

RACE EQUALITY MATTERS

The last two years have seen significant developments both locally and nationally in the field of race equality. These developments have an important bearing on education and the work of schools. Most particularly, schools should realise that they are vulnerable if they do not have a written race equality policy which has a demonstrable influence on the life and learning of the school. The purpose of this update is to provide a brief summary of the way new legislation and national standards impact on schools, and of the support and guidance that is available within Wiltshire.

What does the Race Relations (Amendment) Act 2000 mean for schools?

1. What is the General Duty?

The Race Relations (Amendment) Act 2000 came into force on 2 April 2001 and places a general duty on schools to promote race equality. This general duty means that schools must aim to:

- eliminate unlawful racial discrimination;
- promote equality of opportunity; and
- promote good race relations between people of different ethnic groups.

The general duty is obligatory, which means that it must be met. Schools cannot claim that they do not have the resources to meet their responsibilities. These responsibilities should be built into the work that schools already do.

The weight given to race equality should be in proportion to its relevance. However it is important to note that 'proportionality' and 'relevance' is not dependent on the size of the minority ethnic population in a school. Race equality is important, even if there is no one from a minority ethnic group in the school or local community. Education plays a vital role in influencing young people and developing positive attitudes to diversity.

The general duty will be particularly relevant to the functions of schools such as admissions, assessments, raising pupils' attainment, curriculum development and delivery, behaviour and discipline (including exclusions), staff selection and recruitment, and of course, the monitoring of racist incidents in the form of the racist incident log.

What this means in practice is that schools need to:

- have a pro-active approach;
- 'mainstream' race equality by building it into existing policies and procedures;
- meet all three parts of the general duty.

2. What are the specific duties?

The specific duties are meant to help schools to meet the general duty. The specific duties for schools are to:

a) Prepare and maintain a race equality policy

This policy should:

- deal with race equality explicitly and transparently
- address tackling racial discrimination and promoting equality of opportunity and good race relations
- take account of the school's character and circumstances
- lead to action resulting in positive outcomes
- link to strategic planning and decision making
- link to other policies
- explain how it will be monitored and evaluated
- explain roles and responsibilities

The race equality policy can be combined or be part of another policy such as an equal opportunities policy or inclusion policy. However to meet the duty, the race equality policy should be easily identifiable.

It is important that the policy is put into practice and therefore, it should be linked to an action plan. This should be part of the school's existing planning processes.

The policy should be approved by the governing body because it is ultimately responsible for seeing that the school meets the duty. Schools also need to give thought to how the policy will be communicated to all staff, pupils and parents.

b) Assessing the impact of policies

Under the duty, schools must assess the impact of policies, including their race equality policy, on pupils, staff and parents from different ethnic groups. In particular, schools should assess whether their policies have, or could have, an adverse impact on the attainment levels of pupils from different ethnic groups.

Schools are not expected to assess the impact of all policies all at once. The assessment of impact on different racial groups can be part of the normal cycle schools have for reviewing their policies.

To support the assessment of policies schools should:

- build key assessment questions into policy development and review processes
- carry out assessments drawing on monitoring data, surveys, consultation, etc.
- ensure that the information gathered is used to inform and influence planning and decision making.

c) Monitoring the impact of policies

Under the duty, schools must monitor the impact of their policies on pupils, staff and parents from different ethnic groups. In particular, schools should monitor the impact of policies on pupils' attainment levels.

Monitoring will involve:

- collecting and analysing data to measure a school's performance and effectiveness
- monitoring attainment and progress by ethnic group, analysing it and using it to examine trends
- monitoring other areas that could have an adverse impact on pupils' attainment such as exclusions, rewards and sanctions, attendance, racial harassment and bullying, parental involvement, membership of the governing body.

In particular, monitoring data will help schools to:

- highlight any differences between pupils of different ethnic groups
- ask why these differences exist and test the explanations given
- decide what further action needs to be taken to improve the performance of pupils from different ethnic groups
- review and set targets in relevant strategic plans

3. When does all this have to be done?

Schools were required to have prepared their race equality policy by **31 May 2002**. Following this deadline, schools are now required to show that they are maintaining their policy, i.e. that they are improving their policy and implementing it. If meeting the deadline meant that schools were not able to actively consult and involve pupils, parents and others in the process, then the school's action plan should give priority to improving the policy, and should include consultation and the involvement of others.

4. How are the duties enforced?

Under the Act, the Commission for Racial Equality (CRE) has the power to enforce the specific duties. If it is felt that a school is not meeting these duties, the CRE can issue a 'compliance' notice. This is a legal document that orders a school to meet the specific duties within a certain time scale. If schools do not comply with any part of the notice, the CRE can apply to the High Court for a court order to make a school do so.

The general duty can also be enforced through a judicial review. This means that the High Court will consider whether a school took appropriate action to meet the duty. If the court finds that the school did not take appropriate action, it will not have met the general duty and can be ordered to do so. Anyone who has an interest, including the CRE can apply for a judicial review.

Although schools do not have to follow the Code of Practice, they do have to show that they are meeting the duties. The Code of Practice can be used as evidence in any legal action under the Act.

It can be seen therefore, that every effort should be made to make sure that a practical and workable policy is in place which specifically addresses the development of an ethos of race equality throughout the school.

5. Specific Duties: Employment

Schools are not directly bound by the employment duties. However they will need to take account of employment to meet the general duty.

LEAs must annually monitor and report on current and prospective staff in every maintained school. Every maintained school will therefore, need to supply the LEA with ethnic data on:

- staff in post
- applicants for employment, training and promotion
- if a school has 150+ full time staff, grievances, training, discipline, reasons for leaving

What help can Wiltshire schools get?

