



Race, poverty and school exclusions in London

Executive Summary

4 in 10 LONDON CHILDREN LIVE IN POVERTY

Standing up for kids
JUST FOR KIDS  **LAW**



Children's Rights Alliance for England



Introduction

“In my first few months the headteacher said I would never make it to year 11.”

Child

Positive progress has been made in London on closing the attainment gap and making it a more inclusive place to be educated. However, there remains an unacceptable and damaging inequality. Children living in poverty and Black Caribbean children and Gypsy, Roma, Traveller children are still much more likely to be excluded from school, which can influence their lives in multiple negative ways.

“He was desperately unhappy and this made his behaviour worse. He would run and hide under tables or hide in the toilets because they gave him the view of himself that he was a bad person.”

Parent

Covid-19 has exacerbated existing inequalities and for many children the pandemic has meant living in increasingly challenging circumstances. As children return to school following a long period of closure, there is a risk that there will be a rise in exclusions.

The scale of the problem in London

Our new analysis¹ shows that:

- Children eligible for free school meals (FSM) were around three times more likely to be excluded (fixed-term and permanent).
- The disparity for children living in poverty varied across boroughs² from a minimum of twice as likely to nearly six times as likely.
- Children eligible for free school meals were more likely to be fixed-term excluded in areas where they are a smaller minority within the local population.
- Rates of fixed-term exclusions were 2.7 times higher for Black Caribbean children compared to the overall rate.
- Traveller of Irish heritage children were four and a half times more likely to receive a fixed-term exclusion and Gypsy and Roma children nearly four times as likely.
- In six boroughs the rate of fixed-term exclusions for Black children was two to three times higher compared to the overall rate but in two boroughs, the rate of fixed-term exclusions was lower than the rate for all children³. It is important to note that data for children from all Black backgrounds masks the trends at London level, including that Black Caribbean children in London are significantly more likely to be excluded than Black African children.
- Black children were more likely to be fixed-term excluded in areas where they are a smaller minority within the local population.
- The boroughs where both Black children and FSM-eligible children are the most disproportionately affected are among the areas where both groups of children are a smaller minority within the local population. These are predominantly in outer London.

1 Analysis of Permanent and Fixed-Term Exclusions in England. Academic year 2018/19. Department for Education.

2 Can mask variation between schools in a borough. Local authorities have limited powers over schools' policy and practice, including exclusions.

3 Borough level rates are analysed in 6 aggregated ethnic categories to make sure pupil numbers are large enough to be reliable. Variation for Gypsy, Roma and Traveller children cannot therefore be reviewed, as they are included in the broader White category.

School Exclusions and their impact

The experience of Black children and those living in poverty

Children's identity and circumstances are multi-faceted. Many children will experience multiple layers of vulnerability, increasing their risk of exclusion. For example, children on free school meals are twice as likely to have SEN and Black children face a higher chance of living in poverty. Just For Kids Law finds in its work supporting young people that exclusions are often the result of additional, unmet needs.

“Schools are quick to dismiss our kinds of children rather than see the problem and see how they could approach the situation or to find resources to help with their needs.”

Parent

Living in poverty can impact a child's experience of school, ability to engage in learning, and behaviour. Some families are not able to pay for essentials such as food and heating, as well as school uniforms and computers. Additional challenges at home such as ill-health and frequent changes in accommodation can affect children in low income families, as does bullying and parents' ability to navigate the exclusions system.

“Paying for uniforms for each child is a huge financial burden”

Parent

Racism in schools manifests in a number of complex and interrelated ways. It can shape schools' and teachers' views on what is, and is not, acceptable behaviour. Black children can be subject to different treatment, including in response to their behaviour and appearance as a result of racist stereotyping. They can also be subject to racist bullying. There is a lack of teaching staff from diverse ethnic backgrounds, a diverse curriculum, and awareness of equalities duties among many teachers. In addition, there is a lack of access to justice due to the way that race discrimination cases are heard.

“The teachers were white, even the headteacher was white. There was one Black teacher... he was the only Black person there and would only be there on a Thursday. He was the only one who understood me.”

Child

Schools are a reflection of wider society; these social factors intersect, creating overlapping disadvantage and marginalisation.

The impact of school exclusions on children

School exclusions can have wide-ranging and long-lasting impacts. They can affect children's educational attainment; only a small proportion of children who experience permanent or multiple fixed-term exclusions receive good passes in English and Maths GCSEs. Exclusions can affect children's mental health and emotional wellbeing, in addition to the negative impact on self-esteem and aspiration that comes from being stigmatised for being poor or experiencing racist stereotypes. Being excluded can also increase the likelihood of being involved in crime, either as a victim or perpetrator. These consequences can be hugely significant for children's futures, especially for Black children and those living in poverty who already face wider challenges and discrimination.

Their parent/s are often left without the information or support to manage a complicated and important situation and exclusions can also affect their ability to get or maintain employment.

