



Children's
Rights Alliance
for England

State of Children's Rights in England **2016**

Briefing 6 Education, Leisure & Cultural Activities



Briefing 6

Education, Leisure & Cultural Activities



ARTICLE 18(3) States Parties shall ensure the children of working parents benefit from childcare services and facilities.

ARTICLE 19 Children have a right to be protected from all forms of violence.

ARTICLE 23 A disabled child should enjoy a full and decent life in conditions which ensure dignity, promote self reliance and facilitate the child's active participation in the community. States Parties recognise the right of the disabled child to special care and ensure they have effective access to education, training, health care, rehabilitation, preparation for employment and recreation opportunities.

ARTICLE 28 States Parties recognise every child's right to education, on the basis of equal opportunity. School discipline should be administered in a manner consistent with the child's human dignity.

ARTICLE 29 The education of the child shall be directed to:

- The development of the child's personality, talents, and mental and physical abilities to their fullest potential
- The development of respect for human rights
- The development of respect for the child's origins and identity, and for civilisations around the world
- The preparation of the child for responsible life in a free society
- The development of respect for the natural environment.

ARTICLE 31 States Parties recognise the right of the child to rest and leisure, to engage in play and recreational activities, and to participate freely in cultural life and the arts.

Definitions and Glossary

Children: This briefing refers to "children" which covers all children and young people under -18 as set out by article 1 of the UN Convention on the Rights of the Child (CRC).

About this briefing

The UK ratified the UN Convention on the Rights of the Child (CRC) in 1991. This means that all areas of government and the state; including local government, schools, health services, and criminal justice bodies, must do all they can to fulfil children's rights. In June 2016 the UK Government was examined by the UN Committee on the Rights of the Child (UN Committee) on its compliance with the CRC for the first time since 2008. The UN Committee set out a number of concerns (summarised below) and recommendations (Concluding Observations) for change.¹

This briefing is part of CRAE's *State of Children's Rights 2016* and assesses the progress England has made towards implementing the UN Committee's recommendations relating to a child's right to an education, leisure and cultural activities. It highlights areas of progress and concern since July 2015 when CRAE coordinated the England civil society report to the UN Committee as part of the last UK examination.² This was endorsed by 76 civil society organisations.

What is the CRC?

The CRC applies to all children aged 17 years and under and sets out the basic things that children need to thrive - the right to an adequate standard of living, to be protected from all forms of violence, an education, to play, be healthy, and be cared for. Children's rights should act as a safety net – meaning children always receive at least the minimum standard of treatment whatever the changing economic climate.

The CRC has four guiding principles (General Principles) which are rights in themselves but also the framework through which all the rights in the CRC should be interpreted. They are: non-discrimination (article 2); the best interests of the child (article 3); survival and development (article 6); and respect for the views of the child (article 12). England's compliance with these General Principles is covered in Briefing 2.

This briefing is based on written and oral evidence from CRAE's members and additional analysis of recent laws and policies, newly published research, official statistics, and responses to Freedom of Information requests.

Concerns of the UN Committee 2016

- Substantial inequalities persist in educational attainment particularly for boys, children living in poverty, Roma, Gypsy and Traveller children, children with disabilities, children in care and newcomer children
- Many children living in poverty, particularly boys, do not meet the expected level of language development at pre-school level, which has a negative impact on their primary education, hindering their development throughout their life
- Among children subject to permanent or temporary school exclusions, there is a disproportionate number of boys, Gypsy/Roma and Traveller children, children of Caribbean descent, children living in poverty and disabled children. Only children with disabilities have the right to appeal against their exclusion
- Many disabled children are still placed in "special schools" or special units in mainstream schools and many school buildings and facilities are not made fully accessible to disabled children
- Disabled children, in particular children with psycho-social disabilities and other "special educational needs", are often subject to the practice of "informal" exclusion or "taught off-site" to control behaviour
- Isolation rooms are used for disciplining children

Introduction

2016 has seen the implementation of new Standard Attainment Tests (SATs) at Key Stages 1 and 2 (for children aged six and seven, and 10 and 11, respectively), and proposals to remove the ban on grammar schools and invest in their expansion. Despite the new Prime Minister, Theresa May, setting out her vision for a *'truly meritocratic Britain... [with] a good school place for every child'*³, the proposals have been met with widespread concern that more grammar schools will mean the standard of education for the majority of children will diminish and social mobility for children from disadvantaged backgrounds will not increase.

