

**THE HIGHLAND COUNCIL**  
**EDUCATION, CULTURE and SPORT SERVICE**

**EDUCATION AUTHORITY**

**RACE EQUALITY POLICY**

**September 2004**

**The Highland Council  
Education, Culture & Sport Service**

**Education Authority Race Equality Policy**

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# Education Authority Race Equality Policy

## Foreword

The Race Relations (Amendment) Act 2000 requires the Education Authority to be pro-active in tackling discrimination and promoting equality and good race relations.

Current predictions indicate that the Highlands will experience a significant reduction in the number of young and economically active people over the next 20 years. To combat this, promoting the area as an exciting place to live and work is a key priority for the Council and other agencies. It also means attracting people to an area that is safe, inclusive and welcoming to people from diverse cultures and backgrounds.

Given the increasingly diverse nature of Scottish society and the growth of opportunities for our young people to travel, study or live abroad it is vital for our schools to acknowledge and to tackle head-on the issues of racism and discrimination. The council has an important leadership role to promote citizenship and community safety and to work with our partner agencies towards those aims. There is no better starting point in raising awareness and building an appreciation of equality and citizenship than through our schools. Children and young people, teachers, other school staff and parents/carers all have a vital role to play in shaping communities that are free from discrimination and where racism is unacceptable.

Ensuring that the duties of legislation are met in rural areas with small numbers minority ethnic populations is no less important than in more densely populated areas. We are aware that over 300 children and young people across the Highlands speak at least one of over 40 languages other than English in their homes. While this is a small percentage of the 33,000 pupils currently in education, this figure clearly represents the diversity of the cultures in the area served by the Highland Council.

The Education Race Equality Policy provides the opportunity to confirm that the Education Authority is opposed to all forms of racism and is committed to eliminating unlawful discrimination, and to the promotion of equal opportunities and good race relations.



Cllr Andrew Anderson  
Chairman  
Education, Culture and Sport Committee



Bruce Robertson  
Director  
Education, Culture and Sport Service

# Education Authority Race Equality Policy

## 1. INTRODUCTION

The Highland Council is committed to fulfilling the general duty of the Race Relations Act 1976 as amended by the Race Relations (Amendment) Act 2000 to eliminate discrimination, promote equality of opportunity and to promote good race relations.

This Race Equality Policy sets out the Education Authority's commitments and intentions to address race equality work in accordance with the statutory Code of Practice and accompanying guidelines, in particular A Guide for Education Authorities and Schools in Scotland, produced by the Commission for Racial Equality in Scotland (CRE)<sup>i</sup>, and is complimentary to the Highland Council's Race Equality Scheme<sup>ii</sup>.

## 2 VALUES AND AIMS

In April 2001, Highland Council agreed the following policy statement:

"The Highland Council is opposed to racism. It is committed to working towards the elimination of discrimination and to promoting racial equality. The Council will do this by fulfilling its legal duties as a public authority service provider and employer and by working in partnership with other local agencies and community organisations".

The Highland Council's new Corporate Plan 2004 – 2007<sup>iii</sup> recognises that some people and communities find it more difficult to take advantage of opportunities. The plan aims to reduce inequalities within Highland and stresses the Council's commitment to tackling disadvantage wherever it arises and to striving to provide equality of access to services. The Goals and Values of the Education, Culture and Sport Service include enabling the people of the Highlands to achieve their full potential, promoting an inclusive approach to service provision, encouraging a participative and inclusive approach to the decision-making process and to ensuring the best possible deployment of resources in a fair, equitable and transparent.

This policy aims to help achieve these ends by improving the quality of life for pupils, staff and parents/carers by creating an environment where discrimination or abuse on the basis of race is confronted and tackled effectively. Thus the explicit aims of this policy are to:

- Highlight the need to promote positive attitudes and behaviour in pupils, staff and parents/carers towards people from different ethnic, cultural or national origins.
- Promote through the curriculum and ethos of schools, tolerance for, knowledge and understanding about and positive attitudes towards people of different cultures, religions and origins
- Develop systems and structures to assist schools in fulfilling their obligations under Race Relations legislation to pupils, parents/carers and staff.

### **3. BACKGROUND**

#### **Legal Context**

The Race Relations (Amendment) Act (RRAA) 2000 came into force in April 2001, amending the Race Relations Act 1976 and, introducing a new general duty requiring public authorities to have due regard to the need to:

- Eliminate unlawful racial discrimination
- Promote equal opportunities, and
- Promote good race relations between people of different groups.

