LEARNING FOR ALL

STANDARDS FOR RACIAL EQUALITY IN SCHOOLS

For schools in England and Wales

COMMISSION FOR RACIAL EQUALITY

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Brent LEA

Cambridgeshire LEA (in consultation with local schools and
union representatives)

Enfield LEA

Essex LEA

Gloucestershire LEA

Harrow LEA

Kirklees LEA

Lambeth LEA

Northamptonshire LEA

Sandwell LEA

Telford and Wrekin LEA

Walsall LEA

Waltham Forest LEA

Warwickshire LEA

Wolverhampton LEA

Racial Equality Councils

Bristol REC

Bromley REC

Harrow REC

Lewisham REC

Nottingham and District REC

Rugby REC

Sheffield REC

Tameside REC

Warwick REC

Wolverhampton REC, Education Subcommittee

Other organisations

Advisory Council for the Education of Romany and
other Travellers

Cardiff County Council

CRE Education Focus Group

Drayton Manor High School, London W7

Future Careers Guidance, London

Gwent Multicultural Education Service

National Anti-racist Movement in Education

National Assembly for Wales, Education Department

National Association of Head Teachers

National Association of Schoolmasters and Union of
Women Teachers

National Union of Teachers

Qualifications and Curriculum Authority

Scottish Qualifications Authority

Teacher Training Agency

The Runnymede Trust

West Midlands Consortium Education Service for
Travelling Children

FOREWORD

BY JACQUI SMITH MP
PARLIAMENTARY UNDER SECRETARY OF STATE
(SCHOOL STANDARDS)

E ducation has a crucial role to play in bringing about a fair and just society. It is important that people learn to respect themselves and each other as citizens, so that we can build a society which is based on mutual respect and understanding.

Government policy is that pupils from ethnic or religious minorities should have the same opportunity as all others to profit from what their schools can offer them. Low expectations, prejudice, intolerance and racism have no place whatever in our schools. Schools should aim to preserve and transmit our national values in a way which accepts Britain's ethnic and religious diversity and promotes understanding and racial harmony.

I am therefore very pleased to support the publication of the important document, *Learning for all: Standards for racial equality in schools*. I hope that schools will find it a useful source of guidance; and of good practice and procedures in addressing issues of equality and cultural diversity. There can be no more important task if we want to ensure that all our children are happy at school, regardless of their backgrounds, and that they perform to the best of their abilities.

Jacqui Smith MP
Parliamentary Under Secretary of State
(School Standards)

FOREWORD

BY ROSEMARY BUTLER AM, ASSEMBLY SECRETARY FOR EDUCATION AND CHILDREN, NATIONAL ASSEMBLY FOR WALES

With the creation of the National Assembly, we have embarked on a new democracy in Wales. There are the challenges as well as the opportunities. In education, raising standards and attainments is at the heart of the National Assembly for Wales's policies. Equality of opportunity and the promotion of inclusion go hand in hand if we are to ensure that all our young people are to achieve their full potential.

Equality has an added focus in Wales. The National Assembly is obliged to ensure that the principle of equality of opportunity for all people is enshrined within all that it does. We have recognised that more can be done to build on our tradition in Wales of promoting cultural difference. But this goes much further than support for the Welsh language and valuing its cultural heritage. The National Assembly has taken a lead in developing curriculum changes that offer a framework for personal and social education, that encourages schools to value and celebrate the richness of our cultural and ethnic differences. We have raised the profile with our partners of the need to respond to the requirements of minority pupils and to tackle the barriers that too often result in reduced horizons of expectation.

The Commission's *Learning for All: Standards for racial equality in schools* is a valuable document. It is a useful contribution to building a better Wales, consistent with Assembly policies to promote equality and inclusion and complements actions that are aimed at preparing all young people to make a successful transition to adulthood. I commend the document to schools in Wales.

Rosemary Butler

Rosemary Butler AM
Assembly Secretary for Education and Children
National Assembly for Wales

PREFACE

**BY SIR HERMAN OUSELEY,
CHAIRMAN, COMMISSION FOR RACIAL EQUALITY**

The Stephen Lawrence Inquiry Report stressed that education has a fundamental role to play in eliminating racism and promoting and valuing racial diversity. The new national curriculum in England requires schools to ensure that they take account of these responsibilities in curriculum planning and delivery. Estyn inspectors in Wales and OFSTED inspectors in England should evaluate and report on a school's effectiveness in addressing a range of racial equality issues, including procedures for reporting racist incidents. Schools have no excuse for complacency. Every school should be taking action to eradicate racism and to promote and value racial and cultural diversity.

Learning for All sets standards for racial equality in seven core areas of education in England and Wales. By working towards these standards, schools will ensure that they are implementing the recommendations put forward in the Stephen Lawrence Inquiry Report and fulfilling the requirements of the National Curriculum and of OFSTED and Estyn inspections. *Learning for All* will help schools to identify what they are doing right and what needs further work. It will also help them to identify needs and prepare funding applications, such as for the Ethnic Minority and Traveller Achievement Grant (EMTAG).

Schools will only begin to challenge racism and promote and value racial diversity effectively when they place partnership with pupils, parents, staff and local communities at the heart of their work. Support and assistance is available from organisations such as racial equality councils, which have expertise in this area, and local authorities, which have a statutory duty to challenge racism and promote good race relations between people of different racial groups.

The CRE expects every local authority to implement the local government standard, *Racial Equality Means Quality*. As part of the process of implementing it, every local authority education department should ensure that its schools adopt *Learning for All*, and that they are

given the support needed to enable them to meet the standards outlined.

Twenty five years after the Race Relations Act, racism continues to blight our society. Schools have a leading role to play in eliminating racial discrimination and promoting racial equality. No school can now ignore this responsibility, and head teachers should demonstrate their commitment by signing up to the CRE's Leadership Challenge and making racial equality a priority for their schools. *Learning for All* provides a framework for action.

Sir Herman Ouseley
Chairman, Commission for Racial Equality

THE CASE FOR RACIAL EQUALITY

Every school has a key role to play in eradicating racism and valuing diversity. The government's acceptance of the recommendations of the Stephen Lawrence Inquiry Report, published in 1999, reinforces this responsibility for all schools, including those with few or no ethnic minority pupils. Racism exists in all communities, and racist groups target both urban and rural areas. Every school should take action to challenge and prevent racism.

Developments in communications and technology and changing patterns of work mean that, in the course of their lives, young people are likely to meet and interact with people from many different communities, cultures and backgrounds. Schools have an important role to play in increasing mutual understanding and respect, and appreciation of cultural diversity

Most schools have equal opportunities policies. However, schools do not always take steps to ensure that these policies are translated into clear plans of action that are implemented and systematically reviewed. Various research and data indicate that schools should be doing a lot more to challenge racial discrimination and promote racial equality. For example:

- up to 50% of the perpetrators of racist incidents are under 17 years old

- the levels of achievement for some ethnic minority groups, particularly Black Caribbean, Gypsy Traveller, Pakistani and Bangladeshi, are persistently lower than those for others, with these disparities becoming more marked for some groups of pupils as they progress through the school system

- black pupils are much more likely to be excluded from school than white pupils committing similar offences.

Eradicating racism and promoting racial equality must be an integral part of school life and should be explicit and implicit in any work or activity that takes place within the school.

The CRE standards for racial equality will help schools, including governing bodies, to:

- develop and implement clear policies, procedures and strategies to promote racial equality

- identify and promote such good practice as already exists within the school

- work within the school's existing strategic planning processes and link racial equality initiatives to the school development plan

- address race issues in relation to behaviour and performance

- demonstrate that they are complying with the Race Relations Act 1976

- implement the recommendations of the Stephen Lawrence Inquiry Report

- meet the requirements of OFSTED inspections of schools in England and Estyn inspections of schools in Wales; these include an evaluation of schools' effectiveness in addressing race issues in specific areas

- comply with the General Statement on Inclusion accompanying the National Curriculum for Schools in England (see Appendix 6)

- identify needs and make funding applications, such as for the Ethnic Minority and Traveller Achievement Grant (EMTAG)

- establish a socially inclusive ethos and environment.

These standards are designed for schools in England and Wales. A separate version will be published shortly for schools in Scotland.

THE ROLE OF LOCAL EDUCATION AUTHORITIES

All local education authorities (LEAs) must have an action plan responding to the recommendations of the Stephen Lawrence Inquiry Report. The action plan will make recommendations that will have clear implications for schools. The CRE standards will help schools ensure that they can comply with any targets set by their LEA.

Many LEAs have adopted, and are implementing, the CRE's standard for local government, *Racial Equality Means Quality.* Their performance is assessed against Best Value performance indicators. LEAs may require their schools to demonstrate that they are meeting specific racial equality standards. *Learning for All* is consistent with the local government standard and will enable schools to demonstrate that they are meeting racial equality standards in core areas of education.

WHY ACT?

The CRE racial equality standards cover seven broad areas of activity in schools in England and Wales. They identify the core elements of good practice which every school should follow to ensure fair and equal treatment for all. Meeting the standards will enable a school to

comply with the various legal requirements, improve management and planning in all areas and ensure that all pupils receive the kind of broad education that is needed to succeed in a rapidly changing and diverse society.

The legal case

The Race Relations Act 1976 makes it unlawful to discriminate directly or indirectly on grounds of colour, race, nationality (including citizenship) and ethnic or national origin. The Act also makes it unlawful to victimise a person because he or she has made, or supported, a claim of racial discrimination.

The Race Relations Act applies to all aspects of education. The Act makes it unlawful for LEAs and governing bodies of schools and colleges to discriminate in relation to their education functions. Under the Act, these bodies have a duty to provide facilities for education and related benefits or services without racial discrimination. Pupils and/or their parents can bring proceedings in a county court to challenge unlawful discrimination.

The Commission for Racial Equality can formally investigate alleged discriminatory practice. The Secretary of State for Education in England and the Assembly Secretary for Education and Children in Wales can also exercise their powers under education legislation where statutory bodies have failed to carry out their duties under the Race Relations Act.

The Race Relations Act applies to all aspects of employment in schools, and makes the employer liable for any unlawful discrimination (including racial harassment) experienced by their staff. Racist behaviour, including racist violence or threats, racial harassment, graffiti, etc, may be criminal offences, covered by the criminal law.

OFSTED inspectors in England and Estyn inspectors in Wales are required to assess the extent to which a school meets a range of racial equality criteria. For more details of the OFSTED Framework for Inspections and the guidance which supports the Framework, see Appendix 3. Details of the Estyn guidance for inspectors in Wales, specifically Estyn Newsbrief 5/99, may be found at Appendix 3a.

Appendix 2 gives more detail on the scope and workings of the Race Relations Act and its application to schools. Also included are case studies on discrimination in education which may be useful in staff and governor training programmes. Appendix 2 also summarises the criminal laws that could be used in relation to racist behaviour.

The quality case

Promoting racial equality through effective policies will help the school to ensure that:

● all pupils achieve their full potential

- expectations of all pupils are equally high

- all pupils have access to, and can make full use of, the school's facilities and resources

- the school reflects the local communities it serves and responds to their needs

- all pupils are prepared for life in a diverse and multi-ethnic society

- all pupils understand what prejudice means, how discrimination occurs and how they can take a stand against all forms of racism

- a positive ethos and environment is developed within the school

- the school challenges and deals effectively with racist incidents

- racial equality targets are systematically identified and included in the school development plan

- planning and teaching of the National Curriculum in England complies with the requirements of the General Statement on Inclusion (see Appendix 6).

Ethnic monitoring

Ethnic monitoring involves collecting data on people according to their ethnic group and using the information to compare groups with one another and with the average of all the ethnic groups studied. The data can be used to assess whether people from each ethnic group are being provided for equally and fairly. The data can also be used to help identify ethnic groups which have specific needs that are not being met.

It is important to collect ethnic data on a regular basis and to examine and compare the data for any patterns or trends. This is especially important when only a small number of people from a particular ethnic group are involved. If analysis of the monitoring data reveals a particular pattern for that ethnic group, and the pattern persists over a period of time, this would suggest that there is an issue which needs to be addressed by the school.

It is essential to analyse the ethnic monitoring data collected and to explain any differences, patterns or trends that emerge. The analysis should inform appropriate policy and planning processes, and be used to review and evaluate the effectiveness of all policies, procedures, projects and strategies. It should be used to help set racial equality targets and to monitor and evaluate progress towards meeting them. The analysis should also be used when making decisions about the allocation of resources.

Every school should monitor by ethnic group. Exactly what is monitored will depend on the size of the school's ethnic minority population. Failure to monitor, analyse and use the data could mean that the school fails to identify and eliminate racial discrimination.

A more detailed explanation of ethnic monitoring, including a list of the basic ethnic categories that should be used, is given in Appendix 4.

HOW TO USE THE STANDARDS

Learning for All is designed to give schools a comprehensive overview of their current performance in relation to race issues and to enable them to take clear and systematic steps to improve their performance.

The process involves four stages, shown in the boxes below:

STAGE 1. DEVELOPING A FRAMEWORK FOR ACTION

A. Obtain commitment and ownership at senior levels. This will ensure action and result in clear, tangible outcomes.

- The school's governing body and senior managers must take ownership of the standards and make a commitment to implementing them.

- They must take responsibility for ensuring that the necessary frameworks are in place to enable the school to take action.

B. Identify and agree a framework for the whole process.

- Decide whether to audit one area at a time or all areas covered by the standards.

- Clarify how the audit findings will be reported to governors and to staff.

- Ensure that all racial equality targets are linked to, and incorporated into, the school development plan and other action plans.

- Establish systems to ensure that progress towards achieving the racial equality targets is regularly monitored, reviewed and evaluated.

C. Draw up a timetable for action.

- Set dates for the start and completion of the audit; for consultation with pupils, parents and the school community; and for the development and implementation of the ensuing action plan.

D. Decide who is responsible for what.

- Identify who will conduct the audit. It is best to involve a group of people, so that the workload can be shared and group members can support each other.

E. Identify and involve a 'critical friend'.

- This could be a person or group of people from the local authority, a racial equality council (REC) or other community organisation, a group of parents or pupils, or another school.

- The 'critical friend' could take an active role in the audit, which would be particularly appropriate for very small schools.

F. Identify training and support needs.

- Identify the skills already available among those involved.

- Identify the skills that need to be developed and provide appropriate training.

- Hold a briefing session for everyone involved in the audit to explain the purpose of the audit, how it will be conducted and what their role will be in the process.

STAGE 2. CONDUCTING THE AUDIT

Decide whether you are going to audit all seven areas, or do a 'stepped audit' by focusing on one area at a time.

A. Use the audit form.

- It will help to ensure that the audit is thorough and consistent.
- It will assist in identifying racial equality targets.

B. Use the checklist accompanying each standard.

- Assess whether the school has Fully Met, Mostly Met, Partially Met or Has Not Met the standard and tick the appropriate box on the audit form.

C. Look for evidence to support the responses and keep a record of it.

STAGE 3. DEVELOPING AND IMPLEMENTING AN ACTION PLAN

Use the information recorded on the audit form to identify targets and use the 'Developing and Implementing' form to draw up an action plan (see floppy disk).

A. Prioritise targets.

- Ensure that targets are SMART (Specific, Measurable, Achievable, Realistic, Timebound).
- Set short, medium and long term targets, and set milestones for complex and detailed targets.

B. Allocate responsibility for achieving specific targets to named individuals.

C. Ensure that targets in the racial equality action plan are linked to the school development plan and other school action plans.

D. Use the information to identify needs and make funding applications, such as for the Ethnic Minority and Traveller Achievement Grant (EMTAG).

STAGE 4. REVIEW AND EVALUATION

A. The school management team and school governors should regularly review and evaluate progress towards achieving the racial equality action plan.

B. Regularly review the school's policies, procedures and practices from a race and equality perspective.

- The school should do this to ensure that policies, procedures and practices reflect the changing needs and priorities of the school community.

C. Ensure that pupils, parents and all sections of the school community are consulted and involved in reviews and evaluations.

D. Ensure that small scale reviews are built into the racial equality action plan and are reflected in the school development plan.

THE STANDARDS

The Standards are organised within seven areas:

A.   Policy, Leadership and Management

B.   Curriculum, Teaching and Assessment

C.   Admission, Attendance, Discipline and Exclusion

D.   Pupils – Personal Development, Attainment and Progress

E.   Attitudes and Environment

F.   Parents, Governors and Community Partnership

G.   Staffing – Recruitment, Training and Professional Development

There is some overlap between standards and checklists in the different areas. This should enable a school, if it chooses, to audit each area separately (rather than undertaking a single audit of all seven areas). In practice this means that, by setting targets and working to achieve standards in one area a school will also be taking some steps towards achieving standards in other areas.

A questionnaire accompanies each copy of the standards. We urge schools using the standards to complete it and return it to us, so that the effectiveness of the standards can be evaluated in the light of their experience.

A. POLICY, LEADERSHIP AND MANAGEMENT

POLICY DEVELOPMENT

1.   The school has a written racial equality policy (either a separate policy or a distinct section within a broader equal opportunities policy).

❏   The policy commits the school to work towards racial equality and to combat racial discrimination and racial harassment.

❏   The policy emphasises the importance of combating racism and working towards racial equality in a predominantly white environment (for schools with predominantly or entirely white populations).

❏   The policy complies with the statutory Code of Practice for the elimination of racial discrimination and promotion of racial equality in employment.

❏   The policy makes it clear that it covers members of all ethnic and national groups represented in the school community, including Gypsy Travellers, asylum seekers and refugees.

❏   The policy sets out how the school will challenge racism. This includes:

   ❏   the school's approach to anti-racism (taking account of whether the school is multiracial or predominantly white)

   ❏   how the school will challenge racist attitudes.

❏   The policy sets out how the school will promote cultural diversity (taking account of whether the school is predominantly white or multiracial).

