addressing breaches.**

Political Expression, Symbolic Conduct and Political Neutrality in Schools

19. Several cases that we have addressed have involved staff expressing political views within the school environment through symbolic attire. In several instances, such conduct has contributed to perceptions of institutional bias and to an atmosphere in which Jewish and Israeli pupils feel unwelcome or intimidated.

20. In one case, a teacher continues to wear a Palestine flag badge throughout the school day despite several parental complaints and concerns regarding its impact on Jewish pupils. One family who raised the issue also alleges that their child is subjected to bullying by the same teacher and treated more harshly than her peers as a consequence of the child's Jewish identity and raising of the complaint. Both the school and academy trust resisted the complaint and sought repeatedly to obstruct its progression, including by asserting that relevant DfE guidance was not binding upon them. We understand that the child is now generally very unhappy at the school and that the family are considering withdrawing her entirely.

21. Much of the conduct described in this submission is likely to place schools in breach of their obligations under the Equality Act 2010, which prohibits discrimination and harassment by schools against pupils relating to protected characteristics, including Jewish ethnicity and religion, Israeli nationality and Zionist philosophical belief (i.e. belief in the right of the Jewish people to self-determination in the land of Israel). Harassment is broadly defined as including conduct which has the effect of creating an intimidating, hostile, degrading, humiliating or offensive environment. Schools are liable under this Act for discrimination and harassment of pupils by their staff in the

course of their employment, unless the school shows that it took all reasonable steps to prevent such conduct.[6]

22. Maintained schools and academies are also bound by the Public Sector Equality Duty (PSED) in section 149 of the Equality Act, which requires them to have due regard in the exercise of their functions to the need to: eliminate discrimination, harassment and victimisation related to protected characteristics; advance equality of opportunity between persons who share a protected characteristic and persons who do not share it; and foster good relations between persons who share a protected characteristic and persons who do not share it. Independent schools may also be bound by the PSED in so far as they exercise public functions.

23. However, whilst those legal obligations can be pointed out to schools, the practical reality is that enforcement of the Equality Act is often inaccessible, risky, and unrealistic. Legal proceedings are expensive time-consuming, and rarely achieve a timely result against a determined defendant. They also expose claimants to potentially serious liabilities for legal costs. A special requirement of proceedings under the Equality Act, that the court must sit with assessors, may preclude pursuing them as small claims with limited financial risk.

24. Further, in many cases the affected child must continue attending the very school against which concerns are being raised and remains dependent upon maintaining a workable relationship with that institution. As a result, many families find themselves trapped in a position where they may have strong legal arguments in principle, but no realistic or safe means of enforcing their rights in practice. In this context the 6-month time limit for bringing legal proceedings is a further, significant barrier, since the period may expire while parents are seeking to resolve the issue without litigation.

25. **We propose that consideration be given to reforms to make Equality Act protections more accessible and effective, including the creation of mechanisms through which schools can be held accountable without irreparably damaging the ongoing relationship between families and schools or effectively forcing children to leave their school in order to secure protection.**

26. Similar points also apply to the legal obligations of maintained schools, academies and other independent schools to take such steps as are reasonably practicable to secure that pupils are offered a balanced presentation of opposing views when political issues are brought to their attention while attending school or taking part in extra-curricular activities provided or organised by or on behalf of the school.[7]

[6] Equality Act 2010, section 109

[7] Education Act 1996, section 407; The Education (Independent School Standards) Regulations 2014, Schedule, para 5(d); academy funding agreements

27. In the above case, we were informed that the school told one of the other families who complained about the teacher wearing the Palestine flag badge that its hands were tied on this issue due to advice it had received from the DfE. We therefore submitted requests to the DfE under the Freedom of Information Act 2000 (FOIA) seeking recorded information relating to any communications between the DfE and the school or academy trust concerning the permissibility of teachers wearing Palestine flag badges, together with any advice, guidance, policy discussions, or legal analysis held by the DfE on the wider issue of teachers displaying political symbols in educational settings.

28. The correspondence disclosed by the DfE included an email from a DfE official to a representative of the academy trust confirming that the DfE had received a complaint concerning the teacher's Palestine flag badge and stating that the official was "*seeking a policy steer on this before agreeing any next steps*". This confirms that the DfE was directly engaged with the specific complaint, was treating it as a matter requiring a policy position, and had not yet formed, or was not yet prepared to communicate, a concluded view.

29. We subsequently submitted a further request seeking additional information. In response, the DfE withheld further information, principally under section 35(1)(a) of the FOIA, relating to the formulation or development of government policy, together with section 42, concerning legal professional privilege.

30. The combined effect of these disclosures and withholdings is significant. The DfE has confirmed, through its reliance on these provisions, that it holds both policy discussions and legal advice concerning the permissibility of teachers wearing Palestine flag badges and similar political symbols in schools, and has declined to disclose either. **We invite the Review to examine DfE's policy position, any legal advice obtained, and any conclusions reached on this issue.**

31. In our view, the wearing by teachers of Palestine flag badges and similar political symbols contributes to an intimidating, hostile, or exclusionary environment for Jewish and Israeli pupils in breach of the Equality Act 2010. In our experience, some schools have accepted this and taken appropriate steps but other schools and trusts have resisted compliance. **We propose that the DfE issue guidance that all schools should adopt and enforce policies prohibiting the display by staff of visible political insignia, flags, slogans, and symbols associated with divisive political**

**conflicts.** A similar conclusion was reached by Lord Mann, the government's independent adviser on antisemitism, in his review of antisemitism in the NHS.[8]

32. In a separate case, a primary school teacher refused to cease wearing a keffiyeh despite the distress this caused to an Israeli family whose child was in the class. At the same school, a young child attended a dress-up event dressed as a Hamas terrorist, and a whole class of infant aged children, including Jewish Israeli children, were made to pray on Islamic prayer mats.