While educational attainment has generally improved, significant attainment gaps persist and have widened between certain groups of children. Inequalities in education, including in school exclusion rates and in the numbers of disabled children attending mainstream schools, continue to present a considerable challenge to ensuring all children have their right to education realised.

What progress have we made?

More children are now taught in good or outstanding schools: 1.4 million more pupils than in 2010.⁴ The Government has confirmed that it has dropped its plans to compel underperforming schools to become academies. This followed concerns that there was insufficient evidence to show that sponsored academy status raises the standard of education in a school. Local authorities are often the strongest advocate of more disadvantaged groups and evidence indicates that council maintained schools perform more highly in Ofsted inspections.⁵ Positively, the Government also continues to give schools additional funding to support children from disadvantaged backgrounds through the Pupil Premium.

The general decrease in levels of bullying is welcome as is the Government commitment to carry out an assessment of the level of anti-

Muslim, anti-Semitic, homophobic, racist and other bullying in schools to inform action to reduce it.⁶

The Government announcement of an advisory group to look at how the quality of Personal, Social, Health and Economic Education (PSHE) can be improved alongside a toolkit for schools is also a positive development.⁷

Where do we need to improve?

Education

Grammar school expansion risks widening educational inequality

The Government's announcement to reverse the ban on new state funded grammar schools is very concerning given the potential impact on widening educational inequality.⁸

While it is positive that the Government has emphasised that new or expanding selective schools would have to meet various conditions, such as taking a proportion of pupils from lower income households or ensuring there are opportunities for pupils to join at different ages, they do not fully allay fears over grammar school expansion. The National Union of Teachers and Sir Michael Wilshaw, Her Majesty's Chief Inspector of Education, Children's Services and Skills, have both said that **increasing the number of selective schools will lower the standard for the majority of children, consigning them to a second-tier system**, which will be socially divisive.⁹ Alan Milburn, Chair of the Government's Social Mobility Commission, has also argued that expanding the current grammar school system will not improve social mobility.¹⁰

Research has found that pupils who are eligible for free school meals (FSM) are significantly underrepresented in grammar schools: 2.5% of grammar school pupils are entitled to FSM, compared with an average of 13.2% of pupils in all state funded secondary schools. This is due to the attainment gap between disadvantaged children and their peers at age 11 which makes it less likely that they will pass entrance exams.¹¹ The research also found that children eligible for

FSM in wholly selective areas, who do not attend a grammar school, perform worse than the national average.¹²

Number of NEETS still high

The 2015/16 academic year was the first time that young people were required to stay on in education or training until their 18th birthday. However, the latest statistics available show that the NEET rate (those not in education, employment or training) was 3.4% for 16 year olds and 5.4% for 17 year olds for the period between January and March 2016. The NEET rate for 16 year olds was an increase of 1.8 percentage points compared to 2015.¹³

Risk of increased religious segregation in schools

Proposals to remove the 50% cap on the number of children admitted to schools on religious grounds in new and current faith schools have been criticised, despite safeguards to ensure inclusivity, on the basis that it will entrench segregation and undermine community cohesion.¹⁴ In November 2016, the London Assembly voted to oppose the plans.¹⁵

Children from minority groups disproportionately excluded from school

Boys, children with Special Educational Needs (SEN), Black Caribbean pupils, children eligible for FSMs, looked after children, and students from Gypsy/Roma and Traveller ethnic groups continue to be disproportionately excluded from school. Boys are almost three times more likely to be permanently excluded than girls; pupils who are eligible for FSMs are four times more likely to receive a permanent or fixed term exclusion than those who are not eligible for FSM; children with SEN are seven times more likely to receive a permanent exclusion than children with no SEN; and Black Caribbean pupils are three times as likely to be permanently excluded than the school population as a whole.¹⁶ **Alarming, even very young children, especially boys, are being excluded from school.** In the year 2014/15, 110 boys aged 5 years and under were permanently excluded from school and 6,600 received a fixed term exclusion.¹⁷ Worryingly, exclusions rates were found to be over five times higher in academies than at government maintained schools during 2013/14.¹⁸

