



Runnymede Trust

Briefing on House of Lords Committee Stage of the Education Bill

About the Runnymede Trust

Runnymede is a social policy research organisation focused on race equality and race relations. We work by identifying barriers to race equality and good race relations; enabling effective action for social change and influencing policy at all levels through providing thought leadership and robust evidence.

www.runnymedetrust.org

Summary of Runnymede's concerns

- We are concerned that powers for school staff to search pupils will result in disproportionate numbers of Black children being searched. **We call for careful monitoring of those searched in schools to take place and for action to be taken to decrease any disproportionalities arising.**
- We believe that stripping exclusion appeals panels of their ability to reinstate a pupil in their school if found innocent substantially decreases their ability to effectively hold a school to account. **Runnymede therefore calls for the Bill to be amended to allow re-instatement.**
- We are extremely concerned about proposals to remove the requirement for written notice of detention outside school hours given the safety concerns of parents for the whereabouts of their children. **We call for this to be removed from the Bill.**
- We have concerns around the abolition of the Training and Development Agency (TDA) the General Teaching Council for England (GTCE) and the Qualifications and Curriculum Development Agency (QCDA) in the Education Bill. In particular **we call on the government to retain Multiverse – currently funded by the TDA – due to its important work assisting those teaching children from diverse backgrounds.**

Runnymede's concerns

Power of members of staff to search pupils

1. Runnymede is concerned that this power could result in disproportionate numbers of Black children being searched. If Black pupils are searched more than other pupils or feel unfairly targeted, trust may be undermined, potentially leading to more negative behaviour in the classroom.
2. Evidence shows that Black Caribbean boys in particular are disproportionately excluded from school, and are routinely punished more harshly, praised less and told off more often¹. Explanations for this cannot be attributed solely to things like culture, class background or home life, and government research concluded that teacher's attitudes (sometimes subconscious ones) towards Black children could be a contributory factor².
3. Given the over-representation of Black Caribbean students in others areas of discipline, it is likely that they will be disproportionately searched under this new power. As Runnymede has argued elsewhere, institutions are required by law to assess the impact of their policies upon individuals from different ethnic backgrounds under the Equality Act. **Given this legal requirement, careful monitoring of those searched in schools must take place and action should be taken to decrease any disproportionalities arising.**

Exclusion of pupils from school in England

4. The Education Bill reforms the process for reviews of permanent exclusions, and establishes new 'review panel' with significantly different powers from the previous appeals panel. The review panel can recommend or direct a responsible body to reconsider their decision, but cannot order reinstatement.
5. As stated above, Black Caribbean and mixed Black and White Caribbean boys experience a high number of exclusions – 16.6 per cent of all Black Caribbean boys and 16.3 per cent of all Mixed Black and White Caribbean experienced a fixed term exclusion during 2008/09 in comparison to 8 per cent of their White and 4 per cent of their Asian counterparts.

¹ DCSF, Getting It. Getting It Right (2006)
<http://www.teachernet.gov.uk/doc/13935/Exclusion%20of%20black%20pupils%20priority%20review%20-%20Getting%20it.%20Getting%20it%20right.pdf>

² *ibid*

6. We welcome the fact that the Government has decided to retain a form of an exclusion appeals panel. However, their decision to strip them of their power to order reinstatement of a pupil substantially decreases their ability to effectively hold a school to account. Runnymede believes that appeals panels – with powers of reinstatement – represent a vital safeguard against miscarriages of justice and offer a chance for parents’ voices to be heard.

7. Despite claims from the Government that the reinstatement of pupils substantially undermines the authority of teachers, evidence shows that only 2 per cent of exclusions are overturned, and approximately 90 per cent of exclusions are simply not brought before appeals panels, highlighting that the situation is not a widespread one³.

8. It is crucial that teachers are properly held to account on exclusions decisions, particularly given the massive impact such decisions can have on a child’s future. **We therefore believe that the government should allow appeals panels to reinstate excluded pupils in schools if an appeal is successful, and that the bill should be amended accordingly.**

Case Study

When aged 16, **Formula One Champion Lewis Hamilton** was excluded from school in a case of mistaken identity after he witnessed an attack.

In his autobiography, *My Story*, he writes: “I knew I was innocent but [the headteacher] did not appear to be interested. Subsequent letters to the local education authority, our local MP, the education secretary and even the prime minister, were of no help. No one appeared to listen – no one either wanted to or had the time. We were on our own, and I was out of school.”

Despite this, Hamilton’s school career was saved due to a successful case made by his father to an independent appeal panel, which reinstated him in his school⁴.

³ Gillborn, D and Drew, D (2010) “Academy Exclusions”, *Runnymede Bulletin*, Summer edition 2010. pp.12 – 13 <http://www.scribd.com/doc/35298622/Runnymede-Bulletin-Summer-2010-Final>

⁴ *ibid*

Repeal of requirement to give notice of detention to parent

9. We are extremely concerned about proposals to remove the requirement for written notice of detention outside school hours. Given the safety concerns of parents for the whereabouts of their children, particularly if their children are at risk due to where they live and the nature of their journey from home to school, it is essential that the school gives notice to a parent if their child is to remain at school outside school hours. In addition, it is our view that this is in direct opposition to the current insistence that parents of excluded children must account for their whereabouts in the first 5 days of exclusion. It is only fair that parents be kept up to date by the school on their child's whereabouts in return.

We therefore call for the Bill to be amended to retain the requirement for written notice of detention outside school hours.

Abolition of the GTCE, TDA and QCDA

10. We have concerns around the loss of opportunities to address racial inequality in education brought about by the abolition of the Training and Development Agency (TDA), the General Teaching Council for England (GTCE) and the Qualifications and Curriculum Development Agency (QCDA) in the Education Bill. We believe that all three organizations currently make an important contribution to achieving race equality in education.

11. The Training and Development Agency has undertaken excellent work in promoting race equality in schools. It had a stated commitment to boost BME teacher recruitment, and set internal targets to increase the numbers of BME teacher trainees. In England 23.3 per cent of primary school pupils and 20.6 per cent of all secondary school pupils are of BME heritage. However, only 5.9 per cent of teachers are of BME heritage. Increased recruitment of BME groups is important in ensuring that both white and BME pupils benefit from a more balanced representation of society, and the experience of teachers from diverse groups.

12. In addition, the TDA fund and support Multiverse, a website for teacher educators and student teachers addressing the educational achievement of pupils from diverse backgrounds. Due to the abolition of the TDA, Multiverse closed on 31st March. Runnymede has been a long term supporter of Multiverse and we believe that it is an invaluable resource for teachers working with BME pupils, as well as asylum seeker and refugee children and those from Gypsy,

Roma and Traveller backgrounds. It provides excellent advice for teachers and trainees dealing with issues such as racism and homophobia in the classroom, and collates information and resources on diversity issues in an accessible and user-friendly way. The website is widely used by teachers and trainees – it currently has 21,758 registered users and an average of 1250 downloads a day – and is a crucial tool in helping schools deal with potentially difficult issues in a productive way. **We urge the government to keep this important resource, and ask it to consider it being administered or funded by the DfE or another organization if the TDA is to be abolished.**

13. The GTCE and QCDA have also been important organizations in promoting race equality. The GTCE was a signatory to the Race Relations Amendment Act, and through its teacher networks enabled teachers to develop their practice to address inequalities. The QCDA has undertaken important work promoting inclusive teaching for all equality strands.

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