



Race, poverty and school exclusions in London

4 in 10 LONDON CHILDREN LIVE IN POVERTY

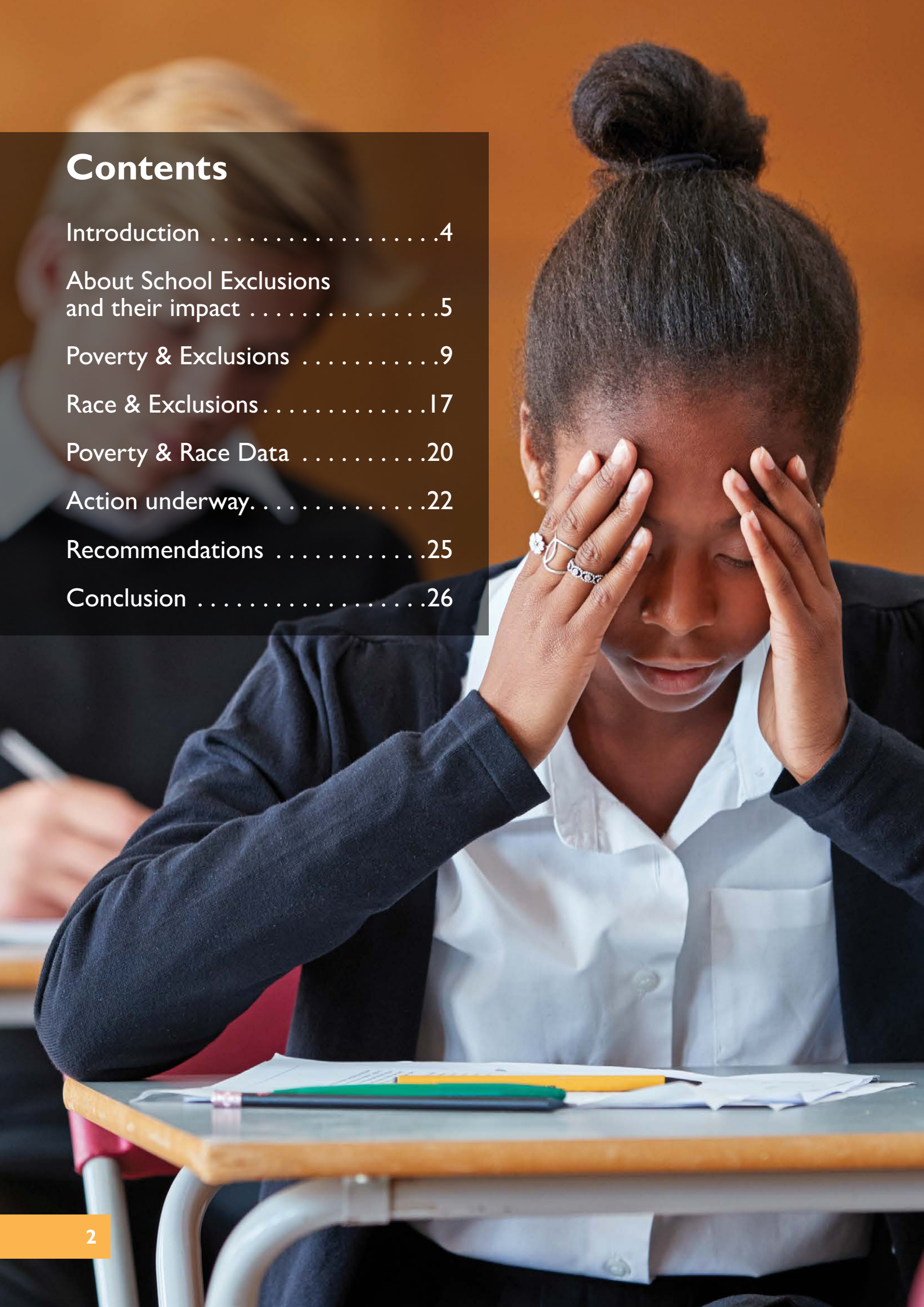
Standing up for kids
JUST FOR KIDS  **LAW**



Children's Rights Alliance for England

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About 4in10 & Just for Kids Law

4in10: London's Child Poverty Network is a campaigning network of organisations working to improve the lives of the 4in10 children living in poverty across the capital

We believe child poverty can be tackled. It doesn't have to exist.

So we connect people who care, we highlight best practice that works and keep the spotlight on the damage that poverty is doing to families in London. www.4in10.org.uk

Just for Kids Law is a UK charity that works with and for children and young people to hold those with power to account and fight for wider reform by providing legal representation and advice, direct advocacy and support, and campaigning to ensure children and young people in the UK have their legal rights and entitlements respected and promoted and their voices heard and valued.

The Children's Rights Alliance for England (CRAE) merged into Just for Kids Law in 2015 and is its policy and campaigning arm. It works with over 100 members to promote children's rights and monitor government implementation of the UN Convention on the Rights of the Child. CRAE fights for children's rights by listening to what children say, carrying out research to understand what children are going through and challenging those who violate children's rights.

Acknowledgements

We would like to thank everyone who has generously contributed their time and expertise to this piece of work. Several organisations have helped to build our understanding and we are particularly grateful to the parents and young people for their contributions. Our thanks also go to Cassandra Harrison for drafting this briefing.

Introduction

Concern about school exclusions and the disproportionate impact on some groups of children is not new. Several organisations and reviews have explored the issues and potential solutions in recent years¹. In 2016, The UN Committee on the Rights of the Child made a clear recommendation to the UK Government to address the disproportionate use of exclusion for particular groups of children².

Despite all of this attention, it remains a very real and concerning issue affecting the lives of children and families in London. Between 2013/14 and 2018/19 there was a 41% increase in the number of fixed term exclusions in the capital. Taking into account the changing size of the school population, this is an increase in the rate from 2.91 to 3.83. While the number of permanent exclusions has increased in the same period, the rate is at the 2013/14 level of 0.07. Our analysis shows that children living in poverty and Black Caribbean and Gypsy, Roma, Traveller children in London are still much more likely to be excluded than their peers.

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.

This briefing focuses on formal exclusions, reflecting the available statistics. However, this does not provide a true picture of children's experiences, as unofficial exclusions are not recorded. These include "off-rolling", the practice of encouraging or pressuring parent/s to remove a pupil from the school roll, primarily in the interests of the school, rather than the pupil.

"[the school] said if we didn't take him home then they would have to go down the official route and that would make it worse for him."

Parent

We share the concerns of many other organisations about the risk of the most vulnerable children falling between the cracks because they are not officially excluded.

Data presented in this briefing is at London-wide and borough level; however the experience of Just For Kids Law is that there is significant variation in rates and approaches across schools within a local area. While data is presented at local authority level, they have limited powers over schools' policy and practice, including exclusions. The data also shows that the exclusion rates for all children are higher in academy schools compared to maintained schools³, but the disparity between different groups of children by type of school is unknown.

We spoke to a small number of parents and young people about their experiences and views of the exclusions process⁴. While not representative, these conversations provide insight into the lived experience of families in London.

As a result of the focus of our work and the availability of data, this briefing considers the disproportionate rates of exclusions for children living in poverty and Black children. However, we recognise that there are other groups of children who are disadvantaged in the system and require further attention, particularly Gypsy, Roma and Traveller children, and children with special educational needs.

1 Including the [Institute of Race Relations](#), [Institute of Public Policy Research](#), [Children's Commissioner for England](#), [RSA](#), [Timpson Review](#) and the London Assembly Education Panel

2 UN Committee on the Rights of the Child (2016) Concluding Observations on the United Kingdom of Great Britain and Northern Ireland CRC/C/GBR/CO/5

3 Fixed-term exclusions: 2.35 in maintained schools and 5.78 in academy schools. Permanent exclusions: 0.04 in maintained schools and 0.11 in academy schools.

4 6 young people and 4 parents

Schools provide an incredible service to the majority of the capital's children, despite many challenges. But the disproportionate exclusion of Black children and those living in poverty is unacceptable and must be addressed.