Behind the statistics are individual children and their families, all too often coping with other difficulties and trying to keep their heads above water.

"I feel like we were left alone, there was no one to talk to, no one gave any advice."

Parent

The need for change

The existing system of school exclusions is ill-equipped to address the disparities faced by Black children and children living in poverty. The appeal mechanism is deeply ineffective, as Independent Review Panels do not have the power to reinstate children, even if they find the exclusion to be unlawful, unreasonable or unfair. Parents are faced with an intimidatingly complex process and legislation, with little time or support. There is no legal aid available to fund legal advice. The fees associated with bringing a race discrimination case at the County Court create a barrier to accessing justice. Young people cannot bring a challenge against exclusion in their own right, denying them a voice in proceedings that may affect them for the rest of their life. The Timpson Review into school exclusions in 2019 was commissioned by the Government as a result of figures revealed by the Government's Race Disparity Audit; however, it did not substantively explore this issue or make recommendations that were meaningful or exclusive to tackling race disparity.

Recommendations

- 1. The Department for Education should commit to the urgent implementation of a strategy, developed in consultation with relevant stakeholders and children and young people to address and eliminate disproportionality on the basis of race and poverty in school exclusions.**

The Department for Education should also:

- 2. Ensure that the revised statutory guidance includes protections for those who have experienced racism in school whose behaviour is impacted as a result, and to ensure that decision makers are required to consider the biases of themselves and their staff in considering behaviour and reaching a decision on whether to exclude.**
- 3. Ensure schools are sufficiently resourced to meet the diverse needs of their pupils, including access to specialist support for children and young people. Schools should be supported to have an inclusive ethos and to move away from a punitive approach to behavioural issues, where they are related to unmet needs.**
- 4. Increase cross-government understanding of the impact of poverty on children's educational attainment, and work with other government departments and stakeholders to address levels of child poverty and its impact on a school day.**
- 5. Introduce an appeal stage review body with the power to bind a school to their decision in situations where the exclusion is found to be unlawful.**
- 6. Commit to exploring whether the First Tier Tribunal would be a more suitable venue for race discrimination cases.**
- 7. Take steps to ensure that teaching staff are more diverse and representative of the communities they work with, particularly in senior leadership roles.**
- 8. Ofsted should hold schools accountable for disparities in school exclusions between different groups of children, including in relation to poverty and race.**

The school inspection handbook refers to inspectors evaluating rates, patterns and reasons for exclusions. This should always include the disproportionate use of exclusions for groups of certain children, which should be reflected in inspection judgements. This should be monitored by the Department for Education.

- 9. The Department for Education and Ofsted should work with providers of Initial Teacher Training to ensure that all teachers of the future are well-equipped with the knowledge and skills to support children from all backgrounds.**

The need for teachers to understand how to work with diverse student groups has been identified as important, but potentially lacking, in the initial teacher education curriculum. This should include an understanding of the wider structural and societal barriers facing children from some ethnic groups and those living in poverty. Requirements in the Initial Teacher Training core content framework and Initial teacher education inspection framework and handbook should be strengthened.

- 10. Schools should ensure that all existing teachers have a robust understanding of the causes of structural racism and poverty, and the impact on children's lives and behaviour.**

Workforce training needs to go beyond the basics of schools' duties under equalities legislation. All teachers should receive mandatory training for teachers on anti-racism, poverty, their equalities duties and how these relate to exclusions. This appears to be particularly pressing in areas where those children are more of a minority.

- 11. All London local authorities, as local leaders and champions for vulnerable children in their area, should convene forums with schools (including academies and multi-academy trusts) and other partners, to review trends in disparities and share effective practice.**

Local areas with above average disparities for Black children and FSM-eligible children should investigate this as a matter of urgency, for instance building on the work of the Violence Reduction Unit initiatives and the Child Poverty Action Group Toolkit.

- 12. The government should create a School Inclusion Fund, to enable local authorities, schools and the voluntary sector to establish partnerships in their communities.**

Addressing these disparities cannot be done for free. Additional funding should be provided by national Government to enable local authorities, community and voluntary organisations to support schools to address these disparities, provide extra help and care for pupils, and take a more inclusive approach.

Conclusion

Tackling the disparity in school exclusions is a core social justice and child rights challenge.

There are examples of good work being done by the voluntary sector, schools, boroughs and the GLA. However, this is an entrenched problem with far-reaching effects on children's futures, many of whom are already facing significant adversity. How much more likely children from the lowest income families and children of certain ethnicities are to be excluded compared to their peers differs across the city. It tends to be more acute in areas where they are a smaller minority within the local population. However, that is not exclusively the case and we know that practice varies across schools within a local area.

The make up of a local area's population is much less important than the decisions being taken there. Some of the most disadvantaged children in the capital are being let down. They need sustained action and attention from London's leaders and national and local Government without delay.



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