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**Response to Scrutiny enquiry into**

**‘The Underachievement of ‘Black Caribbean’ and ‘White British Working-Class’ pupils of secondary school age in Leicester’**

Children, Young People and Schools  
Scrutiny Commission

Date of meeting: 14 April 2021

Lead director/officer: Sue Welford

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## Useful information

- Ward(s) affected: All
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- Report version number: 3.0

### 1. Summary

- 1.1. In October 2019, the Children, Young People and Schools Scrutiny commission published a working group report into - The Underachievement of 'Black Caribbean' and 'White Working-Class' pupils of secondary school age in Leicester'. This report provided a number of recommendations for schools and the education division of the council.
- 1.2. In Leicester, there remains significant work to be done in the Education arena to address the low outcomes for children at the end of their secondary school years. These low outcomes are particularly noticeable for those of Black Caribbean heritage as are those for disadvantaged White male students.
- 1.3. This report provides some context and background to the current work across Education to improve outcomes for all disadvantaged children and particularly those groups identified by Scrutiny Commission. We will talk to the individual recommendations during the meeting.
- 1.4. Over the years there have been a number of initiatives to improve outcomes. This has impacted positively on the progress during secondary schooling for most groups of pupils. For some groups there have been targeted programmes of work to address poor outcomes. This has been particularly the case for those of Black heritage. These interventions have been short-term and targeted and have supported and improved the results of some of those involved but have not delivered wholesale improvements or the change in culture and the sustained impact that is needed.
- 1.5. The role of the LA has changed significantly over the years. Compared to ten years ago, the permission and capacity for directing schools has steadily been removed from councils by central government. School funding has also changed with almost all monies for mainstream provision distributed to schools through a national funding formula. Grants that previously were used in line with local discretion are now within the main formula.
- 1.6. As a result of the government's policies on reducing burden on schools, they are not required to submit racist incidents to local authorities. This does not get collected centrally by our local authority as we no longer have the budget for the staff who used to collect and respond to this information. Our schools continue to monitor and report these incidents to their governing bodies.
- 1.7. As a result of the government's policies with the transfer of responsibilities from the local authority to schools, each school governing body is responsible for its own policies which must be agreed and published on the school's website. Guidance on the content of policies is provided to governing bodies through the DfE website. The local authority also supports governing bodies through exemplar policies published on the schools' extranet (a secure website maintained

by the local authority for all schools in the city). We promote and provide guidance on equality and diversity.

- 1.8. The council works to improve education outcomes for all students through developing partnerships with schools, with governors, with leaders and with multi-academy trusts. Previously we worked directly with teachers and indeed occasionally with children and young people. The change of the role of the local authority means that we can influence through leadership, partnership and relationships rather than through direction or intervention.
- 1.9. The Education Division monitors the performance of schools using a range of data available, including outcome and progress data, exclusions and attendance. This information alongside intelligence from various sources (Ofsted reports and qualitative data from colleagues across the council who visit the school, such as Estates and Buildings Services, Health and Safety, SEND support staff, HR, Safeguarding in Education and finance information) enables us to identify a school's strengths and weaknesses.
- 1.10. The local authority and contracted school improvement partners undertake performance discussions (challenge/support visits) with schools and agree their priorities for the year. This also contributes to their preparation for Ofsted inspection.
- 1.11. For most schools a challenge/support visit happens once a year. Where there are concerns, we provide up to 10 extra days of planned support for the school leadership. We no longer have the responsibility for direct support or challenge with Academies.
- 1.12. When working with schools, we identify underperforming groups of pupils in that school where outcomes should be improved and need targeted support. Some groups have very small numbers in individual schools and may not have a significant impact on overall outcomes for that school. We consider all groups on a city-wide perspective and where they are underperforming, challenge the education system as a whole.
- 1.13. The Covid-19 pandemic has had a positive impact in enabling us to develop our role, influence and credibility with schools. School leaders have told us they see the benefits of working more collectively and in close connection with the council. This strengthening of our partnership is a good foundation for collaborative working with our cadre of school leaders to influence change and enable us all to improve outcomes for children across the city.