❏   The policy was developed through consultation with all sections of the school community and with community representatives.

❏   The policy states that the school will monitor by ethnic group and explains:

   ❏   the reasons for ethnic monitoring

Note. The standards in this area are particularly relevant to the section 'How well is the school led and managed?' in the OFSTED Inspection Framework (see Appendix 3) and to the following section of the Estyn Newsbrief 5/99: Technical Paper 14: Equal Opportunities (see Appendix 3a).

❏ how the ethnic monitoring data will be used (see Appendix 4).

❏ The racial equality policy is linked to a racial equality action plan.

2. Racial equality is included as an explicit aim in all of the school's policies.

Racial equality is an aim in the school's policies on:

❏ pupils' achievements and examination and test results

❏ admission

❏ the curriculum (including extra-curricular activities) (see Appendix 6)

❏ resource allocation

❏ parental involvement

❏ recruitment and selection of all staff and governors

❏ training and developing all staff and governors

❏ disciplinary and grievance procedures relating to staff

❏ meeting the specific needs of ethnic minority pupils

❏ language and cultural issues

❏ behaviour, harassment and bullying

❏ discipline and exclusion

❏ community involvement (for example by encouraging parents to get involved in their child's education)

❏ use of school premises

❏ recruiting and selecting contractors and service providers

❏ conduct of contractors and visitors to the school.

❏ Racial equality standards are incorporated into all contracts with service providers (for example catering, cleaning and building maintenance).

❏ Racial equality standards are incorporated into the Home-School Agreement.

3.   The school has a policy for dealing with racial harassment which clearly sets out the procedures for handling complaints and incidents.

The school has either

❑   a separate racial harassment policy, or

❑   a harassment policy which is a distinct section within another policy (for example a behaviour policy, an anti-bullying policy or a racial equality policy).

❑   The policy defines 'racial harassment' and gives examples of it.

❑   The policy states that all incidents should be recorded and gives details of the recording procedure.

❑   The procedures cover the steps that will be taken to deal with racial harassment, including racist name calling.

❑   The policy outlines the steps that will be taken to ensure that the procedures are applied consistently.

The policy and procedures

❑   cover incidents involving pupils, staff, parents, governors and visitors to the school (including contractors), either as victims or perpetrators

❑   give clear guidelines for dealing with perpetrators

❑   give clear guidelines for supporting victims.

LEADERSHIP AND MANAGEMENT

4.   The policies have been endorsed and adopted by the school's governing body and implemented by the school's management team.

❑   The head teacher takes overall responsibility for implementation of the racial equality and racial harassment policies.

❑   All members of the school management team can demonstrate the action they are taking to implement the policies.

❑   The school's governing body ensures that:

❑   it receives regular reports on progress with implementation of the policies and procedures

❑   it is kept informed of all racist incidents

❏ the LEA is informed of the pattern and frequency of racist incidents at the school

❏ all staff understand and implement the school's racial equality and racial harassment policies.

5. A racial equality action plan, which is linked to the school development plan, sets clear targets for addressing race issues.

❏ The racial equality action plan sets a timetable for implementing short, medium and long term targets.

❏ The school development plan incorporates the targets adopted in the racial equality action plan.

❏ Regular reports are given to the school's governing body and to senior managers on progress towards achieving racial equality targets, together with recommendations for further action.

6. Steps are taken to ensure that everyone associated with the school is kept informed about the school's racial equality and racial harassment policies and procedures, and abides by them.

The policies are communicated to:

❏ pupils

❏ parents

❏ teaching staff

❏ support staff

❏ union and staff representatives

❏ all members of the governing body

❏ job applicants

❏ contractors and service providers

❏ school visitors.

❏ Appropriate methods of communication are used to keep all parents and others from local ethnic minority communities informed (for example through training, displays, classroom discussion, awareness sessions, community consultation meetings, home visits, the school prospectus and tapes).

❏ All staff receive regular training on the school's racial equality
and racial harassment policies and procedures.

❏ Staff appraisals cover individual responsibilities for implementing
the policies.

❏ The school monitors all incidents of racism and racial
harassment, and immediate action is taken to address any
breakdown in procedures.

❏ Failure to observe the racial equality and racial harassment
policies and procedures is covered by the school's disciplinary
and grievance procedures.

MONITORING, REVIEW AND EVALUATION

7. Racial equality policies and procedures are regularly reviewed and their effectiveness evaluated.

Race issues are regularly included as an agenda item at:

❏ senior management team meetings

❏ governors' meetings.

❏ A major review of racial equality policies has taken place within
the last five years.

❏ The date of the last review is included in all policies.

❏ Evaluations of policies include making use of ethnic data.

❏ Reviews of racial equality and racial harassment policies and
procedures include identifying good practice at other schools.

❏ Policies and procedures are amended in the light of reviews and
evaluations.

❏ Good practice in the school is promoted and shared with other
schools.

8. Reviews and evaluations of racial equality and racial harassment policies and procedures take account of the views of all sections of the school community.

The reviews include consultations with:

❏ teaching staff

❏ support staff

- ❏ pupils from all ethnic groups

- ❏ parents from all ethnic groups

- ❏ unions and staff representatives

- ❏ the LEA

- ❏ local community groups

- ❏ other users of school premises and facilities.

❏ The school makes efforts to overcome possible obstacles in communicating with some groups (for example parents of Traveller children, parents who speak English as an additional language, parents who have not been educated in the British education system).

❏ Arrangements are made for interpreters and translators to attend consultation meetings when needed.

❏ Consultation meetings are arranged at times that are convenient for parents from all ethnic groups.

❏ Views expressed at consultation meetings are fed into the policy review process.

❏ Policies and procedures are reconsidered in the light of views expressed during consultations.

❏ Parents and pupils from all ethnic groups are informed of the outcomes of the consultation process, using appropriate formats where needed (for example videos and tapes).

B. CURRICULUM, TEACHING AND ASSESSMENT

PLANNING AND ORGANISATION

1. Curriculum planning takes account of the ethnicity, background and language needs of all pupils.

❏ Racial equality objectives are built into all programmes of work;

  ❏ ethnic minority interests and issues, including those of Traveller children, are addressed throughout the curriculum

  ❏ steps are taken to promote cultural diversity and challenge racism throughout the curriculum, both in multiracial and predominantly white schools.

❏ Ethnic monitoring data on attainment and progress are used in curriculum planning.

❏ The planning process ensures that the skills, experience and expertise of people from local ethnic minority communities are utilised within the curriculum (for example by serving as role models).

❏ Information about the languages and dialects spoken by pupils is used in curriculum planning.

The planning process ensures that:

  ❏ all subject areas can support pupils in the acquisition of English (or Welsh in Wales)

  ❏ first languages and dialects are supported across all areas of the curriculum.

Note. The general inclusion statement accompanying the revised national curriculum in England states that the curriculum should 'promote equal opportunities and enable pupils to challenge discrimination and stereotyping', and that it should 'develop their knowledge and understanding of different beliefs and cultures' (see Appendix 6).

  This area is particularly relevant to all seven sections of the OFSTED Inspection Framework (see Appendix 3) and to the following sections of the Estyn Newsbrief 5/99: standards achieved in subjects and areas of learning; curriculum; pupils' spiritual, moral, social and cultural development; subjects and areas of learning; standards achieved by pupils; Technical Paper 14: Equal opportunities; and Technical Paper 17: Schools requiring special measures (see Appendix 3a).

2. The school monitors and evaluates its effectiveness in providing an appropriate curriculum for pupils from all ethnic groups.

❏ Pupils' attainment and progress are monitored by ethnic group and by pupils' language needs.

❏ The composition of groups, sets and streams is monitored by ethnic group.

❏ The disapplication of pupils from specific subjects is monitored by ethnic group and steps are taken to address any unjustifiable disparities.

❏ Evaluations of the curriculum take account of the views of pupils and parents and inform future curriculum plans.

3. The criteria used for allocating pupils to optional subjects are fair and equitable to pupils from all ethnic groups.

❏ Pupils' choice of optional subjects is monitored by ethnic group.

❏ The allocation of pupils to optional subjects is monitored by ethnic group.

❏ Ethnic data on the allocation of pupils to optional subjects are compared and steps taken to investigate and address any disparities.

ASSESSMENT AND ALLOCATION TO TEACHING GROUPS

4. Assessment methods are checked for cultural bias and action is taken to remove any bias that is identified.

❏ Assessment instruments are checked for cultural bias prior to use.

❏ The school monitors the assessment of pupils by ethnic group.

❏ The assessment of pupils as having Special Educational Needs, and the levels of support provided, are monitored by ethnic group.

❏ Where cultural bias is unavoidable (for example in standardised tests) this is made clear to the pupils and highlighted when the results are reported.

❏ Any disparities between ethnic groups that are uncovered through monitoring are examined for linguistic and cultural bias.

❏ Pupils are assessed and supported in their first language, where necessary.

5.   The allocation of pupils to teaching groups is fair and equitable to pupils from all ethnic groups.

❏   Transparent and objective criteria which take account of equality of access are used to select pupils for bands, sets, streams, group work and other activities.

❏   Pupils and parents are informed of the reasons for different groupings.

❏   Pupils are not allocated to class group work sessions on an ethnic basis.

❏   The allocation of pupils to sets, bands, streams, class or teaching groups is monitored by ethnic group.

❏   Selection and allocation criteria are amended where cultural bias is identified.

6.   Assessment outcomes are used to:
●   **identify the specific needs of ethnic minority pupils**
●   **inform policies, planning and the allocation of resources.**

❏   Test and examination results, including SATs, are analysed by ethnic group.

❏   The analysis of ethnic data on test and examination results is used at management meetings and at committees responsible for curriculum matters, pupil performance and school resources.

❏   Ethnic data on assessment are used to set priorities and allocate resources.

❏   Teachers' assessments of pupils are monitored by ethnic group.

❏   Immediate action is taken to remove any bias in teachers' assessments of pupils.

TEACHING METHODS

7.   Teaching methods and styles take account of the needs of pupils from different ethnic groups.

❏   Teaching styles are adapted to suit pupils' various learning styles.

❏   The language and learning needs of bilingual pupils are acknowledged in all subject areas.

❏   All staff receive training on strategies for helping bilingual and multilingual pupils to improve their English.

❏ Teachers cooperate in supporting and working with individual pupils (for example class teachers work closely with language support teachers or with outside support agencies).

❏ The allocation of classroom resources ensures that pupils from all ethnic groups have equal access to the curriculum.

8. Teaching methods encourage positive attitudes to ethnic difference, cultural diversity and racial equality.

❏ Tasks are set which raise awareness of different cultures and challenge prejudices and stereotypes.

❏ Classroom management includes taking positive action to ensure mutual respect and trust between pupils from different ethnic groups.

❏ Pupils from different ethnic groups are actively encouraged to work together in the classroom.

❏ Classroom observation is used to keep a check on relations between pupils from different ethnic groups, and immediate action is taken to address any problems or tensions.

CURRICULUM CONTENT

9. Steps are taken to ensure that the curriculum draws on areas of interest to pupils from all ethnic groups.

❏ The curriculum draws on the cultural backgrounds and experiences of all pupils.

❏ The school supports and promotes the study of community languages.

❏ The principal languages spoken by local ethnic minority communities are offered as part of the school curriculum.

10. Racial equality and ethnic diversity are promoted and racism and discrimination challenged in all areas of the curriculum.

❏ The choice of content in all subject areas actively contributes to a positive understanding of racial equality and ethnic and cultural diversity.

❏ Prejudice, bias and discrimination are challenged across the curriculum.

❏ The curriculum encourages and equips all pupils to identify, challenge and deal with racism, bias, prejudice and stereotyping.

❏ Pupils are made aware of relevant race related legislation (for example the Race Relations Act and the Crime and Disorder Act).

RESOURCES

11. The school takes active steps to ensure that resources in all areas of the curriculum are inclusive.

❏ The policy on purchasing and using resources refers to the need to check that resources are inclusive.

❏ All books and other media are checked for their suitability for different groups of pupils.

❏ Ways are found to ensure that non-inclusive teaching materials are used in an inclusive way (for example material which assumes an 'all white' audience might be used to explore issues of stereotyping, ignorance and prejudice).

12. Resources that promote a greater understanding of cultural diversity, racial equality, and the importance of challenging racism and racial discrimination are used in all areas of the curriculum.

❏ Positive images of people from various ethnic groups and their cultural backgrounds are displayed in all parts of the school;

❏ topics and displays in all subject areas include positive images of people from different ethnic minority groups.

❏ A wide variety of resources is used in all subject areas to promote racial equality and cultural diversity and to challenge racial discrimination.

❏ The effectiveness of resources in promoting racial equality and challenging racial discrimination is regularly reviewed and evaluated.

13. Resources are available to meet the specific needs of pupils from ethnic minority groups and are used as necessary.

❏ The school makes full use of funding available to meet the needs of ethnic minority pupils, such as the Ethnic Minority and Traveller Achievement Grant (EMTAG).

❏   The school provides the teaching resources needed for pupils from different ethnic groups, cultures, faiths and backgrounds, and uses these fully and effectively in all subject areas.

❏   Where needed, resources and curriculum materials are made available in languages other than English.

❏   Distance learning is used, when needed, to ensure an uninterrupted education for Traveller children and children on extended visits abroad.

14. The school makes full use of the resources available within its local ethnic minority communities.

❏   The skills and experiences of parents, pupils and members of local ethnic minority communities are used to support the school.

❏   Pupils, parents and representatives from local ethnic minority groups are consulted regularly about the curriculum.

C. ADMISSION, ATTENDANCE, DISCIPLINE AND EXCLUSION

ADMISSION

1. Active steps are taken to ensure that the admission process is fair and equitable to pupils from all ethnic groups.

❏ Pupil applications and admissions are monitored by ethnic group.

❏ Admission criteria are evaluated to see if they disproportionately affect certain ethnic groups in the area. This includes:

> ❏ evaluating whether such criteria can be justified educationally

> ❏ monitoring the admission process to ensure that no-one who is unfamiliar with the 'education system' is disadvantaged at any stage of the process

> ❏ ensuring that admission criteria do not give preference to family connections (other than the sibling rule), since this may result in unlawful racial discrimination.

❏ Action is taken to remove any unjustifiable barriers that are identified.

2. Steps are taken to ensure that all selection methods are fair and equitable to pupils from all ethnic groups.

❏ Any selection method used is checked for cultural or linguistic bias;

> ❏ action is taken to remove any bias identified in the selection methods.

Note. This area is particularly relevant to four sections in the OFSTED Inspection Framework – how well is the school led and managed?; how high are the standards? pupils' attitudes, behaviour and personal development; how well does the school work in partnership with parents?; how good are the curricular and other opportunities offered to pupils? (see Appendix 3) – and to the following sections of the Estyn Newsbrief 5/99: ethos of the school: behaviour and attitudes; support, guidance and pupils' welfare; partnership with parents and community, schools and other institutions; Technical Paper 14: Equal opportunities; and Technical Paper 17: Schools requiring special measures (see Appendix 3a).

The standards are consistent with the guidance offered in the DfEE's *School Inclusion: Pupil Support* (Circular 10/99) and the National Assembly for Wales' *Pupil Support and Social Inclusion* (Circular 3/99) covering attendance, behaviour, exclusion and reintegration in relation to ethnic minority pupils.

Ethnic monitoring data show that selection tests (if used)

❏ avoid cultural and linguistic bias

❏ do not disadvantage pupils whose first language is not English (or Welsh in Wales).

Ethnic monitoring data show that admission interviews (if used)

❏ avoid cultural and linguistic bias

❏ do not discriminate against ethnic minority applicants.

❏ Interviewers are trained to understand cultural differences in responses to questions.

ATTENDANCE

3. The school monitors pupil attendance by ethnic group and uses the data to develop strategies to address poor attendance.

❏ Attendance rates, both generally and for specific lessons, are monitored by ethnic group.

❏ The information is used to identify any disparities between ethnic groups;

❏ the reasons for these disparities are investigated.

❏ Action to address any disparities identified is undertaken in partnership with parents, ethnic minority community representatives and the LEA.

❏ Provision is made for pupils who are absent on periods of extended leave, for example through project work, or the use of external services and resources.

❏ Steps are taken to address issues that adversely affect the attendance of individual pupils and groups of pupils, such as harassment.

❏ Ethnic monitoring data on attendance form part of the school's wider planning and decision making.

4. Provision is made for pupils to take time off for religious observance.

❏ The school recognises the right of pupils to take time off for religious observance.

❏ Action is taken to minimise any disruption to the education of pupils who are absent for religious observance;

❏ pupils who have been absent are given details of the topics covered while they were away and full support to enable them to follow the topics in future lessons.

DISCIPLINE AND EXCLUSION

5. The school identifies and adopts good practice strategies in order to reduce any differences in rates of exclusion between ethnic groups.

❏ The school takes proactive steps to prevent exclusion;

    ❏ the behaviour and exclusion policies reinforce this principle.

❏ The school implements the recommendations in the CRE's guidance*: Exclusion from School and Racial Equality: A good practice guide.*

❏ The school has a general policy of encouraging attendance and avoiding exclusion;

    ❏ the school uses strategies such as mentoring with pupils who are at risk of exclusion.

❏ Good practice is disseminated to all staff and to other schools.

6. The school's procedures for disciplining pupils and managing behaviour are fair and applied equally to all pupils, irrespective of ethnicity.

❏ The use of rewards and sanctions is monitored by ethnic group;

    ❏ any unjustified disparities between ethnic groups in the use or level of particular types of sanction or reward are identified and removed.

❏ The background to a pupil's disruptive behaviour is thoroughly investigated; this includes examining and taking account of any complaints of alleged racial harassment against the pupil.

❏ Parents of pupils with difficult or disruptive behaviour are always involved at an early stage in the disciplinary process;

    ❏ translation and interpreting services are used, where needed, to communicate with and involve parents of a child who is being disciplined.