Purpose of the briefing

Many organisations have expertise in the issues outlined in this briefing and are actively working on them. We do not seek to duplicate that work, but to amplify it and add our own expertise and experience of tackling social injustice for children. The aims of this briefing are to:

- summarise existing evidence;
- outline the problem in London, by drawing on the available data and capturing the experiences of young people and families;
- prompt discussion and action in organisations across the capital; and
- contribute to policy and practice change.

About school exclusions and their impact

Schools in London issue tens of thousands of formal exclusions every year. Children are excluded on a fixed-term basis ("suspended") for a maximum of 45 days in a year, or permanently ("expelled"). School exclusions can have wide-ranging and long-lasting impacts on children's futures, affecting their educational attainment, mental health, and the likelihood of being involved in crime, either as a victim or perpetrator.

Only 7% of children who were permanently excluded and 18% of children who received multiple fixed period exclusions went on to achieve good passes in English and maths GCSEs⁵. Being excluded can exacerbate existing mental ill health and trigger long-term psychiatric illness⁶. It affects children's self-esteem and wellbeing.

"I was giving him some vitamins and he asked if they were from the doctor and I said no, and he said I thought that the doctor had given me some tablets to help me be good at school so they might like me."

Parent

89% of children in Young Offender Institutions in 2018 had been excluded⁷ and 63% of adult prisoners in 2012 reported being temporarily excluded when at school⁸. Children who are outside of mainstream education are more vulnerable to becoming the victim of childhood criminal exploitation, the process of manipulating, threatening or coercing children into engaging in criminal activity, often to transport drugs in so called "county lines" operations. Conversely, children who have experienced exploitation will then be more vulnerable to exclusion. There is evidence to show that criminals have orchestrated a child's behaviour that leads to exclusion in order to further that child's exploitation⁹.

5 Department for Education (2019) [Timpson Review of School Exclusion](#)

6 https://ore.exeter.ac.uk/repository/bitstream/handle/10871/22552/SKIP%20Study_Proof.pdf?sequence=1&isAllowed=y

7 HM Chief Inspector of Prisons for England and Wales (2018) [Annual report 2017-18](#)

8 Institute for Public Policy Research (2017) [Making the difference: Breaking the link between school exclusion and social exclusion](#)

9 Just for Kids Law (2020) [Excluded, exploited, forgotten: Childhood criminal exploitation and school exclusions](#)

Exclusions can also affect parents' ability to work, as they need to take time off to attend meetings and be at home during the exclusion period. One parent told us that no school placement was found for a month after their child was permanently excluded, requiring them to take the time as unpaid leave. Another had to take two weeks off work for the period her daughter was excluded while an investigation took place, without any indication of how long this would take.

Parents often report a lack of information and poor communication, both during the exclusions process and in the lead up to it. Parents spoke to us of not being clearly told about the reasons for the exclusions; not having all options outlined; discrepancies between verbal and written reports; and schools not returning calls or emails.

“The phone call came to collect her, they weren’t able to give me much information as to what happened other than I would get a call later on but I needed to pick up my child. When I got there, there was a brief handover, again they said she was excluded temporarily while they investigate. I asked about school work, meetings, but they literally just wanted us out the building so we left and then I waited for the phone call which never came. I called and they said they would send me a letter. I never got the letter until she was due to go back to school.”

Parent

“They would call me in and give me a catalogue of events that I was unaware of and say that they are classing the most recent incident as serious because of the incidents that took place before.”

Parent

“[There was] radio-silence until it got to a point where they wanted to suspend him.”

Parent

In spite of the huge impact that exclusions can have on children, the process for reviewing exclusions is deeply flawed. A school's governing body is the only compulsory mechanism of review and they lack independence. The appeal mechanism available to families is known as an Independent review panel (IRP). These are ineffective as they do not have the power to reinstate children, even if the panel finds the exclusion to be unlawful, unreasonable or unfair. Whilst governors uphold around 98% of exclusions, IRPs find nearly half of those they consider to be flawed. However, of these, only around one third are ever offered reinstatement by the excluding school¹⁰.

There is also an imbalance of power due to the complexity of exclusions law. Parents can be left without the information or support to manage a complicated and important situation and there is no legal aid available to fund legal advice. This means that any legal support available is offered for free by charities. These are few and far between and

¹⁰ Department for Education (2019) [Permanent and Fixed-Term Exclusions in England. Academic year 2017/18](#)

the vast majority of families go through the process unsupported. Many find the process simply too intimidating to engage with effectively – schools are experienced having been through the process before – whereas families typically have a maximum of 15 school days to learn everything from scratch.

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

Parent

“They pushed the managed move on me in a meeting and said that this was the only route that was on the table for you and if you don’t accept this route then your child would not be able to go to another school.”

Parent

One parent described being told by the school that an unofficial exclusion would be in the best interests for their child so that he would not have a permanent exclusion on his record. They were not informed of the implications and in particular, that they would not be able to appeal.

“They failed to explain that by signing this you are signing away your rights to complain.”

Parent

Children and young people cannot bring a challenge against exclusion in their own right, only their parents can. This excludes them from the process and prevents them from having a voice in proceedings that may affect them for the rest of their life.

Why are children excluded?

Exclusions should be made on disciplinary grounds. The most common reasons for both fixed rate and permanent exclusions in London are ‘other’¹¹, persistent disruptive behaviour and physical assault against a pupil¹². While these are the official reasons recorded for exclusions, they clearly only paint a very partial picture. The circumstances and the contributing factors are complex, multiple and interrelated. They will also vary for individual children. They include:

- **Children’s individual needs:** special educational needs, including mental and emotional health; Autism Spectrum Disorder; trauma; bullying; and a sense of ‘belonging’ at school, influenced by a number of factors including social isolation. For many, particularly those with existing social, emotional and mental health needs, exclusion itself can increase the likelihood of further exclusions by impacting on their health, stigmatising them and, for children anxious about school, provide a way out when it gets too much.
- **Home circumstances:** parental ill health and disability; deprivation and low income, poor housing; domestic violence and abuse; coercion/orchestration by those criminally exploiting children. All these circumstances can impact on a child’s behaviour and increase the likelihood that they will be excluded.

11 The Department for Education has removed the ‘other’ category from 2020/21

12 Department for Education (2020) [Permanent and Fixed-Term Exclusions in England, Academic year 2018/19](#)

- **Schools:** teacher experience and training; institutional racism, stereotyping & biases; ability to identify pupils' needs; "zero tolerance" approaches to behaviour management.
- **Policy-making:** funding of schools and support services which have been cut significantly and put a strain on schools' budgets to pick up the slack; adverse incentives such as a schools' academic ethos encourages the removal of learners likely to reflect poorly on the school.

It is a legal requirement that schools investigate the possibility that disruptive behaviour is the result of unmet need, and act to reduce the risk of permanent exclusion. However, Just for Kids Law finds that schools have often failed to address the additional needs that are the context of a child's behaviour, leading to an escalation. This was reflected in conversations with parents, who spoke of limited efforts by schools to understand or respond to their child's needs. In one case, the child being excluded was not referred for pastoral care due to there being a long waiting list.

"My child had spent so much time out of the classroom [in internal exclusion] that they would not have been able to pick up any of his learning needs."

Parent

"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

Disproportionality and intersectionality

Being supported by social care, having special educational needs (SEN) including social, emotional and mental health (SEMH) needs, being a boy, living in poverty, and being from some ethnic groups, all increase the likelihood that a child will be excluded.

Children's identity and circumstances are, of course, 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 SEN¹³ and Black children face a higher chance of living in poverty¹⁴.

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

13 Institute for Public Policy Research (2017) [Making the difference: Breaking the link between school exclusion and social exclusion](#)

14 Child Poverty Action Group (2020) [The Cost of learning in lockdown: family experiences of school closures](#)

Poverty and exclusions

Poverty can impact on a child's experience of school, ability to engage in learning and behaviour.