33. One particularly illustrative case involved a teacher asking a class to identify the capital of Israel. When an Israeli child answered "*Jerusalem*", the teacher insisted the answer was "*Tel Aviv*". The child was left distressed and humiliated, perceiving that the teacher was making a political statement. This illustrates the broader problem identified throughout this submission, the risk that teachers' personal political views or ignorance regarding Israel may shape classroom conduct.

34. Political campaigning by pupils can also present significant difficulties within the school environment. Maintained schools are required to prohibit pupils under the age of 12 from engaging in political activities at school[9] and a similar requirement is probably imposed on academies by their funding agreements. However, this specific requirement does not extend to independent schools. Whilst there is no requirement for schools to restrict older pupils from expressing political opinions that are within the general law, schools are entitled to impose reasonable limits through behaviour, uniform, and political impartiality policies. Schools may legitimately restrict political symbols, slogans, demonstrations, or forms of activism where these breach dress codes, cause disruption, or adversely affect the wellbeing, inclusion, or sense of safety of other members of the school community.

35. In addition, as mentioned above, maintained schools, academies and other independent schools are required to take such steps as are reasonably practicable to secure that pupils are offered a balanced presentation of opposing views when political issues are brought to their attention while attending school or taking part in extra-curricular activities provided or organised by or on behalf of the school. This obligation is not limited to political issues brought to the attention of pupils by school staff and can therefore apply where political issues are raised by other pupils. On the

[8] https://www.gov.uk/government/publications/lord-mann-review-on-antisemitism-and-other-forms-of-racism-in-the-nhs/lord-mann-review-of-antisemitism-and-other-forms-of-racism-in-the-nhs-and-healthcare-regulatory-system

[9] Education Act 1996, section 406

other hand, there is currently no liability under the Equality Act for discrimination or harassment by pupils against other pupils.[10]

36. **We propose that all schools and 16-19 colleges should be required to adopt and enforce mandatory policies governing partisan political activism by pupils while at the school or college or engaged in extra-curricular activities organised by or for the school or college. Such policies should include clear rules concerning political symbols, protests, campaigning activities, and the promotion of partisan political causes by pupils whilst on school premises or participating in school activities.**

Pupil-on-Pupil Antisemitism and Safeguarding Failures

37. Pupil-on-pupil antisemitism is a significant issue and one that is often insufficiently recognised as a safeguarding concern. Jewish pupils have reported bullying, intimidation, exclusion, hostility relating to Israel, and pressure to conceal their Jewish or Israeli identity. In several cases, pupils have actively hidden aspects of their identity because they perceived their school environment to be hostile or unsafe.

38. In one particularly serious case, a pupil of Israeli heritage described feeling specifically targeted because of his background and reported an atmosphere of open hostility towards Jews amongst fellow pupils within the school environment. The allegations included other pupils performing Nazi salutes, repeated social exclusion, being pushed around physically, and being told to kill himself. **In our view, persistent antisemitic hostility, intimidation, humiliation, and identity-based exclusion of this nature should be understood and treated not merely as behavioural or disciplinary issues, but as serious safeguarding concerns capable of causing significant emotional and psychological harm to children.**

39. As observed above, the Equality Act does not currently apply to the conduct of pupils against other pupils. **We propose that it should be amended so that it covers harassment by its pupils of other pupils while at school or engaged in extra curricular activities organised by or for the school, in a similar manner to its application to harassment of pupils by school staff** – i.e. the school would be liable unless it shows that it took all reasonable steps to prevent such harassment; and the pupils responsible for the harassment would also be liable.

**40. We also propose the introduction of a clear and specific duty on schools to protect pupils from antisemitic harassment by other pupils, together with prescribed procedures for responding to such incidents.**

[10] Individual pupils can be liable for harassment contrary to the Protection from Harassment Act 1997, but this Act does not contain the extended definition of "harassment" in the Equality Act.

41. **We further invite the Review to consider whether additional parental accountability mechanisms should be explored in cases involving serious or persistent antisemitic conduct by pupils.** There are already contexts within the education system in which financial penalties may be imposed on parents, including for school non-attendance. Against that background, the Review could consider recommending that the Government examine whether some form of parental responsibility or civil penalty framework may be appropriate in particularly serious or repeated cases of antisemitic harassment, bullying, intimidation, or hate-related conduct by pupils. Children's attitudes and behaviours are often significantly shaped by influences within the home environment. Stronger parental accountability mechanisms may encourage greater engagement by families in preventing antisemitic conduct and reinforcing appropriate standards of behaviour.

Pupil-on-Staff Antisemitism

42. We have been provided with evidence from a Jewish teacher who ultimately left her school following sustained antisemitic hostility from pupils and an inadequate institutional response.