## **2. Recommended actions/decision**

- 2.1 Scrutiny to note the content of the report
- 2.2 Scrutiny to note the actions taken and proposed

## **3. Scrutiny / stakeholder engagement**

This report is a response to the recommendations of the Children and Schools Scrutiny Commission enquiry into 'The Underachievement of 'Black Caribbean' and 'White British Working-Class' pupils of secondary school age in Leicester'

## 4 Detailed Report - Background - what we used to do

### 4.1 MacPherson Review

**4.2** In the first ten years following the MacPherson report significant support was provided to schools through the Ethnic Minority Achievement Service. This team actively developed a range of strategies to improve outcomes for children of Black heritage and ensure that the content of the curriculum met the needs of our diverse society.

**4.3** Up to 2010 the Local Authority's Education and Inclusion Division employed an Ethnic Minority Advisory Service of 8 staff including an advisory teacher for racial equality. Through training and advice, the team actively supported schools to monitor and improve practice. The Service also maintained a database of racist incidents. Funding changes by the DfE for pupils with English as an Additional Language and/or from an Ethnic Minority meant that there was no longer the grant to maintain this function.

**4.4** Since 2010, the changes in funding and the revision of the National Curriculum has reduced the opportunity for the local authority to influence the schools' interpretation and implementation of the curriculum. The recent improvements in our relationship with schools and the recognition of the role of the Local Authority provide us an opportunity to use our influence.

**4.5** One of the many recommendations from the MacPherson report was that organisations adopt a definition of a racist incident and that the definition should be universally adopted by the Police, local Government and other relevant agencies:

*"A racist incident is any incident which is perceived to be racist by the victim or any other person".*

That the term "racist incident" must be understood to include crimes and non-crimes in policing terms. Schools are expected to adopt this definition.

## 5 The Changing landscape

**5.1** Following MacPherson in 1999, although there has continued to be developments in addressing inequalities in the country, there is still a lot to be done. Most recently, inequalities have again been highlighted by the Black Lives Matter movement. The movement has re-energised and provided further impetus to social change and overcoming unconscious racial bias that exists in our society.

**5.2** In October 2017, the Equality and Human Rights Commission published "A roadmap to race equality". The recommendations set out in relation to **Education** are to take action to improve educational outcomes so that every child has a fair chance to fulfil their potential irrespective of their ethnicity.

This includes:

**5.3** *Ensuring that equality and human rights are part of the curriculum to instil shared values, tackle prejudiced attitudes by educating about difference, foster community cohesion and enable young people to fully participate in our democratic society. The curriculum should also include Britain's immigration history to enable children to understand how this has shaped all aspects of our country.*

The National Curriculum for History does not make the inclusion of Britain's immigration history as statutory. In Leicester, many of our schools do include these elements to reflect our richness of culture and diversity of children in the city.

- 5.4** *Publish a plan of concrete actions to improve understanding of, and tackle the disproportionate levels of exclusion, absences and attainment rates among, certain ethnic minority groups, including Gypsy and Traveller children, in primary and secondary schools.*

Whilst government has been tasked with these concrete actions and have made progress in some areas, we actively monitor the levels of exclusion, absence and attainment across different ethnic minority groups. This information is shared with schools both at an individual and city-wide level to highlight these inequalities. The Scrutiny Commission report highlighted those specific groups - Black-Caribbean heritage and disadvantaged white boys - where underachievement in secondary outcomes is significant. These groups are the focus of our partnership challenge discussion with schools and form a key strand in our Education improvement plans.

- 5.5** *Ensure all teachers have access to training and resources on how to identify, record and develop strategies to respond to bullying and identity-based bullying so they have the tools and confidence to protect pupils.*

Training is offered to primary schools through the 'No Outsiders' programme to teach the Equality Act (2010).

To support Leicester's anti-bullying approach, we offer training and support to schools and other settings to implement the 'Everyone's Welcome' approach.