❏ The school is aware of cultural differences in expressing emotions, and procedures for dealing with disruptive behaviour take account of these differences.

❏ All staff are trained to understand cultural differences in behaviour and to be aware of these when interpreting disruptive behaviour.

7. The process of excluding a pupil is fair and equitable to pupils from all ethnic groups.

❏ The procedures for excluding a pupil explicitly state that pupils from all ethnic groups will be treated equally.

❏ Staff involved in managing exclusion always adhere to the procedures.

❏ Exclusions are monitored by ethnic group.

❏ Action to deal with any unjustified disparities in exclusion rates between ethnic groups is included in the school development plan.

❏ Parents are informed about the procedures for excluding pupils;

    ❏ special efforts are made, where necessary, to ensure that ethnic minority parents understand the procedures

    ❏ all parents are aware of their right of appeal if their child is to be excluded.

❏ The school accepts the right of a parent to have an advocate when dealing with matters relating to the proposed exclusion of their child.

8. Strategies to reintegrate long term truants and excluded pupils address the needs of pupils from all ethnic groups.

❏ Reintegration packages are culturally inclusive and take account of pupils' ethnic and cultural background.

❏ Use is made of in-school and out-of-school support when developing an appropriate reintegration package for a pupil.

❏ The school makes use of support aimed at particular groups of pupils (for example black mentoring projects).

D. PUPILS – PERSONAL DEVELOPMENT, ATTAINMENT AND PROGRESS

ATTAINMENT AND PROGRESS

1. Pupils' attainment and progress in individual subjects are monitored by ethnic group (and by gender, language and disability).

❏ Ethnic monitoring data are used to check for any disparities in attainment and progress between and within ethnic groups.

❏ The attainment and progress of individual pupils and groups of pupils are tracked as they move through the school.

❏ Monitoring identifies any stages and areas where pupils are not doing well.

❏ Account is taken of pupils' views on the barriers to attainment and progress.

❏ Ethnic monitoring data are used to compare the school's performance with that of similar schools.

❏ Ethnic monitoring data on attainment and progress are used in school wide planning and decision making.

❏ Ethnic monitoring data are used to inform decisions about allocating resources to groups that are performing poorly.

2. The school develops strategies for tackling unjustified disparities in the attainment and progress of particular ethnic groups.

❏ Targets are set for removing any unjustifiable disparities in the levels of attainment and progress achieved by particular ethnic groups.

❏ Targets are incorporated into the school development plan.

Note. This area is particularly relevant to all seven sections of the OFSTED Inspection Framework (see Appendix 3), and to the following areas in the Estyn NewsBrief 5/99: education standards achieved by pupils; ethos of the school: subjects and areas of learning; curriculum; support, guidance and pupils' welfare; partnership with parents and community, schools and other institutions; Technical Paper 14: Equal opportunities (see Appendix 3a).

❏ The school works in partnership with other agencies to identify and implement strategies for working with groups of pupils who are performing badly or who are or are at risk of doing so.

❏ Individual guidance and support is offered to pupils who are performing poorly or who are at risk of doing so.

❏ Parents from all ethnic groups play an active part in helping to raise their child's performance.

❏ The school identifies, and tries to work with, parents who have little or no contact with the school and whose children perform poorly.

❏ Communication with parents is in their first language, if needed.

3. The school values the achievements and progress of pupils from all ethnic groups.

❏ Pupil Progress Reports recognise pupils' achievements both inside and outside the school.

❏ Pupil Progress Reports cover all forms of extra-curricular activity.

❏ Displays of work reflect the ethnic make-up of the school.

❏ Ethnic minority pupils are used as positive role models for other pupils.

SUPPORT AND PERSONAL DEVELOPMENT

4. All pupils have equal access to extra-curricular activities.

❏ Pupils' cultural and religious backgrounds, experiences and needs are taken into account when planning an inclusive range of extra-curricular activities.

❏ Extra-curricular activities attempt to deal with any social or cultural isolation that pupils from any ethnic group might feel.

❏ Pupils' participation in extra-curricular activities is monitored by ethnic group and programmes are modified as necessary.

5. Every pupil is offered the support and guidance they need.

❏ Individual support and guidance takes account of personal and cultural needs specific to particular ethnic groups.

❏ Support and guidance take account of a pupil's language needs.

❑ Where possible, ethnic minority pupils have access to advisers or counsellors who can provide sensitive and appropriate support in dealing with experiences of racial prejudice and discrimination.

❑ The school actively involves all parents in matters involving support and guidance for their child (for example discipline, career choice, and transfer to another school).

GUIDANCE AND CAREERS EDUCATION

6.   Staff challenge racism and stereotyping and promote racial equality in education, employment, training and career choice.

❑ The school has a careers education and guidance policy which makes specific reference to promoting racial equality and challenging racial discrimination.

❑ The full range of post-school options is explored in careers education and all pupils are encouraged to consider all the options.

❑ Successful individuals from ethnic minority communities are invited to serve as positive role models for all pupils.

❑ Work shadowing is used to enable ethnic minority pupils to sample careers where ethnic minorities are under-represented.

❑ Former pupils from ethnic minorities are used as positive role models.

❑ Careers staff avoid stereotyping pupils' choice of career on the basis of ethnic group.

❑ Careers advice is monitored by ethnic group.

❑ The school monitors pupil destinations and uses the data to review the guidance and support it gives to current pupils.

7.   Steps are taken to ensure that pupils on work experience are not subjected to racism or racial harassment.

❑ Participation in work experience is monitored by ethnic group.

❑ The allocation of work experience placements is monitored by ethnic group.

❑ Any bias in the allocation of places is addressed.

❑ The school ascertains the employer's commitment to equal opportunities and racial equality;

   ❑ copies of employers' equal opportunities policies are sought or agreements on fair placement and treatment negotiated.

❏ Preparation for work experience includes addressing the issues of racism and racial harassment.

❏ Pupils subjected to racism or racial harassment while on work experience are supported by the school.

❏ All pupils who participate in work experience are given a debriefing, which includes discussion of any positive or negative experiences related to race.

❏ No pupils are placed with employers (or, in a large organisation, in a department) where discrimination is known to take place.

❏ An employer who refuses to act on a justifiable complaint of racial discrimination will cease to be used for work experience placements.

E. ATTITUDES AND ENVIRONMENT

ETHOS

1.   A 'whole school' approach is used to promote racial equality and eliminate racial discrimination.

❏   The school's role in challenging racial discrimination and promoting racial equality is explicit in all relevant school policies and documentation.

❏   The school publicly supports ethnic, cultural, religious, linguistic and social diversity, and actively promotes good personal, community and race relations.

All staff

  ❏   take responsibility for implementing the school's racial equality and racial harassment policies

  ❏   support the school in fostering a positive atmosphere of mutual respect and trust among pupils from all ethnic groups

  ❏   ensure that play and leisure areas provide a positive environment for pupils from all ethnic groups.

❏   Obstacles which prevent ethnic minority pupils, staff or parents from being involved in any of the school's activities are identified and action is taken to remove any barriers.

❏   The school provides an induction programme for all new pupils, including those who arrive during the academic year. The programme includes an introduction to:

  ❏   the school's behaviour code, including dealing with racism and racial harassment

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Note. This area is particularly relevant to six sections in the OFSTED Inspection Framework – how well is the school led and managed?; how high are the standards? – pupils' attitudes, behaviour and personal development; how well are pupils taught?; how good are the curricular and other opportunities offered to pupils?; how well does the school care for its pupils?; how high are the standards? results and achievements (see Appendix 3) – and to the following areas in the Estyn NewsBrief 5/99: ethos of the school; curriculum; support, guidance and pupils' welfare; Technical Paper 14: Equal opportunities; and Technical Paper 17: Schools requiring special measures (see Appendix 3a).

  The standards are consistent with the guidance offered in the DfEE's *School Inclusion: Pupil Support* (Circular 10/99) and the National Assembly for Wales' *Pupil Support and Social Inclusion* (Circular 3/99) covering attendance, behaviour, exclusion and reintegration in relation to ethnic minority pupils.

❏ the school's racial equality policy

❏ how the school's commitment to challenging racial discrimi-
nation and promoting racial equality and cultural diversity
will affect pupils' everyday life at school.

❏ The dietary needs of pupils from all ethnic groups are taken into
account;

❏ where catering is provided by an external contractor,
accommodating pupils' dietary needs is made a condition of
the contract.

❏ The school's dress policy takes account of the religious and
cultural needs of all pupils.

2. Diversity is recognised as having a positive role to play within the school.

❏ Raising understanding of diversity locally, nationally and globally
is an integral part of all curricular and extra-curricular activities.

❏ The school welcomes the diversity of cultures, backgrounds,
faiths and beliefs in the UK;

❏ daily collective worship includes recognising the diversity of
faith and belief.

❏ All pupils have the opportunity to participate in festivals
celebrating different faiths.

❏ Displays, resources and other materials around the school
recognise and promote diversity.

3. The school recognises the importance of language to a person's sense of identity and belonging.

Relevant policies make reference to the significance of:

❏ languages other than English (or Welsh in Wales)

❏ bilingualism/multilingualism/biliteracy

❏ dialects and accents.

The school

❏ is aware of each pupil's proficiency in English

❏ celebrates the home languages, dialects and accents of all
pupils

❏ uses pupils' language abilities as a teaching resource.

RACISM, RACIAL DISCRIMINATION AND RACIAL HARASSMENT

4.   Clear procedures are in place to ensure that racist incidents, racial discrimination and racial harassment are dealt with promptly, firmly and consistently.

❏   All staff deal with incidents involving racism (including prejudice and stereotyping), racial harassment, and racist name calling whenever they occur.

❏   Pupils are encouraged to report all incidents involving racism, racial discrimination and racial harassment.

❏   A named teacher has overall responsibility for dealing with such incidents. The teacher's role is widely publicised.

❏   All racist incidents and complaints of racial discrimination and racial harassment against staff and against pupils are formally recorded.

❏   All reported incidents and complaints are investigated within a specified time period.

❏   Procedures indicate how specific types of racist incidents should be addressed. Procedures cover:

>   ❏   pupils
>
>   ❏   parents
>
>   ❏   all staff
>
>   ❏   visitors to the school
>
>   ❏   governors.

❏   Active steps are taken to protect staff from racist bullying or harassment by pupils or parents (see Appendix 2, vicarious liability)

❏   Action is taken to prevent incidents from recurring.

❏   All incidents and their resolution are regularly reported to the governing body.

❏   The governing body reports all incidents, along with the action taken, to the LEA.

❏   Parents and other members of the school community are kept informed of any action taken to deal with racist incidents.

❏   Racist incidents and complaints of racial discrimination and racial harassment are monitored and the effectiveness of the action taken to address incidents is assessed.

5. Immediate action is taken to remove racist graffiti from all school property.

❏ The school has clear procedures for reporting racist graffiti.

❏ All members of the school community are aware of the policy and reporting procedures.

❏ Racist graffiti on school property is removed within 24 hours of its being reported.

❏ Those responsible for racist graffiti are disciplined.

6. All staff are trained to deal effectively with racist incidents, racism, racial harassment, prejudice and stereotyping.

❏ Staff induction covers the school's policy and procedures for dealing with incidents;

    ❏ staff in predominantly white schools are alerted to the possibility of racism, racial harassment, prejudice and stereotyping.

❏ All staff are trained on how to implement the school's racial harassment policy and procedures.

❏ All contract staff, including supply teachers, are informed of the school's racial equality and racial harassment policies and receive training on the school's procedures for dealing with racist incidents, racial discrimination and racial harassment.

❏ Anti-harassment training is provided for all teaching and support staff;

    ❏ training is regular and on-going

    ❏ good practice and effective strategies for dealing with racist incidents are shared between staff and schools

    ❏ all staff who are involved in supporting victims and perpetrators are given appropriate training.

❏ Staff effectiveness in dealing with racist incidents, racial discrimination, racial harassment, prejudice and stereotyping is monitored and evaluated.

7.   A sensitive and structured system of support is available to victims of racism, racial discrimination, racist incidents and racial harassment.

❏   All members of the school community, including pupils, teachers, support staff and parents, are able to obtain appropriate support if they are subjected to racism or racial harassment.

❏   A designated member of staff coordinates the support that is offered to victims.

❏   All staff are trained and able to provide support to victims.

❏   Parents of pupils who are victims are always informed of incidents and of the action taken to deal with the incidents.

❏   Action is taken to prevent the victim from being subjected to further incidents;

   ❏   perpetrators are removed from situations which might upset or antagonise the victim.

❏   A variety of strategies are in place to support victims of racial harassment. These include:

   ❏   asking the victim what support they need

   ❏   giving victims the option of getting support from outside the school

   ❏   establishing peer support schemes to help victims

   ❏   providing mentors who can support victims

   ❏   using the curriculum to encourage pupils who witness racist behaviour to report it.

8.   The school has clear procedures for dealing with perpetrators of racist incidents.

❏   The procedures for dealing with racist incidents are described in the Home-School Agreement.

❏   Parents of pupils who are responsible for racist conduct play an active role in dealing with it.

❏   Perpetrators are disciplined.

❏   Perpetrators are encouraged to participate in activities aimed at challenging and changing racist behaviour.

9. Active links are established with external organisations dealing with racist incidents and racial harassment.

❏ The school supports local multi-agency policies and strategies to address racial harassment;

    ❏ the school is a member of a local anti-harassment network (where one exists).

❏ The school works closely with external agencies to deal with racist incidents that affect the school community, whether they take place inside or outside the school.

❏ The school keeps the LEA informed of all racist incidents, including racist name calling.

F. PARENTS, GOVERNORS AND COMMUNITY PARTNERSHIP

PARENTS

1. All parents are regularly informed of their child's progress.

❏ Information on a child's progress is given in clear, jargon free language.

❏ The school is aware of languages spoken by pupils' parents.

❏ Where needed, the school makes use of translation and interpreting services.

❏ Parents are made aware that these services are available.

❏ The Home-School Agreement is available on request in different languages and formats.

❏ Active steps are taken to communicate with parents who have little or no contact with the school.

2. Proactive steps are taken to involve ethnic minority parents in the school.

❏ The school's success in involving parents in its work includes contributions from ethnic minority parents.

❏ The methods used to involve parents are revised in the light of these evaluations.

❏ The school provides an interpreter, where needed, for meetings in the school.

❏ The school uses a variety of methods for consulting parents and seeking their views;

    ❏ consultation takes place in languages other than English, if necessary.

Note. This area is particularly relevant to two sections in the OFSTED Inspection Framework – how well is the school led and managed?; how well does the school work in partnership with parents? (see Appendix 3) – and to the following sections of the Estyn NewsBrief 5/99: partnership with parents and community, schools and other institutions; Technical Paper 14: Equal opportunities (see Appendix 3a).

❏ Consultation meetings and other events are held at times that are convenient for parents from all ethnic groups.

❏ Parents are informed of the outcome of consultations and steps are taken to ensure that parents from all ethnic groups receive this information.

❏ Ethnic minority parents are encouraged to act as mentors and role models for students.

GOVERNORS

3. People from ethnic minority communities are encouraged to become school governors.

Steps are taken to ensure that parents from ethnic minority communities are aware of their right to:

❏ stand for election as a parent governor

❏ seek nomination as an LEA governor.

❏ Information and promotional material about elections and the role of school governors are available, on request, in local community languages.

❏ Active steps are taken to encourage ethnic minority parents to vote in governor elections;

❏ elections are held at times that are convenient for all parents.

❏ Representatives from local ethnic minority groups are co-opted to the governing body.

❏ Governor applications and appointments are monitored by ethnic group.

4. The school ensures that governor support is appropriate for all ethnic groups.

❏ All governors receive anti-racist and cultural awareness training.

❏ The school encourages and supports training to meet any specific needs of ethnic minority governors.

❏ All governors are involved in discussions and decisions on race matters.

❏ Support networks for ethnic minority governors are available in the school and outside, if needed.

❏ The school supports those who wish to participate in support networks for ethnic minority governors.

❏ The retention rate of governors is monitored by ethnic group.

COMMUNITY PARTNERSHIP

5. The school's premises and facilities are equally available for use by all ethnic groups.

❏ The school's premises and facilities are available at times which are suitable to all groups.

❏ The school seeks advice from all communities on suitable times, venues and requirements for meetings before making arrangements;

    ❏ this includes taking account of any gender and disability questions.

❏ 'Welcome' signs and other basic information are available in languages spoken by all sections of the local community.

❏ Charge rates for the use of premises take account of the resources available to different community groups.

❏ The school monitors the use of facilities according to ethnic and religious group and uses the data to inform decision making.

6. The school has active links with ethnic minority community groups.

❏ The school works in partnership with local ethnic minority community organisations.

❏ The school is aware of, and has links with, local religious, language and supplementary schools.

❏ The school makes use of the expertise, skills and knowledge of people from local ethnic minority communities.

People from ethnic minorities

    ❏ contribute to the curriculum

    ❏ serve as mentors for students

    ❏ serve as role models for students.

❏ Languages spoken by members of local ethnic minority communities are used as a resource by the school.

❏ The school shares good practice concerning community and parental involvement with other schools and with the LEA.

7. The school encourages community groups to use its facilities for after-school activities and for holiday schemes.

❏ Activities and schemes cater for pupils from all ethnic groups and are culturally inclusive.

❏ The school encourages the development of activities or schemes specially aimed at pupils with particular needs (for example refugees, Gypsy Travellers and underachieving ethnic groups, including white pupils).

❏ Providers of schemes and activities support the school's policies on racial equality and racial harassment;

   ❏ providers make a commitment to challenge racism and promote and value cultural diversity

   ❏ providers have clear procedures for dealing with racist incidents, racism, and racial harassment.