43. Following the Hamas attacks of 7 October 2023, the teacher experienced repeated incidents in which pupils targeted her because her Jewish identity was known within the school community. She reported that pupils regularly shouted *"Free Palestine*" at her, sometimes as often as twice per week. In one incident during a parents' evening, a young man deliberately attracted her attention before shouting "*Free Palestine*" and walking away.

44. She also described repeated attempts by pupils to associate her personally with Israel and the conflict. Pupils frequently questioned her about where she was "*really*" from, eventually steering conversations towards her Jewish identity, Israel, and which "*side*" she supported in the war. On one occasion a pupil told her that Palestine was "*morally right*" and suggested that Hamas was "*not a bad guy*".

45. The teacher also reported incidents involving Palestinian symbols and slogans. A pupil sought a fist-bump from her "*for Palestine*" whilst pointing to a Palestinian flag. After the school restricted the display of Palestinian flags, a poster was placed on her desk depicting members of a fringe anti-Zionist Jewish group supporting Palestine, together with the handwritten statement "*It's not antisemitic to support Palestine*". She perceived this as a direct response to her being Jewish and as an attempt to challenge or provoke her personally. She further reported the widespread display of Palestinian flags by pupils and, in some cases, staff members, which contributed to

her sense of isolation and the perception that anti-Israel sentiment had become normalised within the school environment.

46. During a lesson referencing Starbucks, pupils began whispering comments such as "*she's Israeli*" and "*she's on the Israeli side*". Pupils also shouted "*Allahu Akbar*" during a Holocaust Memorial Day presentation.

47. Further incidents reflected ignorance about Jewish history and identity, and questions based on antisemitic tropes. For example, a pupil asked her why Jewish people slaughtered four red cows at Passover, a claim which, upon investigation, the teacher discovered derived from an antisemitic conspiracy theory circulating online. Another pupil expressed surprise on learning that Jews had historical connections to the land of Israel, having believed that Jews originated solely from Europe. Although she had never expressed political views to pupils, many viewed her through the prism of the conflict simply because she was Jewish.

48. The teacher described the cumulative effect of these incidents as devastating. She stated that coming to work had become a daily challenge and that the experience frequently reduced her to tears. She reported feeling anxious, distressed, isolated, and increasingly unsafe as a Jewish member of staff. Following one incident in which a pupil shouted "*Free Palestine*" at her, she became so distressed that she was unable to continue teaching for the remainder of the day.

49. Although incidents were reported and recorded, she felt that school leaders consistently underestimated their seriousness, viewed them in isolation rather than as part of a wider pattern of antisemitic hostility, and failed to implement meaningful preventative measures. She repeatedly sought educational interventions, staff training, and engagement with specialist organisations, and felt that she was effectively expected to "*toughen up*" rather than the underlying hostility being addressed. Her position became untenable. Despite previously enjoying her role and believing she had made a positive contribution to the school, she left her employment. Her experience revealed not merely isolated incidents of misconduct but a broader cultural and institutional failure to recognise, understand, and respond effectively to antisemitism within the school community.

50. Harassment of a Jewish teacher (A) at another school included an incident in which about 30 students all shouted "Free Palestine" as she walked past a computer room; a second incident in which a student in a group said "Falastine" loudly as they passed the door of her office while she was eating lunch, and printed Palestinian flags were also dropped outside the door; and a third in which a group of students shouted "Free Palestine" at her in her classroom.

51. This teacher had found a swastika graffiti in her classroom on her first day at the school, and three students wrote *"I love Hitler"* in their English folders during her first year there. Subsequently a student wrote *"Free Palestine"* on the teacher's whiteboard, and another teacher heard a student in A's class make a gagging sound on finding out that A was Jewish.

52. At the same school a student left a *"Free Palestine"* message on the cupboard of a different Jewish teacher (B) and shouted this in the classroom. Teacher B was also verbally abused by the father of one of the students. A third Jewish teacher (C) was told by a student that Jews *"have privilege"*. On C asking the student what she meant, the student replied *"do I really need to spell it out for you"*.

53. A left the teaching profession altogether and teacher B left the school. We understand other Jewish staff also left this school because of the hostile environment.

54. Another case involved a Jewish teacher at a different school who discovered antisemitic statements written on her board, including a phrase equating the Holocaust with events in Gaza and a reference to a concentration camp. The incident was distressing in itself, but the school's response compounded the harm significantly. When the teacher subsequently discussed the matter with a colleague responsible for discrimination training at the school, she was told that the writing on her board had not been targeted at her. She experienced this response as gaslighting.

55. The fact that the staff member responsible for delivering discrimination training within the school was unable or unwilling to recognise an overtly antisemitic incident directed at a Jewish teacher as targeted conduct illustrates the depth of the institutional failure identified throughout this submission. The problem is not only that antisemitic incidents occur, but also that those charged with responding to them frequently lack the understanding, or the will, to do so.

<u>Antisemitic, Extremist and/or Inflammatory Social Media or Rhetoric</u>

56. A number of the cases we have addressed involved school staff making antisemitic, extremist or inflammatory statements online. Examples include:

    - A teacher stating in a WhatsApp group that their trade union was not doing enough "*to stand against Zionists*".