Schools are actively encouraged to support all children and to promote inclusive practice in their schools, which is a key element of the new Relationship and Sex Education curriculum.

We will be developing a programme of racial literacy training for staff and governors in school to be rolled out in the 2021/22 academic year.

- 5.6** *Encourage schools and higher education providers to improve their understanding of all ethnicity attainment, attendance and dropout rates in higher education institutions and to take actions to address them.*

Our partnership with the universities in Leicester provides opportunities to discuss dropout rates and ethnicity attainment. The local authority's Connexions service, challenges further education institutions and colleges about retention rates of young people in different groups.

Through our performance dialogue meetings with schools we highlight areas of concern and underperformance including the city-wide issues of black underachievement and white disadvantaged underachievement

## **6** Current Practice

- 6.1** The Education Division uses a range of indicators, data and qualitative intelligence - some provided directly from schools - to monitor pupil and school performance. This information is triangulated to identify pressure points or weaknesses which have an effect on underperformance of the school and/or poor outcomes for children. In the past year, we have worked more closely with schools and collaboratively adapted monitoring systems to make sure we continue to understand the context of exclusions and attendance for different groups of children as well as the impact of remote learning on different families.

**6.2** We share information with schools, settings and governors to improve understanding of any disproportionate levels of exclusion, absences and attainment rates in primary and secondary schools.

**6.3** In 2020, there were no performance indicators for schools as assessments and formal monitoring was suspended. Statutory assessments have also been cancelled for 2021 except for qualifications such as GCSE, BTEC and A levels which will be assessed in different ways. This information will not be available to local authorities and cannot be compared to previous years. Due to the partnership working we have established, schools have agreed to share their ongoing assessments for children in primary school and their GCSE results files. This will enable us to understand the performance of different groups across the city, with the proviso that the assessments will not have been moderated against national standard criteria.

#### **6.4** School Improvement activity

The Education Performance Service's two School Raising Achievement Partners carry out the statutory duty of monitoring schools on behalf of the Local Authority. This work is supported by School Improvement Partners who are commissioned directly by primary schools.

These professionals are tasked with highlighting and challenging schools through the following activities:

- Analysing headline data including that relating to vulnerable groups such as White British, Black Caribbean and disadvantaged students
- Evaluating the quality of Teaching, Learning and Assessment
- Analysing attendance data for all students and vulnerable groups, with the EWO service responding to individual cases of irregular attendance
- Challenging the use of data on vulnerable groups and the processes in place by senior and middle leadership to intervene when students underperform
- Evaluating the school access to additional funding for underperforming pupils via the National Tutoring Programme (post Covid)
- Evaluating the pastoral system and the strategies adopted by schools to monitor and improve wellbeing and attendance for all groups of students.
- Ensuring review of school websites for compliance in the public sector equality duty. This must include how the school is:
  - ~ Eliminating discrimination
  - ~ Improving equality of opportunity for people with protected characteristics
  - ~ Consulting and involving those affected by in-quality in the decisions the school takes to promote equality and eliminate discrimination (affected people could include parents, pupils, staff and members of the local community)

**6.5** We are working with schools at both individual, operational and at strategic levels to highlight the underperformance of the Black Caribbean heritage group. By raising the profile of this group of children we can ensure schools (who may only have one or two children of that heritage) are supporting them.

**6.6** As part of the performance dialogue with all schools the School Improvement Partners have been asked to particularly focus on the outcomes for children of Black Caribbean heritage and those who are White British and disadvantaged to identify the actions being taken to improve outcomes.

**6.7** Curriculum

Schools are responsible for the delivery of the national curriculum and also for ensuring they meet national guidance for Personal, Social and Health Education (PSHE) and locally agreed syllabus for Religious Education (RE). Managing this delivery effectively enables schools to educate and inform students about the rich and diverse society in which we live.

The Education Division works with strategic partners such as the Education Improvement Partnership (EIP) and Leicester Primary Partnership (LPP) who have established networks to support curriculum leadership. This provides good opportunities to share good and emerging practice across the city.