G. STAFFING – RECRUITMENT, TRAINING AND PROFESSIONAL DEVELOPMENT

RECRUITMENT AND SELECTION

1. Recruitment and selection procedures are consistent with the statutory race relations Code of Practice in Employment.

❏ The school has a copy of the CRE's *Code of Practice for the elimination of racial discrimination and the promotion of equality of opportunity in employment.*

❏ Members of the governing body are aware of the need to use the Code to ensure good practice in the school's selection, recruitment and promotion processes.

❏ Job descriptions and person specifications are clear and explicit.

❏ Skills, knowledge and experience called for in person specifications relate directly to the tasks needed to perform the job.

❏ Steps are taken to ensure that the potential for cultural bias is removed from the selection process;

    ❏ systems are in place to monitor applications by ethnic group, the data are analysed and the findings used to inform reviews of recruitment, selection and promotion practices

    ❏ all application forms are in plain English (or Welsh in Wales) and include guidelines on completion that are clear and easy to follow

    ❏ interviews and other selection methods focus on assessing the criteria identified in the person specification as being essential or desirable for the job

    ❏ all applicants are told in advance if any tests or presentations (for example through guidance or practice materials) are to be used

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Note. This area is particularly relevant to the section in the OFSTED Inspection Framework entitled: how well is the school led and managed? (see Appendix 3) and to the following section of the Estyn Newsbrief 5/99: Technical Paper 14: Equal opportunities (see Appendix 3a).

❏ interviews for all jobs are conducted by more than one person

❏ detailed interview notes are kept for one year

❏ feedback is given to unsuccessful candidates, if requested.

2. Everyone involved in recruitment and selection adheres to the school's recruitment and selection procedures.

❏ Everyone involved in selection and recruitment receives training on how to ensure racial equality.

❏ Detailed guidance materials are used to back up the training.

The recruitment and selection process is monitored to

❏ ensure that recruitment and selection procedures are followed

❏ identify any particular training and support needs.

❏ Any breaches in procedure are addressed immediately and appropriate action taken.

3. Steps are taken to encourage people from under-represented ethnic minority groups to apply for positions at all levels in the school.

❏ Where appropriate, job advertisements are included in media aimed at ethnic minority communities.

❏ Job advertisements include an equal opportunities policy statement and encourage applications from groups under-represented among the school's employees (see Appendix 2, sections 37 and 38 of the Race Relations Act)

❏ People from all ethnic groups are encouraged to become involved in the school, including the classroom, for example as volunteers or for pre-teacher training.

❏ Volunteer involvement in the school is monitored by ethnic group and reflects the ethnic make-up of the local population.

❏ The school supports local, regional or national initiatives which encourage people from ethnic minorities to consider teaching as a career.

❏ Potential applicants to the teaching profession from all ethnic groups are offered pre-employment support.

4.   The recruitment and selection process is monitored and reviewed to ensure that discrimination is not taking place and to identify examples of good practice.

❑   Ethnic monitoring data and the results of feedback and consultation on the recruitment and selection process are taken into account when reviewing person specifications and job descriptions.

❑   Ethnic data on applications are used to identify positions that do not attract many ethnic minority applicants.

❑   Targets are adopted to increase the proportions of under-represented groups at various grades and are reviewed regularly.

❑   Information about strategies and methods that have proved successful in increasing the number of ethnic minority applicants is shared with other schools.

DEVELOPMENT, RETENTION AND PROMOTION

5.   The school monitors the employment and professional development of staff by ethnic group.

❑   The school is aware of national, regional and local employment trends for ethnic minority teaching and non-teaching staff and uses this information to set school targets.

❑   Policies and practices on employment and professional development are reviewed and amended in the light of ethnic data on:

   ❑   staff on permanent and fixed term contracts

   ❑   staff by grade within the school structure

   ❑   staff promotion

   ❑   staff turnover.

❑   Policies and procedures on recruitment, training and development of staff are reviewed and amended in the light of evaluations.

❑   Examples of good practice are shared with other schools locally, regionally and nationally.

6. Staff and governors go through regular and systematic training programmes on racial equality issues.

A regular and systematic programme of racial equality training is given to all

- ❏ managers
- ❏ support staff
- ❏ governors
- ❏ teachers.

❏ Training takes account of work roles and individual needs and experiences. It includes:

- ❏ legal responsibilities under the 1976 Race Relations Act (see Appendix 2)

- ❏ other race related legislation (for example the 1998 Crime and Disorder Act, see Appendix 2)

- ❏ the school's strategy for promoting racial equality and eliminating racial discrimination

- ❏ implementation of the school's racial harassment policy and procedures

- ❏ racial equality and the recruitment and selection process

- ❏ acquisition and use of English

- ❏ race and special educational needs

- ❏ how racial stereotyping affects judgement, and the impact it has on school life

- ❏ dealing with confrontational situations involving race

- ❏ the background and history of Britain's ethnic minorities.

❏ Racial equality is an integral part of all formal and informal training provided by the school.

7. Proactive steps are taken to identify, support and provide opportunities for the professional development of staff from all ethnic groups.

❏ Ethnic minority have equal access to all types and levels of post within the school;

❏ staff who specialise in working with ethnic minority pupils have access to training and development opportunities to enable them to apply for mainstream and senior teaching and management positions.

All staff are offered support and staff development opportunities, including:

❏ mentoring

❏ shadowing

❏ self-help networks.

Appraisals of all staff include evaluation of:

❏ the effectiveness of the support they receive

❏ the professional development opportunities they are given.

❏ Ethnic minority staff are not seen as 'race' specialists.

❏ Strategies and methods used by other schools and LEAs that have proved successful in improving career prospects for ethnic minority staff are identified and adopted.

❏ The school shares successful strategies and methods for improving the career development of ethnic minority staff with other schools locally, regionally and nationally.

8.   A person's effectiveness in dealing with racial equality issues is addressed through various line management mechanisms.

❏ Racial equality is addressed in staff meetings, appraisals and line management sessions, where appropriate.

❏ Individual targets are set to address racial equality issues.

❏ Information relating to staff effectiveness in dealing with racial equality issues is used to develop and provide training and support programmes for individuals, groups and all staff.

❏ Good individual practice is identified during appraisal and is shared with all staff;

❏ staff are encouraged to participate in local equality and racial equality networks.

9.   The school takes active steps to ensure that selection for redundancy avoids racial discrimination.

❏   The school evaluates the methods used to select for redundancy, to ensure that they do not put particular ethnic minority groups at a disadvantage.

❏   Steps are taken to change the methods of selection where disadvantage has been identified.

APPENDIX 1. AUDIT FORM

The floppy disk which accompanies these standards contains files for each of the seven areas covered by the standards. Each file contains a form which can be used when the school audits itself against the standards and a form which will help it to develop and implement a racial equality action plan. The forms are designed to be completed on the computer. It is recommended that the files are downloaded on to your computer hard disk and that the originals on the floppy disk are kept as templates.

When completing the audit form, schools are asked to check the appropriate box, indicating the extent to which they meet a specific standard. The options are:

- **Not met** (check this box if the school doesn't meet any of the criteria in the checklist)

- **Partially met** (check this box if the school meets half or less than half of the criteria in the checklist)

- **Mostly met** (check this box if the school meets more than half of the criteria in the checklist)

- **Fully met** (check this box if the school meets all the criteria in the checklist)

The school is asked to provide documentary evidence to demonstrate the response. This is important, because it helps to ensure that an accurate response is given. Also, the documentary evidence will assist the action planning process and with setting targets.

A sample page from the audit forms is printed on the following page.

SAMPLE AUDIT FORM

Policy, Leadership and Management 1

The audit	Audit date:

1. The school has a written racial equality policy (either a separate policy or a distinct section within a broader equal opportunities policy)	Not met ☐ Partially met ☐ Mostly met ☐ Fully met ☐

What documentary evidence demonstrates this response? Possible sources include:

☐ An up to date Racial Equality Policy or Equal Opportunities Policy
☐ Recruitment and selection policy (with specific references to racial equality and the CRE's Code of Practice)
☐ Minutes of governor and senior management meetings
☐ School Development Plan/Action Plans including specific racial equality targets
☐ Reports of consultations with parents, pupils, local communities (which show inputs from all ethnic groups)
☐ Other (please specify)

Developing and implementing an Action Plan

What are we going to do? (Targets)	How are we going to do it? (Tasks)

What are the outcomes? (Success criteria)

Who is responsible?	Time-scales	What are the resource implications?

How will we evaluate the impact of the outcomes? (Evaluation methods)

References to targets in the School Development Plan

Press **Tab**, **Page Down** or **Page Up** to navigate through the form. Press F1 for help

APPENDIX 2: THE LEGAL CASE FOR RACIAL EQUALITY

CIVIL LAW

THE RACE RELATIONS ACT 1976

The Race Relations Act 1976 (the Act) makes it unlawful to discriminate on racial grounds in a number of areas, including employment and education. Racial grounds are grounds of race, colour, nationality (including citizenship) and ethnic or national origin. Racial groups are groups defined by reference to these grounds. Sikhs, Jews and Gypsies have been recognised by the courts as racial groups and are therefore protected against discrimination by the Act.

What is discrimination?

Direct discrimination (section 1(1)(a)) occurs when a person is treated less favourably than another on racial grounds. The comparison must be with a person whose relevant circumstances are more or less the same. It is not necessary to prove that there was an intention to discriminate; what is relevant is that the outcome was discriminatory.

Indirect discrimination (section 1(1)(b)) occurs when

- a person is subject to a requirement or condition that is applied equally to everyone, but which in practice disproportionately fewer people from their racial group can comply with

- the requirement or condition cannot be justified on non-racial grounds

- it is a detriment to the person because they cannot comply with it.

Victimisation (section 2) occurs when a person is treated less favourably than another because they have complained of racial discrimination (by any person), given evidence or otherwise assisted another person's complaint of racial discrimination, or because it was known that they intended to do so.

Racial discrimination in education

Section 17 – Discrimination by schools, colleges, etc

Section 17 makes it unlawful to discriminate in the terms on which a person is offered admission as a pupil; by refusing admission; in the way a pupil is given access to benefits, facilities or services; by excluding a pupil; or by subjecting a pupil to any other detriment.

Responsibility for discrimination under section 17 falls to LEAs and governors of LEA maintained schools in England and Wales and to proprietors of independent schools and non-maintained special schools.

Examples:

- It could constitute direct discrimination to exclude black pupils for a disciplinary offence when white pupils with comparable behaviour records are not excluded for the same offence.

- It could amount to indirect discrimination if a school insists that all pupils must wear a school uniform which does not allow for the dress requirements of particular racial groups.

- A teacher denied an opportunity for training because she supported a colleague's complaint of racial harassment in the school could complain of victimisation.

Section 18 – Further liability of LEAs

It is unlawful for an LEA in carrying out functions that are not within section 17 to do any act which constitutes racial discrimination. For example it would be unlawful for an LEA to discriminate on racial grounds in assessing special educational needs (SEN) or in specifying or making provision for pupils' SEN.

Section 19 – General duty on public sector and powers of Secretary of State

There is a general duty on all public sector providers of education to make sure that facilities for education, including any benefits or services, are provided without discrimination. The obligations under sections 17 and 18 and this general duty are enforceable in England and Wales by the Secretary of State exercising powers to give directions under the Education Act 1996 (sections 496 and 497).

Section 20 – Provision of goods, facilities and services to the public

Where goods, facilities or services are provided to the public or a section of the public, it is unlawful to discriminate on racial grounds by refusing to provide a person with those goods facilities or services, or by refusing to provide a person with goods, facilities or services of the same quality, or in the same manner or terms as they are provided to other members of the public. In the context of schools, this could include non-educational activities such as arrangements for hire of school premises.

Section 4 – Employment

It is unlawful for an employer to discriminate on racial grounds in relation to all aspects of recruitment and selection; terms and conditions of employment; access or refusal of access to opportunities for promotion, training or transfer; dismissal or any other detriment (for example racial harassment).

Section 32 – Vicarious liability

Employers will be liable for acts of discrimination performed by their employees, unless the employers can prove they have taken 'such steps as were reasonably practicable' to prevent such acts. Thus, any case in the county court or employment tribunal alleging racial discrimination by a head teacher or any other member of school staff is likely to be brought against the governing body or the LEA as the employer, whether or not the individual discriminator is also named.

The 'Bernard Manning case', *Burton and Rhule v De Vere Hotel*, confirmed that employers are responsible for protecting their employees from racial harassment, whether they are subjected to it by other employees or by third parties.

Section 35 – Action to meet the special needs of particular racial groups

Section 35 provides an exemption from the non-discrimination requirements of the Act where action is taken to meet the special needs of people from a particular racial group in relation to their education, training or welfare. It will not be unlawful to offer English language classes only to pupils whose first language is not English, or to offer extra tuition to pupils from a racial group which consistently underachieves in that subject.

Sections 37 and 38 – Positive action

Positive action is the term used for measures taken under sections 37 and 38 of the Race Relations Act. Broadly, these enable employers, training bodies, trade unions and employers' associations to:

● encourage applications for jobs or membership from people of a particular racial or ethnic group

● provide training to help fit them for particular work or posts where they have been disproportionately underrepresented at any time during the previous twelve months.

Section 71 – Duty on local authorities

This section imposes a duty on all local authorities 'to make appropriate arrangements with a view to securing that their various functions are carried out with due regard to the need to eliminate unlawful racial discrimination and to promote equality of opportunity and good relations between persons of different racial groups'. Local authorities with a commitment to racial equality have relied on this section to require maintained schools to adopt equal opportunities policies and to monitor their equality performance in relation to staff and pupils.

CRIMINAL LAW

PUBLIC ORDER ACT 1986

The following sections of the Public Order Act may be used in response to racial harassment and racist incidents:

● section 4 covers fear or provocation of violence

● section 4A covers intentional harassment, alarm or distress

● section 5 covers harassment, alarm or distress.

PROTECTION FROM HARASSMENT ACT 1997

The Act makes it an offence to commit more than once acts that 'amount to harassment' of another person and which the perpetrator knows, or ought to know, amount to harassment. Unlike section 4A of the Public Order Act, it is not necessary to prove that the perpetrator intended to harass, alarm or cause distress. The offence is punishable by six months' imprisonment and/or a fine of up to £5,000.

On convicting someone for harassment under this Act, the court can impose a restraining order to protect the victim or others from further harassment. To breach the restraining order is a separate offence carrying a sentence of up to five years' imprisonment.

CRIME AND DISORDER ACT 1998

The Act introduces new racially aggravated offences of assault, grievous bodily harm or criminal damage in England and Wales. The offences carry significantly higher penalties. An offence is racially aggravated if:

● at the time it is committed, or just before or after, the offender demonstrates hostility towards the victim based on the victim's membership of a racial group

● the offence is motivated by hostility based on membership of a racial group.

('Membership' includes presumed membership and association with people from a particular racial group.)

The Act also requires the courts in England and Wales to pass higher sentences for any offence where evidence of racial aggravation has been presented.

CASE STUDIES

Indirect discrimination in admission – *Mandla v Dowell Lee*

In 1978, Mr Sewa Singh Mandla, a Sikh, tried to enrol his son as a pupil at a private school in Birmingham. The head teacher of the school, Mr Dowell Lee, refused to admit the boy to the school unless he complied with the school's rule on uniforms, which would require him to remove his turban and cut his hair.

With the CRE's assistance, Mr Mandla took a case to the Birmingham County Court where he argued that the headteacher's 'no turban' rule constituted unlawful indirect discrimination under section 1(1)(b) of the Race Relations Act, because:

● the school's uniform rule constituted a condition or requirement which a smaller proportion of Sikhs could comply with

● the rule could not be justified.

The claim was upheld by the House of Lords in 1983. The Lords ruled that:

● in the Act, the term 'can comply' should be interpreted as meaning 'can in practice comply', consistent with the customs and cultural norms of the racial group

● the 'no turbans' rule could not be justified on educational grounds

● Sikhs are a racial group for the purposes of the Race Relations Act.

The House of Lords definition of a racial group was referred to in the case *CRE-v-Dutton*, which established that Gypsies may be regarded as a racial group under the Race Relations Act.

Secondary school admissions – formal investigation of Hertfordshire County Council

In 1989 and 1990, the CRE conducted a formal investigation into admissions at Watford Grammar Schools, two comprehensive, single sex schools. The investigation examined the criteria used to allocate places at secondary schools and the allocation of places at both schools.

The LEA's admission criteria provided that, where a school was oversubscribed the LEA gave first priority to applicants with siblings currently enrolled at the school. The remaining places were allocated on the basis of the 'strength' of the parents'

written application. 'Nearness' and ease of access to the school were only considered if a parent made specific reference to these points, but they only carried the same weight as any other reason that a parent might give for wanting their child to go to the particular school. The strength of an application was judged on the number of reasons that a parent had given, and the case as a whole was assessed on the basis of 'personal judgement'.

The investigation data clearly showed that the criterion of 'parents' reasons' had a disproportionate adverse effect on Asian applicants to the Grammar Schools. The evidence showed that no applicants whose parents had given fewer than the minimum number of reasons in support of their child's application to the school were offered places at the school. A survey of Asian parents demonstrated that the proportion of Asian parents who were able to comply with the requirement was considerably smaller than the proportion of non-Asian parents who were able to comply. This was because of difficulties they had with English and their relative lack of knowledge of the British educational system. The CRE concluded that those parents whose children were barred from admission to their first choice of school suffered detriment as a result. It also found that the condition was not justifiable and that the council was liable for indirect racial discrimination under section 1(1)(b) read together with section 18 of the Race Relations Act 1976.

The CRE also found that, while the 'sibling rule' was also indirectly discriminatory, it was justifiable on educational grounds.

Indirect discrimination in exclusion

The CRE has supported a number of cases relating to discrimination over school uniform. These include cases relating to Muslim girls wishing to wear *hijaab* (a head scarf) and *shalwar kameez* (traditional trouser suit) in school colours. The cases were resolved out of court, but they set a number of important precedents.