    - A headteacher referring publicly to a Jewish individual as a "*Zio*" and stating: "*I know Zios are totally crazy but this level of contradiction is new bat shit level crazy. I'm so glad you now realise you are standing alone. Time to stand down and give it up*" (The term '*Zio*' is frequently used as derogatory proxy for '*Jew*',

and is experienced as such by many Jewish people). The same individual also publicly defended chants of "*death death to the IDF*".

- A teacher publicly condemning the work of the Community Security Trust, the charity responsible for protecting the Jewish community from antisemitism, terrorism and hate crime.

- A teacher appearing publicly to deny or minimise the terrorist character of Hamas.

57. In the majority of cases in which such conduct has been reported to schools, complainants have received little or no meaningful feedback, with schools relying upon confidentiality obligations to avoid disclosing whether any substantive action was taken. Whilst we recognise the limits imposed by employment confidentiality, this raises serious concerns as to whether schools are recognising and responding appropriately to antisemitism and extremism.

58. **We propose that schools, academy trusts, and colleges be required to notify an appropriate external body where credible allegations arise involving antisemitic conduct, extremist rhetoric, or serious breaches of political impartiality by staff, and to report the outcome of investigations and any safeguarding or disciplinary measures taken.**

Teaching Unions and Political Activism in Schools

59. Our work informs us that teaching unions are actively campaigning to bring the Palestinian cause into classrooms. The National Education Union (NEU), the largest education union in the UK and Europe, is formally affiliated with the Palestine Solidarity Campaign (PSC).[11] Through this affiliation, the NEU has confirmed its support for the PSC's objectives, including campaigning against all actions by the Israeli state, building a mass campaign in support of the Palestinian people, and what the PSC describes as "*maximum unity in action"* in pursuit of these aims.[12] There is also significant overlap in personnel between the NEU and the PSC, with individuals holding leadership positions in both simultaneously.[13]

60. Of particular concern is evidence that the NEU has organised and encouraged its members to participate in coordinated activity within schools. This has included workplace days of action connected to the Palestinian cause, such as wearing specific

[11] https://palestinecampaign.org/affiliated-trade-unions/

[12] Articles of Association and Constitution of Palestine Solidarity Campaign Ltd, Arts. 4 and 14

[13] E.g. Louise Regan is an NEU Executive Member and a Director of the PSC (and chairs its Executive Committee); Alex Snowdon is a former NEU district secretary and a PSC Director; Bernard Regan is a Trustee of the NEU Trust Fund and a PSC director

colours in protest, taking group photographs holding union-branded campaign signs, holding lunchtime protests and walkouts. It has also included organising teach-ins and film screenings on what the union describes as "*the Palestinian struggle for freedom*", circulating petitions calling for divestment from companies connected with Israel, and distributing leaflets for external pro-Palestinian demonstrations.[14]

61. The NEU has also run workshops for teachers on how to "*advocate for Palestine*" in schools and committed to developing educational resources intended to "*raise awareness of the situation in Palestine*". A current NEU District Secretary credited himself, in his campaign leaflet for that role, with having built solidarity actions in his borough's schools. At the NEU's 2024 annual conference, he described having, in previous terms, "*expressed solidarity [in his school] by wearing lanyards, badges and taking group photos calling for an immediate ceasefire in Gaza*". He also ran a workshop encouraging Palestinian solidarity in the workplace, commenting that "*the importance of our role as educators visibly showing solidarity cannot be overstated*".[15]

62. We are aware that some local authorities, on being alerted to these matters, have written to schools reminding teachers of their obligations of political impartiality. However, such responses have been ad hoc, reactive, and dependent on external organisations such as ourselves bringing specific incidents to the attention of individual authorities, rather than reflecting any coordinated national approach. **We propose that the DfE issue guidance making clear that political impartiality duties apply regardless of unions' affiliations or policy positions and that union activity on school premises must not be inconsistent with those duties**.

63. This gives rise to a broader systemic concern. Schools may assume that materials originating from a major teaching union have already been subject to rigorous scrutiny. In practice, the fact that a resource has been produced, endorsed, or circulated by a teaching union provides no assurance that it is politically impartial or compliant with schools' legal obligations. Highly politicised materials may therefore enter classrooms carrying an appearance of credibility and authority that is not in fact justified. The concerns identified above in relation to educational resources apply equally to materials produced or promoted by teaching unions and other external organisations.

[14] See Annex H

[15] See Annex H

Institutional Failures, Complaints Handling and Accountability

64. Our work has also highlighted concerns regarding the adequacy of schools' complaints handling procedures in cases involving allegations of antisemitism. The badge case described above illustrates this. Over an extended period, the school and trust resisted the complaint, disputed the applicability of DfE guidance, and failed to resolve the matter effectively. The child involved continues to feel bullied and isolated, while the family now contemplates withdrawing her from the school. It is difficult to overstate the harm caused, not only by the original conduct, but also by the institutional response to it.

65. A further and particularly serious dimension of the accountability deficit is illustrated by a case in which we are currently engaged. A headteacher is denying conduct that a parent states he witnessed directly. The headteacher has also disputed allegations concerning the content of lessons delivered by staff, notwithstanding contrary accounts from pupils and parents. Where a school is both the subject of a complaint and the body responsible for investigating it, the risk of institutional self-protection is acute. Parents are left with no realistic means of challenging disputed findings or obtaining an independent determination of contested facts, and no external body currently has the power to compel disclosure or assess the credibility of competing accounts.