Paying for the essentials

Families' inability to pay for essentials such as food, heating and clothing impacts on a child's wellbeing and behaviour. 95% of parents who were "not well off at all" told the Children's Society that they have struggled with the cost of school¹⁵ and 79% of frontline workers supporting families with school access told Buttle UK that they regularly¹⁶ see parents who are struggling to afford the costs associated with school. 88% of respondents regularly saw parents being unable to afford the basics (food, heating, hot water) and 66% regularly saw parents unable to afford the cost of cleaning children's clothes and bedding. More than half (52%) of parents in the Children's Society survey said they had cut back on either clothing, food or heating to afford the cost of school; 47% cut back on clothing, 28% on food and 29% on heating.

Access to computers and the internet

Children living in poverty are less likely to be able to access computer equipment or the internet. The Children's Society found that 3 in 10 children whose family is "not well off at all" had fallen behind at school because of this, with the RSA suggesting that this could lead to disengagement from school. This issue has become even more acute during the pandemic, affecting children's ability to maintain their education during school closures. The Sutton Trust found that teachers in the most deprived schools were more than 7 times likely to report more than a third of pupils would not have adequate access to an electronic device for learning from home¹⁷. Child Poverty Action Group Cost of the School Day project found that 40% of low-income families were missing at least one essential resource to support their children's learning and that one third of the families who are most worried about money have had to buy a laptop, tablet or other device¹⁸.

"We only had one computer in the house which is about 12-13 years old and the [four] children were all given homework online. We had to splash out and buy another computer from ebay which they took turns on to be able to meet the demands of the schooling. That was a struggle."

Parent

School costs

Finding the money to pay for uniforms and extra-curricular activities can be a real pressure for families with low incomes. Sanctions for not meeting school expectations are often the same as those applied for poor behaviour; poorer pupils can be punished for not having the correct uniform. This can lead to "them feel unjustly treated, and in some cases caus[ing] them to resist punishments", in turn escalating to more serious sanctions including exclusion and a reputation for being problematic. Some schools fine parents who are not able to afford the correct uniform¹⁹, exacerbating financial difficulty. Children from low income families can miss out on extra-curricular activities that other children benefit from.

15 The Children's Society (2014) [At what cost? Exposing the impact of poverty on school life. The Children's Commission on Poverty](#)
16 (i.e. at least once a week)

17 The Sutton Trust (2020) [COVID-19 and Social Mobility Impact Brief #1: School Shutdown](#)

18 Child Poverty Action Group (2020) [The Cost of learning in lockdown: family experiences of school closures](#)

19 Buttle UK (2019) [The Experiences of Education for Children and Young People in Poverty in the UK in 2019](#)

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

Parent

“With our children we want the best for them. With the extra curricular activities, in the beginning they all had those, but as time went on I couldn’t meet the demands financially.”

Parent

Additional challenges at home

Children in low income families often experience multiple additional challenges in their lives, including ill health, homelessness and family unemployment²⁰. These factors can lead to punishment or reprimands. For example children missing school or being late because of extended journeys to school due to unstable housing and frequent moves into temporary accommodation²¹. Children do not always share these circumstances with schools due to feeling ashamed, meaning this cannot be taken into account by schools when making decisions²². Changing schools as a result of moving frequently between accommodation also affects development of relationships in school²³. 55% of frontline workers in the Buttle UK survey reported regularly seeing children without an appropriate bed of their own, resulting in a lack of sleep and issues with being able to concentrate in class.

Emotional health and bullying

Children living in poverty say that it can make them feel stigmatised and bullied, with one survey finding more than a quarter (27%) of children in families who are ‘not well off at all’ saying they had been bullied as a result²⁴. Lack of access to clothing and a clean, warm living environment can increase bullying²⁵. Both bullying and being the victim of bullying can be triggers for exclusion²⁶. Just For Kids Law sees cases where a young person is both the victim and perpetrator and they report that the former being unaddressed triggers the latter. Children may not go to school in order to avoid being bullied. The Joseph Rowntree Foundation also found that children from deprived backgrounds are more likely to feel anxious, unconfident and reluctant about school.

Parental ability to navigate the system

Research suggests that there is a disparity between parents of different socioeconomic backgrounds in navigating the education system²⁷, including in the event of exclusions, which may require the negotiation of complex legislation and appeals processes²⁸. Middle class parents have been seen by head teachers and exclusion officers as having an advantage due to their accent, system knowledge and ability to seek redress²⁹.

“When you’re ill-informed and you don’t know, you think you are doing the right thing.”

Parent

20 Department for Education (2019) [School exclusion: a literature review on the continued disproportionate exclusion of certain children](#)

21 The Children’s Society (2014) [At what cost? Exposing the impact of poverty on school life. The Children’s Commission on Poverty](#)

22 The Children’s Society (2014) [At what cost? Exposing the impact of poverty on school life. The Children’s Commission on Poverty](#)

23 Buttle UK (2019) [The Experiences of Education for Children and Young People in Poverty in the UK in 2019](#)

24 The Children’s Society (2014) [At what cost? Exposing the impact of poverty on school life. The Children’s Commission on Poverty](#)

25 Buttle UK (2019) [The Experiences of Education for Children and Young People in Poverty in the UK in 2019](#)

26 Department for Education (2019) [School exclusion: a literature review on the continued disproportionate exclusion of certain children](#)

27 The Sutton Trust (2020) [COVID-19 and Social Mobility Impact Brief #1: School Shutdown](#)

28 The RSA (2020) [Pinball Kids: Preventing school exclusions](#)

29 Department for Education (2019) [School exclusion: a literature review on the continued disproportionate exclusion of certain children](#)

“I felt as though I couldn’t defend him, it seemed that there were no options, he was permanently excluded and that was it. It was a devastating time”

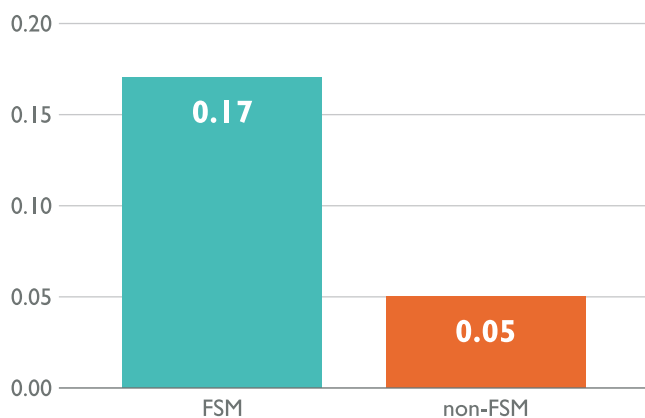
Parent

Poverty and exclusion rates in London

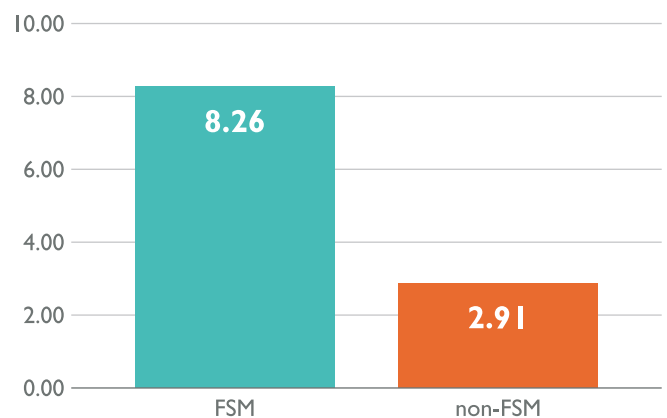
London-wide

Children who are eligible for free school meals (FSM) in London are nearly three times as likely to get a fixed-term exclusion and more than three times as likely to be permanently excluded, compared to their peers.

Rate of permanent exclusions – London 2018/2019



Rate of fixed-term exclusions – London 2018/2019



Source: Department for Education (2020) *Permanent and Fixed-Term Exclusions in England. Academic year 2018/19.*

Previous analysis has shown that being eligible for free school meals is associated with higher odds of exclusion even after controlling for other factors. FSM-eligible children nationally are still around 40% more likely to be permanently excluded³⁰.

