



Memorandum

TO: Education Select Committee

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SUBJECT: RUNNYMEDE TRUST WRITTEN EVIDENCE TO:
Education Select Committee Inquiry into Behaviour and Discipline in Schools

Executive Summary

The issue of behaviour and discipline in schools, with regard specifically to the use of sanctions such as exclusion, is one which has caused great concern among the parents of Black children for some years¹. The following response is based on work and research which has addressed these concerns and draws particular attention to recent exclusions statistics and research on appeals panels. The response makes reference to the last assessment of race equality and school exclusions undertaken by the previous government, proposes a movement towards zero permanent exclusions, and a less punitive approach to the parent/school relationship with regard to improving behaviour and discipline among children and young people.

¹ Weekes-Bernard, D (2010) *Did They Get it Right? School Exclusions and Race Equality*, Runnymede Perspectives Report, <http://www.runnymedetrust.org/uploads/publications/pdfs/DidTheyGetItRight-2010.pdf>

About Runnymede

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
- Influencing policy at all levels through providing thought leadership and robust evidence

Runnymede has been active in the field of education for many years. Within our current education work we devise and promote practical strategies for use in the classroom and, at community level, we aim to address and support the specific needs of minority ethnic young people. Further we focus on identifying, sustaining and augmenting improvements in race equality and social cohesion in the changing terrain of education policy and practice.

1. Approaches taken by schools and local authorities to address challenging behaviour, including fixed-term and permanent exclusions

1.1 Fixed-term and permanent exclusions are issues which disproportionately affect Black Caribbean and Black African children – particularly boys. Black Caribbean boys are three times more likely than their white counterparts to be excluded.

1.2 During 2008/09 nearly 6% of all pupils experienced a fixed term exclusion. However 11% of all Black Caribbean pupils and 11.4% of mixed Black Caribbean and White pupils were temporarily excluded during the same period². The discrepancies are similar at the level of permanent exclusion, though the numbers are smaller. Over the same period, 0.10% of all pupils were permanently excluded, but 0.30% of all Black Caribbean and 0.25% of all Mixed Black Caribbean and White pupils experienced this sanction. It is worth noting that the numbers of these groups within the school population is very small³

1.3 Black Caribbean and mixed Black and White Caribbean boys experience a high number of exclusions – 16.6% of all Black Caribbean boys and 16.3% of all Mixed Black and White Caribbean

² Department for Education (2010) Permanent and Fixed period Exclusions from Schools and Exclusions Appeals in England, SFR 22/2010, http://www.dcsf.gov.uk/rsgateway/DB/SFR/s000942/SFR22_2010.pdf

³ As at January 2009 only 1.2% of all pupils were mixed Black and White Caribbean, and 1.4% of all pupils are Black Caribbean (these figures remain unchanged at January 2010), Department for Children Schools and Families (2009) Schools, Pupils and their Characteristics, January 2009, SFR 08/2009, http://www.dcsf.gov.uk/rsgateway/DB/SFR/s000843/SFR08_2009.pdf

experienced a fixed term exclusion during 2008/09 in comparison to 8% of their White and 4% of their Asian counterparts.

1.4 Research by the former Department for Education and Skills suggest a number of reasons as to why Black pupils are disproportionately excluded, including institutional racism. The report argues that Black pupils encounter both conscious and unconscious prejudice from teachers - for example, research has found that throughout their education black pupils are disciplined more (both in terms of frequency and severity) and often for milder offences than those leading to their white peers being punished. The report recommended that to help decrease exclusions of Black pupils there should be consistent and continued monitoring of pupil progress to identify problems early on, more teacher training on matters of race equality, involving pupils in designing and setting rules, and providing support from academic mentors⁴.