Case study

Harmful response to young child with SEN

Jacob*, a five year old child in Reception, with Special Educational Needs, became very agitated at school. As they did not know how to respond, teachers put him in a room by himself. Jacob was still very distressed, so he panicked and caused some damage to the room. Six teachers then came in to restrain him and the school called the police. He was subsequently permanently excluded from the school.

Following the involvement of Just for Kids Law, who represented Jacob and his mum during the exclusion appeal process, the school governing body found that the school had failed Jacob as it had not provided him with the right support and his exclusion was unreasonable.

Fortunately, despite this very traumatic experience, Jacob has now settled back into school well and is receiving the right support. The school has also changed its policies so it cannot exclude such a young child again. If Jacob and his mum had not managed to secure support through the exclusion process then the outcome could have been very different.

* Not his real name

Every week two boys aged 4 and 5 years are permanently excluded from school



Source: Department for Education

The UN Committee urged the UK to ensure that permanent or temporary exclusions are only used *'as a measure of last resort only... and further reduce the number of exclusions'*. The disproportionate numbers of exclusions affecting minority groups of children is even more concerning in light of a recent Ofsted report which concluded that more needs to be done to ensure both the quality of education and the safety of children in alternative provision.¹⁹

Children, apart from disabled children, also continued to be denied a legal right to appeal against their own exclusions, leaving them dependent on their parents or carers being willing to challenge the exclusion on their behalf. The UN Committee called on the UK to ensure *'children have the right to appeal against their exclusion'*.

Despite informal exclusions being unlawful there are concerns about their increased use across England.²⁰ Informal exclusions do not trigger the right for children to receive alternative education, which must be provided from the sixth day of a formal exclusion putting at risk a child's right to an education.²¹

Continued inequality in educational outcomes

Disappointingly, despite some progress, the educational achievement gap continues and has even widened between some groups of children.²² The UN Committee recommended that more be done to *'reduce the effects of the social background or disabilities of children on their achievement at school'*.

Disadvantaged children

A persistent and significant developmental gap between the most and least disadvantaged children in the early years remains. This continues to widen at school and has long-term consequences for children's educational achievement and life chances.²³

Evidence shows that high quality childcare can have a positive and lasting impact on children's early development. Whilst extending free childcare entitlement is extremely welcome more needs to be done to improve the quality of such provision, particularly in areas of high disadvantage. A key dimension of quality is the

workforce but, in the private, voluntary and independent sector (PVI) in England, there are issues with the current qualifications of staff.²⁴ In 2014/15 just under 50% of PVI settings delivering the two year old entitlement and the three and four year old entitlement have staff with an Early Years Teacher qualification (EYT) or equivalent working directly with children. PVI settings in the 20% most deprived local authorities are the least likely to have EYTs or equivalent working directly with children.²⁵ New research shows that the childcare sector has made real improvements in quality provision in recent years with limited resources but challenges with training, recruitment and retention of EYTs and other staff remain.²⁶