Borough level

The ratio³¹ between FSM-eligible children and non-FSM eligible children at London level masks significant variation across boroughs. For fixed rate exclusions, the ratio varies from a low of twice as likely in one borough up to nearly 6 times as likely in another. It is even more stark for permanent exclusions, with a range from 1.37 times as likely to 12.35, however this should be treated with some caution, as the numbers of permanent exclusions in some areas are as low as 6 in total for both FSM and non-FSM eligible children.

30 Department for Education (2019) [Timpson Review of School Exclusion](#)

31 An exclusion rate is the number of exclusions expressed as a % of the population. An exclusion ratio shows how likely one group is to be excluded compared to another group. A ratio of 1 means that they are equally as likely. The higher the number, the bigger the disparity.

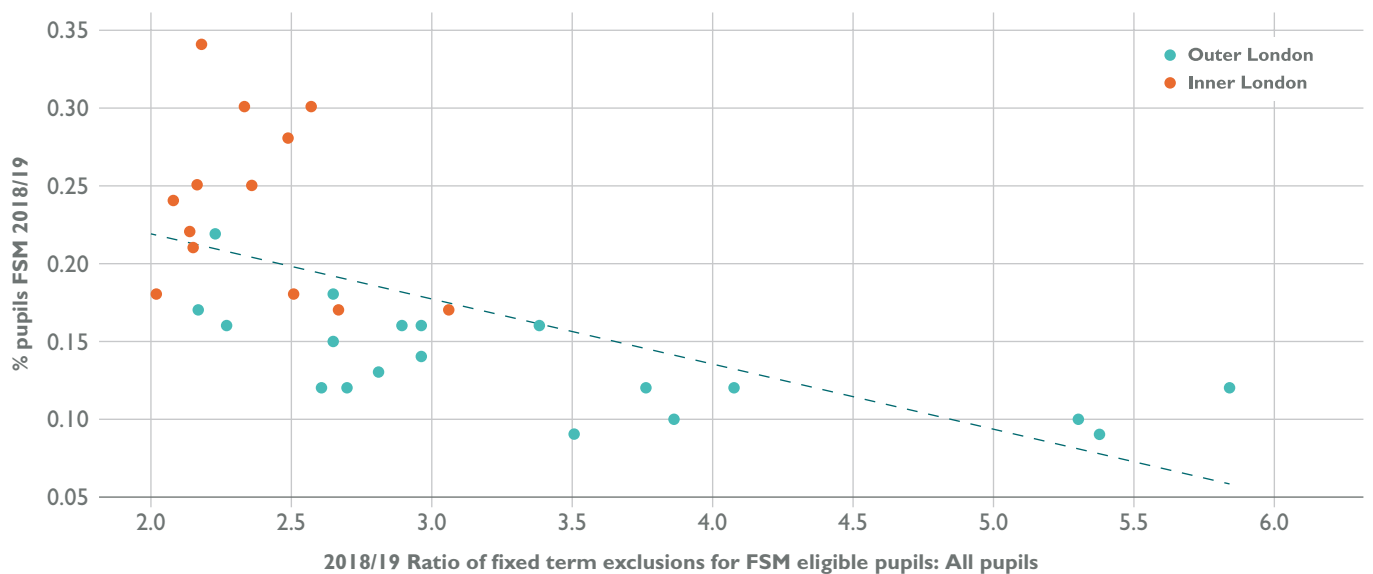
Fixed-term exclusion ratios – London 2018/2019



Source: Department for Education (2020) *Permanent and Fixed-Term Exclusions in England. Academic year 2018/19.*

Relationship to Borough population

Analysis of national data³² has found evidence that living in an area of deprivation increases the odds of being excluded for *all* children. Looking specifically at how likely fixed-term exclusions are for children eligible for FSM compared to their peers in London, there is a general downward trend: fixed-term exclusions for children eligible for FSM are more likely in areas where they are a smaller minority within the local population.



Source: Department for Education (2020) *Permanent and Fixed-Term Exclusions in England. Academic year 2018/19.*

Race and exclusion

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.

Institutional racism in schools manifests in a number interrelated ways that are well-established.

32 Department for Education (2019) [Timpson Review of School Exclusion](#) and The RSA (2020) [Pinball Kids: Preventing school exclusions](#)

“I got excluded for swearing at a teacher. A white girl swore at the teacher I did, she got sent out. I got sent to the headteacher and got excluded for it.”

Child

“Girls that were in year 7 were fighting. The black girl got excluded but the other girl, white girl, only got isolation for one week.”

Child

Racist stereotyping

Black children can be subject to different treatment, including in response to their behaviour, as a result of racist stereotyping and labelling by teachers³³.

“There are 6 children of colour in their classroom...when black children spoke loudly, they were shouted at, disciplined and given a sanction. Whilst when the white children were being loud they were not responded to in this way.”

Parent

“I feel like our community is targeted, even though [my son] wasn't permanently excluded he would have other things done to him, for instance in his last year of secondary school, he was banned from attending his last school prom alongside a large number of other Black children, and I thought that was very sad.”

Parent

These stereotypes, even if unconscious, have been shown to affect teachers' perceptions of children's behaviour and personalities, and their educational expectations for them³⁴. Some Black young people spoke to us about how teachers had been explicit about their low expectations for them in the past, for example telling them:

“You're never going to get anywhere in life”

“You're going to end up on the streets”

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

33 Demie, F. (2019) [The experience of Black Caribbean pupils in school exclusion in England](#) and Department for Education (2019) [School exclusion: a literature review on the continued disproportionate exclusion of certain children](#)

34 Department for Education (2019) [School exclusion: a literature review on the continued disproportionate exclusion of certain children](#)

Experiences of racist stereotypes and discrimination can affect children's self-esteem, aspiration, mental health and attainment. It can impact on children's behaviour, as a result of feeling under-valued and disrespected³⁵. Experiencing racism and isolation can also contribute to children not wanting to attend school and not feeling engaged in their education³⁶.

“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

Views on acceptable behaviour or appearance

Institutional racism can shape schools' and teachers' views on what is, and is not, acceptable behaviour³⁷. The RSA reported that young people had been punished by school for “actions like “spudding” (or “fist bumping”)” and noted other similar cases reported in the media, for example ‘kissing teeth’ breaching a school's behaviour policy. Schools' uniform policies can also discriminate against Black children on the basis of their hair, for example there have been cases of children being excluded for wearing natural afros or fades³⁸.

“They didn't like the hairstyles. White girls would go in with bright pink hair and it would be fine, but if a Black girl came in with dark red hair, it would be a problem.”

Child

“I've been kissing my teeth all the time and a caucasian teacher used to be like why are you kissing your teeth?”

Child

Classifying ways of communicating from specific communities as unacceptable, but not their equivalents, could lead to children being disproportionately disciplined. In a 2012 survey, 37% of 1,285 teachers thought that the disproportionate exclusion of certain minority ethnic groups reflected a ‘clash of cultures’³⁹.

“As a teacher you need to take on board the community and how the children behave. I'm not saying to condone bad behaviour but it's more than just good and bad behaviour, there's a culture of how kids speak and I feel like this was not taken on board in the community where we live.”

Parent

35 Department for Education (2019) [School exclusion: a literature review on the continued disproportionate exclusion of certain children](#)

36 The Children's Society (2019) [Submission to the Timpson Review into school exclusions](#)

37 Department for Education (2019) [School exclusion: a literature review on the continued disproportionate exclusion of certain children](#)

38 Dabiri, E. (2020) [Black children are being wrongly excluded over their hair. I'm trying to end this discrimination](#) *The Guardian*.

39 Smith et al (2012) [NFER Teacher Voice Omnibus November 2012 Survey: School exclusions, cited in Department for Education \(2019\) School exclusion: a literature review on the continued disproportionate exclusion of certain children](#)

Teacher knowledge

The stereotypes and discrimination experienced by children in school points to a clear need for improved teacher training. Many teachers are unaware of their duties under the Equality Act 2010 in respect of behaviour and exclusion policies, with the National Foundation for Educational Research finding that 'slightly [fewer] than four in ten teachers (38 per cent) said that their school had informed staff about the requirements of the Act, while a further four in ten did not know'⁴⁰. The Office of the Children's Commissioner found evidence in its 2012 inquiry that schools do not routinely consider these duties when making exclusions⁴¹. Around half of newly qualified teachers do not feel that their training has prepared them to teach pupils across all ethnic backgrounds⁴².