In one case a head teacher excluded two Muslim sisters who wanted to wear *shalwar kameez*. The head teacher took the matter to the Education Committee, which upheld the school's decision. However, a meeting of the full council of the local authority acknowledged that, by excluding the girls because they could not comply with a uniform requirement, the school and the LEA could be liable for unlawful discrimination.

In another case the head teacher claimed to have consulted Muslim organisations before deciding to exclude two girls who wanted to wear *shalwar kameez*. The school claimed that it was already catering for the girls' religious needs by allowing them to wear ankle length skirts. The CRE explained to the school that modesty in dress is observed in different ways by different ethnic groups and that Muslim cultural conditions needed to be respected.

Separate provision for pupils receiving ESL support – formal investigation of Calderdale LEA

In 1985 the CRE conducted a formal investigation into the arrangements made by Calderdale LEA for teaching English as a second language (ESL). The LEA's arrangements were that:

- all children newly arrived or recently returned from the Indian subcontinent, and all those born in the UK whose first language was not English, had to take a language test to determine whether they required special ESL tuition

- those children who did not pass the test were placed in a separate language class or language centre.

The LEA's arrangements had several effects:

- nearly all the children taking the test were of Asian origin

- up to 80% of Asian children in the authority had spent between one and two years in a language unit and out of mainstream schooling

- half the language units were situated outside areas of Asian settlement, which meant that some of the children had to be transported to the units; compared to children attending a local school, these children spent more time travelling and could lose part of the school day

- the curriculum followed in the language units was often narrower than in mainstream schools and, at secondary level, they did not have specialist subject teachers

- the parents of children in language units could not appeal against their child's placement, had no opportunity to express a school preference and, in some cases, could not take part in elections to school governing bodies.

The CRE's investigation concluded that the LEA's arrangements for ESL teaching constituted indirect discrimination, on the grounds that:

- the language test amounted to a condition or requirement for admission to mainstream schools

- the proportion of Asian pupils who could comply with the requirement was smaller than for other racial groups

- separate language unit placements meant that pupils and parents suffered a detriment

- the practice could not be justified on educational grounds.

The CRE referred its findings to the Secretary of State for Education, who agreed with the finding that the authority's arrangements for ESL teaching were unlawful. The Calderdale case is important for two main reasons:

- it establishes that separate provision, where it involves exclusion from main-stream schooling and cannot be justified on educational grounds, is unlawful

- it highlights how educational practices and procedures can have discriminatory outcomes regardless of their intentions: while the LEA's intentions were to do what it believed to be in the best interests of the children, the investigation revealed that the adverse consequences of separate language units outweighed the benefits.

Pupils on work experience – *CRE v Fearn and British Electrical Repairs*

In 1986 a teacher at Selhurst High School in Croydon telephoned Mr David Fearn, the manager of British Electrical Repairs (BER), to discuss the possibility of work experience placements for two of the school's pupils. The teacher had selected the firm from the phone book and had no prior knowledge of BER. The teacher explained the nature and purpose of work experience and Mr Fearn invited him to visit the factory the next day.

The next day, following an extensive tour of the factory, the teacher discussed the details of the work experience placement with Mr Fearn. The boys in question were described as two well motivated and pleasant young 'West Indian' boys.

There was a moment's awkwardness and the teacher asked if the boys' racial origin was a problem. Mr Fearn said that he didn't have a problem, but that he did not think that the work force would accept it, and that it would not be a good idea to proceed with the placement. Mr Fearn then fumbled for further non-racial reasons to exclude the two boys, such as educational attainment and maturity.

Giving evidence later, the teacher also alleged that Mr Fearn had suggested that perhaps the firm could start with two other boys first and, if that was a success then he could take the two West Indian boys on another occasion.

The teacher, who was shocked and upset, decided that no pupils could be placed at BER and reported the incident to the head teacher. The head teacher wrote to Croydon's Chief Education Officer, who referred the matter to the CRE.

When the case came to Westminster County Court, the judge ruled that Mr Fearn had been in breach of section 31 of the Race Relations Act, in that he had attempted to induce a teacher to discriminate against the two boys by not sending them to the factory. The judge also concluded that, under section 32 of the Race Relations Act, BER was liable for the discriminatory act of one of its employees, since the company had not taken sufficient steps to ensure that its employees did not discriminate.

CRE v Fearn and British Electrical Repairs is important for a number of reasons:

- work experience placements give employers the opportunity to exert pressure on schools to discriminate

- if the teacher had complied with the request and sent two white boys instead, the school would have been in breach of section17 of the Race Relations Act by not affording the two ethnic minority pupils access to educational facilities on racial grounds

- the matter only came to light because of prompt action by the teacher

- although BER had an equal opportunities policy, the policy did not absolve the firm from liability under section 32 of the Act: the policy was not monitored and its staff had not been trained on the implications of the policy, nor on how to implement the policy.

Racial harassment – *X v public school in the north of England*

X attended a public school in the north of England. The boy started experiencing racial abuse in September 1993 when he was in the fourth form. A number of incidents occurred where boys made racial comments to X. The incidents were often accompanied by physical bullying of the boy and his friends. The boy's parents lodged a complaint, but the school failed to take any action and the boy received little support from teaching staff.

On one occasion, X was physically assaulted by a teacher. Following this incident, the boy's parents arranged a meeting with the head teacher and made a further complaint of racial and physical abuse. Again, the boy's parents felt that the school failed to take effective action to deal with the complaint.

In January 1994, X was suspended for fighting with a sixth former who had previously called him a 'black bastard'. Following the incident, the school sent a letter to all parents which identified the boy as a trouble maker and blamed him for causing the problems between fourth formers and sixth formers.

The school put pressure on X's parents to withdraw him from the school. When his parents refused, the school threatened to exclude him. The boy's parents felt that they had no alternative but to withdraw him from the school.

The CRE supported X's family in taking the case to Newcastle County Court; however, the school settled the case out of court by agreeing:

- to pay boy X £4,000 in compensation

- to pay the CRE's legal costs amounting to £4,147

- to work with the CRE to introduce a written equal opportunities policy

- to send a letter to all parents of pupils currently at the school and parents of pupils who had left since X's withdrawal informing them of the school's new equal opportunities policy

- that the letter to parents would confirm that the policy was introduced as a result of X's experience and would express the Board of Governors' deep regret at the distress caused to X and his family

- that the Chair of Governors would send a personal letter of regret to X and his parents regarding the shortcomings in the investigation.

Employment – *Hazlehurst, Frith and Odle v Governors of Warwick Park School and London Borough of Southwark*

Three teachers made a complaint of racial discrimination against Warwick Park School after failing to be shortlisted for five management positions created as a result of a reorganisation of the school's management structure. Initial recruitment to these posts was restricted to internal applicants and a total of eight people applied for one or more of four out of the five positions. Five applicants, all of whom were white, were shortlisted for interview. Mr Hazlehurst, Miss Frith and Mrs Odle, all of whom are black, were not shortlisted for any of the positions.

The case was heard at London South Industrial Tribunal in March 1998. A number of factors emerged during the hearing which led the tribunal to find the governors of Warwick Park School liable for racial discrimination.

While the school had an equal opportunities policy, the policy did not cover employment and staffing issues. The London Borough of Southwark had a policy which made explicit reference to the selection and recruitment process and schools were encouraged to adopt this policy. However, Warwick Park did not adopt the policy and the three-member shortlisting panel paid no attention to it.

The shortlisting process involved assessing each candidate against 11 criteria and awarding marks for the candidate's performance against each of them. A mark of 2 denoted that they fully met the criteria, 1 that they partially met the criteria and 0 that they had failed to meet the criteria. The panel agreed that an applicant needed to get a score of over 15 in order to be shortlisted for interview.

Each member of the panel assessed candidates against the 11 criteria and awarded a mark. However, the panel did not agree on the standards or levels that would justify awarding a particular mark and there was no agreed benchmark to ensure consistency of marking. A brief glance at the marking sheets shows wide disparities between the marks awarded to candidates. For example, on one of the criteria, one member of the shortlisting panel awarded a candidate a mark of 2 (fully complied), another member awarded a mark of 1 (partially meets the criteria) and the third member awarded 0 (failed to meet the criteria).

The tribunal found that the selection process had been influenced by personal knowledge of candidates and that the shortlisting panel had also relied on information

from other sources in awarding scores, including information gleaned from conversations with pupils, the head teacher and parents. One of the white applicants did not submit very much evidence in support of his application, but was marked highly by the panel on his perceived abilities.

The tribunal found that all but one of the 11 criteria used to shortlist candidates was subjective and, therefore, open to different interpretations – the only objective criterion dealt with attendance. The tribunal also found that there was no agreement as to how points should be awarded, with the result that a teacher who had more absence on his record than another teacher was awarded a higher mark.

The tribunal concluded that the shortlisting panel and, hence, the governors of Warwick Park School, had discriminated directly, if not deliberately, against Mr Hazelhurst, Miss Frith and Mrs Odle on grounds of race, contrary to Section 1(1)(a) of the Race Relations Act 1976.

The case is important for a number of reasons. It highlights the need:

- for governors to be aware of their responsibilities in relation to the Race Relations Act 1976

- for schools to have a policy and clear procedures for recruitment and selection

- for all those involved in the recruitment and selection process to know about the policy and procedures, and to be aware of their responsibilities under them

- to ensure that objective criteria are used to select candidates

- to ensure that those involved in the selection process only use information obtained in response to the agreed selection criteria

- for the selection panel to agree standards to ensure consistency throughout the selection process.

APPENDIX 3: OFSTED INSPECTIONS AND RACIAL EQUALITY (FOR SCHOOLS IN ENGLAND)

The *Framework for the Inspection of Schools* describes the obligations of registered inspectors in terms of the principles of the inspection and the inspection schedule. The inspection schedule sets out:

● the specific requirements for reporting on the work of the school and the standards achieved by its pupils

● the criteria which form the basis for arriving at judgements.

While equality is implicit in all aspects of an inspection, the Framework and the supporting guidance also make explicit references to racial equality issues which are set out below.

WHAT SORT OF SCHOOL IS IT?

The guidance states that inspectors should have regard for what is achieved by, and provided for all pupils in the school, whatever their age, attainment, gender, background, ethnicity or special educational needs. Inspectors should describe the background and circumstances of pupils who attend the school, including ethnicity. They should note the ethnic groups represented in the school in significant numbers, including refugee children, the number of Traveller children, the number of pupils for whom English is an additional language (EAL) and the number of EAL pupils who are at the early stages of learning English.

HOW HIGH ARE THE STANDARDS? THE SCHOOL'S RESULTS AND PUPILS' ACHIEVEMENTS

The framework states that inspectors must interpret and report on the school's results and other performance data in different subject areas at each stage of education, highlighting any variations in achievement between different groups of pupils. Inspectors must also interpret and report on trends in results over time and the school's progress towards its targets. In determining their judgements, inspectors should consider the extent to which there are any significant variations in attainment among pupils of different sex, ethnicity or background. Inspectors should also consider whether pupils for whom English is an additional language are making good progress.

The guidance offers illustrations of where inspectors should pitch judgements about results and about how well pupils achieve. It states that standards are unlikely to be satisfactory if there is evidence of widespread underachievement of pupils from ethnic minority groups.

In evaluating the school's results and other performance data, inspectors should discuss with the head teacher of a school serving more than one significant ethnic

minority group any significant variation in attainment by different groups of pupils. Inspectors are also required to examine performance trends over time and to report on any significant variation in performance by particular groups of pupils.

Before an inspection, inspectors should ask how the school analyses its results to identify strengths and weaknesses, whether it monitors the results of pupils from ethnic minority backgrounds and what action it is taking in the light of this evidence.

In assessing the school's progress towards its targets, inspectors are told to pay particular attention to the school's or the LEA's analysis of data, to see of there are differences in performance by different groups of pupils, for example pupils from ethnic minority backgrounds.

In assessing standards of work seen, in full inspections, inspectors need to undertake a detailed evaluation of variations between the standards of different groups of pupils and between different subjects.

Inspectors should comment on whether standards are consistently high across subjects. In doing this they should answer the following questions: Are pupils with special educational needs, who have English as an additional language or who are gifted or talented making good progress? Are there significant differences in the standards achieved by pupils according to their sex or ethnic backgrounds?

In full inspections, judgements about the achievements of pupils who speak English as an additional language should be based on how well a sample of pupils is doing in relation to specific targets or goals. To evaluate the achievements of pupils who speak English as an additional language, inspectors should determine their competency in English by reference to the levels in the National Curriculum.

In terms of how well pupils achieve, inspectors should take into account whether achievements are as high as they could or should be, for example whether the fact that English is not the first language poses a barrier to progress.

HOW HIGH ARE THE STANDARDS? PUPILS' ATTITUDES, BEHAVIOUR AND PERSONAL DEVELOPMENT

The framework states that inspectors must evaluate and report on attitudes to the school, behaviour (including exclusions), personal development and relationships, and attendance. In making judgements inspectors should consider the extent to which pupils work in an atmosphere free from oppressive behaviour, including bullying, sexism and racism. They should also consider the extent to which pupils respect other people's differences, particularly their feelings, values and beliefs.

The guidance states that inspectors should observe the quality of relationships between pupils from different backgrounds and between pupils and staff, since this will say much about the ethos of the school. The guidance states that attitudes, values and personal development cannot be satisfactory if there are more than isolated instances of racist attitudes or sexist language or behaviour. The guidance gives an example of two incidents of racism that were observed and ignored, resulting in an unfavourable judgement by the inspector.

In terms of pupils' attitudes to the school, inspectors are asked to consider the reasons for their attitudes. It is suggested that inspectors look at how the school promotes the cultural traditions, aspirations and values pupils bring with them from home and from their community. Inspectors should consider the attitudes of different groups of pupils to the school, and the reasons for any differences that are identified.

Inspectors are asked to judge whether pupils form constructive relationships with one another and with teachers and other adults. They are asked to look for evidence

of pupils working and playing together, particularly those from different ethnic minority backgrounds, and to evaluate how well pupils have learned to respect differences and understand and respect the feelings, values and beliefs of others. They are also asked to evaluate whether pupils reflect on and understand the impact of what they do on others.

The guidance asks: Do pupils work in an atmosphere free from oppressive behaviour such as bullying, sexism or racism? The guidance states that sexist and racist attitudes are formed very early, sometimes before children come to school. Inspectors are asked to assess how aware the adults in the school are of this and what steps they take to promote positive role models and counter negative attitudes throughout the school.

With regard to attendance, inspectors are asked to examine the data and consider the school's own analysis, especially if there are differences between year or ethnic groups.

HOW WELL ARE PUPILS TAUGHT?

The framework states that inspectors must evaluate and report on how well the school meets the needs of all its pupils in accordance with their age, gender, ethnicity, capability and special educational needs, whether they are gifted and talented and whether they have English as an additional language. In full inspections, inspectors should report on the teaching in each subject and comment on any variations between subjects and year groups.

The guidance asks: Do teachers use methods which enable all pupils to learn effectively? If there are any pupils or groups of pupils who are not involved and not learning effectively, then the inspector must determine the reasons for this. Inspectors are asked to give specific consideration to certain groups of pupils, including pupils for whom English is an additional language. Inspectors are asked to evaluate whether the teacher's use and style of questioning engages all pupils, whether practical activity is purposeful and not stereotyped and whether the use of resources stimulates learning and sensitively reflects different groups, cultures and backgrounds.

The guidance asks: How well does the teaching meet the needs of all pupils? The guidance states that ensuring equal opportunities must be an integral part of the judgements that an inspector makes about teaching. In assessing how well teachers promote and provide for equal opportunities, inspectors need to assess whether or not the teaching methods, access to resources, and the time of day or year disadvantage any groups of pupils. Inspectors need to take account of pupils' ages, sex, ethnicity and capability before reaching conclusions. The guidance includes an example of an inspection of the teaching of ethnic minority pupils, specifically Traveller children.

The guidance asks: How well does the school meet the needs of pupils with English as an additional language? Inspectors need to evaluate whether the school's planning and teaching methods take account of the language and learning needs of pupils for whom English is an additional language, including support at more advanced levels. Appropriate support is seen as:

● ensuring that pupils have opportunities for supported speaking and listening

● providing effective models of spoken and written language

- understanding how first language can be used to support the learning of a second language

- using high quality, culturally relevant visual aids and other resources

- providing bilingual support assistants.

Inspectors should look to see whether work with pupils who have English as an additional language fulfils the National Curriculum and whether withdrawal of pupils from lessons is kept to a minimum.

HOW GOOD ARE THE CURRICULAR AND OTHER OPPORTUNITIES OFFERED TO PUPILS?

The framework states that inspectors must evaluate and report on the quality and range of opportunities for learning provided by the school for all pupils, including extra-curricular activities. Inspectors must also evaluate and report on how well the school cultivates pupils' personal development (including spiritual, moral, social and cultural development).

The guidance offers an example of what might constitute a very good or excellent report: 'Pupils clearly understand what is right and wrong and show a high degree of respect for the differences between people and for their values and beliefs. The curriculum draws positively on their own cultural, family and religious backgrounds.'

The guidance asks: Does the school provide a broad range of worthwhile opportunities which meet the interests, aptitudes and special needs of pupils, including those having special educational needs? Inspectors are asked to take account of the needs of all pupils and of how the school ensures that these are met and that pupils have equal access and opportunities to succeed in all areas of the curriculum.

The guidance asks: Is the curriculum socially inclusive by ensuring equality of access and opportunity for all pupils? Inspectors need to evaluate whether:

- all groups do equally well and benefit equally and according to need from what the school provides

- any groups of pupils do not do as well, and if the school is aware of this

- the school offers any justifiable explanations for any differences

- the school has taken any effective action, if needed.

The guidance asks inspectors to assess whether the school provides pupils with knowledge and insight into values and beliefs and enables them to reflect on their experiences in a way which develops their spiritual awareness and self-knowledge.