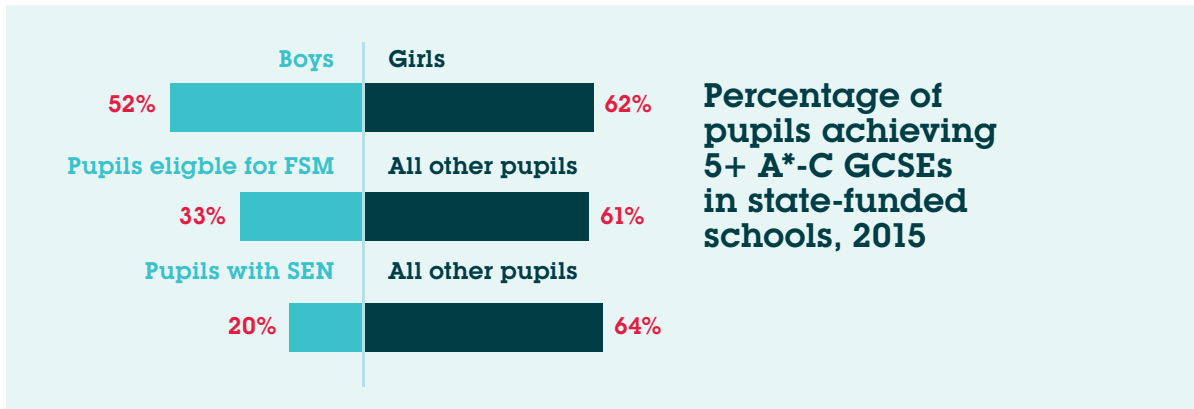
Concerns have also been raised about the likely negative impact of cuts to funding for children's centres on children's social mobility and life chances.²⁷ For further information on these cuts see Briefing 4.

Many children living in poverty in England are not meeting the expected level of language development when they begin primary school.

While the number of children starting school with good early language development increased from 72.5% to 80.6% between 2012/13 and 2014/15, almost one in five children (19%) were still starting school struggling with basic skills. Of particular concern is that:

- One in three (31%) of disadvantaged children start school struggling with early language skills
- Boys are twice as likely to start school behind the expected language level as girls, while almost two in five disadvantaged boys (38%) started school without good language skills
- In some local authorities more than two in five disadvantaged children (44%) were starting school without good language skills.²⁸

Statistics also show that children eligible for FSM were less likely to achieve *'a good level of development'* in the Early Years Foundation Stage (44.8% in 2013/14, compared with 63.7% of children not eligible for FSM) and were also less likely to achieve at least five A*- C GCSEs or the equivalent than children not eligible for FSM (37.9% compared with 64.6% in 2012/13). New



Source: Department for Education²⁹

research found that girls improved to a greater extent than boys at both the EYFS and age 16.³⁰

Secondary schools continue to be the stage of education where gaps are largest. By the end of secondary school, disadvantaged children are on average 19 months behind their peers. While the attainment gap is closing fastest in schools with the highest concentration of disadvantaged pupils, it is concerning that it is widening in schools with the lowest proportions of disadvantaged pupils.³¹

A recent study has shown that after school clubs and teacher-led out of school time learning programmes have a positive effect on the attainment of disadvantaged children and recommends that schools direct resources from the Pupil Premium to such programmes.³²

Ethnicity

White British pupils from low income backgrounds continue to be the lowest performing of the larger ethnic groups at GCSE across the country. White British pupils still have the largest gap between those eligible for FSMs and their peers, compared with any other large ethnic group. White British boys from low income backgrounds perform particularly badly, with less than a quarter of this group achieving five GCSEs grades A* to C, including English and mathematics.³³

The attainment gap between Gypsy/Roma children and other White pupils has widened in recent years, while the gap between Travellers of Irish Heritage and other White pupils has stayed the same. Gypsy, Roma and Traveller children were less likely to achieve 'a good level

of development' in their early years (in 2013/14 this was 19% for Gypsy and Roma children, and 31% for Traveller children, compared with 62% for other White children). A lower percentage of Gypsy and Roma children (14%) and Traveller children (18%) achieved the GCSE threshold in 2012/13 compared with other White children (60%).³⁴

Pakistani/Bangladeshi and African/Caribbean/Black pupils continued to be the lowest performing of ethnic minority groups at GCSE level.³⁵

Looked after children

14% of looked after children achieved five or more A*-C GCSEs or equivalent, compared with 53% of non-looked after children.³⁶ There are also concerns about looked after children's access to good quality, early education.³⁷

Inclusive education in decline

The percentage of children with SEN in mainstream schools has declined each year since 2010. In 2016, 24% of pupils with a Statement or Education, Health and Care Plans (EHC Plan) attended state funded secondary schools, compared with 29% in 2010 (see table below).³⁸ This is despite a clear obligation to inclusive education in the UN Convention on the Rights of Persons with Disabilities. The UN Committee also recommended that the UK 'guarantee the right of all children to a truly inclusive education.'