Underrepresentation in school workforce

Young people interviewed by the RSA⁴³ suggested that there is a lack of teaching staff from diverse ethnic backgrounds and from the schools communities serve. This was reflected in our conversations with children, young people and parents in London.

"Teachers don't have to all be Black, but there should be a mix."

Child

They go on to say that this underrepresentation means that they lack opportunities to build trusting relationships with adults⁴⁴ and that staff are less likely to understand the experience of people of their ethnic background in the education system and may be more likely to perpetuate the causes of systemic racial disadvantage that contribute to this disproportionality in exclusions.

"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

"The teaching staff were not teachers of colour even though the school population majority consisted of Black children."

Parent

Children's views of the teaching workforce are borne out by the numbers. 95 percent of teachers in English schools in 2018 were white, compared with 87 percent of the population⁴⁵. Educational psychologists are predominantly middle-class White women⁴⁶. The ethnic makeup of staff and, in particular, heads and senior management in London schools fails to reflect the students and families they are working with.

40 The RSA (2020) [Pinball Kids: Preventing school exclusions](#)

41 Office of the Children's Commissioner (2012) ["They never give up on you": School Exclusions Inquiry](#)

42 Data from Department for Education (2018) [Newly qualified teachers: annual survey](#), cited in The RSA (2020) [Pinball Kids: Preventing school exclusions](#)

43 The RSA (2020) [Pinball Kids: Preventing school exclusions](#)

44 The RSA (2020) [Pinball Kids: Preventing school exclusions](#)

45 Department for Education data, cited in The RSA (2020) [Pinball Kids: Preventing school exclusions](#)

46 Demie, F. (2019) [The experience of Black Caribbean pupils in school exclusion in England](#)

Curriculum

It has long been known that Black children achieve better with a relevant and inclusive curriculum, which recognises and acknowledges them⁴⁷. Many organisations have outlined the importance of teaching a more diverse curriculum and the potential it has to improve young people's sense of identity and social cohesion⁴⁸. However, the National Curriculum is limited in providing Black British History and pupils are not consistently taught it. It was recently reported that in 2019 only 11 per cent of GCSE students studied modules that referred to the presence of Black people in British history⁴⁹. The Mayor has called on the Government to make sure the National Curriculum is more diverse, and announced work in partnership with social enterprise The Black Curriculum in London⁵⁰.

Bullying

Black children experience racist bullying and abuse in schools. In a recent poll 32% of children had heard someone be racist at school and 50% of parents felt racism is a problem in schools⁵¹. The NSPCC has also reported an increase in race hate crime against children in recent years⁵². Bullying and being bullied are causes of exclusion. Just for Kids Law has reported from their casework instances of Black children's behaviour changing after being subject to racism by peers, which has led to their exclusion. This is often after a child moves from a school where there are many Black students and staff to an area where there are few.

“My primary school was racist. Some white kid violated me, asked me why are your gums black? The whole day he kept asking me the question. I bugged out. The teacher was like why are you getting angry, it's not a big deal.”

Child

Access to justice

It is very difficult for families who believe their exclusion is on the basis of race discrimination, or discrimination on the basis of any protected characteristic other than disability, to access justice. This is because discrimination cases for any characteristic other than disability are heard by the County Court rather than the First Tier Tribunal. At the County Court there is a court fee to start a case, the Court is not set up to accommodate litigants in person like the Tribunal is, and families have to go to court at risk for the other side's costs. This results in very few such cases being brought⁵³.

47 Department for Children, Schools and Families (2010). [Making an impact on Black children's achievement: Examples of good practice from the Black Children's Achievement Programme](#)

48 The Black Curriculum (2020). [Black British History in the National Curriculum Report](#)

49 Institute of Race Relations (2020) [How Black Working Class Youths are Criminalised and Excluded in the English School System](#)

50 <https://www.london.gov.uk/press-releases/mayoral/mayor-calls-for-a-more-diverse-national-curriculum>