The guidance asks whether the school teaches the pupils to appreciate their own cultural traditions as well as the diversity and richness of other cultures. Inspectors should look for evidence of how the school promotes the cultural traditions of its own area and the ethnic and cultural diversity of British society. Inspectors are advised that these may be looked for in all areas of the curriculum and in extra-curricular activities.

HOW WELL DOES THE SCHOOL CARE FOR ITS PUPILS?

The framework states that inspectors must evaluate and report on the steps taken to ensure pupils' welfare and safety, including the school's arrangements for child protection. In determining their judgements, inspectors should consider the extent to which the school has effective measures to promote good attendance and behaviour and to eliminate oppressive behaviour, including all forms of harassment and bullying. They should also consider the extent to which the school provides support and advice for all its pupils, informed by the monitoring of their academic progress, personal development, behaviour and attendance.

The guidance states that, in assessing whether the school ensures health, safety and protection for all pupils, inspectors should follow the four principles of the 1989 Children Act, including giving due consideration to the child's religion, racial origin, cultural and linguistic background.

Inspectors should assess the impact of the school's statutory behaviour policy in promoting respect and tolerance towards others and towards their beliefs, cultures and ethnic backgrounds. Inspectors should check that the policy makes clear the school's intolerance of bullying or racial or sexual harassment. Inspectors should also check that policies for recording the pattern and frequency of racist incidents are in place, and that such incidents and the actions taken are reported annually to the governing body, parents and the LEA.

Inspectors should use observation and discussions with pupils to evaluate how the school eliminates oppressive behaviour, bullying and harassment. Inspectors should ask for records of incidents in the last 12 months and pay particular attention to the measures that the school takes to prevent incidents. They should also check that no groups or individuals are treated unfairly or disadvantaged.

In full inspections, inspectors should evaluate how effective the school is in assessing how well pupils are doing academically and how well they are developing their personal skills. Inspectors should judge how well the school monitors the results of its assessments, so as to identify the achievements of different ethnic groups by ability or by sex. They should check how well this information is recorded and analysed, particularly in relation to pupils for whom English is an additional language, to help the school take action to improve achievement.

HOW WELL IS THE SCHOOL LED AND MANAGED?

The framework states that inspectors must evaluate and report on the efficiency and effectiveness of the head teacher and key staff in leading and managing the school and in promoting high standards and effective teaching and learning. Inspectors should evaluate and report on how well the governing body fulfils its statutory responsibilities and accounts for the performance of the school, and how effectively the school monitors and evaluates its performance. They should also evaluate and report on the extent to which the school makes the best strategic use of resources, and the extent to which the principles of best value are applied in the school's use of resources. In reaching their judgements, inspectors should consider the extent to which the school has explicit aims and values, including a commitment to good relationships and equality of opportunity for all, which are reflected in all its work.

The guidance states that, in assessing whether the school has explicit aims and values, including a commitment to good relationships and equality of opportunity for all, which are reflected in all its work, inspectors should look for evidence from a

number of sources, including signs of staff and pupils being valued and the school's commitment to inclusive policies.

Inspectors should talk to staff and pupils about their views of the school and what it stands for, equal opportunities and the extent to which there is interest in their work.

Inspectors should look for evidence that grants are used effectively for their designated purpose. For example, if a school is in receipt of the EMAG, is the money being used for its designated purpose?

In full inspections, inspectors should assess whether a school makes the best use of all its available resources to achieve the highest possible standards for all its pupils. Inspectors should also assess the effectiveness of staff working with pupils for whom English is an additional language.

HOW WELL DOES THE SCHOOL WORK IN PARTNERSHIP WITH PARENTS AND CARERS?

The *Framework for the Inspection of Schools* does not include explicit references to racial equality in the area of partnership with parents, the community and other organisations. However, it is implicit that inspectors should evaluate racial equality issues in these areas, and the guidance gives details of what is expected of inspectors.

Inspectors should use the meeting with parents to assess, among other things, whether there are groups of parents who have not been heard, and provide them with an opportunity to express their views.

In a full inspection, in assessing whether the school provides parents with quality information about the school, especially about pupils' progress, inspectors should assess how far information provided for parents can be understood and used, and how well the school keeps in touch with parents who speak little English. In assessing the quality of information provided for parents, inspectors should examine how far parents and teachers can talk informally about children and the arrangements that are made for parents whose first language is not English.

Sources: *Inspecting Schools: The Framework for the Inspection of Schools in England with effect from January 2000* (OFSTED, 1999) and *Handbook for Inspecting Primary and Nursery Schools* (OFSTED, 1999)

APPENDIX 3A: SUMMARY OF REFERENCES TO RACIAL EQUALITY IN THE FRAMEWORK AND GUIDANCE FOR INSPECTORS OF SCHOOLS IN WALES

FRAMEWORK FOR THE INSPECTION OF SCHOOLS AND SUPPORTING GUIDANCE

Part 1: Inspection requirements: Equal Opportunities: Throughout the inspection, the requirements of the Schedule should be applied in respect of all pupils in the school. Inspectors must ensure that the full range of age, gender, ability, special educational need, and ethnic and linguistic background is taken into account.

Part 2: Context: The school and its priorities: The statement should include …, where significant, a description of the composition of the school population in terms of its … ethnicity and linguistic and social background. Context indicators include socio-economic data such as … the proportion of pupils for whom English is an additional language.

EDUCATIONAL STANDARDS ACHIEVED BY PUPILS: STANDARDS ACHIEVED IN SUBJECTS AND AREAS OF LEARNING

The report should provide an overview of any significant variations in achievement and progress between particular groups of pupils identified by … ethnicity. Evidence should include an evaluation, where appropriate, of the effects of the school's policy and practice for equality of opportunity on the standards of achievement.

ETHOS OF THE SCHOOL: PUPIL'S SPIRITUAL, MORAL, SOCIAL AND CULTURAL DEVELOPMENT

Inspectors must evaluate and report on the part the school plays in enabling and encouraging pupils to appreciate their own cultural traditions and the diversity and richness of other cultures.

Guidance on characteristics of good quality:

- pupils recognise and increasingly understand the diversity of beliefs, attitudes and social and cultural traditions

- relationships are characterised by mutual respect and tolerance

- pupils are confident and treat each other and their environment with respect.

Guidance on characteristics of unsatisfactory quality:

- spiritual and moral development are not consistently promoted through the curriculum and pupils' response to their own experience and social and moral issues is immature and ill-considered

- relationships are lacking in mutual respect

- opportunities for developing cultural awareness and understanding are limited.

Inspectors should draw attention to any significant variations in the quality of provision for, or in the response of, particular groups of pupils identified by … ethnicity.

Discussion with pupils, teachers, parents and governors should reveal whether the school has an agreed approach to the ways in which spiritual and moral issues should be addressed consistently through all the subjects of the curriculum and the general life of the school.

ETHOS OF THE SCHOOL: BEHAVIOUR AND ATTITUDES

Evidence for consideration when reviewing the ethos of the school includes any tension between linguistic, ethnic or other groups.

SUBJECTS AND AREAS OF LEARNING: STANDARDS ACHIEVED BY PUPILS

For each subject of the curriculum or areas of learning, inspectors must evaluate and report on any significant variations in achievement and progress between particular groups of pupils identified by age, ability, ethnicity or gender.

CURRICULUM

Issues for consideration when reviewing evidence include: Does the curriculum adequately reflect the overall aims of the school and is it appropriate to the pupils' needs, interests and abilities? The school should cater for the whole range of pupils' needs including provision for pupils … for whom English is an additional language.

Inspectors need to be aware of the relevant legislation which refers to equal opportunities in education. These include … the 1976 Race Relations Act … and subsequent case law.

SUPPORT GUIDANCE AND PUPILS' WELFARE

Characteristics of good support and guidance:

- The school has effective child protection procedures and appropriate measures for eliminating oppressive behaviour, including all forms of harassment and bullying.

In relation to the prevention and elimination of oppressive behaviour, including all forms of harassment and bullying, attention should be given to how the school

creates a climate for good behaviour as well as how it deals with specific instances of misbehaviour. In relation to harassment and bullying, inspectors need to assess how well the school recognises and records incidents that occur, how well it deals with them and what steps are taken to prevent repetition.

PARTNERSHIP WITH PARENTS AND COMMUNITY, SCHOOLS AND OTHER INSTITUTIONS

It will be necessary to evaluate the school's efforts to communicate with and involve the parents of pupils whose home language is other than English or Welsh. In particular, it will be necessary to evaluate the nature and extent of the contribution of parents and the community to the school and the benefit derived from them ... In secondary schools, where appropriate, inspectors will need to evaluate the links with voluntary organisations and the contributions they make to pupils' learning and personal development.

TECHNICAL PAPER 14: EQUAL OPPORTUNITIES

1.   Introduction

Schools' responsibilities in respect of equality of opportunity are expressed, *inter alia*, in the … Race Relations Act and subsequent case law.

Inspectors need to be aware of the nature of the school they are inspecting and be alert to the dangers of accepting subjective views about either the intake or the local community.

The effectiveness of the school's arrangements for promoting equality of opportunity, access to the curriculum, and achievement should be inspected through the analysis of school documentation, observation in the classroom and other school contexts, and discussions with pupils and staff. A core task is to assess the influence of the school's practice and policies on pupils' access to the curriculum and their achievements.

2.   Observation in the classroom and other school contexts will provide evidence concerning:

- the extent to which teachers recognise the need to increase pupils' motivation by various means and discover ways of eliminating negative and passive attitudes, which are more prevalent among certain groups of pupils than others

- the extent to which staff are aware of the cultural backgrounds and particular needs of pupils from ethnic minority groups, including Travellers, should be evaluated. It may be important to establish whether codes of conduct devised by the school take account of the possibility of racial incidents … and whether sanctions such as exclusion bear evenly on different groups of pupils.

3.   The analysis of school documentation

- *Teaching of equal opportunities*. Such teaching is likely to occur in a wide range of contexts in the majority of schools. Important issues for consideration include the extent to which the school seeks to ensure that pupils are presented with a balanced range of evidence when controversial issues are dealt with. Teams will also need to take account of the responsibility of every school to prepare young people for the reality of an ethnically and culturally diverse society.

● *Monitoring*. Inspectors should establish whether the school monitors outcomes by gender and ethnicity; whether an examination or test results are compared with earlier assessments of ability and attainment; whether the destinations of different groups of pupils on leaving school are analysed, and whether teachers are aware of the results of such monitoring and use it for planning and guidance purposes.

TECHNICAL PAPER 17: SCHOOLS REQUIRING SPECIAL MEASURES

Education standards achieved:

● Is there underachievement by the majority of pupils or consistently among particular groups of pupils, especially in relation to core subjects of the national curriculum?

Ethos of the school:

● Is there poor attendance by a substantial proportion of pupils or a particular group of pupils?

● Is there evidence of significant levels of racial tension or harassment?

Source: Estyn Newsbrief (5/99)

APPENDIX 4: ETHNIC MONITORING

Ethnic monitoring will only be really effective if the school is clear about exactly why data are being collected. The school should be able to explain why the data are needed and what will be done with the information. This will help the school to ensure that the data are being used effectively and that explanations can be provided to those who are the subjects of ethnic monitoring and who are being asked to provide the information.

A number of factors will influence the extent to which ethnic monitoring is undertaken in a particular school. In England, the DfEE requires every school to provide details of the ethnicity of each of its pupils. In Wales, the National Assembly for Wales is establishing a system that will require schools to give details of each pupil's ethnic group. In preparing their Education Development Plans and Behaviour Support Plans, local education authorities may require their schools to provide ethnic data on exclusions, pupil attainment and progress, and attendance.

THE SIZE OF THE SCHOOL'S ETHNIC MINORITY POPULATION

A school with no ethnic minority pupils, or just one or two of them, may not feel that it is necessary to undertake monitoring beyond that required by the DfEE/National Assembly for Wales and its LEA. However, it is important to ensure that ethnic minority pupils are not being disadvantaged in any way. Where the school does not use a formal system of ethnic monitoring, it should informally ensure that the pupils are treated equitably and fairly and that any specific needs are identified and met.

Schools with larger numbers of ethnic minority pupils should undertake extensive monitoring. The aim should be to monitor all areas and activities within, or involving, the school including: pupil attainment and progress; pupil behaviour, including bullying and harassment; pupil attendance; allocation to subjects; selection and recruitment; and parental and community involvement in the school.

Ethnic monitoring is only one dimension of the monitoring that schools should undertake. The school should also monitor by sex, disability, special needs and home language and take account of all these dimensions when evaluating ethnic data. Research shows that there may be differences in levels of attainment within an ethnic group, based on sex, and that pupils from some ethnic minority groups may be at greater risk of being labelled as having 'special needs'.

ETHNIC CATEGORIES

The choice of ethnic categories will be partly determined by national requirements. The DfEE uses, and the National Assembly for Wales will be using, categories based on the census. Schools should also use these categories as a starting point, as it is important to see how they compare with the national picture. However, it may also be appropriate to add further categories if, for example, the school has a number of

pupils from a particular ethnic group (for example Vietnamese or Croatian) and the group is not specified in the national classifications. Where further categories are used, the school should bear in mind that the categories adopted should be compatible with national ethnic monitoring categories, so that they can be subsumed within broader national categories, as needed.

The suggested categories for the 2001 census are outlined in the government white paper, *The 2001 Census of the Population*. The paper proposes the following categories (for England and Wales) in relation to the question: 'What is your ethnic group?'

White

❏   British

❏   Irish

❏   Any other white background

Mixed

❏   White and Black Caribbean

❏   White and Black African

❏   White and Asian

❏   Any other mixed background

Asian or Asian British

❏   Indian

❏   Pakistani

❏   Bangladeshi

❏   Any other Asian background

Black or Black British

❏   Caribbean

❏   African

❏   Any other Black background

Chinese or Other Ethnic Group

❏   Chinese

❏   Any other group

The purpose of ethnic monitoring is to identify trends and patterns which might show up differences and inequalities between ethnic groups. Schools with small numbers of ethnic minority pupils may question the validity of using ethnic data; for example while ethnic minority pupils may be over-represented among pupils who are underachieving, the actual number of them might be quite small. The issue, however, is not just one of number but also of proportion; the over-representation of underachievers from a particular ethnic minority group would suggest that there might be a problem in the school, and if the pattern is repeated over a four to five year period, then it is very likely that there is a problem. Crucially, the school needs to ask why pupils from the ethnic group in question are underachieving.

A school's data will be compared with national data. National data for England, for example, shows that black pupils are between three and six times more likely to be excluded from school than white pupils of the same sex. This pattern is repeated in schools across the country. Nationally, the data is statistically valid. The over-representation of black pupils among those who are excluded from school is a national problem and, therefore, an issue for all schools.

Communication is an essential part of equal opportunities. Parents and other members of the school community need to be told why ethnic monitoring is important and should be kept informed of the school's progress towards meeting its racial equality objectives. Ethnic monitoring data should be included in governors' reports and information for parents, since it is an indicator of the school's progress towards meeting its racial equality objectives.

APPENDIX 5: THE STEPHEN LAWRENCE INQUIRY REPORT AND THE HOME SECRETARY'S ACTION PLAN

RECOMMENDATIONS FOR EDUCATION

The Stephen Lawrence Inquiry Report makes three recommendations that relate specifically to education:

Recommendation 67: That consideration be given to the amendment of the national curriculum aimed at valuing cultural diversity and preventing racism, in order better to reflect the needs of a diverse society.

Recommendation 68: That local education authorities and school governors have the duty to create and implement strategies in their school to prevent and address racism. Such strategies to include:

- that schools record all racist incidents

- that all recorded incidents are reported to the pupils' parents/guardians, school governors and LEAs

- that the numbers of racist incidents are published annually on a school by school basis

- that the numbers and self defined ethnic identity of 'excluded' pupils are published annually on a school by school basis.

Recommendation 69: That OFSTED inspections include examination of the implementation of such strategies.

THE HOME SECRETARY'S ACTION PLAN

The government's response to the recommendations was to:

- accept Recommendation 67

- accept in part Recommendation 68

- accept Recommendation 69.

Response to Recommendation 67

Lead responsibility: DfEE

1. The Department has taken a number of actions to date. The National Curriculum addresses and values the diverse nature of British society. In History, for example, there is a firm focus on British history, part of which recognises Britain's multicultural society. It specifically requires people to consider the social, cultural, religious and ethnic diversity of societies studied, both in Britain and elsewhere. The contributions of different countries and cultures are also reflected in other National Curriculum subjects such as geography, music and art and through personal, social and health education (PSHE) courses.

Furthermore, all subject documents are designed to provide teachers with flexibility to tailor their teaching to stimulate and challenge all pupils, whatever their ethnic origin or social background.

2. Citizenship education is about how we treat each other and, importantly, how we learn to respect ourselves and one another as citizens. It should foster an understanding of the diversity of cultures which exist in Britain today. Crucially, it should help people to develop the skills and aptitudes to resolve conflict without violence. The Government set up the Advisory Group on Education for Citizenship to recommend ways in which schools can provide effective citizenship education. Their final report makes a powerful and persuasive case for citizenship education for all pupils based on social and moral responsibility, community involvement and political literacy.

3. In response to the recommendation, the Government believes that it is vital that the National Curriculum properly reflects the needs of a diverse society. In particular, we will ensure that citizenship has a prominent place in the revised National Curriculum and that provision builds on existing good practice. We will be seeking the views of teachers, parents and the wider community in the public consultation on the National Curriculum review this Summer.

4. The Government and the Qualifications and Curriculum Authority will develop a statement of values and aims for the curriculum which will reflect the curriculum's role in developing pupils' knowledge and understanding of different beliefs and cultures, including an appreciation of diversity. We will also consider the value of 'access statements' for the curriculum.