In September 2020, the council facilitated sharing of good practice and training materials to support the introduction of the Relationship and Sex Education (RSE) curriculum. This curriculum focusses on how children can build relationships and understand societal and cultural differences.

### **6.8 Closing the Gap**

This is a programme funded by Leicester's maintained primary schools which aims to address city-wide priorities, develop and sustain long-term impact on pupils' outcomes. Primary headteachers, local authority education staff and teaching schools have prioritised three strands of work related to heritage:

1. To improve teaching and learning and raise the achievement of all pupils, particularly in relation to religion, belief, BAME communities, etc.
2. To raise the awareness of teachers, senior leaders, governors, etc. about issues around BLM and the diversity and needs of BAME groups in Leicester.
3. To strengthen the role of SACRE, especially in terms of its key functions and statutory responsibilities regarding the RE curriculum

### **6.9 Pupil Premium**

Pupil Premium Funding is given to schools based on the number of children who are eligible for free school meals or have been eligible in the past 6 years. Pupil premium funding is also given for children of Services personnel and those children who are looked after or previously looked after. This funding is designed to be used by schools to raise attainment among disadvantaged students.

Schools are required to plan how this funding is spent and report on the impact it is having on closing the gap between disadvantaged pupils and other pupils. This information must be published on each school's website and when Ofsted inspect the school, they review this plan and report.

Secondary schools have been encouraged to consider how this funding could be channelled to boost outcomes specifically for Black Caribbean and White British working-class students.

In January 2020, there were 11,196 children eligible for pupil premium based on free school meals eligibility which provided funding for schools of £13.4m. In January 2021, there were 13,539 children meeting the criteria which would have provided £16.2m of funding, however the DfE have determined they will now base Pupil Premium Funding on October census figures. This means that only 12,732 were eligible and city schools will receive £1.02m less funding than expected.

### **6.10 Governor Support**

Local Authority Governor Services support Governors in maintained schools to carry out their role. Selection of governors takes place within the school setting

and schools are encouraged to recruit governors from their communities in order to reflect the diversity in their schools. Training and resources are offered to Governors in order to fulfil their role(s), including regular reminders about the need to monitor progress and attainment of all pupil groups, particularly vulnerable groups.

#### **6.11 Safeguarding in Education**

The team at the local authority offer schools a Safeguarding Health Check and/or audit. As part of this work they explore with the leadership of the school to ensure staff are aware of the risks to vulnerable students, including BAME students, in respect of safeguarding risks to these groups.

#### **6.12 Parental Engagement**

The recent report “Examining the London advantage in attainment” (2020 Ross et al) highlighted that the most important drivers were parental expectations about the young person going to university, hours spent on homework, academic self-belief and personal aspirations. Parental attendance at parents’ evenings was also a positive factor. This research has looked at why the performance of disadvantaged students in London is so much better than in other parts of the country.

Education leads in the city are beginning work with the Stephen Lawrence Centre at De Montfort University to further explore how to increase parental engagement in young people’s learning and strengthen relationships between schools and Black Caribbean families

#### **6.13 Supplementary/ Complementary schools**

Many children access educational provision outside statutory schooling and this provides opportunities to promote and raise attainment for children in ethnic minority communities. The Leicester Complementary Schools Trust (LCST) are a self-funding organisation which provides information and support.

Ethnic minority communities may share some common reasons for setting up a complementary school, such as maintaining language and identity and providing good role models through successful members of the community. Complementary schools also support National Curriculum subjects such as modern foreign languages and this is a factor for raising attainment of ethnic minority children in their mainstream schools. For instance, within Somali and Bengali communities, parents who cannot help their children with their homework and other schoolwork would send their children to a complementary school.