51 The Diana Award and Nationwide Building Society (2019)

52 NSPCC (2019) [Race hate crimes against children reach 3 year high](#)

53 See Just for Kids Law blog: [The barrier to justice that silences victims of racism in English schools](#)

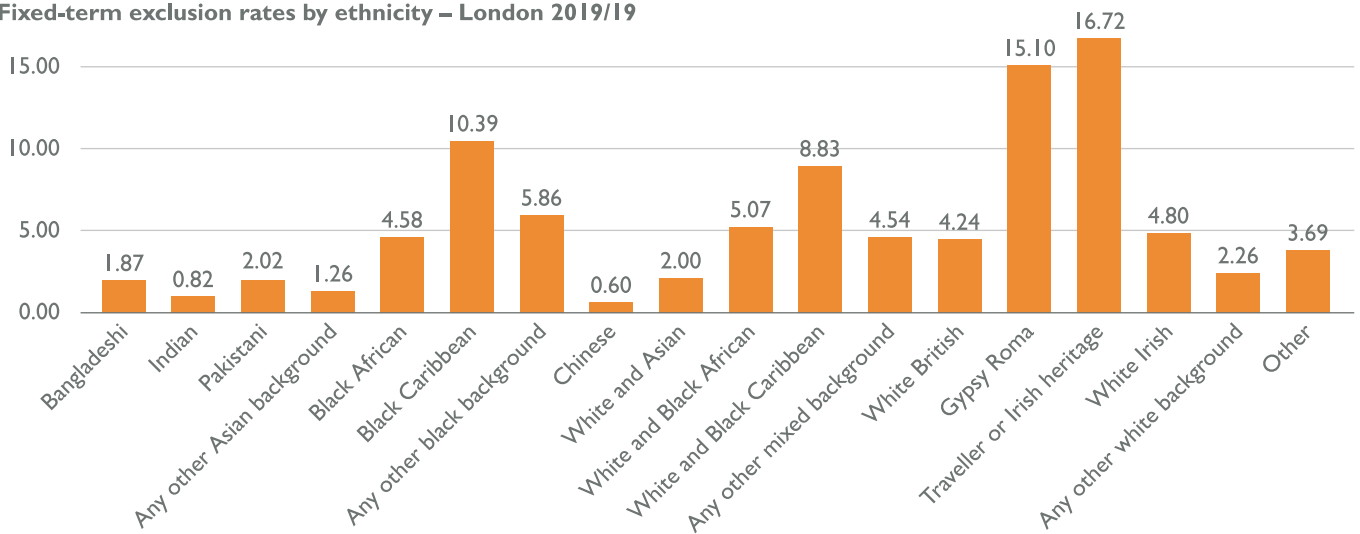
Race and exclusions

London-wide

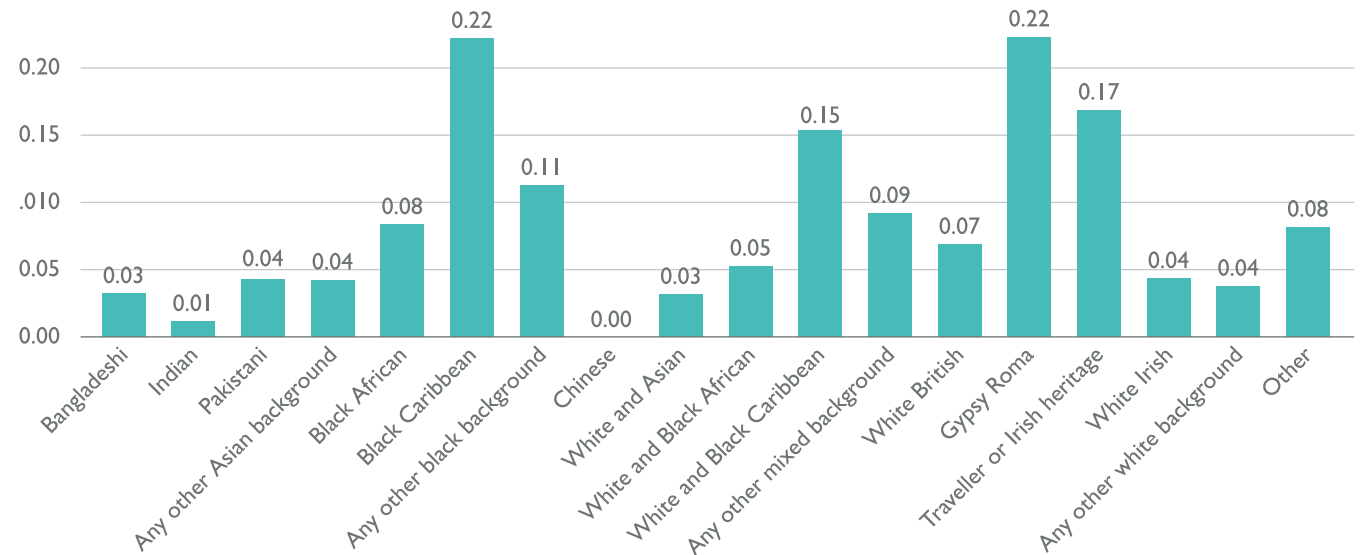
Traveller of Irish heritage children are four and a half times as likely to receive a fixed-term exclusion than the overall rate. For Gypsy and Roma children it is nearly four times as likely. Rates are 2.7 times as high for Black Caribbean children and children who are Mixed White and Caribbean are more than twice as likely.

As with eligibility for free school meals, children from some ethnic groups have been found to be more likely to be excluded even after controlling for other characteristics, such as special educational needs⁵⁴.

Fixed-term exclusion rates by ethnicity – London 2019/19



Permanent exclusion rates by ethnicity – London 2018/19



NB Caution should be applied in respect of permanent exclusion rates in these categories, as the numbers for some ethnic groups are very low. Source: Permanent and Fixed-Term Exclusions in England. Academic year 2018/19. Department for Education.

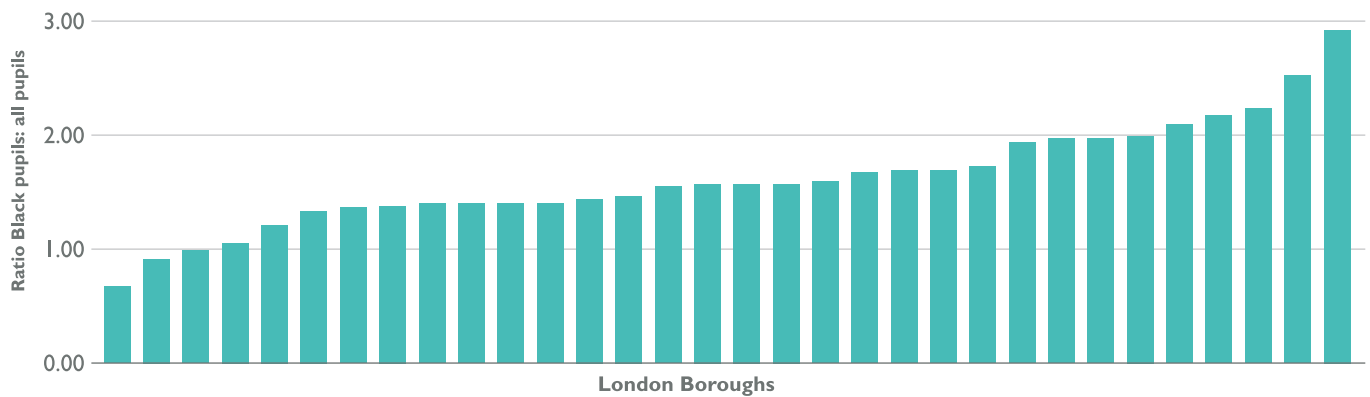
54 Department for Education (2019) [Timpson Review of School Exclusion](#)

Borough level

Borough level rates are analysed in 6 aggregated ethnic categories to ensure pupil numbers are large enough to be reliable⁵⁵. Variation for Gypsy, Roma and Traveller children cannot be reviewed, as they are included in the broader 'White' category. We therefore focus on the wider category of Black children. It is important to note that this masks the evidence shown above, including that Black Caribbean children in London are significantly more likely to be excluded than Black African children.

In two boroughs, the rate of fixed-term exclusions for Black children is lower than the rate for all children, whereas in six boroughs the rate for Black children is two to three times higher compared to the all-pupil rate.

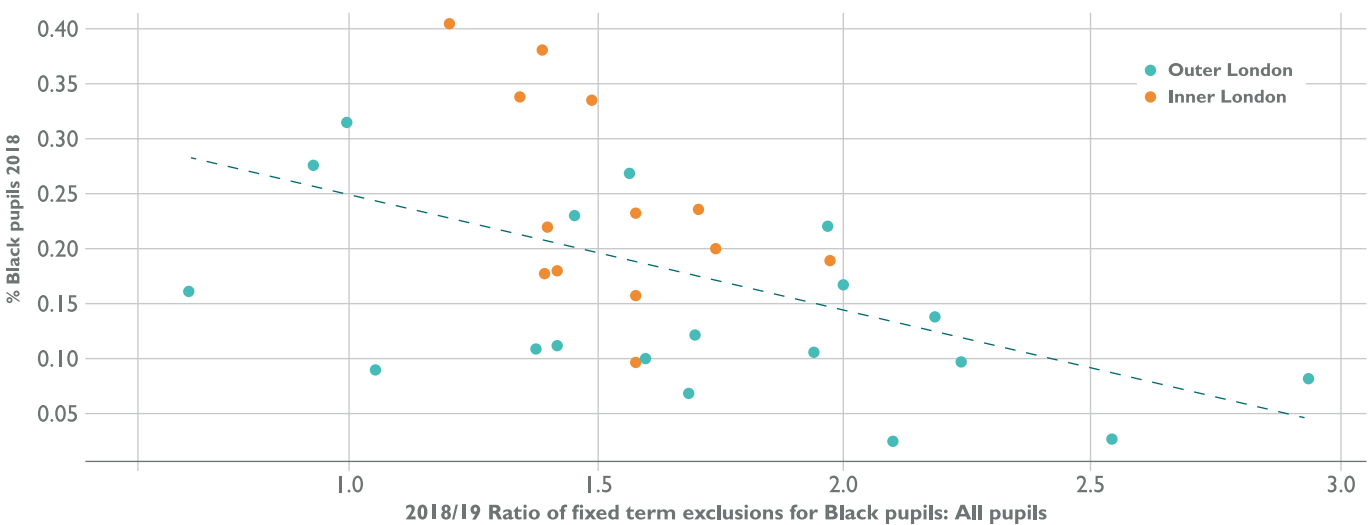
Fixed-term exclusion ratios – London 2019/19



Relationship to Borough population

The chart below plots the fixed-term exclusion ratio against the proportion of pupils in that area who are Black. Fixed-term exclusions for Black children are more likely in areas where they are a smaller minority within the local population.

This borough level data reflects a trend in previous analysis⁵⁶ that children from higher risk minority ethnic groups were more likely to be excluded when they were a small minority within a school, rather than if there were a larger number of children from the same ethnic group.



