



Irish Traveller Movement in Britain

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Submission to the Department for Education consultation on improving educational outcomes for children of Travelling families



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About ITMB: The Irish Traveller Movement in Britain (ITMB) was established in 1999 and is a leading national policy and voice charity, working to raise the capacity and social inclusion of the Traveller communities in Britain. ITMB act as a bridge builder bringing the Traveller communities, service providers and policy makers together, stimulating debate and promoting forward-looking strategies to promote increased race equality, civic engagement, inclusion, service provision and community cohesion. For further information about ITMB visit www.irishtraveller.org.uk

Introduction

The Irish Traveller Movement in Britain (ITMB) does not agree with the Department for Education (DE) proposal to repeal section 444 (6) of the Education Act 1996 for the following reasons:

- Not based on robust evidence
- Does not address the wider issues impacting on poor attendance and achievement
- Would have a disproportionate impact on sections of the Gypsy and Traveller communities
- Could potentially lead to poorer educational outcomes

ITMB fully acknowledge that the attendance and achievement of Gypsy, Roma and Traveller pupils is unacceptably low and that the Government, Schools and Parents need to work together to address this issue. Gypsy, Roma and Traveller children's right to education is enshrined in the Human Rights Act 1998, Article 2 of the first protocol which states:

*'No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions.'*¹

Section 444(1) Education Act 1996 and Article 2 of the first protocol of the HRA place duties on both Parents and the State to ensure children attend school and that schools and the curriculum respect the cultures and beliefs of Parents.

ITMB would like to remind the Government that Romany Gypsies and Irish Travellers are both ethnic minority groups under UK law with a centuries old tradition of nomadism. While many Gypsies and Travellers no longer live a nomadic lifestyle they still retain a strong culture and traditions. It is evident from ITMB's experience engaging with Gypsies, Roma and Travellers in education that the education system in general is not inclusive, relevant and aware of these communities' cultures and traditions. There is also a real danger that the proposals to repeal section 444 (6) will disproportionately impact on a minority of Travelling families who continue to travel for economic purposes, while not addressing the far wider issue of poor attendance.

If the Government is serious about improving the educational outcomes for children of Travelling families then they should first ensure that the culture within our schools and the curriculum are inclusive and relevant to Gypsy, Roma and Traveller pupils. The answer does not lie exclusively with enforcement, which will most likely force more families to the periphery of the education system and society.

¹ Human Rights Act 1998, Article 2 First Protocol

<http://www.legislation.gov.uk/ukpga/1998/42/schedule/1/part/II/chapter/2>

The UK entered a reservation to it to say that it accepts the need to respect parents' religious and philosophical convictions but that it would do so only so far as it is compatible with providing efficient instruction and training and unreasonable public expenditure was avoided.

1. Not based on robust evidence

ITMB agree with the points put forward by DE that poor attendance by Gypsy, Roma and Traveller pupils places them at a significant disadvantage academically. However, ITMB does not agree that repealing section 444 (6) is the solution to this issue. Our position is supported by the fact that DE does not cite any evidence linking the poor attendance of these groups with section 444 (6) defences. The consultation document also makes use of Charlie Taylor's review to support its argument, despite the fact that the review makes no reference to Travelling families.

ITMB would question why, in bringing forward these proposals, the Department didn't research other factors influencing the poor attendance rates of Gypsy, Roma and Traveller pupils. Issues such as discrimination and bullying, relevance of the curriculum, lack of cultural awareness in schools, cultural and educational barriers within the Gypsy and Traveller communities amongst others, all contribute to poor attendance and are all worthy of consideration.

An example of existing research that could have been utilised by DE is the 2012 Children's Commissioner inquiry into school exclusions. The report highlights some of the key inequalities and disadvantages experienced by Gypsy Roma and Traveller pupils in the context of school exclusions:

*'Success rates of appeals give a reasonable proxy measure indicating that for whatever reason, a school has made a mistake in deciding to exclude a pupil. In the course of this Inquiry, we examined success rates for appeals by different groups of pupils in 28 Local Authorities, representing every region of England. The data demonstrate that some groups are much more likely than others to lodge a successful appeal which proves they have been unfairly excluded. In many cases, those most likely to be permanently excluded were also most likely to have successful appeals. For example, for Gypsy and Roma Traveller and Irish Traveller children, who are the most likely ethnic group in the system to be excluded, 100 per cent of appeals were successful. Investigating why they remain so very likely to be excluded when their appeals are 100 per cent successful if they are, will be part of 2012-13's work by the Office of the Children's Commissioner.'*²

The Children's Commissioner report is just one source of evidence that reveals how Gypsy Roma and Traveller pupils and parents face inequality and disadvantage in the education system. The report also highlights that enforcement can be counterproductive to improving education outcomes and often disproportionately impacts on the most vulnerable pupils and families in our schools and society.