5. We will consider whether any further changes should be made to the rest of the National Curriculum to reflect better the needs of a diverse society. We will take close account of the views of the DfEE's Advisory Group on Raising Ethnic Minority Pupil Achievement.

Response to Recommendation 68

Lead responsibility: DfEE

1. The Department has already taken a number of relevant actions in this area. All schools are required in law to have behaviour and discipline policies. From September, they will also need specific strategies to prevent all forms of bullying. They must also aim to promote good relations and mutual respect and tolerance between different racial groups. The DfEE advises that schools should take seriously all incidents of racist harassment and bullying and has issued a pack containing advice on strategies to tackle bullying. Draft guidance on *Schools Inclusion: Pupil Support*, published for consultation in January 1999, emphasises the importance of schools having strategies in place to deal with racist incidents, including bullying. In addition, teacher training will support teachers in equipping them with the skills to handle racist incidents.

2. More generally, the DfEE is spending over £430m in the next three years – a 15% increase for schools to pay for more teachers to provide language support and mentors for minority ethnic children. This expenditure will directly contribute to raising the achievement of minority ethnic pupils.

3. The high rate of exclusion, notably black children (black African, black Caribbean and black Other), was identified in the report of the Social Exclusion Unit, *Truancy and School Exclusion*, published in May 1998. That report set out a range of measures to reduce the incidence of truancy and exclusion. These and others are now being implemented, including greater use of on-site facilities as an alternative to exclusion, and better reporting of minority ethnic exclusions, decisions on which must remain the responsibility of head teachers. We are reviewing, as part of the consultation on the future of the teaching profession, the training of teachers and head teachers to ensure that teachers are aware of cultural differences and able to respond appropriately to the needs of minority ethnic children.

We are also planning to promote community mentoring as a proven approach to reducing incidents of the types of behaviour which put some children at risk of exclusion.

4. In considering further action in light of the recommendation, the Government is determined to prevent pupils being tormented by racist bullying. This applies to all schools irrespective of the number of minority ethnic pupils. The DfEE will look at the best way of ensuring that all schools have effective anti-bullying policies and can deal effectively with any incidents of racist harassment.

5. The DfEE will make clear in *School Inclusion: Pupil Support* guidance that all racist incidents are to be recorded and that parents and governors are informed of the nature of an incident and the action taken to deal with it. Governing Bodies will be expected to inform local education authorities, on an annual basis, of the pattern and frequency of any such incidents.

6. The Government does not, however, agree with the recommendation to publish the number of racist incidents on a school by school basis. A number of disadvantages would arise from this approach. In our view, that risks discouraging the reporting of racist incidents to the detriment of minority ethnic children, effectively penalising those schools which sought to address the problems by acting in an open and honest manner.

7. The DfEE is enhancing the action it is taking to tackle the disproportionate rates of exclusion of black children. It is investing £500m to support schools in tackling truancy and exclusion. We are also discussing with LEAs ways to use more on-site facilities to enable schools to tackle disruption without excluding pupils. We will ensure that those authorities with the highest proportion of exclusions of black children put clear strategies into place to address this problem.

8. In addition to the £430m programme to raise minority ethnic achievement, the new *Excellence in Cities* initiative will bring enormous benefits to children living in inner city areas, including those from minority ethnic communities. It will focus on the needs of individual children, so that enhanced opportunity is available to every child in the targeted cities, irrespective of where they live and which school they attend.

Response to Recommendation 69

Lead responsibility: OFSTED

1. The current position is that all maintained schools are inspected at intervals of between two and six years by external teams under contract to OFSTED. Inspections lead to a full report, which evaluates the school according to the *Framework for the Inspection of Schools,* published by OFSTED, and gives the governing body a clear agenda for the action required to improve it. Among the requirements of OFSTED's *Framework for the Inspection of Schools* is the need to gather evidence and report about:

- the extent to which the school has effective measures to promote discipline and good behaviour and eliminate oppressive behaviour, including all forms of harassment and bullying

- pupils' behaviour, including incidence of exclusions

- the quality of relationships in the school, including the degree of harmony, where applicable, and

- the extent to which statutory requirements are met.

2. The framework lists factors which inspectors must take account of when deciding whether a school requires specific measures because it is failing, or is likely to fail, to give pupils an acceptable standard of education. These include:

- regular disruptive behaviour, breakdown of discipline or high levels of exclusion

●   significant levels of racial tension or harassment, and

●   pupils at physical or emotional risk from other pupils or adults in the school.

3. All local education authorities will be inspected by OFSTED, with a published report, by September 2001. The focus of those inspections is the support which LEAs provide for raising standards in schools.

APPENDIX 6: GENERAL STATEMENT ON INCLUSION FOR THE NATIONAL CURRICULUM IN ENGLAND

The General Statement on Inclusion which accompanies the National Curriculum in England requires schools, in planning and teaching the curriculum, to take due regard of a range of principles, including a number that make specific reference to the Race Relations Act 1976, and to challenging racism and promoting racial equality.

Section 1. Setting suitable learning challenges

A ... flexible approach will be needed to take account of any gaps in pupil's learning resulting from missed or interrupted schooling, such as may be experienced by Travellers, refugees.

Section 2. Responding to the diverse needs pupils bring to their learning

When planning, teachers should have high expectations and provide opportunities for all pupils to achieve, including boys and girls, pupils with special educational needs, pupils with disabilities, pupils from all social and cultural backgrounds, pupils of different ethnic groups, including Travellers, refugees and asylum seekers, and those from diverse linguistic backgrounds. Teachers need to be aware that pupils bring to school different experiences, interests and strengths which will influence the way in which they learn. Teachers have a duty to plan their approaches to teaching and learning so that all pupils can take part in lessons fully and effectively.

To ensure that they meet the full range of pupils' needs, teachers should be aware of the requirements of the equal opportunities legislation that covers race, sex and disability (the Race Relations Act 1976, Sex Discrimination Act 1975 and the Disability Discrimination Act 1995).

Teachers should take specific action to respond to pupils' diverse needs by:

- creating effective learning environments in which, for example:

  - the contribution of all pupils is valued

  - all pupils can feel secure and are able to contribute appropriately

  - stereotypical views are challenged and pupils learn to appreciate and view positively difference in others, whether arising from race, sex, ability or disability

  - pupils learn to take responsibility for their actions and behaviours both in school and the wider community

  - all forms of bullying and harassment, including racial harassment, are challenged

  - pupils are enabled to participate safely in clothing appropriate to their religious beliefs, particularly in subjects such as science, design and technology and physical education

- securing their motivation and concentration through, for example:

  - using teaching approaches appropriate to different learning styles

- using, where appropriate, a range of organisational approaches, such as setting, grouping or individual work to ensure that learning needs are properly addressed

- using flexibilities available to vary subject content and presentation so that this matches the pupils' learning needs

- planning work which builds on pupils' interests and cultural experiences

- planning appropriately challenging work for those whose ability and understanding are in advance of their language skills

- using materials which reflect social and cultural diversity and provide positive images of race, sex and disability

- planning and monitoring the pace of work so that they all have a chance to learn effectively and achieve success

- taking action to maintain interest and continuity of learning for pupils who may be absent for extended periods of time

● providing equality of opportunity through teaching approaches which, for example:

- take account of pupils' specific religious or cultural beliefs relating to representation of ideas and experiences or to the use of particular types of equipment, particularly in art, design and technology, science, ICT and music

● using appropriate assessment approaches which, for example:

- allow for different learning styles and ensure that every pupil is given the chance and encouragement to demonstrate their competence and attainment through appropriate means

- are familiar to the pupils and for which they have been adequately prepared

- use materials which are free from discrimination and stereotyping of any type

- provide clear and unambiguous feedback to pupils to aid further learning

● Setting targets for learning which, for example:

- build on pupils' knowledge, experiences, interests and strengths and develop areas of weakness to demonstrate progression over time

- are attainable and yet challenging and help pupils to develop their self esteem and confidence in their ability to learn

Section 3. Overcoming potential barriers to learning and assessment for individuals and groups

A minority of pupils will have particular learning and assessment requirements which go beyond the provisions described in sections 1 and 2 and, if not addressed, could create barriers to learning. These requirements are likely to arise as a consequence of a pupil having a special educational need or disability, or may be linked to a pupil's progress in learning English as an additional language.

Teachers must take account of these requirements and make provision, where necessary, to support individuals or groups of pupils to enable them to participate effectively in the curriculum and assessment activities. During the end of key stage assessments, teachers should bear in mind that special arrangements are available to support individual pupils.

(iii) Pupils who are learning English as an additional language

Pupils for whom English is an additional language have diverse needs in terms of the support necessary in English language learning. Planning will take account of such factors as pupils' age, length of time in this country, previous educational experience and their skills

in other languages. Careful monitoring of each pupil's progress in the acquisition of English language skills and of subject knowledge and understanding will be necessary to confirm that no learning difficulties are present.

The ability of pupils for whom English is an additional language to take part in the national curriculum may be ahead of their communication skills in English. Teachers should plan learning opportunities to help pupils develop their English and aim to provide the support they need to take part in all subject areas.

Teachers should take specific action to help pupils who are learning English as an additional language by:

● developing spoken and written English through, for example:

  • ensuring that vocabulary work covers both technical and everyday meanings of key words, metaphors and idioms

  • explaining clearly how speaking and writing in English are structured to achieve different purposes, across a range of subjects

  • providing a variety of reading materials (for example, pupils' own work, the media, ICT, literature, reference books) that highlight the different ways English is used, especially those that help pupils to understand society and culture

  • ensuring that there are effective opportunities for talk, and that talk is used to support writing in all subjects

  • where appropriate, encouraging pupils to transfer their skills, knowledge and understanding of one language to another, pointing out the similarities and differences between languages

  • building on pupils' experiences of language at home and in the wider community so that their developing use of English and other languages support one another

● Ensuring access to the curriculum and to assessment through, for example:

  • using accessible texts and materials that suit pupils' ages and levels of learning

  • providing support by using ICT or video or audio materials, dictionaries and translators, readers and amanuenses

  • using home or first languages, where appropriate.

Source: *General Statement on Inclusion*, Annex 3, Appendix 2: Developing the School Curriculum: QCA's report and recommendations following the statutory consultation on the Secretary of State's proposals for the review of the national curriculum in England, August 1999.

THE CURRICULUM IN WALES

In Wales, the National Assembly Secretary for Education and Children has asked the curriculum authority in Wales to develop guidance on equal opportunities within the curriculum. The intention is that the guidance will promote a greater understanding of the values of a multicultural society across the whole curriculum.

APPENDIX 7: ETHNIC MINORITY AND TRAVELLER ACHIEVEMENT GRANT

OBJECTIVES

To support activity specifically designed to improve the attainment of minority ethnic, Traveller and refugee pupils. In particular:

a.   to raise standards of achievement for those minority ethnic groups who are particularly at risk of under-achieving;

b.   to meet the particular needs of pupils for whom English is an additional language (EAL);

c.   to secure improved access to education, more regular school attendance and higher levels of attainment for Traveller children; and

d.   to meet the particular needs of refugee children.

BASIS OF ALLOCATIONS

Most of the grant will be allocated by a formula based on the number of EAL and minority ethnic pupils and the number of pupils within the LEA eligible for free school meals (FSM), with a guarantee that the overall cash value of each LEA's allocation will be no less than in 1999-2000. In addition, the grant will include an element for 'Travellers and displaced persons' which mirrors individual authorities' existing allocations.

ELIGIBLE EXPENDITURE

The Ethnic Minority and Traveller Achievement Grant will support the following items of eligible expenditure:

a.   Gross salaries, employers' national insurance and employers' superannuation contributions of employing:

i   teachers, classroom assistants, nursery staff, and specialist education welfare officers (including bilingual assistants) whose role is to meet the particular needs of EAL pupils (including English language support and home-school liaison), and to raise standards of achievement of minority ethnic pupils (e.g. African-Caribbean pupils) and Travellers particularly at risk of under-achieving; and

ii   qualified teaching staff employed by the LEA to fulfil its central strategic role of providing specific support and advice to schools in making provision for the purposes of the grant, including accountability; in-service training, peripatetic support to schools; and monitoring and intervention if necessary.

b.   Costs of appropriate teaching materials required for the purposes of the grant, including computer software but excluding computer hardware.

c.   Training costs for teachers, other professionals and classroom assistants, including training fees; travel and subsistence for attendance at training courses; supply cover; and training materials to enable:

   i   specialist teachers and other staff employed under this grant to develop their expertise;

   ii   mainstream, class and subject teachers, classroom assistants and nursery staff, to provide for linguistic diversity and strategies to raise minority ethnic pupil attainment; and

   iii specialist and mainstream teachers and other professionals (e.g. educational psychologists), to recognise and support the needs of refugee children.

d.   Costs specifically related to the education of Travellers:

   i   transport costs for peripatetic project staff; pupil transport costs and uniform grants; boarding grants for highly mobile children; and support for mobile provision, outreach services, counselling and guidance on educational and career opportunities.

e.   Costs specifically related to the education of refugees:

   i   refugee support work directly related to enhanced pupil attainment.

DEVOLUTION TO SCHOOLS AND OTHER PROPOSED REQUIREMENTS OF GRANT

In order to qualify for grant, schools should:

● monitor achievement of minority ethnic groups; set clear targets and outcome measures agreed with the LEA, consistent with LEA wide targets; and include within their school development plan policies for: raising the achievement of minority ethnic pupils who are at risk of under-achievement; making provision for pupils for whom English is an additional language; and supporting the educational attainment of Travellers and refugee pupils;

● appoint and manage teachers and other staff funded by this grant or buy back an LEA's service. In either case, posts must be deployed effectively for purposes directly related to the objectives of the grant. Such posts must not be used for supply cover or to carry out general teaching duties. All teaching staff employed under this grant should have at least one year's teaching experience and a minimum level of relevant experience, qualifications or training;

● ensure the continuing professional development of staff employed under the grant; and ensure that other teachers undertake appropriate professional development to enable them to meet effectively the particular needs of minority ethnic pupils. Also to arrange for EAL teachers, who have not already done so, to receive training in the National Literacy Strategy;

● provide the LEA with information required to monitor the use of the grant.

LEAs will be expected, in particular, to:

- keep under review the attainment and performance of all ethnic groups, including EAL pupils;

- support schools in the development and implementation of their policies in relation to the grant; and in setting targets which feed into the LEA's targets and its Education Development Plan. Disseminate best practice reflecting innovation and successful provision in the Authority and elsewhere;

- in partnership with the LEA Inspectorate and Advisory Service, as appropriate, monitor progress and provide schools with regular reports about how minority ethnic groups are achieving in relation to the LEA's targets;

- support schools in providing continuing professional development for staff supported by this grant; and ensure that mainstream staff have access to in-service training, in relation to equal opportunities, linguistic diversity; and to implement strategies to raise minority ethnic pupils' attainment;

- satisfy themselves that EAL teachers supported by this grant have received training in the National Literacy Strategy;

- make provision, as appropriate, to secure improved access, attendance and educational achievement for Travellers;

- support schools in providing for the on-going education of refugee pupils and coordinate support services across the LEA to meet exceptional needs;

- put in place effective arrangements for co-ordinating other relevant LEA services and initiatives designed to meet the particular needs of minority ethnic pupils.

The purposes for which this grant is used must be reflected in the authority's Education Development Plan which should, in turn, articulate the links between this work and the implementation of the National Literacy Strategy

LEAs which received an allocation in 1999-2000 for Travellers should at least maintain the same level of provision in 2000-01, if it is warranted by identified need.

Wherever possible schools should seek to form relationships of mutual benefit with supplementary schools and other providers to address locally identified priorities.

All plans must include proposals drawn up in partnership with one or more schools specifically to introduce innovative approaches to addressing locally identified priorities. The Government is particularly keen for schools and LEAs to use the extra money this year to develop new and effective approaches to support Black-Caribbean children in the transition from key stages 2 to 3; to develop new and effective approaches to EAL teaching at key stage 1; and to improve the attainment of Traveller pupils at key stages 3 and 4.

Source: DfEE (1999). *The Standards Fund 2000-2001* Circular 16/99

APPENDIX 8: READING AND RESOURCES

COMMISSION FOR RACIAL EQUALITY

Website

The CRE website (http://www.cre.gov.uk) is a good source of general information on racial equality issues. See also the sections on Publications (with many freely down-loadable texts), *Connections* magazine, Your Rights, The Law, and Ethnic Diversity.

Priced publications

Available from Central Books 99 Wallis Road, London E9 5LN.
☎ 0208-986 5488. Please add 10% to each order for postage and packing.

Birmingham Local Education Authority and Schools: Referral and suspension of pupils: Report of a formal investigation (1985). £2.50

Ethnic Monitoring in Education (1992). £2.50

Exclusion from School and Racial Equality: A good practice guide (1997). £3

Exclusion from School and Racial Equality: A research report (1997). £5

Exclusion from School: The public cost (1997). £5

From Cradle to School: A practical guide to racial equality in early childhood education and care (1996). (£5)

Keep Them In Birmingham: Challenging racism in south west England (1992). £5

Lessons of the Law: A casebook of racial discrimination in education (1991). £3.50

Race Relations Code of Practice for the Elimination of Racial Discrimination and the Promotion of Equality of Opportunity in Employment (1984). £3

Race Relations Code of Practice for the Elimination of Racial Discrimination in Education (England and Wales) (1989). £3

Racial Equality Means Business: A standard for racial equality for employers (1995). £10

Racial Harassment at Work: What employers can do about it (1995). £5

Roots of the Future: Ethnic diversity in the making of Britain (1996). £9.95

Secondary School Admissions: Report of a formal investigation into Hertfordshire County Council (1992). £3.50

Set to Fail? Setting and banding in secondary schools (1992). £3

Special Educational Needs Assessment in Strathclyde: Report of a formal investigation (1996). £3.50

Free publications

Available from Central Books 99 Wallis Road, London E9 5LN.
☎ 0208-986 5488. Phone for details of postage charges.