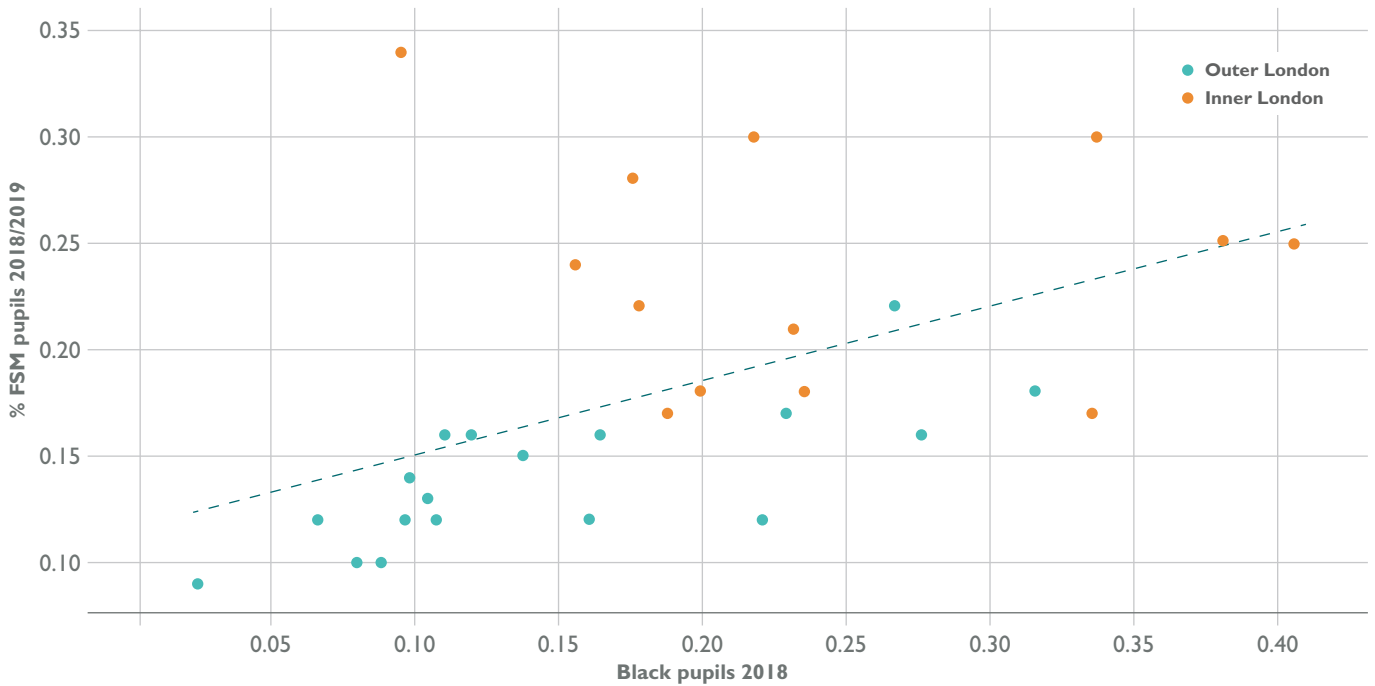
55 In line with the Government's Ethnicity Facts and Figures Service analysis of 2017/18 school exclusions

56 Office of the Children's Commissioner (2012) ["They never give up on you": School Exclusions Inquiry](#)

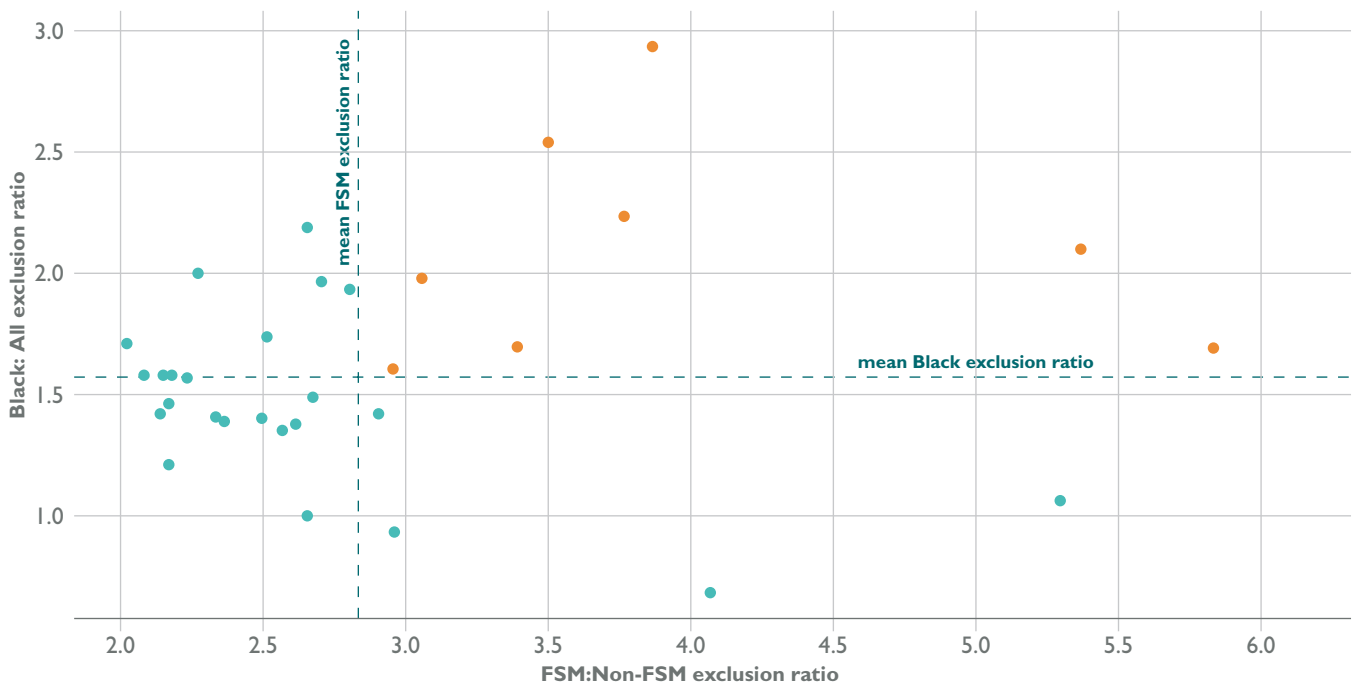


Poverty & Race data

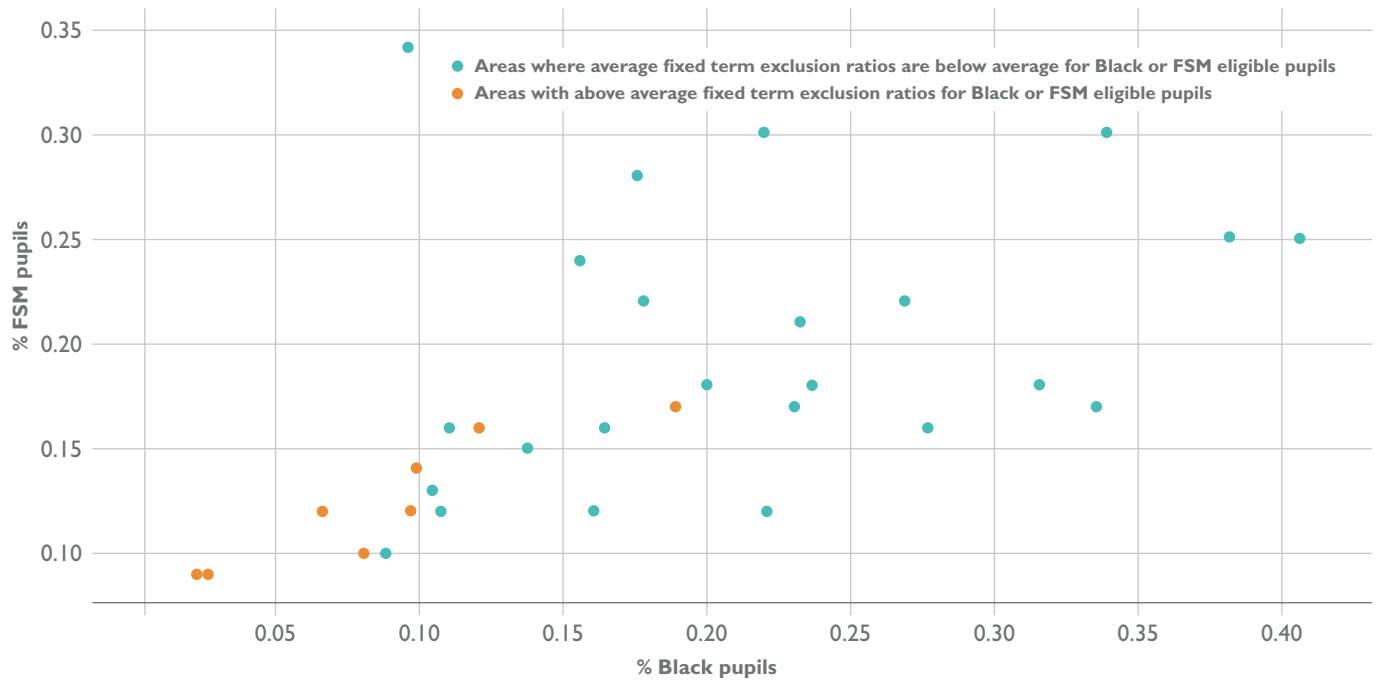
The chart below shows that, with a few exceptions, there is a general upward trend that where boroughs have a higher proportion of Black children, there is also a higher proportion of children eligible for free school meals. Although data is not available at individual child level, there is likely to be an overlap between these groups.