In response to the new legislation, Wiltshire's support network on race equality issues has been extended. The details given here outline who you can contact and the services that are available.

Contacts:

Graham Paton, Citizenship and PSHE adviser for the county, whose post also includes an element of responsibility for racial equality, can be contacted on:

Tel: 01249 454270

email: gpaton@wiltshp.org.uk

Pam Carroll, Race Equality Project Leader for EMAS (Ethnic Minority Achievement Service) can be contacted on:

Tel: 07971 601420

email: emas@engelside.co.uk

Maggie Dorsman, is the EMAS team leader. For any enquiries regarding pupils learning English as an additional language (EAL), or regarding the work of the EMAS team, contact: [suggest resources](#)

Tel: 01225 713517

email: maggiedorsman@wiltshire.gov.uk

Kathryn Yeaman is the head of the Traveller Education Service, and can be contacted on:

Tel: 01225 771687

email: kathrynyeaman@wiltshire.gov.uk

Wiltshire Racial Equality Council (WREC) are able to provide advice, information and sign-posting on issues of education and racial equality. Their contact number is:

Tel: 01225 766439

- General requests/information on training/school policies may be referred to either Graham or Pam; curriculum issues should be referred directly to Graham; issues concerning advice on racial incidents in schools should be referred to Pam.
- Wiltshire LEA has produced a Race Equality Policy template which is available electronically from Graham Paton. If you feel you need to 'rework' your current policy at all, please email Graham for a copy of this.
- Comprehensive race equality guidelines for the county are in the process of being written, and should be available before the end of the summer term. The guidance will include: a digestible summary of the legal implications of the Race Relation Amendment Act 2000; Ofsted requirements; issues around ethnic monitoring/monitoring attainment; 'racist incident' guidance; pupils with EAL needs; and a section on curriculum and resources.
- 'Learning for All: Standards for Racial Equality in Schools' is a handbook produced by the CRE, and provides a framework of race equality standards which schools can use to assess their effectiveness in promoting racial equality. If you are unable to locate your copy of the standards, they are available to order from the CRE website at a cost of £10. The handbook provides a useful guide for schools in helping them to address the new duties of the Race Relations (Amendment) Act 2000. An abbreviated guide to the Learning for All standards can be found overleaf. The CRE website address is: http://www.cre.gov.uk/publs/cat_educ.html#lfa
- Any of the Wiltshire contacts detailed above can provide resource suggestions for your school.
- A way in which *you* can help *us* is to please send a copy of your race equality policy to Graham Paton at the above email address. This will be stored electronically, and updated at any time you choose to forward amendments to your policy.

Training to-date:

Following the heads' and governors' training programme of April/May 2002, training with schools and cluster groups has continued throughout the county under the heading '*Learning it – Living it: Race Equality at School*'. The format has covered a

range of racial equality topics, including awareness raising, legislation, citizenship connections, curriculum initiatives, and cultivating a whole school ethos for racial equality. Training will continue to be offered on request for twilight and TD training sessions free of charge for the foreseeable future.

LEARNING FOR ALL

Standards for Racial Equality in Schools (Abbreviated)

Policy, Leadership and Management

- *The school has a written race equality policy and action plan developed together with pupils, parents, staff and the governing body.*
- *A 'whole school' approach is taken towards developing race equality.*
- *There are clear procedures in place for dealing with racist incidents/complaints.*
- *Regular reviews and evaluations take all aspects of race equality into account and inform everyone associated with the school.*



Curriculum and Teaching

- *Race equality and ethnic and cultural diversity are promoted, and racism and discrimination challenged, through learning in all areas of the curriculum and through the resources and teaching methods used*
- *Every effort is made to ensure that all pupils have equal access to the mainstream curriculum, by taking account of their individual cultural backgrounds and linguistic needs, and by differentiating work appropriately*
- *Wherever possible, steps are taken to provide experience of diversity through personal encounter with other cultures*



Admission, Attendance and Discipline

- *The admission process (and selection criteria) is/are fair and equitable to pupils from all ethnic groups*
- *The school monitors pupil attendance by ethnic group and uses the data to develop strategies to address poor attendance – making appropriate allowance for leave of absence for religious observance*
- *The school's procedures for discipline and behaviour management, including exclusion, are fair and applied equally to all pupils, irrespective of ethnicity*



Personal Development, Attainment and Progress

- *The school recognises and values many forms of personal and academic achievement, and all pupils are encouraged and enabled to reach the highest personal standards*
- *Planned and targeted support are given to address any disparities in progress or achievement that are identified through our ethnic monitoring procedures*
- *Provision for pastoral care and guidance (including careers guidance) takes account of ethnic and cultural diversity, seeking to promote equality and challenge stereotyping*



Attitudes and Environment

- *Every care is taken to ensure that all aspects of the communal life, environment and ethos of the school promote equality, celebrate diversity and negate all forms of prejudice and discrimination*
- *All incidents of racism or racial harassment are dealt with according to Wiltshire LEA's published guidance on dealing with racist incidents*



Parents, Governors and Community Partnership

- *All the school's forms of communication with and involvement of parents and carers are designed to be inclusive and accessible to all*
- *Community members of all ethnic groups are encouraged to participate in the life of the school, whether as governors or in other capacities, and positive steps are taken to include under-represented groups*
- *Community access to school premises and facilities is equally available to all ethnic groups*



Staff Recruitment and Professional Development

- *All procedures for recruitment, selection, promotion and professional development of staff are planned and monitored to ensure equality and avoid conscious or unconscious racial discrimination*
- *Staff are supported through training and management to develop their effectiveness in dealing with race equality issues*