In March 2002, the Scottish Parliament approved new specific duties to enable public authorities to better meet the general duty.

The main provisions of the RRAA are that it:

- Outlaws racial discrimination in the carrying out of all public functions; this includes private sector bodies to the extent that they are carrying out functions on behalf of a public authority
- Places a general duty on local authorities and other specified public bodies, including Her Majesty's Inspectorate of Education (HMIE), to eliminate racial discrimination and promote race equality and good relations between persons of different racial groups.
- Gives power to Government to impose specific duties on public bodies as are considered appropriate to ensure the better performance of their general duties.
- Gives power to the Commission for Racial Equality (CRE) to enforce these special duties.

In addition to the general duty, the Education Authority is required to comply with the following specific Education duties:

- Prepare a written statement of its policy for promoting race equality (its Race Equality Policy)
- Maintain a copy of the statement and, in the case of an education authority, ensure that each school under its management maintains such a copy.
- Have in place arrangements for fulfilling, as soon as is reasonably practicable, the duties below, and
- Fulfil those duties in accordance with such arrangements and ensure that each school under its management complies with the arrangements.

It is the duty of the Education Authority to:

- assess the impact of its policies, including its race equality policy, on pupils, staff and parents/carers of different racial groups including, in particular, the impact on attainment levels of such pupils
- monitor, by reference to their impact on such pupils, staff and parents/carers, the operation of such policies including, in particular, their impact on the attainment levels of such pupils.

Failure to comply could lead to legal action being taken by the Commission for Racial Equality against an individual and/or a school. This could involve a judicial review, the serving of a Compliance Notice and also result in Court action. All staff should be aware that compliance with the Act is a legal requirement.

## The Education Context

Meeting the duties of the RRAA is integral to schools fulfilling their role in addressing the five National Priorities. The National Priorities are a key part of the School Improvement Framework set out under the Standards in Scotland's Schools Act 2000 and define the outcomes that education authorities and schools aim to deliver for young people in Scotland.<sup>iv</sup>

- National Priority 1: *To raise standards of education for all in schools:* Schools should monitor pupils' progress and attainment by ethnic group and should put in place clear strategies for addressing underachievement and reporting upon improvements.
- National Priority 2: *To establish effective learning and teaching environments:* Staff require access to development opportunities to assist them to identify, tackle and challenge racism within schools.
- National Priority 3: *To promote equality and help every pupil benefit from education:* Schools should ensure that all children from ethnic minority backgrounds, including bilingual and English as an Additional Language (EAL) pupils, have equal access to the curriculum and are able to achieve to their fullest potential for learning.
- National Priority 4: *To work with others to teach pupils respect and the duties and responsibilities of citizenship:* Schools should be proactive in harnessing the potential of parents/carers and other positive role models within their communities to work in partnership to share their knowledge skills and expertise.
- National Priority 5: *To equip pupils with the skills, attitudes and expectations necessary to prosper in a changing society:* Both in terms of content and means of delivery, the school curriculum should reflect, value and promote diversity and challenge stereotypes and misconceptions.

## The Highland Context

Minority Ethnic population figures:

|                             | Scotland  |        | Highland |        |
|-----------------------------|-----------|--------|----------|--------|
| Total Population            | 5 062 011 | 100%   | 208 914  | 100%   |
| Total ME population         | 101 677   | 2.01%  | 1671     | 0.8%   |
| White                       | 4 960 334 | 97.99% | 207243   | 99.20% |
| Indian                      | 15 037    | 0.30%  | 165      | 0.08%  |
| Pakistani/other South Asian | 39 970    | 0.79%  | 388      | 0.19%  |
| Chinese                     | 16 310    | 0.32%  | 271      | 0.13%  |
| Black                       | 8 025     | 0.16%  | 203      | 0.10%  |
| Other                       | 22 335    | 0.44%  | 644      | 0.30%  |

The results of the 2001 Census showed that minority ethnic people make up 2% of the Scottish population; in Highland, the minority ethnic population is 0.8% (1671). These percentages contrast with the 1991 results of 1.25% (62,634) of the Scottish population and 0.54% (1107) of the Highland population. Approximately 72% live in the Inverness, Ross and Cromarty and Nairn areas with the highest concentration in Inverness; 10% live in Caithness and 7% in Lochaber.