**66. We therefore propose the establishment of a more independent and accessible complaints pathway for antisemitism-related issues at schools. This should include a mechanism capable of investigating disputed facts and holding schools to account where their account of events is inconsistent with witness or pupil evidence.**

**67.** Effective oversight also depends upon those responsible for inspection and regulation being capable of recognising antisemitism when it occurs. **We therefore propose mandatory antisemitism awareness training for Ofsted inspectors and others responsible for inspecting, regulating, or investigating complaints concerning schools.**

**68. We also recommend that all schools be required to adopt and publish a dedicated antisemitism policy setting out clear standards concerning political impartiality, safeguarding, reporting mechanisms, complaints handling, staff conduct, pupil behaviour, and responses to antisemitic incidents.**

Campaigning Organisations, External Speakers and Politicised School Activities

69. We have encountered cases in which schools have invited external speakers or organised events without adequate vetting, risk assessment, or oversight. In one recent case, a school invited the co-founder of a charity assisting children in Gaza to speak at an assembly. According to multiple accounts, the speaker presented Israel as deliberately targeting and bombing children, a highly disputed allegation. Jewish pupils in attendance reportedly left the assembly feeling distressed and stigmatised. Schools frequently appear ill-equipped to assess the political impartiality, factual reliability, or safeguarding implications or broader impact on community cohesion of external speakers and organisations before inviting them into educational settings.

70. In another case, a school planned to hold a "*collective fast*" for Gaza, breaching its political impartiality obligations. The event also contributed to an intimidating and hostile atmosphere for Jewish children, who felt they had to hide their identity at school and were made to feel shameful about being Jewish.

**71. We therefore recommend mandatory and properly documented risk assessment procedures for external speakers, assemblies, workshops, and school events involving politically sensitive subject matter. Such procedures could include requirements to assess political impartiality, safeguarding risks, age appropriateness, factual accuracy, and the potential impact on pupils with protected characteristics, together with clear accountability mechanisms for schools that fail to undertake appropriate scrutiny.**

Religious Education, Jewish Identity and Understanding of Antisemitism

72. Antisemitism is frequently rooted in ignorance and misunderstanding regarding Jewish identity, Jewish history, and Judaism itself. The current framework for religious education in England is highly fragmented and locally determined. The result is that the quality and depth of teaching about Judaism differs dramatically between schools and regions, and many pupils receive little meaningful education concerning Jewish beliefs, Jewish history, antisemitism, Zionism, or contemporary Jewish life.

73. Holocaust education, whilst vital, does not on its own equip pupils to understand contemporary manifestations of antisemitism or the nature of Jewish identity and Jewish peoplehood. In one case, a very young child reportedly returned from school stating that Jews had killed Jesus. Parents have emphasised that many pupils are never meaningfully taught who Jews are, what Judaism is, or why antisemitism exists.

74. Schools should not approach Jewish identity solely through the lens of antisemitism or the Holocaust. Pupils should also receive a positive and accurate understanding of Jewish history, Jewish peoplehood, Jewish religious and cultural life, and the contribution of Jewish communities to British society. This would promote a more balanced understanding of Jewish identity and help reduce prejudice rooted in ignorance and stereotyping.

75. These concerns are compounded by significant weaknesses in teacher training and subject expertise. Antisemitism is often poorly understood within educational settings, particularly in its contemporary forms and where it intersects with political discourse concerning Israel.

**76. We therefore recommend the introduction of a national minimum standard for the teaching of Judaism and antisemitism applicable across all schools, together with mandatory antisemitism training for staff and age-appropriate education for pupils. This should cover the history of antisemitism, including medieval and modern blood libels, pogroms, and the Holocaust, as well as the ways in which contemporary antisemitism may manifest today, including through disproportionate or obsessive hostility towards Israel.**

## (ii) Existing Legal Mechanisms Available to the DfE

77. The Government already possesses a substantial range of statutory, regulatory, and policy mechanisms through which antisemitism in schools and educational settings can be addressed more effectively. In many cases, the issue is not the absence of legal powers, but rather the absence of sufficiently clear operational guidance, oversight and enforcement concerning how existing duties should apply to contemporary antisemitism, including where it manifests through political discourse relating to Israel and Zionism.

78. Most of the recommendations set out below are likely to be capable of implementation without new primary legislation, principally through revisions to existing statutory guidance, amendments to regulations, strengthening of the Teachers' Standards, and the more explicit incorporation of antisemitism into safeguarding, behaviour, and political impartiality frameworks.

### EHRC Powers and a Statutory Code of Practice on Antisemitism in Education

79. Under section 14(5) of the Equality Act 2006 the Equality and Human Rights Commission (EHRC) is required to comply with a direction from the Secretary of State to issue a code of practice in connection with a specified matter where that

matter is not already addressed by the Equality Act 2010, but the Minister expects to add it by order under section 15(6). Section 15(6) empowers the Secretary of the State to amend section 14 so as to vary the range of matters capable of being addressed by a statutory code of practice. **These powers should be exercised to require the EHRC to issue a statutory code specifically addressing antisemitism in educational settings.**

80. Although schools are already subject to obligations under the Equality Act 2010, there is no dedicated statutory guidance addressing antisemitism in schools, including its contemporary manifestations through political discourse concerning Israel and Zionism. A statutory code of practice would carry significant regulatory weight and provide clearer operational guidance concerning schools' obligations in relation to discrimination, harassment, safeguarding, political impartiality, and staff conduct in this context.