1.5 Exclusions have an incredibly negative impact on a pupil's education and future life chances and also negatively impact on society as a whole. In a recent article written for Runnymede's quarterly publication *The Runnymede Bulletin*, the academics David Gillborn and David Drew reported that excluded pupils are 4 times more likely to finish their education without having gained academic qualifications⁵. Subsequent access to higher education and employment is therefore limited. Furthermore, if a child has lower academic achievement they are more likely to become involved in criminal activity⁶.

1.6 Taking the above issues into account, it is Runnymede's position that schools should move towards a zero permanent exclusions policy. Research suggests that zero exclusion schools and local authorities are possible, reducing the damage that can be done to children and their families. Such an approach would also address the persistent disproportionate exclusions of some particular ethnic groups over others and minimise the clear cost to other services given the risk of underemployment, and criminal activity for permanently excluded young people.⁷

1.7 Given the extremely negative impact exclusions have on a pupil's life chances, Runnymede is particularly concerned that the government will abolish Independent Appeals Panels as part of its ongoing education reforms. In a 2008 working paper on behaviour and schools the Conservative party stated that if elected they would end the right to appeal against exclusion, noting that such

⁴ Department for Education and Skills (2006) *Exclusion of black pupils: priority review. Getting it. Getting it right.*, London. <http://www.standards.dfes.gov.uk/ethnicminorities/resources/PriorityReviewSept06.pdf>

⁵ 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>

⁶ Gillborn & Drew, *ibid*

⁷ Parsons, C (2009) *Strategic Alternatives to Exclusion from School*, Stoke-on-Trent, Trentham Books

panels "undermine headteachers' authority"⁸. As Gillborn and Drew argue in their article for the *Runnymede Bulletin*, appeals panels represent a vital safeguard against miscarriages of justice and offer a chance for parents' voices to be heard. In addition, only 2% of exclusions are overturned by appeals panels, and approximately 90% of exclusions are simply not brought before these independent groups, highlighting that the situation is far from a widespread undermining of teacher's authority. It is crucial that teachers are held to account on exclusions decisions, particularly given the massive impact such decisions can have on a child's future.

2. Ways of engaging parents and carers in managing their children's challenging behaviour

2.1 Seeking the involvement of parents in the management of a child's behaviour at school is important but should occur in such a way as to reinforce the positive nature of the relationship between home and school, rather than the punitive approach that featured heavily in the previous Government's policy responses to parenting. For example, the Education and Inspections Act 2006 introduced the use of penalty orders, to be used against a parent when their excluded child was found in a public place during the first 5 days of an exclusion.

2.2 In a consultation response to the 2008 guidance on *Improving Behaviour and Attendance: Guidance on exclusion from schools and pupil referral units*, we noted our concern that this policy would have far reaching implications for working lone parent families, and as a result, also for those from Black and minority ethnic backgrounds given that 59% of Black Caribbean, 44% of Black African children and 61% of children in Mixed households⁹ grow up in single parent families,¹⁰ whilst the overall proportion of children in the UK living with a lone parent is 22%.

2.3 These parents will have to make arrangements with their employers in order to be at home to monitor their child's movements, which may not be welcomed should these requests occur frequently, hence placing their employment at risk. The impact therefore upon specific groups will clearly be disproportionate.

2.4 We therefore remain concerned that this particular policy approach will impact disproportionately upon Black Caribbean groups, and/or those on low incomes, and that it is not likely to assist in attempts to engage the parents of those children who currently experience disproportionate school exclusions.

⁸ Conservative Party (2008) "Giving Power Back to Teachers". London: Conservative Party, p. 2 <http://www.scribd.com/doc/19023021/Giving-Power-Back-to-Teachers>

⁹ Labour Force Survey (2002) http://www.nso.gov.mt/statdoc/document_view.aspx?id=592

¹⁰ Select Committee on Home Affairs (2007) Second Report, <http://www.parliament.the-stationery-office.com/pa/cm200607/cmselect/cmhaff/181/18106.htm#a22>

3. The efficacy of alternative provision for pupils excluded from school because of their behaviour;

3.1 Research suggests that there is a gap in our knowledge generally about the ethnic make up of onsite units, the length of time that students are placed within them and the educational support received by students once there.¹¹ We have ourselves commented elsewhere that it is necessary that data collected on the make-up of pupils currently placed in pupil referral units and other methods of alternative provision, clearly include information on ethnic background, together with other indicators¹².

