

National Assembly for Wales

Communities, Equality and Local Government Committee

Inquiry into: Poverty in Wales: Strand 1

Response from: The Equality and Human Rights Commission

### **Linking Poverty and Inequality Strategies in Education** **How and what are the benefits?**

In 2011, the Equality and Human Rights Commission published *How Fair is Wales?* It sets out the most significant inequalities in Wales, with a view to them being addressed and reduced over a period of time by co-ordinated action by those bodies that have the power to effect change.

A follow up report, due to be published in 2015, will report on whether the picture has changed and whether new inequalities have emerged.

*How Fair is Wales?* reported that the inequality dominating Wales is socio-economic - because of the scale of its impact, the breadth of its influence and how it affects major quality of life determinants including: health and life expectancy; educational attainment; job and income; access to power.

Alongside, and interwoven with, socio-economic inequality there are other inequalities based on the "protected characteristics".

For example the Education Challenge says:

- Close the gap in attainment between different socio-economic groups - including that of boys, black, Bangladeshi and Pakistani pupils and disabled children.
- Reduce the incidence of young people who are not in employment, education or training.

The EHRC was interested in looking more closely at how these inequalities interrelate. We wanted to look at the situation in schools, in particular, as educational attainment is such an important gateway to future success.

The 2011-13 averaged **All Wales** figures for the attainment of 5+ A\* - C Passes including English/Welsh First Language and Maths illustrate the variation:

- 52% All pupils

- 52% White pupils
- 41% Black pupils
- 26% FSM pupils
- 17% Pupils with Special Educational needs

The EHRC wanted to understand:

- how these attributes overlap on the ground - for example how many Black or SEN pupils may also be socio-economically disadvantaged
- how schools and education providers address multiple needs
- whether a single strategy to address inequalities and poverty can be devised

### **Swansea Council Approach**

The evidence shows that disabled children and those with Special Educational Needs are more likely than other children to be in receipt of Free School Meals - a proxy indicator for poverty. In total Swansea provides for 7500 SEN pupils, by comparison to 5700 pupils who are entitled to Free School Meals (FSM). Of these 2500 pupils fall into both categories.

The EHRC wanted to find out what more can be done to improve educational outcomes for all those children whose results are falling way below average, and whether this is best done through strategies focussing on poverty or on specific learning needs - or whether it is possible to develop a single strategy to improve standards for all children.

The EHRC identified Swansea as a good place to explore these matters as the new elected administration (in 2012) with its new Chief Executive had moved quickly to place poverty and unemployment, particularly of young people, at the top of its agenda. This resulted in a more effective multi-agency approach to tackle poverty and improve opportunities. In 2013, Estyn reported this had already led to improvements in attendance, exclusion and attainment.

The EHRC wanted to know how Swansea had made improvements and whether it has succeeded in developing a strategy that addresses both inequality and poverty.

A series of meetings were held involving EHRC, Swansea Chief Executive Jack Straw, staff from Swansea's equality, education and poverty teams as well as leaders drawn from partner organisations including health, police and higher education.

An emerging theme was that too many strategies can be unhelpful, with some in danger of being undermined by others. A single strategy encompassing inequality and poverty and focussing on **capacity building, inclusion, and changing culture** was felt to be achievable and desirable - including specific interventions for individual pupils. What would this mean in practice?

## **Building Capacity, Inclusion and Changing Culture**

### **Capacity Building**

Capacity Building in schools is about recognising that schools are at the frontline and are the focus of making educational improvements where learners are based - rather than relying on specialist outside services. This leads to the development of a culture of ownership and commitment with schools taking responsibility for the outcomes of all their learners. Monitoring and evaluation aims to ensure all pupils reach their full potential. The value of Additional Learning Needs provision is recognised.

Capacity building in schools can take a variety of approaches but overall helps a school to develop a culture of differentiating needs and being adaptable, focussing on meeting the needs of all their pupils and rising to the challenge of maximising every child's outcomes. Capacity building in schools includes a development programme for governing bodies which is annually updated to reflect major areas of SEN and Inclusion.

### **Strategic Priorities for Capacity Building in Swansea:**

- To continue to build the capacity of schools to provide a high quality of educational experience for children with special educational needs.

- To reduce further the reliance on Statements of Special Educational Needs as a means of providing additional funding for children and young people.
- To continue to develop the continuum of provision to meet the current and future needs of children with Special Educational Needs.
- To develop further funding and budgetary control.
- To extend the monitoring and evaluation of the impact funding has on pupils with SEN progress.
- To improve feedback systems from key clients and stakeholders

## **Inclusion**

**An Inclusive Culture** contributes to a school which always seeks to maximise the outcomes for every pupil regardless of their level of need. 40% of Swansea pupils have Special Educational Needs, are eligible for Free School Meals or are learning English as an Additional Language - or come into two or three of these categories. For example over 2500 pupils are entitled to free school meals and also have special needs.