Safeguarding Duties and Statutory Guidance

81. Section 175 of the Education Act 2002 imposes safeguarding duties on local authorities, governing bodies of maintained schools, governing bodies of further education institutions, and 16 to 19 academies. Those bodies are required to exercise their functions with a view to safeguarding and promoting the welfare of children and to have regard to guidance issued by the Secretary of State. Further education institutions are also contractually required, through their agreements with the Secretary of State, to comply with safeguarding obligations and have regard to such guidance. The power to issue and revise guidance under section 175 therefore constitutes a significant existing enforcement mechanism.

82. The principal guidance issued under section 175 is the Keeping Children Safe in Education Guidance (KCSIE). Antisemitic intimidation, harassment, hostility, exclusion, and politically motivated hostility directed at Jewish pupils plainly engage safeguarding and pupil welfare considerations. The Secretary of State could therefore amend KCSIE, or issue supplementary guidance under the same framework, to address antisemitism expressly as a safeguarding issue. Embedding antisemitism within existing safeguarding frameworks would ensure that concerns are addressed through established reporting, recording, escalation, monitoring, and oversight mechanisms that schools already understand and operate. This is likely to be more effective than creating entirely separate processes for antisemitism-related concerns.

83. Paragraph 86 of KCSIE currently identifies certain protected characteristics requiring particular safeguarding consideration but omits religion or belief, even though it is a protected characteristic under the Equality Act 2010 and is referenced elsewhere within the guidance. **Paragraph 86 should therefore be amended to include**

**religion or belief, with specific recognition that Jewish pupils may face particular safeguarding risks arising from antisemitism, including in its contemporary political forms.**

**84. Paragraph 98, which identifies the policies schools and colleges should maintain, should be amended to include an antisemitism policy. The existing references to staff behaviour policies and behaviour policies more generally should also be updated to address antisemitism expressly, as well as politically symbolic insignia and related conduct issues.**

85. Annex B currently contains material on a range of safeguarding concerns, including radicalisation and online harms, but contains no material addressing antisemitism, Jewish identity, or the International Holocaust Remembrance Alliance (IHRA) Working Definition of antisemitism. **An additional entry should therefore be included addressing antisemitism as a specific safeguarding concern, including its contemporary political manifestations and the relevance of the IHRA definition.**

**86. The Secretary of State should also issue standalone supplementary guidance under section 175, addressing (i) the minimum content expected of schools' antisemitism policies; (ii) staff conduct and political impartiality requirements, including in relation to politically symbolic items; (iii) external speakers and organisations; (iv) risk assessments for politically contentious activities or events; (v) the identification and handling of antisemitic incidents; and (vi) antisemitism as a safeguarding concern more generally.**

Political Impartiality Duties and DfE Guidance

87. Legal obligations concerning political impartiality are laid down by sections 406 and 407 of the Education Act 1996 in the case of maintained schools; by Part 2 of the Schedule to the Education (Independent School Standards) Regulations 2014 in the case of academies and independent schools; and by Academy Funding Agreements in the case of academies.

88. Colleges are not governed by similar provisions but colleges which are charities may be required by charity law to observe political impartiality. Section 132 of the Education and Skills Act 2008 empowers the Secretary of State to extend the 2014 regulations to 16-19 colleges, but this power has not been exercised. **We recommend that it be exercised in order to clarify the position regarding 16-19 colleges and to require all types of schooling up to the age of 19 to comply with similar standards of political impartiality.**

89. It is possible for anyone to invoke these obligations and schools may well wish to comply with them. However, as mentioned earlier, enforcement is not straightforward if the issue is disputed.

90. Sections 406 and 407 of the Education Act can, in principle, be enforced by parents or other parties with a legitimate interest by judicial review proceedings, subject to the potential difficulties mentioned above.

91. On the other hand, the position regarding enforcement of the 2014 Regulations and of academy funding agreements is not at all clear. Section 114 of the Education and Skill Act 2008 provides that the Secretary of State may require a school that is non-compliant with standards set by these regulations to submit an action plan. Section 115 empowers the Secretary of State to take enforcement action, but only if at least two years have elapsed since the Secretary of State required an action plan. It is doubtful whether interested parties would have an alternative remedy by judicial review.

92. Similarly, requirements in academy funding agreements are, in principle, enforceable by the Secretary of State, but it is doubtful whether interested parties can enforce them by judicial review or otherwise. Obligations of colleges under charity law might be addressed by intervention of the Charity Commission, but it is doubtful whether they could be enforced by other interested parties if the Charity Commission does not take action.

93. **It would be desirable to provide a single procedure for enforcement of political impartiality standards in relation to all types of school, available to parents and other parties with.a legitimate interest.** However, this may not be possible without primary legislation.