ITMB are also very concerned that the Departments' consultation document makes no reference to its own 2010 DE research report *Improving the outcomes for Gypsy Roma and Traveller pupils*.³ This is surprising considering the stated objective of the

² Children's Commissioner, 2012, *Inquiry into school exclusions*, p. 71
http://www.childrenscommissioner.gov.uk/content/publications/content_561

³ Department for Education, 2010, *Improving the outcomes for Gypsy Roma and Traveller pupils*
<https://www.education.gov.uk/publications/eOrderingDownload/DFE-RR043.pdf>

consultation document is focused on *Improving the education outcomes for children of travelling families*.

2. Wider issues impacting on poor attendance

ITMB are concerned by the Government's failure to consider the wider issues impacting on the poor attendance of Gypsy Roma and Traveller pupils. As highlighted in ACERT's response to the consultation, there are a range of 'push' factors contributing to absence, 'such as racist bullying, lack of relevance and flexibility in the curriculum and failure of schools to address Special Needs and educational disadvantage.'⁴

ITMB's 2010 report *Roads to Success: Economic and Social Inclusion for Gypsies and Travellers* found that 55 per cent of Gypsy and Irish Traveller interviewees experienced bullying and discrimination during their time in education. This figure compares with one third of Black and Asian students who experienced racial discrimination at school, college or university and 1 per cent of white students. The report concluded that racist bullying often acts as a barrier to participation in school with parents often removing children from schools when this occurs.⁵

In relation to the issues of bullying, relevance of curriculum and special needs, members of ITMB Traveller Advisory Group and Gypsy and Traveller respondents to a 2012 ITMB research project⁶ cited these concerns and solutions:

Concerns

Bullying and racism in schools impacts on attendance

Headteacher's and the culture in schools often reflect attendance

I think a lot of the children are delighted to be excluded and not attend because of bullying and name calling. Two of my children have been home educated. Obviously I'd rather they were in school where they could get a good education but they get a good education from home. A child is not going to learn anything if they are unhappy in school

There is pressure in some Traveller families and within the communities to keep their kids at home, especially at second level. However, this is changing and many Gypsy and Traveller families want to keep their kids in school

⁴ ACERT 2013, Response to the repeal of s444(6) consultation
<http://www.acert.org.uk/2013/02/acert-response-to-the-repeal-of-s4446-consultation/>

⁵ ITMB 2010, Roads to Success: Economic and Social Inclusion for Gypsies and Travellers, executive summary, p. v
http://www.irishtraveller.org.uk/wp-content/uploads/2011/03/Roads_to_Success-15-11.pdf

⁶ ITMB research and submission to Children's Commissioner's School Exclusion Inquiry
<http://irishtraveller.org.uk/wp-content/uploads/2012/02/ITMB-Education-Submission-January-20121.pdf>

We want a proper dialogue with the Government on making schools and the syllabus more appropriate.

My son was excluded in secondary school, because he had special needs, not because he was a Traveller. A new Headmaster took over and cut the support for special needs children. They said they couldn't have my son disrupting the lessons

I put seven children through the school system and took four of them out because of name calling and bullying. Teachers always seem to think it's the Travellers child's fault My daughter came home crying everyday from school. I went in to the school, met the deputy head and we told them that I wanted my child to have an education but she wasn't going to learn in a school where she was getting bullied

I have taken my children out of school because of bullying. The primary school was fine, the problems started in secondary school. My son had a lot of bullying in secondary: they tried to hang him with his own tie; two boys from year ten, and my son was in year seven. They held his head down the toilette and flushed it. They nicknamed '..... the Pikey' and half the school talked to him like that. The only punishment any of the bullies ever received was to write two letters of apology to me, his mother, and they didn't even write it to him. My son told me that the teachers always sided against him. Some teachers referred to him living on green belt land

Many schools have low expectations of Gypsy, Roma and Traveller pupils and many Gypsy and Traveller children have low expectations of educational achievement.

Ideas/solutions

More welcoming schools, Zero tolerance of verbal bullying, Better teaching of basic skills in school, Parents to make formal complaints to governors and the Directors of Children's Services

Make it cool to go to school

Improving attendance and educational outcomes has to start with engaging Gypsy and Traveller parents. Traveller parents have to understand their rights, entitlements and duties.