This high percentage demonstrates the impracticality of designing a school culture or curriculum for only 60% of pupils and adapting it for the rest. Planning school for the whole group is important if pupils are to feel included and valued and if attainment levels are to increase.

### **Swansea has adopted a number of key principles to achieve Inclusion:**

- all children and young people should have access to an appropriate education that affords them the opportunity to achieve their personal potential;
- an inclusive education service offers excellence and choice and seeks and responds to the views of parents, carers, children and young people
- the interests of all children and young people are safeguarded;
- with the right training, strategies and support, nearly all children and young people with additional learning needs can be successfully included in mainstream education;
- mainstream education is not always right for every child or young person all of the time but if mainstream education is not right at a particular stage this should not prevent the child or young person from being included successfully at a later stage; and those pupils

not in mainstream education should have links to their peers in mainstream schools.

## **The Strategic aims of Inclusion in Swansea are to:**

- Develop cultures, policies and procedures to support inclusion.
- Recognise and promote the entitlement of all children and young people to be offered learning opportunities that meet their individual needs.
- Develop a curriculum that recognizes and values diversity.
- Reduce the number of fixed term and permanent exclusions.
- Provide services that are accessible to all people.
- Work jointly with other agencies and service providers to meet additional learning needs.
- Support the needs of young people across transition.
- Evaluate and monitor inclusion across the City and County of Swansea.

## **Changing Culture**

It is recognised that increasing the capacity of schools to meet the needs of a wider range of pupils more fully and to adopt a significantly more inclusive approach requires a change of school culture. In particular earlier intervention is a priority, together with making more efficient use of resources, and recognising that choices are being made in what provision to make.

An acceptance that all learners are equally important may be a new approach for some and work is needed to ensure there is a focus on what is being done to maximise outcomes for all learners. This may include an emphasis on the benefits of inclusion and the need to prepare all pupils for life in society, and preparing everyone to deal with difference.

Ways of changing culture include both national and local initiatives through the **School Council** which has been a requirement in every school in Wales since 2006, the introduction of **Restorative Practice** and a new development based on building the principles of the **United Nations Convention on the Rights of Children** into all decision making and practice.

A **School Council** is a group of pupils elected by their fellow pupils to represent their opinions and raise issues with the headteacher and governors in the school. The school council must represent all pupils and include as many people as possible. In secondary schools up to two members of the School Council can sit on the Governing Body as Associate Pupil Governors. The influence of a School Council is sometimes noted in the Wellbeing section of a school's Estyn inspection. Swansea schools have an excellent record of promoting Wellbeing.

**Restorative Practice** is a way of achieving cultural change across schools. It involves working differently with all pupils but has been found specifically to improve interactions with FSM and SEN pupils

Swansea has established a rolling programme of restorative practice across its schools, which includes training for all staff and children. This provides a range of techniques using the Restorative Practices Continuum which include affective statements, affective questions, small impromptu conferences, group circles and formal conferences. The following sets of questions are asked when incidents or situations arise, and can also be used to share a positive experience:

**Responding to Those Harmed**

What happened?

What were your thoughts at the time?

What have your thoughts been since?

How has this affected you and others?

What has been the hardest thing for you?

What do you think needs to happen next?

**Responding to Challenging Behaviour**

What happened?

What were you thinking about at the time?

What have your thoughts been since?

Who has been affected by what you did?

In what way have they been affected?

What do you think needs to happen next?

Restorative Practice provides a new framework to enable staff and pupils (and adults outside schools) to resolve difficulties in school and at home. In primary schools at the beginning of the day children identify their mood by choosing a face on a chart, providing an alert for staff. In secondary schools the class teacher asks pupils at the start and end of the day to rate on a scale of 1-5 or 1-10 how they feel. Both these approaches assist staff to engage effectively with pupils and identify when they are most ready for learning.

**The impact** of the restorative approach includes::

- Improved behaviour
- Problems dealt with earlier
- Less time taken in class dealing with disruption, etc
- Skills taken back to the home and used
- Capacity building with all staff
- Change in culture
- Approach can be used by staff groups
- Improved relationships between pupils, staff and pupils, staff, and staff and parents.
- On school visits parents have talked about its value and use.

## **United Nations Convention on the Rights of Children**

The UNCRC is an international treaty agreed by the United Nations in 1989. The UK Government is a signatory to the Convention, and it was recently incorporated into Welsh law by the 'Rights of Children and Young Persons (Wales) Measure (2011)'.