94. The current DfE Guidance on political impartiality in schools provides a good explanation of the existing duties but there are some gaps in relation to antisemitism. The guidance acknowledges that the promotion of partisan political views may occur through "*more subtle means*", yet it does not address the wearing of politically symbolic items by staff, including flags, flag badges, or flag-associated garments worn as political symbols. **Given the guidance's own recognition that partisan political messaging may occur subtly, the wearing of symbols associated with one side of a highly contested geopolitical conflict plainly conflicts with the requirement for political impartiality and should be addressed expressly.**

95. Similarly, although the guidance addresses pupil political activity in the context of protests, campaigning, and political movements, it contains no guidance concerning politically symbolic attire or insignia worn by pupils. **The guidance already**

**recognises that pupil political activity should not create an atmosphere of intimidation or cause pupils to feel stigmatised for holding differing views. The same principles should expressly be applied to politically symbolic dress and insignia.**

96. The guidance rightly recognises that content produced by charities and campaigning organisations may present partisan political views. **This also applies to content produced by trade unions and professional associations and it would be helpful to add this to the guidance.**

97. More fundamentally, the guidance contains only limited reference to antisemitism and does not address the well-documented phenomenon of antisemitism manifesting through apparently political discourse concerning Israel and Zionism, which is precisely the context the IHRA definition is intended to address. Nor does the guidance recognise anti-Jewish harassment or anti-Zionist propaganda as presenting particular safeguarding or equality risks, referring only in general terms to prejudicial or discriminatory views.

**98. We propose that the guidance should expressly endorse the IHRA definition, recognise that discourse concerning Israel and Zionism may constitute antisemitism within that definition, and make clear that schools' political impartiality duties and their obligations under the Equality Act 2010 are complementary and mutually reinforcing in this context.**

Reform of the Teachers' Standards Framework

99. The Teachers' Standards Guidance sets out the professional and conduct expectations applicable to teachers in maintained schools in England. They do not appear to have been substantively revised since 2011, notwithstanding significant developments in the intervening period, including the growth of political activism in schools, the emergence of social media as a significant vehicle for staff misconduct, the intensification of antisemitism connected to the Israel-Palestine conflict, and the Government's adoption of the IHRA definition as the accepted framework for understanding antisemitism. None of these developments is adequately reflected in the current Standards.

**100. A comprehensive review and update of the Teachers' Standards should therefore be undertaken. The revised Standards should include: (i) an express prohibition on the display or wearing of partisan political insignia on school premises or during the school day; (ii) explicit provisions addressing social media conduct, including antisemitic expression online; and (iii) express reference to antisemitism and the IHRA definition, together with teachers' professional**

**obligations in this regard. The review should also strengthen and clarify obligations concerning political impartiality and introduce specific requirements governing the teaching of contested geopolitical issues.**

Behaviour Policies, Discipline and Antisemitic Conduct

101. Section 88 of the Education and Inspections Act 2006 places responsibilities on governing bodies in relation to school behaviour policies. Governing bodies are required to make and review a written statement of general principles to guide the headteacher in determining measures to promote good behaviour, and are required to have regard to guidance issued by the Secretary of State when carrying out those functions.

102. This section allows the Secretary of State to influence minimum expectations through guidance. **The Secretary of State should exercise this power to issue guidance dealing specifically with antisemitism in the context of school behaviour policies. Such guidance could address antisemitic harassment and intimidation, politically symbolic conduct, disciplinary expectations, pupil behaviour, staff conduct, and safeguarding concerns arising from political activism in schools.**

Independent School Standards, Academy Regulation and Compliance Obligations

103. The Education (Independent School Standards) Regulations 2014 apply to independent schools, including academies. As observed above, they should be extended to cover 16-19 colleges. Two specific amendments should also be considered:

- Part 3 concerns the welfare, health, and safety of pupils. **Part 3 should be amended to require schools to maintain and implement antisemitism policies effectively; and to embed antisemitism-related safeguarding obligations within registration requirements.**

- Part 6 concerns the provision of information to parents, and Regulation 32(2) sets out the information that must be provided. **This should be amended to require schools to provide parents with information concerning antisemitism policies, safeguarding arrangements, and related conduct expectations.**

Transparency Requirements and Information Provided to Parents

104. Under Regulation 5 of the School Information (England) Regulations 2008 local authorities are required to produce and publish a composite prospectus intended to

assist parents in making informed choices concerning schools. Schedule 2 specifies the information which must be included.

105. **Schedule 2 should be amended to require publication of information concerning antisemitism policies, safeguarding arrangements, and related behavioural or conduct expectations.** This would ensure that parents are provided with clear information concerning schools' approaches to antisemitism at the point of school choice, while also strengthening transparency and institutional accountability in this area.