A recent survey showed that almost 90% of school leaders thought cuts to council services have had a "detrimental impact" on the support their institutions received for disabled children

Table 1: Percentage of pupils with a statement or EHC plan by type of provision, England, 2010-2016

School type	2010	2011	2012	2013	2014	2015	2016
Maintained nursery	0.1	0.1	0.1	0.1	0.1	0.1	0.1
State-funded primary	25.8	25.8	25.9	26.0	26.2	26.2	25.5
State-funded secondary	28.8	28.4	27.7	26.9	25.7	24.6	23.5
State-funded special	38.2	38.7	39.0	39.6	40.5	41.4	42.9
Pupil Referral Units	0.9	0.8	0.7	0.7	0.7	0.7	0.6
Independent	4.2	4.3	4.7	4.9	5.1	5.3	5.7
Non-maintained special	2.0	1.9	1.9	1.8	1.7	1.6	1.6

Source: Department for Education³⁹

and those with SEN and 88% believe initial teacher training does not adequately prepare teachers to support pupils with additional needs.⁴⁰

Worryingly, a growing number of disabled children are being segregated within mainstream schools and taught in separate hubs or units.⁴¹ The UN Committee raised concern about the fact that many disabled children *'are still placed in special schools or special units in mainstream schools and many school buildings and facilities are not made fully accessible to children with disabilities.'*

Anecdotal evidence suggests that children with SEN are being rejected by academies because they do not have an EHC Plan.⁴² Children with SEN continue to be disproportionately excluded (see above) and concerns have also been raised that children are being educated in alternative provision for behaviour problems. This is marketed to parents as positive, as it is an alternative to formal exclusion⁴³, but is in fact unlawful.⁴⁴

Certain groups of children more likely to be bullied

Despite overall lower reported rates of bullying, new research has found that some children remain disproportionately affected, including those living in extreme poverty, disabled children, children from Black and minority ethnic communities and LGBTQ children and young people.⁴⁵ A recent survey of young people found that 45% who had been bullied in the past year did not feel that their school or college took bullying seriously. 21% thought that teachers needed more anti-bullying training and 19% wanted more lessons and activities designed to combat bullying.⁴⁶ Reports of an

increase in racist language by students in schools after the EU Referendum is also concerning.⁴⁷

Positively, the Government has invested in eight projects to prevent and tackle homophobic, biphobic and transphobic bullying in schools, by improving school policies and training.⁴⁸

It has also made a commitment to carry out an assessment of the level of anti-Muslim, anti-Semitic, homophobic, racist and other bullying in schools to inform further action to reduce levels of such bullying.⁴⁹ For more information on bullying see Briefing 2.

Serious concerns have also been raised about aspects of the Prevent strategy and its impact on education. For more information, see Briefing 2.

No progress on making sex and relationship education and rights education mandatory

Sex and relationships education (SRE) is still not mandatory in non-maintained schools. While SRE is mandatory in the curriculum for maintained schools, the content remains highly variable and may be extremely basic, limited to the science of the menstrual cycle and the reproductive system. There is no statutory requirement for maintained secondary schools to provide education covering a broader range of topics such as healthy relationships, consent and sexuality and there is no statutory requirement for primary schools to provide broad and age-appropriate SRE for younger children. This may affect a child's ability to make informed choices on decisions which may affect their physical and mental health.

Reports have also recommended the urgent need for SRE to be compulsory in light of children and young people's widespread and ever increasing use of the internet.⁵⁰

Despite four parliamentary select committees and many others calling for SRE to be made statutory in all state-funded schools the Government has not taken any action.