The chart below plots the fixed-term exclusion ratios for Black children and for free school meal eligible children, and shows the average ratios for London. The boroughs in the upper right quadrant (orange) have above average ratios for both groups of children. Fixed-rate exclusions in these areas are the most disproportionate for both Black children and children eligible for free school meals, compared to their peers. These areas are predominantly in outer London.



Having identified boroughs where exclusions are disproportionately high for Black and FSM Children, then it is possible to match that information to the population sizes (in the graph below). It shows the majority of those disproportionate exclusion rates occur in areas where Black and FSM children are in smaller minority populations.



Action underway

There is a range of activity taking place to address the issues outlined in this briefing. This section provides examples of partners and projects that we are aware of and are taking the opportunity to share. We recognise that there are likely to be many more organisations active, including at grassroots level, not reflected here.

Black Learning Achievement and Mental Health

BLAM is a not-for-profit organisation in London that provides free advocacy at school exclusions hearings, with legal advisers who are committed to understanding the African and Afro-Caribbean community and experience. Through their Grounded and Rooted projects, they also work with schools to ensure the curriculum is more diverse and directly provide history lessons directly to 7-10 year-olds in the summer.

www.blamuk.org

CapeMentors

CapeMentors was founded by Hussein Hussein as a result of a school system that in his view, does not cater for the needs of low income, vulnerable and disadvantaged children. In response this project provides an award winning educational mentoring support service for children disengaged with school, delivering high quality, trauma informed, bespoke support for young people and their families that enables a return to full time education.

<https://www.capementors.com/>

Child Poverty Action Group & GLA Tackling Child Poverty: A guide for schools

This guide brings together learnings from research with schools in London and provides key practical support for those schools thinking about how they might tackle child poverty in their schools, or thinking about what more they can do and how to strengthen their approach.

www.cpag.org.uk/policy-and-campaigns/tackling-child-poverty-guide-schools

Disrupting Exploitation Programme

This Children's Society programme works with children who are vulnerable to, or are victims of Child Criminal Exploitation (CCE) across London, Manchester and Birmingham. The programme supports a number of children who have been, or are at risk of, school exclusion. Following a recommendation from their participation group, they are developing and testing an 'explanation box' to encourage greater discussion and understanding between teachers and young people.

<https://www.childrensociety.org.uk/what-we-do/helping-children/disrupting-exploitation>

Football Beyond Borders (FBB)

FBB is a charity working with schools across London, Essex and Greater Manchester. They support young people from disadvantaged backgrounds who are passionate about football but disengaged at school in order to help them finish school with the skills and grades to make a successful transition into adulthood. They provide long-term, intensive support, built around relationships and young people's passions, in the classroom and beyond.

2018/19 impact figures show that 95% of participants who were at risk of exclusion at the start of the year finished the year still in school and 72% of participants improved their behaviour in school.

www.footballbeyondborders.org

Just For Kids Law and the School Exclusions Hub

Just for Kids Law provides legal support to children and young people through the process of challenging school exclusions. They advise them on their legal rights and entitlements and provide representation in exclusion reviews and discrimination appeals, including challenges on the basis of race discrimination. They have worked with young people who have been discriminated against by their schools and excluded, for example, for having afro hair; and for failing to combat racism and discrimination from staff and students. Just for Kids Law also has a criminal defence practice and work to influence youth justice policy. They undertake extensive work with victims of CCE to ensure they are not criminalised for their behaviour. Its youth advocates work with young people to secure support from health and special education services before, during and after an exclusion.

Just for Kids Law incorporates experience from their legal and advocacy casework into their policy and campaigns to achieve systematic change on a national and local level and holds government to account on its child right obligations, including a child's right to an education, through the work of the Children's Rights Alliance for England.

The School Exclusion Project is open to anyone in London aged 14-24 that has lived experience of exclusions and works with young people to process the experience of exclusion, express their feelings and campaign for change.

The School Exclusions Hub provides resources and information to lawyers and other professionals assisting children and their families with challenges to unfair exclusions:

<https://justforkidslaw.org/school-exclusions-hub>

No More Exclusions

No More Exclusions is an abolitionist grassroots coalition movement in education. Their mission is to bring about an end to the persistent race-disparities in school exclusions in the next five years and to affect change at legal, policy, practice and cultural level in education and society as a whole over the next ten years. They work to democratise knowledge and raise critical consciousness in education; campaign at local and national level on policy and law change; and enable young people to lead their own campaigns, to be heard and to steer the direction of the work both within NME and outside of it. They signpost sources of advice and advocacy for those affected and work in close partnerships with many sister organisations, groups, activists and campaigners including community, third sector, parent and youth groups. They are working with others in the coalition on developing anti-racist initial teacher training and curriculum principles.

www.nomoreexclusions.com

Nurturing London

The charity nurtureuk is working with the London Violence Reduction Unit (VRU) to create more inclusive schools across London, reduce pupil exclusions, and support young people to thrive. They will support 30 schools across 15 boroughs to build strategies to meet the needs of their pupils. This programme draws on the success of Glasgow, where a similar approach helped to reduce exclusions by 87% over 10 years.

www.nurtureuk.org/

Stepping into Leadership

The Stepping into Leadership programme, launched in September 2020, aims to equip minority ethnic teachers with the leadership skills, personal confidence and professional networks to make a successful application for promotion. It is funded by the GLA and delivered by the London South Teaching School Alliance.

www.londonsouthtsa.org.uk/programmes/stepping-into-leadership.php

Stepping Stones

The Stepping Stones programme aims to support vulnerable young people in their transition from primary to secondary school. It was designed and piloted by teachers from three London secondary schools, in collaboration with Gangs Unite and the GLA. The evaluation demonstrates that the programme activities can have a substantial positive impact on the attainment, behaviour and attendance of vulnerable young people in their first year at secondary school. Students were less likely to receive an internal or external exclusion. A toolkit of resources is available for other schools.

www.london.gov.uk/what-we-do/education-and-youth/school-schemes/stepping-stones-2018/about-stepping-stones



Recommendations

Multiple reviews and reports have made a large number of recommendations for improving the system of, and outcomes from, school exclusions. Key themes include strengthening statutory guidance; bolstering accountability; workforce – diversity, training and progression; building and sharing evidence of what works; and, improving data, particularly in relation to unofficial exclusions.

There have also been many broader proposals about how to improve the education system for children living in poverty and for Black children, which are relevant to school exclusions.

At the junction of these two lenses, No More Exclusions, a coalition of grassroots organisations and individuals, argues that complete abolition of exclusions is the way to bring about the necessary change in racial disparities.

Institutional racism and poverty are huge, complex societal challenges. It is not possible to capture the breadth of action required to address them in this briefing. However, it is important to note that implementing wider reform on these ingrained issues will also help to tackle the disparities in school exclusions.

We do not seek to replicate the substantial body of existing work, but to amplify and build on it. We focus on a small number that relate to our work and that directly address the challenges outlined in this briefing.

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 curriculum⁵⁷. 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

London schools have made good progress in reducing the attainment gap for many disadvantaged pupils, but tackling the disparity in school exclusions remains a core social justice challenge for the capital. 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. Our analysis shows that it tends to be more acute in areas where they are more of a minority. 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 without delay.

⁵⁷ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/839656/Literature_Review_of_Initial_Teacher_Education_Curriculum_-_final.pdf





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