Religious Education and Statutory Curriculum Frameworks

106. Section 375(3) of the Education Act 1996 provides that agreed syllabuses shall reflect the fact that religious traditions in Great Britain are in the main Christian whilst taking account of the teaching and practices of other principal religions represented in Great Britain. **Consideration could be given to whether this framework should more explicitly recognise Judaism and the Jewish people.**

Funding Agreements and Contractual Enforcement Mechanisms

107. We recognise that reducing or withholding funding from schools may often be difficult to implement in practice and may have unintended consequences for pupils. **Consideration should therefore be given to alternative enforcement and accountability mechanisms capable of driving compliance with anti-semitism related safeguarding, political impartiality and equality requirements without depriving schools of essential resources. These may include formal compliance notices, mandatory action plans, enhanced monitoring requirements, compulsory staff training, governance interventions, requirements to appoint external reviewers or safeguarding advisers, adverse inspection consequences, or formal warnings directed at senior leadership or governing bodies. Persistent failures relating to antisemitism, safeguarding or political impartiality should engage professional or regulatory consequences for senior leaders in appropriate cases.**

## (iii) Conclusions and recommendations

108. Antisemitism within educational settings reflects broader and recurring structural failures across a number of areas. Jewish and Israeli pupils have reported feeling marginalised, intimidated, reluctant to express their identity openly, and in some cases fearful of attending school. There is a lack of sufficiently clear operational guidance; consistent institutional standards; effective mechanisms for identifying, recording,

and responding to antisemitic incidents; and meaningful oversight and enforcement. A particularly serious concern is the accountability gap. Families are left without any realistic prospect of independent scrutiny or redress.

109. In light of the above, we invite the Review to recommend the following:

i. All schools and 16-19 colleges should be required to adopt and publish dedicated antisemitism policies containing minimum mandatory standards prescribed by the DfE. Such policies should address safeguarding, political impartiality, staff conduct, pupil behaviour, reporting procedures, complaints handling, and responses to antisemitic incidents, including incidents directed at staff, together with measures to promote a safe and inclusive environment for Jewish pupils and staff.

ii. All schools and 16-19 colleges should be required to maintain a central register of antisemitic incidents involving pupils or staff. The DfE should issue national guidance prescribing the categories of conduct that must be recorded, the criteria for identifying antisemitic incidents, the information that must be captured, and the manner in which incidents should be classified, investigated, and monitored.

iii. KCSIE should be amended or supplemented to address antisemitism expressly, including its contemporary manifestations connected to discourse concerning Israel and Zionism, together with clearer guidance on schools' safeguarding and Equality Act obligations.

iv. Mandatory political impartiality, factual accuracy, safeguarding, and age-appropriateness assessments should be required for all externally produced educational resources dealing with politically sensitive issues, regardless of the originating organisation, including trade unions and NGOs. Schools should also be required to maintain records of externally produced resources, workshops, assemblies, and educational programmes used with pupils and make such materials available for appropriate scrutiny by parents, regulators, and other interested parties. Consideration should also be given to a central DfE approval framework for materials concerning Israel, Zionism, antisemitism, and the Israel-Palestine conflict.

v. Mandatory and properly documented risk assessments should be required for external speakers, assemblies, workshops, and politically sensitive school activities, including consideration of safeguarding risks, political impartiality, factual reliability, and the impact on pupils with protected characteristics.

vi. Guidance on political impartiality in schools should be revised to make it clear that political symbols, insignia, attire, protests, campaigning activities, and other forms of partisan political activism within schools by both staff and pupils are prohibited. The revised guidance should also state that political impartiality requirements apply regardless of any union affiliation or policy position, and that union activity conducted on school and college premises must not be inconsistent with those requirements.

vii. Teachers' Standards should be strengthened to address political impartiality, antisemitism, extremist rhetoric, social media conduct, and professional responsibilities relating to safeguarding and equality. The revised Standards should make explicit that professional obligations concerning political impartiality, safeguarding, equality and antisemitism apply to individual teachers irrespective of any position adopted by their trade union.

viii. Stronger and more independent oversight arrangements for antisemitism-related complaints and incidents, including accessible external complaints pathways, should be established. There should also be mandatory antisemitism awareness training for Ofsted inspectors and others responsible for inspecting, regulating, or investigating complaints concerning schools.

ix. A national minimum standard should be established for teaching about Judaism, Jewish identity, Jewish history and antisemitism in all schools and 16-19 colleges, providing a positive, accurate, and balanced representation of Jewish identity, history, culture, and community, and ensuring that pupils understand the substantial contribution that Jewish individuals and communities have made, and continue to make, to British civic, cultural, academic, economic, and public life.

x. Mandatory antisemitism training should be required for staff, governors, and relevant inspectors, together with age-appropriate education for pupils addressing both historical and contemporary forms of antisemitism.

xi. Additional parental responsibility mechanisms should be instituted to address particularly serious or repeated cases of antisemitic bullying, harassment, intimidation, or hate-related conduct by pupils.

xii. Structured NVC sessions for staff and age-appropriate pupils should be required to support respectful engagement with the Israel-Palestine conflict within school communities, with the aim of reducing hostility, intimidation, and polarisation.

xiii. All schools and 16-19 colleges should be required to maintain records of externally produced materials, programmes, workshops and assemblies and to make such materials available for inspection by parents, regulators, and other interested parties, subject to any necessary measures to protect copyright.

xiv. Resources dealing specifically with Israel, Zionism, the Jewish people, antisemitism, and the Israel-Palestine conflict should be subject to review and approval by the DfE before being used in schools and 16-19 colleges. In the alternative, if this is considered impracticable, mandatory assessments of political impartiality, factual accuracy and safeguarding risk should be required before schools and colleges (including individual staff) use resources relating to these issues.

110. Additional recommendations are identified in bold font throughout the text of this submission.

111. We would be pleased to provide further evidence, documentation, or case materials in respect of any matter addressed in this submission, if this will assist the Review. We would also be happy to attend a meeting to discuss our concerns and suggestions.

Yours sincerely




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