The Indian, Pakistani and other South Asian populations have more than doubled since the 1991 census, and there is also a significant increase in the Chinese population.

Minority ethnic groups are still characterised as relatively small in terms of absolute numbers, and as a percentage of households. However, there is evidence of significant increases between the two census periods and of communities that are diverse in terms of ethnicity, culture and language as is noted below. Changing demographics, shifting employment and population patterns, and year-round tourism all result in people from a range of nationalities and ethnic backgrounds living and visiting the Highlands.

Information on the ethnic background of young people in Highland education establishments were collected for the first time in 2001 – 2002 and results are reported to the Scottish Executive<sup>v</sup>. Highland Council has over 33,000 pupils educated in 29 secondary schools, 187 primaries, 145 nursery units and 4 special schools. The number of pupils identified as from a minority ethnic background (categories of ethnic background other than white-UK and white-other) in Highland schools for 2003 - 2004 is 377, 1.14% of the total school population. This includes children and young people from the Gypsy/Traveller community which is considered to be a racial group. Information has also been collected on the diversity of languages spoken by young people in Highland, and identifies that over 300 of them speak at least one of 44 languages other than English or Gaelic in their home.

### **Summary of Racist Incidents in Highland schools**

#### **Racist Incident Summary**

| Year    | Number of Incidents |           | Total Incidents |
|---------|---------------------|-----------|-----------------|
|         | Primary             | Secondary |                 |
| 1999-00 | 9                   | 1         | 10              |
| 2000-01 | 4                   |           | 4               |
| 2001-02 | 5                   | 4         | 9               |
| 2002-03 | 15                  | 3         | 18              |
| 2003-04 | 4                   | 2         | 6               |

New, more comprehensive guidelines for investigating, reporting and recording racist incidents were introduced during session 2003 – 2004. All the incidents reported during that academic year involved pupils verbally abusing other pupils. The incidents were investigated by interviewing the pupils involved, other pupils and staff. Parents/carers of the victims and perpetrators were contacted. Appropriate action was taken, including the support of victims in keeping with the guidelines.

#### **4. COMMITMENT AND RESPONSIBILITIES**

As the Education Authority, the Highland Council's Education, Culture and Sport Service is committed to tackling discrimination, promoting equal opportunities and good race relations. This will be undertaken through encouraging and supporting staff, pupils, parents and carers to embrace the aims and values of the previous section.

##### **The Education Authority will:**

- Maintain a copy of its race equality policy and ensure that each school under its management maintains such a copy
- Fulfil its duties with regard to the requirements of the Race Relations (Amendment) Act 2000 and ensure that each school under its management complies with the Act
- Monitor and assist schools to audit the impact of its policies, including its race equality policy, on pupils, staff and parents/carers of different racial groups including the impact on attainment levels of such pupils
- Ensure compliance with the specific employment duties to monitor education staff by racial group
- Publish annually the results of such monitoring
- Ensure that the duty to comply with the Race Relations (Amendment) Act 2000 is made explicit within the remits of all staff
- Ensure that race equality is central to all of its policies and services in compliance with this policy.

##### **Head Teachers will:**

- Ensure that the requirements of this race equality policy are embedded in the school development planning process and are communicated to all staff, pupils, parents/carers and other bodies associated with an individual school
- Ensure that all racist incidents are recorded and that appropriate action is taken in line with ECS policy on Anti-Bullying and Anti-Racist Procedures
- Actively promote, through the ethos of the school, and through the provision of staff development opportunities for all staff, equality of opportunity, intercultural understanding and good race relations
- Develop the confidence to challenge prejudice and racism at all to help eliminate all unlawful racial discrimination within the Service
- Ensure that curricular resources support education for race equality in a way that pervades all of the curriculum and allows pupils to understand the origins, nature and detrimental effects of racism
- Monitor and review attainment, attendance and exclusion in terms of race equality and publish information on this annually
- Designate and support a senior member of staff to co-ordinate education for race equality
- Ensure there is effective communication between home and school, including attendance of parents/carers at key meetings
- Comply with the Council's recruitment and selection policies.
- Ensure that independent contractors, volunteers and visitors to the school are aware of this requirement to respect all members of the school community including those from minority ethnic backgrounds.