In fact the numbers of children not receiving SRE is likely to increase as more schools become academies and additional Free Schools are created.⁵¹ This is despite the UN Committee recommendation that meaningful SRE be *'part of the mandatory school curriculum for all schools, including academies.'*

There is also a need for the quality of PSHE to be improved and for it to include education on same-sex families and health and relationships issues for LGBTQ young people, drugs, alcohol and smoking, HIV and sexually transmitted infections and online pornography.⁵² The Government announcement of an advisory group to produce an action plan for improving the quality of PSHE and a toolkit for schools is therefore welcome.⁵³

There has been no progress in making children's rights education mandatory for all children in all schools.

New Standard Attainment Tests (SATs)

There has been widespread concern from teachers following the introduction of new SATs taken by Key Stage 1 and 2 pupils this year (children aged six and seven, and 10 and 11, respectively).⁵⁴ A recent survey of teachers and heads by the National Union of Teachers found that 97% were seriously concerned about the negative impact which preparation for SATs in maths and English is having on children's access to a broad and balanced curriculum. 97% also thought that the new SATs disadvantage children with SEN.⁵⁵

Leisure and cultural activities

Cuts to play and leisure

A recent inquiry into how disabled children with multiple needs access play found that they face significant barriers. 92% of parents surveyed felt that their child did not have the same opportunities to play as their non-disabled peers; and 81% of parents reported difficulties in accessing mainstream play groups and local play opportunities. Despite clear duties in the

Equality Act 2010, 51% of children had been intentionally excluded from play opportunities by providers of play. Inconsistent recording of data by local authorities across England and Wales about the needs of disabled children in their early years, and their access to play provision is also a significant issue. As spending on play is not ring-fenced at a local level the impact of ongoing funding cuts on play services is a key concern and may mean fewer providers being willing to offer places to children with multiple needs.⁵⁶

The last two years has also seen widespread reductions in spending on youth services: new research found that 58% of local authorities had cut youth service spending in 2014/15, and 55% in 2015/16. In a survey of UNISON members 84% said that youth clubs in their areas had closed with cuts disproportionately affecting minority groups, in particular children from Black communities, LGBTQ young people and girls.⁵⁷

Concerningly, there has been a significant decrease in the number of children visiting a library since 2008/09. In 2015/16, 65.6% of children aged 5-15 had visited a library in the last 12 months, compared with 75.3% in 2008/09 and 70.3% in 2014/15.

More positively, between April 2015 and March 2016, almost all children aged 5-15 had engaged with the arts in the last year (98.3%). This was a similar proportion to 2008/09 (98.0%) and to 2014/15 (98.1%).⁵⁸

The Chartered Institute of Environmental Health has called for voluntary "no smoking zones" to be implemented across the UK, wherever children play or learn.⁵⁹ This is in line with a recommendation made by the UN Committee and would assist in a child's right to the best possible health.

Recommendations

1. The Government should urgently consider the evidence showing that increasing grammar schools and selection in education will lower the standards for the majority of children. It should not go ahead with its proposals to expand grammar schools.
2. The Government should ensure that the overrepresentation of certain groups of children being excluded from schools is urgently addressed.
3. The Government should introduce a statutory right for children to appeal against exclusion decisions.
4. The Government should enforce the ban on informal exclusions and give further resources and training to schools to assist with inclusion of children with SEN in mainstream schools and avoid these children being placed in alternative provision.
5. The Government should invest more in high quality childcare and early education and in particular, starting with the most disadvantaged areas, it should ensure that there is an EYT or equivalent specialist in children's early development in every nursery in England.
6. The Government should ensure that the Pupil Premium continues to be provided as a separate and clearly identifiable grant targeted at disadvantaged pupils. Schools should share best practice examples of how Pupil Premium resources can be used most effectively.
7. Schools should better train teachers to tackle bullying and the increased racist language in schools following the EU Referendum. Training should also be provided on how to support vulnerable groups, such as children with SEN and LGBTQ children.
8. The Government should make SRE statutory in all state-funded schools and ensure its content is much broader to include healthy relationships, consent and sexuality for secondary school students and broader, age appropriate content for primary school children.
9. The Government should ensure all children receive education on children's rights.
10. The Government should review the new SATs with the involvement of head teachers and teachers as well as other relevant stakeholders.
11. Local authorities must provide sufficient play and leisure provision, including for children with additional needs.
12. Local authorities must provide sufficient provision for youth services and closures to youth clubs should be halted.
13. Local authorities should implement "No smoking zones" wherever children play.