## **7 Progress since the Scrutiny Commission Report**

- 7.1** Work started in January 2020 with school leaders and Chairs of Governors to develop an education strategy for the city. This work was paused due to the pandemic and its disruption to children, families and the education system.
- 7.2** Through the last year, schools have been prioritising health and safety of both their staff and pupils and focussed on safeguarding vulnerable children. Schools have responded to well over 150 changes in guidance from the DfE working with Public Health England. In Leicester, they have managed 4 different lockdowns and re-openings. Their most recent priority has been to settle children back into school and on return after Easter, will be building on this to support children to transition to new classes or new schools.
- 7.3** Cllr Cutkelvin has met a number of community representatives and had meaningful dialogue about how we can work with them to support their young people. We will build and learn from these conversations.

Once Covid restrictions allow, Cllr Cutkelvin intends to visit a range of supplementary schools that are run by communities.

### **7.4 The Stephen Lawrence Centre**

Cllr Cutkelvin and the Principal Education Officer have met with the Stephen Lawrence Centre to explore what can be promoted and offered to schools. The Centre is developing curriculum materials, information and training for staff and an ambassador programme for young people. The Centre began to work with some schools last year and plan to expand their programme further this year, building in research and evaluation techniques. The local authority intends to explore the possibility of quality assuring any racial literacy training undertaken.

The Local Authority has shared data and information with the Centre which they will use to consider further developments and we will continue to explore opportunities with them. A number of strands of work have started:

1. mentoring
2. targeted work with specific group of schools to look at how to improve outcomes for those young people
3. support for Black Caribbean teachers

### **7.5 The Education Division will ensure any activity links with the City Mayor's Black Lives Matter officer.**

### **7.6 Although work on the Education Strategy has been paused, the initial work includes these priorities:**

- Providing a sufficiency of educational places
- Creating excellence in leadership and partnership to deliver outcomes
- Preparing children to be ready for school – improving Speech Language & Communication and physical development
- Working together to understand the provision and outcomes for every child and young person in order to plan appropriate support
- Improving outcomes for all children to prepare for life destinations
- Improving engagement and progress for children who are missing out on education

### **7.7 The Education Strategy will lead to an action plan which we envisage including**

- Participation and role modelling to raise aspirations for children young people
  - ~ Trips to universities & colleges
  - ~ Work experience
  - ~ Interview training and recruitment support
- Development of the workforce
  - ~ Reflect diversity of the school population and Leicester City
  - ~ Raise aspirations of the education workforce and future leaders
  - ~ Work with the Stephen Lawrence Centre to promote school leadership for staff of Black Caribbean heritage
  - ~ Address preconceptions and unintended bias in curricula
- Strengthening links with community
  - ~ Reaffirm sense of identity
  - ~ Parental engagement
  - ~ Bring the family into the school
  - ~ Increase community representation on governing bodies (and to reflect ethnic diversity of the school)
- Racial Literacy training
  - ~ Create a safe space to have open discussions
  - ~ Encourage all schools to engage and address pre-conceptions and unintended bias within curriculum and leadership
  - ~ Consider good practice from other councils in consultation with the local community and schools to develop and strengthen the History curriculum to reflect the black history that belongs to everyone
  - ~ Celebration of cultural diversity