The UNCRC:

- Sets out in detail basic rights for children including the need for a safe, happy and fulfilled childhood regardless of their sex, religion, social origin, and where and to whom they were born
- Details basic human rights that children everywhere should have including the right to survival, to develop to the fullest, to protection from harmful influences, abuse and exploitation and to participate fully in family, cultural and social life
- Protects children's rights by setting standards in health care, education, legal, civil and social services and requires state parties

(those who have signed up to the Convention) to positively respond to these basic standards

- Recognises the importance of the right for children to be engaged in the making of decisions that affect them

In September 2013 it was agreed that the UNCRC (1989) be embedded within, and become part of the Council's Policy Framework and that a duty be placed on the Executive ('the Cabinet') to have 'due regard' to the UNCRC (1989) in respect of children and young people's rights when exercising its decision making functions in:

- The formulation of new policies or strategies for the Authority
- The review or amendment of existing policies or strategies of the Authority
- The development, confirmation, or amendment of operational decisions that rest within the remit of the Cabinet

In order to ensure that child rights are embedded across the Council functions, following agreement at Council an Implementation Group and an external Advisory Group were established to progress this. A full scheme is coming for approval to Council in the Autumn outlining how such work will be managed in future.

## **Evaluation**

Although there has been no formal evaluation of this approach to meeting every pupils needs more effectively and improving the performance of all pupils, the data in the table at the end indicates progress.

The June 2013 Estyn on the quality of local authority education services for children and young people in Swansea provides some helpful indicators.

## Extracts from June 2013 Estyn Report

### Leadership

- the new administration with its Chief Executive, moved quickly to place poverty and unemployment, particularly of young people, at the top of its agenda. This has rapidly resulted in an effective multi-agency approach to tackle poverty and improve opportunities. This has already led to improvements in attendance, exclusion and attainment.

### Performance

- the gap in performance between pupils entitled to FSM and other pupils in 2012 is smaller than the average across Wales
- performance of more able pupils is generally above average for Wales despite the relatively high levels of deprivation in the authority. Almost all pupils with additional learning needs and from other vulnerable groups make good progress against their individual targets
- the rate of permanent exclusions is amongst the lowest in Wales
- the prevention and early intervention strategy, involving effective joint working between a range of education services and other agencies has been successful in improving attainment and attendance, and reducing exclusions and youth offending rates

### Capacity and Inclusion

- the authority's commitment to developing the **capacity** of schools to meet the needs of pupils with additional learning needs themselves, and the work of the service to achieve this ambition are particular strengths
- as part of its **inclusive** approach, one of the main strategic priorities is to develop the capacity of schools to meet the needs of the high percentage of pupils with additional learning needs who are educated in mainstream schools. Its commitment to this priority and the work of the service to achieve this ambition is a particular strength.
- the prevention and early intervention strategy successfully promotes **inclusion** and wellbeing.... children and young people in areas of greatest deprivation benefit from this targeted support

**Swansea Average Attainment**  
**Key Stage 4 Level Threshold with English/Welsh and Maths**  
**2009/12                      2011/13**

|     |      |                                        |
|-----|------|----------------------------------------|
| 54% | 55%  | all pupils                             |
| 58% | 59%  | girls                                  |
| 51% | 52%  | boys                                   |
| 13% | 16%  | looked after children                  |
| 60% | 61%  | pupils not receiving free school meals |
| 25% | 27%  | pupils receiving free school meals     |
| 66% | 67%  | pupils with no SEN                     |
| 14% | 16%  | pupils with SEN and action plus        |
| 15% | 19%  | pupils with SEN statements             |
| 89% | 100% | Chinese pupils                         |
| 51% | 61%  | Bangladeshi pupils                     |
| 47% | 59%  | Black Caribbean African pupils         |
| 54% | 54%  | White pupils                           |

In terms of ethnicity, the concept of BME is not useful. All minority ethnic groups now out perform white pupils, the highest performers being Chinese and the lowest Black - though as numbers in some of the 20 (90 groups in PLASC January 2014 ) nationalities are low, some caution needs to be applied in interpreting the figures.

Since 2007, in Swansea, there has been an upward trend in the standards attained by pupils from the single, largest minority ethnic group locally: those from Asian Bangladeshi backgrounds.

This group was identified as being at risk of underachieving nationally. In 2006 the group was on average -25% behind all Swansea pupils on the Level 2 Threshold indicator but by 2013 was outperforming all Swansea pupils by +5%.

And in 2012 for the very first time, this group performed ahead of all Swansea pupils at Key Stage 4 by +2.5%.