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Endnotes

1. UN Committee on the Rights of the Child (2016) *Concluding observations on the fifth periodic report of the United Kingdom of Great Britain and Northern Ireland*
2. Children's Rights Alliance for England (2015) *Civil Society Alternative Report 2015 to the UN Committee - England*
3. 10 Downing Street (2016) *Statement from the new Prime Minister Theresa May*
4. Department for Education (March 2016) *Educational Excellence Everywhere*
5. Local Government Association (October 27 2016) 'Councils respond to announcement Education for All Bill will not be introduced in Parliament' Press Release
6. Home Office (July 2016) *Action Against Hate: The UK Government's plan for tackling hate crime*
7. Department for Education (2016) *Educational Excellence Everywhere*
8. Department for Education (2016) *Schools that work for everyone. Government consultation*
9. National Union of Teachers (6 September 2016) 'Grammar Schools' Press release; Helm, T. (15 October 2016) 'I came into teaching to raise standards' – Michael Wilshaw's forthright farewell' *The Guardian*
10. House of Lords Library Note (2016), *Extension of Grammar Schools and Selection in Education*; Asthana, A. (8 September 2016) 'More grammar schools would be a disaster, says social mobility tsar' *The Guardian*
11. Education Policy Institute (2016) *Grammar schools and social mobility*; Education DataLab (2016) *Research Briefing: Grammar Schools*
12. Education Policy Institute (2016) *Grammar schools and social mobility*
13. Department for Education and Office for National Statistics (2016) *NEET Statistics Quarterly Brief January to March 2016, England*
14. British Humanist Society (30 September, 2016) 'New evidence shows Government proposal to allow 100% religious selection in schools will lead to increased segregation' Press release
15. British Humanist Society (2 November 2016) 'London Assembly vote pits them against Number 10 plans for more religious selection in state schools' Press release
16. Department for Education (July 2016) *Permanent and Fixed Period Exclusions in England: 2014 to 2015*; Children's Rights Alliance for England, Together and the Wales UNCRC Monitoring Group (2016) *GB Civil Society Briefing in response to the UK List of Issues Response Communities Empowerment Network (March 2015), Mapping the Exclusion Process: Inequality, Justice and the Business of Education*
17. Department for Education (2016) *Permanent for fixed period exclusions in England 2014 to 2015*
18. Wilson, D. and Greave, M (12 November 2015) 'More illegal exclusions at Academy Schools' <https://schoolsexclusionproject.com/more-illegal-exclusions-at-academy-schools/>
19. Ofsted (9 February 2016) 'Alternative provision progress made but still more to be done' Press release
20. Children's Rights Alliance for England, Together and the Wales UNCRC Monitoring Group (2016) *Submission to United Kingdom of Great Britain and Northern Ireland Universal Periodic Review (UPR) - 3rd Cycle*
21. IPESA note: Misconception on Informal Exclusion, <https://www.ipesa.org.uk/file-manager/SENlaw/common-misconception-informal-exclusion.pdf>
22. Equality and Human Rights Commission (March 2016) *Is England Fairer?*
23. Evidence to CRAE from Family and Child Care Trust July 2016
24. Evidence to CRAE from Save the Children July 2016
25. Department for Education (2016) *Education provision: children under 5 years of age, January 2016*
26. Kalitowsky, S. (2016) *Towards an early years workforce development strategy for England. PACEY*
27. Pufett N., (September 29 2016) 'Children's centre spending cut by further £90m' *Children and Young People Now*
28. Save the Children (2016) *The Lost Boys: How boys are falling behind in their early years* and *Save the Children (2016) Early language development and children's primary school attainment in English and Maths*
29. Department for Education (21 January 2016) *Revised GCSE and equivalent results in England, 2014 to 2015*
30. Equality and Human Rights Commission (March 2016) *Is England Fairer?*
31. Education Policy Institute (July 2016) *Divergent Pathways: the disadvantage gap, accountability and the pupil premium*