**Race Equality Co-ordinators will:**

- Co-ordinate the school's work on race equality
- Deal with reports on racist incidents including the recording, investigation and forwarding to the Performance Management Unit (PMU) of all incidents
- Take a lead role in the school's self evaluation procedures and staff development for Race Equality.

**All Staff will:**

- Promote equal opportunities, mutual respect for all and good race relations while avoiding discrimination against anyone for reasons of race, colour, nationality, ethnicity or national origins
- Deal with racist incidents and be able to recognise and tackle racial bias and stereotyping
- Keep up to date with the law on discrimination.

**All Visiting Instructors, Specialists and other staff employed by Highland Council will:**

- Comply with this policy and this requirement will be communicated through their respective line/service managers.

**The School Board will:**

- Assist the Head Teacher and staff in promoting the policy to all parents/carers and the wider community.

## **5. MEETING THE SPECIFIC DUTIES**

- **Race Equality Policy**

As required by the specific duties of the RRAA, the Education Authority and each school managed by the Highland Council's Education, Culture and Sport Service will fulfil the duty to:

- Maintain a copy of the statement and, in the case of an education authority ensure that each school under its management maintains such a copy.

The Education Authority has initiated the process of fulfilling its duties under the Act and will work towards full implementation as soon as is reasonably practicable. It will ensure each Highland Council school complies with the arrangements.

- **Assessing and Reviewing Policies**

The Education Authority has a duty to assess the impact of its policies on pupils, staff and parents/carers of different racial groups. This includes the Race Equality Policy, and, in particular, attainment.

The Education, Culture and Sport Service will put in place arrangements to assess the impact of new and existing policies on race equality. Schools are expected to review practice and policy with regard to Race Equality as part of their ongoing procedures for self-evaluation. A number of key publications are recommended to schools to allow them to tackle self-evaluation in a thorough and effective manner:

*How good is our school? Promoting Race Equality HMIE 2004*<sup>vi</sup>

This publication offers an ideal starting point for schools to audit their policy and practice in relation to key Quality Indicators relating to Race Equality.

*Race Equality Audit for Schools, A Self-Evaluation Resource CERES/City of Edinburgh Council/SEED/LTS April 2004 (Second revised edition)*<sup>vii</sup>

This publication complements the How Good Is Our School audit and provides schools with a more in-depth audit tool.

Nursery schools/classes will find the following document useful for auditing against the Performance Indicators in *The Child at the Centre*:

*Educating for Race Equality – a Toolkit for Nurseries.* (City of Edinburgh Council 2003)

The Education Race Equality Policy will be annually assessed by the Education, Culture and Sport Service for its impact on pupils, staff and parents/carers of different racial groups.

• **Monitoring Policies**

The Education Authority will monitor policies which impact upon pupils, parents/carers and staff. A report on the Education Race Equality Policy will be presented to the Education, Culture and Sport Committee annually.

Monitoring at Authority Level

Arrangements will be put in place to monitor the operation of those policies with relevance to race equality including the Education Race Equality Scheme. Highland Council Education, Culture and Sport Service will annually assess the impact of the Education Race Equality Policy and the results of these assessments will inform policy review and feature in both the Authority's Service Plan and advice issued to schools. The Quality Development Team will ensure that individual school development plans take account of this advice.

Through the tracking and monitoring systems linked to the PMU database the authority will monitor the following:

- Ethnic profile of pupils
- Pupils' attainment levels
- Temporary and permanent exclusion
- Truancy
- Reports of bullying
- Parental complaints
- Reports of racist incidents and outcomes
- Grievance procedures and disciplinary action against staff
- English as an Additional Language (EAL)
- Admissions
- Appeals on placing requests.

As a result of monitoring the Education Authority would consider the need for positive action, where appropriate.

### Monitoring at School Level

Individual schools will be expected to monitor the impact of their policies, including the Education Race Equality Policy, on pupils, parents/carers and staff from different racial groups. The monitoring of learning and teaching and assessment/examination results will provide most of the required data. However other monitoring methods will also be employed such as ethos surveys, one-to-one interviews and classroom discussion.