## **8 Conclusion**

- 8.1** Throughout the past year the council's education division have strengthened partnerships with schools and this provides a firm basis for future partnership work.
- 8.2** School leaders and governors would have expected to progress actions against their priorities during the year, having been informed by outcome data, but this progress has been overtaken by the work to manage the pandemic.
- 8.3** Schools have had to adapt quickly to the changing expectations and guidance to have children continue with their learning, attend school wherever possible, yet at the same time be kept safe. Schools have had to tailor their remote learning offer to the needs of different groups and have been particularly mindful of those who have not had access to digital devices, those who have had limited access and those where home circumstances made accessing learning difficult.
- 8.4** This year schools have had the challenge of adjusting to new priorities and new ways of delivering learning. They have become experts at managing risks, putting in place Covid secure measures, track and trace and lateral flow testing.
- 8.5** Schools have had a number of new reporting demands made upon them; from daily reporting of attendance and absence to the DfE, reporting positive cases to DfE and Public Health England, monitoring vulnerable children in and out of school.
- 8.6** Schools' understanding of children's progress has been challenging because national assessments and examinations have been cancelled, curricula have had to be altered to respond to the needs of individuals, and school staff have had to be particularly aware of children (and staff) mental health and well-being.
- 8.7** This has meant that each school is identifying new and emerging priorities to support individual learning and development. We will continue to support and work with schools to maximise the impact of the additional "catch-up" funding available for all our children who have been identified as at risk of underachieving. This work will focus on actions that will support children in their learning journey from where they are now. It will include looking at improving opportunities for children to broaden their experiences rather than solely on "catch-up" for English and mathematics.
- 8.8** The role of the local authority has changed significantly over the last 10 years and our relationship with education providers has changed. We remain committed to working closely with our partners in schools to challenge underperformance for groups of children. We are able to actively promote good practice and evidence-based research with schools and educational settings to support them in improving outcomes.
- 8.9** There is no doubt that through our leadership role and in our partnership work we need to actively encourage schools and higher education providers to improve their understanding of all ethnicity attainment, attendance and dropout rates in higher education institutions and to take actions to address them.
- 8.10** We recognise that challenges remain in the outcomes for these groups of pupils. Given legislative and financial constraints, we would welcome further suggestions from the Commission that would improve attainment and attendance for these groups.

## 9. Financial, legal, equalities, climate emergency and other implications

### 9.1 Financial implications

There are no financial implications arising from this report'  
Martin Judson, Head of Finance, Leicester City Council

### 9.2 Legal implications

'None identified'  
Paul Holmes, Head of Law, City Barrister and Head of Standards, Leicester City Council

### 9.3 Equalities implications

Under the Equality Act 2010, public authorities have a Public Sector Equality Duty (PSED) which means that they have a statutory duty to pay due regard to the need to eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited by the Act, to advance equality of opportunity between people who share a protected characteristic and those who don't and to foster good relations between people who share a protected characteristic and those who don't. This on-going duty is not only relevant to the work of local authorities, but to schools and public sector organisations such as the NHS.

Protected Characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

As the report focuses on the ethnicity of pupils, race is certainly a relevant protected characteristic, however the report also looks at how different identities such as gender, disability (in particular mental ill health) and socioeconomic status can interact with race to cause additional disadvantage. In addition, those pupils who are underachieving may also have other protected characteristics and any further work arising should consider this.

There are also potential implications arising for teachers, school staff and governors.

Positive action is permissible under the Equality Act 2010, and, therefore, once the appropriate data has been identified and analysed there are likely to be ways in which under representation and low retention may be addressed.

However, there is a distinction between positive action which is lawful and positive discrimination, which is not, which any further work in this area will need to take into consideration.

The positive action provisions of the Equality Act can also be applied to measures taken to advance equality of opportunity for pupils, where there is evidence of specific barriers. Positive action provisions under the Equality Act 2010 allow schools to target measures that are designed to alleviate disadvantages experienced by, or to meet the particular needs of, pupils with particular protected characteristics. Such measures will need to be a proportionate way of achieving the relevant aim.

The provisions would also apply to any further actions taken to improve job prospects for white working-class people who are not in employment, training or education provided they are implemented in line with the requirements of the Equality Act 2010.

Overall, going forward equalities will need to be a key consideration of further work. The equalities team can offer specialist support and advice at the appropriate point where required, particularly where any further work arising is likely to require an Equality Impact Assessment.

Corporate Equalities Team, 454 4175

#### 9.4 Climate Emergency implications

There are no significant climate change implications directly associated with this report.

Aidan Davis, Sustainability Officer, Ext 37 2284

#### 9.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

#### **10. Background information and other papers:**

- [The Underachievement of 'Black Caribbean' and 'White British Working-Class' pupils of secondary school age in Leicester'](#)
- [The MacPherson Report 1999](#)
- [Equality and Human Rights Commission – A roadmap to race equality](#)
- [Examining the London advantage in attainment: evidence from the Longitudinal Study of Young People in England 2020 Ross et al](#)

**12.** This is not a private report

**13.** This is not a key decision