Advice and Assistance from the CRE (leaflet)

CRE Publications Catalogue

Connections (magazine published quarterly)

CRE Factsheets:

- Criminal Justice

- Education and Training

- Employment and Unemployment

- Ethnic Minorities in Britain

- Ethnic Minorities in Wales

- Ethnic Minority Women

- Housing and Homelessness

- Criminal Justice in England and Wales

- Refugees and Asylum Seekers

- Young People in Britain

No Room for Racism (leaflet written for 8-12 year olds, 1994)

Religious Discrimination: Your rights (available in English, Arabic, Bengali, Chinese, Greek, Gujarati, Hindi, Punjabi, Turkish, Urdu and Welsh, 1996)

The Irish in Britain (1998)

We Regret to Inform You ... (leaflet showing the differential treatment given to young people from different ethnic backgrounds when they applied for the same jobs, 1997)

What is the CRE? (available in English, Arabic, Bengali, Chinese, Greek, Gujarati, Hindi, Punjabi, Turkish, Urdu and Welsh)

Various posters and postcards @ 50p each

OTHER PUBLICATIONS AND RESOURCES

Curriculum and teaching resources

Association for Science Education (1994). *Racial Equality and Science Teaching* (an INSET manual)

Association for Science Education (1994). *Racial Equality and Science Teaching: A teacher's handbook*

BIKESHED in association with Leeds Racial Harassment Project (1997). *Face to Face: Young people explore issues around racial harassment* (video and resource book).

Birmingham Partnership Against Racial Harassment and Birmingham City Council (1999). *In the Mix: Tackling racial harassment* (a video resource pack which tackles issues of racial harassment)

BRITKID http://www.britkid.org (a website for young people and teachers which includes information and an interactive game examining issues of race, identity and stereotyping)

COMPASS (1997). *All Different, All Equal.* Norfolk Education and Action for Development (a classroom and teachers' resource pack, including a video)

Council of Europe (1995). *All Different All Equal Education Pack: Ideas, resources, methods and activities for informal inter-cultural education with young people and adults*

Development Education Associates (1999) *Global Perspectives in the National Curriculum: Guidance for key stages 3 and 4.* (DEA has also produced guidance on other areas of the national curriculum such as Science, Modern Foreign Languages, English, History.)

Glasgow City Council (1998). *'it's not all Black and White': developing a strategic approach to anti-racist youth work* (video and training pack which covers racism and anti-racism, with an emphasis on the Scottish perspective)

Institute of Race Relations (2nd edition, 1999). *Homebeats: The struggle for racial justice* (CD Rom aimed at secondary age pupils)

Richardson, R and Wood, A (1999). *Inclusive Schools, Inclusive Society,* Trentham Books (produced by Race on the Agenda in association with the Association of Local Government and Save the Children)

The Runnymede Trust (1993). *Equality Assurance in Schools: Quality, identity, society – a handbook for action planning and school effectiveness.* Trentham Books and the Runnymede Trust

Sandwell Health Authority (1998). *Hear No Evil, See No Evil, Speak No Evil: An anti-racism education pack for children and young people* (a training resource covering ten themes which includes worksheets, photographs and a video)

Sinclair, Trevor (1995). *A Guide for Replicating Intervention Work Programmes of the Positive Images Education Project YouthAID*

Walsall Equal Opportunities Unit (1999). *Equal Opportunities Policies Pack,* Walsall LEA (contains guidelines for schools on the development of a range of policies and procedures)

Youth Against Racism in Europe (1996). *Anti-Racist Education Pack*

Developing equality of opportunity and challenging racism in policy and practice

Audit Unit, HMI of Schools and South Ayrshire Council (1999). *A Route to Equality and Fairness: Self-evaluation using performance indicators.* Edinburgh: The Scottish Office

Blair, Maud and Jill Bourne(1998). *Making the Difference: Teaching and learning strategies in successful multi-ethnic schools.* DfEE

Brown, Babette (1998). *Unlearning Discrimination in the Early Years.* Stoke on Trent: Trentham Books

Early Years Trainers Anti-Racist Network (1996). *On the Spot: Dealing with racism*

Early Years Trainers Anti-Racist Network (1998). *Planning for Excellence: Implementing the DfEE guidance requirement for the equal opportunity strategy in Early Years Development Plans.*

Gaine, Chris (1995). *Still No Problem Here.* Stoke on Trent: Trentham Books

Lane, Jane (1999). *Action for Racial Equality in the Early Years: Understanding the past, thinking about the present and planning for the future.* New Early Years Network

OFSTED (1999). *Raising the Attainment of Minority Ethnic Pupils: School and LEA responses*

Richardson, Robin and Angela Wood for Race on the Agenda (1999). *Inclusive Schools, Inclusive Society: Race and identity on the agenda.* Trentham Books

The Runnymede Trust (1993). *Equality Assurance in Schools: Quality, identity, society – a handbook for action planning and school effectiveness.* Trentham Books and the Runnymede Trust

The Runnymede Trust in association with Nottingham Trent University (1998) *Improving Practice: A whole school approach to raising the achievement of African Caribbean youth.* The Runnymede Trust

Northamptonshire County Council Multicultural Education Service, *Dealing with Racial Harassment and Racist Incidents in Schools: Professional development materials*

National Union of Teachers (1996). *Antiracist Curriculum Guidelines*

Social Work Services Inspectorate (1998). *Valuing Diversity: Having regard to the racial, religious, cultural and linguistic needs of Scotland's children.* The Scottish Office

Background reading

Bourne Jenny, Lee Bridges and Chris Searle (eds.) (1994). *Outcast England: How schools exclude black children.* London: Institute of Race Relations

Brown, Sally and Sheila Riddell (eds.) (1992). *Class, Race and Gender in Schools: A new agenda for policy and practice in Scottish education.* Edinburgh: SCRE

Cole, Mike; Dave Hill and Sharanjeet Shan (eds.) (1997). *Promoting Equality in Primary Schools.* London: Cassell

Connolly, Paul (1998). *Racism, Gender Identities and Young Children: Social relations in a multicultural, inner city primary school.* London: Routledge

DfEE (July 1999). *Social Inclusion: Pupil Support.* Circular 10/99

Gillborn, David and Caroline Gipps (1996). *Recent Research on the Achievements of Ethnic Minority Pupils.* London: OFSTED

Gillborn, David (1995). *Racism and Antiracism in Real Schools: Theory, policy, practice.* Milton Keynes: Open University Press

Hamilton, Caroline, Rebecca Rejtman-Bennett and Marcus Roberts (1999). *Racism and Race Relations in Predominantly White Schools: Preparing pupils for life in a multicultural society.* The Children's Legal Centre. University of Essex

Hewitt, Roger for the International Centre of Intercultural Studies and London Borough of Greenwich (1996). *Routes of Racism: The social basis of racist action.* Stoke on Trent: Trentham Books

Keel, Pat (ed.) (1994). *Assessment in the Multi-Ethnic Primary Classroom.* Stoke on Trent: Trentham Books

Kenrick, Donald and Colin Clark (1999). *Moving On: The Gypsies and Travellers of Britain.* University of Hertfordshire Press

Kiddle, Cathy (1999). *Traveller Children: A voice for themselves.* Jessica Kingsley Publishers

Morris, Rachel and Luke Clements (eds.) (1999). *Gaining Ground: Law Reform for Gypsies and Travellers.* Traveller Law Research Unit, Cardiff Law School, University of Hertfordshire Press

National Assembly for Wales (July 1999). *Pupil Support and Social Inclusion.* Circular 3/99

OFSTED (1996). *Exclusions from Secondary School 1995/96*

OFSTED (2000). *Inspecting Schools: The framework for the inspection of schools in England,*

OFSTED (1999). *Inspecting Subjects and Aspects 11-18: Equal opportunities*

OFSTED (1999). *Inspecting Subjects and Aspects 11-18: English as an Additional Language*

OFSTED (1996). *The Education of Travelling Children*

Powney, Janet; Joanna McPake, Stuart Hall, and Lindsay Lyall, (1998). *Education of Minority Ethnic Groups in Scotland: A review of research.* Edinburgh: SCRE

Siraj-Blatchford, Iram (ed.) (1998). *A Curriculum Development Handbook for Early Childhood Educators.* Stoke on Trent: Trentham Books

Sir William Macpherson of Cluny (1999). *The Stephen Lawrence Inquiry: Report of an inquiry.* The Stationery Office

Social Exclusion Unit (1998). *Truancy and School Exclusion: Report by the Social Exclusion Unit*

Troyna, Barry and Richard Hatcher (1992). *Racism in Children's Lives: A study of mainly white primary schools.* London: Routledge and National Children's Bureau

APPENDIX 9: USEFUL CONTACTS

COMMISSION FOR RACIAL EQUALITY

Head Office: Elliot House, 10-12 Allington Street, London, SW1E 5EH.
☎ 0207 828 7022

Birmingham: Lancaster House (3rd Floor), 67, Newhall Street,
Birmingham B3 1NA. ☎ 0121 710 3000

Leeds: Yorkshire Bank Chambers (1st floor), Infirmary Street,
Leeds, LS1 2JP. ☎ 0113 389 3600

Manchester: Maybrook House (5th floor), 40, Blackfriars Street,
Manchester, M3 2EG. ☎ 0161 835 5500

Scotland: 45, Hanover Street, Edinburgh, EH2 2PJ.
☎ 0131 226 5186

Wales: Capital Tower (14th floor), Greyfriars Street, Cardiff, CF1 3AG.
☎ 0292 038 8977

Website: http://www.cre.gov.uk

RACIAL EQUALITY COUNCILS

Racial equality councils (RECs) are local voluntary organisations that can provide
advice and assistance on racial discrimination and racial equality issues. A full list of
RECs is available from your nearest CRE office or from the CRE website
(http://www.cre.gov.uk). Your local REC will also be listed in the local phone book.

OTHER ORGANISATIONS AND SOURCES OF INFORMATION

Action Aid
Action Aid for Education
Chataway House
Leach Road
Chard,
Somerset TA20 1FA
☎ 01460 6297

Advisory Centre for Education
1b Aberdeen Studios
22 Highbury Grove
London N5 2DQ
☎ 0207 354 8321

Advisory Council for the Education of Romanies and other Travellers
Moot House, The Stow
Harlow
Essex

Amnesty International
99, Roseberry Avenue
London EC1
☎ 0207 814 6200
http://www.amnesty.org

Anti-Racist Alliance
PO Box 2578
London N5
☎ 0207 278 6869
http://www.blacknet.co.uk

Anti Racist Teacher Education Network
c/o Alison Hatt
Flat 5, 19 Hillbury Road
Tooting
London SW17 8JT

Artists Against Racism
http://aar.vrx.net

Campaign Against Racism and Fascism
BM Box 8784
London WC1N 3XX
http://www.carf.demon.co.uk

Early Years Trainers Anti-Racist Network
PO Box 28
Wallasey CH45 9NP
☎ 0151 639 6136

European Commission Against Racism and Intolerance
http://www.ecri.coe.int

European Youth Centre
Youth Directorate
Council for Europe
30 rue Pierre de Coubertin
F-67000, Strasbourg

Gypsy Council for Education, Culture, Welfare and Civil Rights
8 Hall Road
Aveley
Essex

Holocaust Education Trust
BCM Box 7892
London WC1N 3XX
☎ 0207 222 6822 (for teaching packs and educational resources on the Holocaust)

Human Rights Internet
www.hri.ca/index.htm
The site includes a section on children's rights.

Institute of Race Relations
2-6 Leeke Street
London WC1X 9HS
☎ 0207 837 0041
http://www.homebeats.co.uk

Leeds Racial Harassment Project
Dysons Buildings
Buslingthorpe Lane
Leeds LS7 2DB
☎ 0113 293 5100

National Association of Teachers for Travellers
C/o Essex Traveller Education Service
C/o Alec Hunter School
Stubbs Lane
Braintree
Essex CM7 3NT

NASUWT
5 King Street
Covent Garden
London WC2E 8HN
☎ 0207 379 9499
http://www.teachersunion.org.uk

National Antiracist Movement in Education
89, Livingstone Road
Kings Heath
Birmingham B14 6DH
☎ 0121 444 2454

National Assembly Against Racism
http://ourworld.compuserve.com/homepages/aa_r

National Association of Head Teachers
1 Heath Square
Boltro Road
Haywards Heath
West Sussex RH16 1BL
☎ 01444 472474 (For guidelines on developing equality policies and procedures)
http://www.naht.org.uk

National Early Years Network
77 Holloway Road
London N7 8JZ
☎ 0207 607 9573

National Union of Teachers
Education and Equal Opportunities Department
Hamilton House
Mabledon Place
London WC1H 9BD
☎ 0207 388 6191
http://www.teachers.org.uk

National Youth Agency
17-23 Albion Street
Leicester LE1 6GD
☎ 0116 285 6789
http://www.nya.org.uk

Northamptonshire Multicultural Education Service
The MCE Base
Spencer Centre
Lewis Road
Northampton NN5 7BJ
☎ 01604 587442

OXFAM
274 Banbury Road
Oxford OX2 7DZ
☎ 01865 313600 (For books and resource materials on development, diversity and related issues)
http://www.oxfam.org.uk

The Runnymede Trust
133 Aldersgate Street
London EC1A 4JA
☎ 0207 600 9666
http://www.fhit.org/runnymede

Save the Children
17 Grove Lane
London SE5 8RD
☎ 0207 703 5400 (for global education packs for working with young people)
http://www.oneworld.org/scf/youth (website for young people)

Searchlight
37b Cavendish Street
London W1M 8JR
☎ 0207 284 4040
http://www.s-light.demon.co.uk

Show Racism the Red Card
1, Drury Lane
Newcastle upon Tyne NE1 1EA
☎ 0191 291 0160
http://www.srtrc.org

Statewatch
PO Box 1516
London N16 0EW
☎ 0208 802 1882
http://www.statewatch.org

The 1990 Trust
Southbank Technopark
90, London Road
London SE1 6LN
☎ 0207 717 1579
http://www.blink.org.uk

Trentham Books Limited
Westview House
734 London Road
Oakhill
Stoke on Trent ST4 5NP
☎ 01782 745567
http://www.trentham-books.co.uk

United Nations Children's Fund (UNICEF)
http://www.unicef.org
The site includes a range of information including a site for teachers and an interactive puzzle on children's issues globally.

Working Group Against Racism in Children's Resources (WGARCR)
460, Wandsworth Road
London SW8 3LX
☎ 0208 627 4594
http://www.freespace.virgin.net/wgarc.r/index.htm

Youth Against Racism in Europe
PO Box 858
London E9 5HU

YouthAID Lewisham
17 Brownhill Road
Catford
London SE6 2HG

APPENDIX 10: GLOSSARY

Black

Black is sometimes used as a general term for people of African, Caribbean, South Asian and other Asian origin. Black is also one of the ethnic monitoring categories used in the census. It includes Caribbeans, Africans and others who wish to describe themselves as Black.

Ethnicity

Ethnicity refers to a person's identification with a group which shares some or all of the same culture, lifestyle, language, religion, nationality, geographical region and history. Everybody belongs to an ethnic group, including, for example, the English, Irish, Scottish and Welsh.

Ethnic monitoring

The process of collecting and comparing data by ethnic group. In the school environment, ethnic monitoring might cover attainment and progress, recruitment and promotion, behaviour, discipline and exclusion, attendance, involvement in activities and use of services, and parental involvement in the school.

'Institutional racism'

The Stephen Lawrence Inquiry Report defines institutional racism as:

> The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage minority ethnic people.

Multiculturalism

Multiculturalism is about recognising the value and importance of diverse cultures, and treating people from different ethnic and cultural backgrounds as one's equals.

Parent

The term 'parent' is used to include those who have parental responsibilities, including the local authority in the case of looked after children.

Race

A term used to describe a class of people distinguished by their skin colour and physical characteristics. There is no scientific basis for the nineteenth century belief that people could be divided into four basic 'races' and that some were superior to others.

Racial group

The Race Relations Act 1976 defines 'racial group' by race, colour, nationality (including citizenship) and ethnic or national origin.

Racial harassment

The CRE defines racial harassment as verbal or physical violence which includes attacks on property as well as on the person, which is suffered by individuals or groups because of their colour, race, nationality and ethnic or national origins, and where the victim believes that the perpetrator was acting on racial grounds and/or there is evidence of racism.

Racial prejudice

Prejudice involves prejudging people on the basis of false assumptions or inadequate evidence. Racial prejudice, which is usually negative, involves holding opinions or attitudes about people because of their racial or ethnic origin, based on false assumptions or inadequate evidence.

Racial stereotyping

Racial stereotyping involves categorising a racial group based on knowledge or experience of the actions or behaviour of a few people from that particular racial group. Racial stereotyping can be seen in views that certain racial groups are 'good at sport', or 'keep to themselves'.

Racism

The Stephen Lawrence Inquiry Report defines racism as

> ... conduct or words which advantage or disadvantage people because of their colour, culture or ethnic origin. In its more subtle form it is as damaging as in its more overt form.

Using this definition, Black, White or Asian people may be victims of racism. This definition of racism is consistent with the Race Relations Act. Some groups of people (for example Black people, Asians, Gypsies and asylum seekers) are much more likely to suffer racism. Racism is sometimes used to refer to the power relationship between White people and Black people. The basis for this viewpoint is that most of the social, economic and political decisions are made by white people and that these decisions may systematically disadvantage Black people. 'Black' is used politically in this context to unite people who are not white or who are likely to be subjected to racism (for example Jewish people).

Racist incident

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

Travellers

Travellers refers to people who are traditionally nomadic, although they may now be living in houses or on permanent sites. The term covers Gypsies (who are recognised as a racial group under the Race Relations Act), Bargees, circus people, and New Age Travellers.