32. Nuffield Foundation (2016) *Out-of-school-time programmes and GCSE performance*; Nuffield Foundation (2016), *Out of school activities and the education gap*
33. Ofsted (2015) *The Annual Report of Her Majesty's Chief Inspector of Education, Children's Services and Skills 2014/15*
34. Equality and Human Rights Commission (March 2016) *England's most disadvantaged groups: Gypsies, Travellers and Roma*
35. Equality and Human Rights Commission (March 2016) *Is England Fairer?*
36. Department for Education (24 March 2016) *Outcomes for children looked after by local authorities in England, 31 March 2015*
37. Evidence to CRAE from Family and Childcare Trust, September, 2016
38. Department for Education, (September 2016) *Special educational needs: an analysis and summary of data sources*
39. Department for Education (September 2016) *Special educational needs: an analysis and summary of data sources*
40. Whittaker, F. (2 June 2016) 'Schools not getting enough funding to support SEND pupils, 8 in 10 heads say' *Schools Week*
41. Evidence to CRAE from Alliance for Inclusive Education
42. Cassidy, S. and Garner, R. (3 January 2016), 'Academies turn away children with special needs to 'cherry-pick' pupils, charity warns' *The Independent*
43. Evidence to CRAE from Alliance for Inclusive Education, October 2016
44. Department for Education (2012) *Exclusion from maintained schools, Academies and pupil referral units in England*
45. Equality and Human Rights Commission (March 2016) *Is England Fairer?*
46. Ditch the Label (2016) *Annual Bullying Survey 2016*
47. Children's Rights Alliance for England, Together and Wales UNCRC monitoring group (2016) *Submission for UK examination under Universal Periodic Review*
48. Department for Education (March 2016) *Educational Excellence Everywhere*
49. Home Office (July 2016) *Action Against Hate: The UK Government's plan for tackling hate crime*
50. Barnardo's (2016) *Now I know it was wrong: Report of the parliamentary inquiry into support and actions for children who display harmful sexual behaviour*
51. Children's Rights Alliance for England, Together and UNCRC Monitoring Group (2016) *GB Civil Society Briefing in response to the UK List of Issues Response*; Joint letter from House of Commons select committees to the Secretary of State for Education (7 January 2016)
52. Children's Rights Alliance for England, Together and UNCRC Monitoring Group (2016) *GB Civil Society Briefing in response to the UK List of Issues Response*; Through the RCPCH & Us* road shows and takeover challenges (working with over 400 children, young people and families between January – July 2016); Evidence to CRAE from March 2016; NSPCC and the Children's Commissioner for England (June 2016) *A quantitative and qualitative examination of the impact of online pornography on the values, attitudes, beliefs and behaviours of children and young people*
53. Department for Education (March 2016) *Educational Excellence Everywhere*
54. Department for Education (5 July 2016) 'New primary school tests show schools rising to the challenge' Press Release
55. National Union of Teachers (20 June 2016) *The Crisis in Primary Assessment*
56. Sense (2016) *Making the case for Play*
57. UNISON (2016) *The Damage: A future at risk, cuts in youth services*
58. Department for Culture, Media and Sport (2016) *Taking Part: 2015/16 Annual Child Report Statistical Release July 2016*
59. Chartered Institute of Environmental Health (26 September 2016) 'CIEH calls for 'no smoking zones' across UK wherever children play or learn' Press Release

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About CRAE

The Children's Rights Alliance for England (CRAE) works with 150 organisations and individual members to promote children's rights, making us one of the biggest children's rights coalitions in the world.

We believe that human rights are a powerful tool in making life better for children. We fight for children's rights by listening to what they say, carrying out research to understand what children are going through and using the law to challenge those who violate children's rights. We campaign for the people in power to change things for children. And we empower children and those who care about children to push for the changes that they want to see.

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