3.2 Knowing how alternative provision is used, particularly in those units housed on school premises specifically for this purpose, is immensely important, given that these latter units are to be used only temporarily and not for extended periods of time. Given that we do not know how long pupils are spending within this provision, as this data is not uniformly collected, it is clearly difficult to be able to comment on their efficacy. In our view, this requires urgent attention if there is to occur full support for positive behaviour in schools.

4. The Government's proposals regarding teachers' powers to search pupils, removal of the requirement for written notice of detentions outside school hours, and the extent of teachers' disciplinary powers, as announced by the Department on 7 July.

4.1 As Runnymede have argued elsewhere, institutions are required by law to assess the impact of their policies upon individuals from different ethnic backgrounds under the Race Relations (Amendment) Act (2002), and will still be required to do this when the Equality Act comes into force in October this year. Given this legal requirement, if increased powers to search pupils and

¹¹ Val Gillies (2010) "Behavioural Support Units: Excluded but Included" discussion paper presented at *Are We Getting It Right Yet*, Runnymede e-conference, 8 February,

<http://www.runnymedetrust.org/events-conferences/econferences/econference/excluded-but-included.html>

¹² Sheikh, S & Berkeley, R (2007) Runnymede Consultation Response to Back On Track: A Strategy for Modernising Alternative Provision for Young People,

<http://www.runnymedetrust.org/uploads/policyResponses/BackOnTrack-ConsultationResponse.pdf>

introduce detention without notice were introduced, careful monitoring of those in receipt of these punishments must take place¹³.

4.2 In addition, 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 classroom¹⁴.

4.3 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 an exclusion. It is only fair that parents be kept up to date by the school on their child's whereabouts in return.

5. Recommendations

5.1 That a movement towards zero permanent exclusion schools be undertaken, given the impact that these sanctions have both on the child, and on the additional services (ie. criminal justice system, social services) that may need to become involved with these young people over their lifetimes.

5.2 That in view of the above, an assessment of the strategies employed by non or low excluding schools and local authorities be made by Government with a view to drawing on and sharing good practice across other educational institutions

5.3 That the rate of exclusions of Black pupils within Academy status schools (currently standing at 3.6 times that of White pupils in state maintained schools) be monitored, specifically given the move by Government to rapidly increase the numbers of such schools.

5.4 That the Government re-assess any provisional plans to abolish Independent Appeals Panels, given that almost 90% of all exclusions take place without a subsequent appeal and only 2% of permanent exclusions are overturned via this method. More importantly, the possibility of a

¹³ K. Sveinsson (2007) Response to the Draft Guidance for School Staff: Screening or Searching pupils for weapons, The Runnymede Trust,
<http://www.runnymedetrust.org/uploads/policyResponses/ScreeningOrSearchingPupilsForWeapons.pdf>

¹⁴ Sveinsson, *ibid*

child being wrongly accused and the necessity of holding schools and head teachers to account, renders these appeals an essential part of the behaviour and discipline process.

5.5 That the Government review the use of penalty orders on a parent relating to the whereabouts of a child excluded for less than 6 days, given its disproportionate impact on lone parents and those on low incomes.

5.6 That clear recommendations to schools as to the monitoring of use of alternative onsite behaviour units be made, specifically in relation to frequency of use, ethnic background of pupils placed within them, length of time spent within units and educational support given to those within them

5.7 That careful monitoring of those in receipt of specific sanctions, such as pupils subject to searches by teaching staff, be made, and a re-assessment of the introduction of detention without notice occur.