Having the parents involved in the schools would help along with cultural awareness by the schools. Better relationships between schools and families. Efforts need to come from both sides; Travellers and schools. A parent ambassador should be an open minded person, I was able to open both sides minds to what's going on. Better communication made the schools better

Develop a 'peer network' of Gypsies and Travellers who have succeeded in education settings and who can promote improved engagement with the education system and support and encourage Gypsy and Traveller pupils

Lower the age young people can start college, enabling young Gypsies and Travellers who may drop out of education altogether to engage in further education and possibly vocational training

My grandchildren attend a very good primary school with a very good head teacher who understands Travellers. Once you let them know when you're going travelling for a few weeks they are willing to keep your child's name in the school and authorise absence. They give you a schoolpack to take with you to keep up with child's education. There are more Travellers in the school now and more Traveller parents willing to send their kids there.

Schools facing issues of poor attendance, exclusions and lack of engagement should use Gypsy Traveller and Roma Education Mediators trained on the Council of Europe Romed Programme

3. Disproportionate impact on sections of the Gypsy and Traveller communities

ITMB acknowledge that many Gypsies and Travellers reside in settled accommodation, including 'bricks and mortar' housing and permanent sites. However, there are sections of the communities who continue to travel for economic purposes and less fortunate families (between 16-20% of Gypsies and Travellers living in caravans in England) who have no legal place to park their caravans and are legally classified as homeless.⁷ For the parents of the latter groups section 444(6) enables a degree of flexibility in accessing education for their children, which is essential considering their circumstances. The repeal of section 444(6) would disproportionately impact on these communities and on members of the wider settled Gypsy and Traveller community who may choose to pursue a traditional nomadic lifestyle.

Research has shown that flexibility and support for distance learning is a key aspect of improving the education outcomes of children from nomadic Gypsy and Traveller families.⁸ It is evident from changes in policy in recent years that distance learning has been made harder as a result of cuts to Traveller Education Support Services and the termination of the Electronic Learning and Mobility Project. ACERT have clearly stressed the importance of distance learning in their submission to the consultation:

Distance learning is a positive response to the challenge of maintaining educational continuity for nomadic children, but the Government has taken decisions that have undermined it. The repeal of s444 (6) is a negative response to nomadism, which will not contribute to better attendance but will increase the difficulties faced by mobile families.

⁷ Department for Communities and Local Government, July 2012 Caravan Count
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/11710/caravan.pdf

⁸ Department for Education, 2009, *Improving the outcomes for Gypsy Roma and Traveller pupils: Literature Review – Brief*
<https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DCSF-RB077>

ITMB does not agree with the Government's assumption that Gypsy and Traveller parents who dual register their children at another school, whilst travelling, will not be affected by the proposed changes. There are obstacles that may prevent this; namely that schools are not obliged to dual register children, there may not be place available and that the centralised admissions systems in many areas can result in admissions taking a number of weeks to process.

ITMB would like to remind the Government that those Traveller families who continue to lead a nomadic life are a minority of the Gypsy and Traveller population and that the issues of poor attendance and attainment relate to these communities as a whole. Consequently, repeal of section 444 (6) would not address poor attendance in the wider Gypsy, Roma and Traveller communities, but would however have a disproportionate impact on the minority who continue to travel. ITMB would also like to remind the Government that they supply no evidence to support their argument that that section 444 (6) is the cause of poor attendance.

4. Could potentially lead to poorer educational outcomes

ITMB is very concerned that many Gypsy, Roma and Traveller families will look to Home Educate their children in order to not be prosecuted under the proposed changes. In our opinion this will lead to poorer educational outcomes for these children, contrary to the Government's stated aims in proposing to repeal section 444 (6). Members of the ITMB Traveller Advisory Group strongly disagreed that home education is an effective alternative to school:

I totally disagree with home tuition, children need to be in school to learn properly

The only support you are going to get is if you go and get it yourself. I can read and write and could get the support but other Travellers can't. After I got onto the Traveller Education Service they gave me some support. The TES is more there for keeping the kids in school and most of them is gone now

Conclusion

ITMB believe that repeal of section 444 (6) would not improve the educational outcomes of children of Travelling families and poses the danger of having a negative impact on these communities attendance and attainment. We would encourage the Government to be guided by its own research and focus its energies on building safety and trust, mutual respect, high expectations, partnership working, flexibility and support for access with Gypsy, Roma and Traveller pupils and parents.⁹

⁹ Department for Education, 2010, *Improving the outcomes for Gypsy Roma and Traveller pupils*, p.84-87 <https://www.education.gov.uk/publications/eOrderingDownload/DFE-RR043.pdf>