Monitoring will help schools to see what progress they are making towards meeting race equality aims and targets. In particular it will help them to:

- Highlight any differences between pupils from different racial groups and aim to establish reasons for these differences
- Decide what further action will be necessary to meet particular needs and to improve the performance of pupils from different racial groups (which may include positive action)
- Set new targets in school development plans then take action to make improvements

### Ethnic Monitoring

Monitoring the impact of policies pupils of different racial groups makes necessary the collection of accurate ethnic background pupil level data. Monitoring will assist schools to assess progress, identify differential impacts and inform future action. Ethnic monitoring is the collection of data by ethnic group, used to compare information, identify and measure areas of concern, and inform actions.

Since 2002 the Scottish Executive Education Department (SEED) has collected ethnic background and other pupil data from across the nation through ScotXed (Scottish Exchange of Educational Data). This allows SEED to produce a range of analyses to monitor attainment levels by ethnic background nationally. Local authorities and schools can use these figures to help them measure the effectiveness of their policies. There is also scope to cross-reference ethnic background with other pupil characteristics (eg Special Educational Needs) and other performance data (eg Attendance/Absence). SEED's data collection includes a national identity category in recognition of the fact that Scottish society is made up of people from various ethnic backgrounds, and that a person's national identity and their ethnic background may be different.

The 2001 census information published in 2003 is a major external source of data. The ethnic categories in the Census provide the basis for monitoring, although it is recognised that there is a continuing debate on the appropriateness of existing census categories.

Referring to the CRE's guidance on ethnic monitoring, the Education Authority will not publish and make publicly available any monitoring information that will identify individuals and will take legal advice on this position with regard to data protection issues. Current figures show relatively low numbers of pupils from minority ethnic backgrounds and very low figures proportionally for teachers. Both are dispersed throughout the Highland area. It is recognised that in many areas of Highland population levels are generally sparse, and there will be limitations on what information can be published or reliably used for comparison.

Requirements to monitor staff are addressed in the final part of this section on meeting the specific duties.

- **Publishing and reporting**

The Race Equality Policy will be reviewed annually and the results of monitoring at education authority level will be reported to the Education, Culture and Sports Committee. The impact of the policy will be evaluated and progress monitored on a regular basis. Committee reports are available to members of the public.

Copies of the Race Equality Policy will be available to the public at:

The Council's website

Highland Council Education Culture and Sport offices, or through the Council's Service Point Network

Education establishments.

Head teachers will ensure that the Race Equality Policy is communicated to all staff, pupils, parents/carers and other bodies associated with an individual school, such as School Boards and Parent Teacher Associations. Head teachers, in turn will be informed by the education authority on the requirements of the RRAA through, for example, Education Forums, and through corporate Equal Opportunities and Diversity training.

- **Employment Duties**

Each Education Authority has specific employment duties to monitor, by reference to racial group the staff (both teaching and non-teaching) at each of its schools. An authority must have arrangements to monitor the numbers of:

- staff in post
- applicants for employment, training and promotion.

Where an authority has 150 or more full-time staff, they should also monitor the number of staff from each racial group and each school who:

- receive training
- benefit or suffer detriment as a result of its performance assessment procedures (staff review)
- are involved in grievance procedures
- are the subject of disciplinary procedures
- cease employment.

Collecting and monitoring this data will be undertaken in accordance with the employment duties set out in the Highland Council's Race Equality Scheme and the review of the Council's Payroll and Personnel systems.

Employment monitoring information will be published on an annual basis. It must be stressed that the Highland Council wishes only to use gathering of information for positive reasons with regard to setting targets and action plans to remedy any imbalances, and will treat personal data with due care and respect following the requirements of the Data Protection Act 1998.

Information on the ethnicity of teachers in publicly funded schools in Scotland was recently collected by the Scottish Executive in the new staff census, Teachers in Scotland 2003<sup>viii</sup>. The aim of this census is inform policy making, particularly in

modelling the teacher workforce to ensure adequate future supply of newly trained teachers, and for monitoring current policies and equality issues. In Highland, this revealed a total of 6 teachers from a minority ethnic background, 0.20% of the 3000 teachers employed by the Council.

## **5. POLICY IN PRACTICE**

### **Ethos of the School**

Schools will actively promote an ethos of equality of opportunity for all pupils and staff irrespective of an individual's ethnicity or background. Rules and regulations should be sensitive to, and show respect for, diverse religious and cultural practices.

It is essential that schools acknowledge the existence and nature of racism in society and do their best to combat it effectively. Schools should be aware of their central role in helping to change attitudes and behaviour which make society racist. Schools must identify and challenge aspects of everyday racist behaviour, intentional and unintentional, which can be present in society. This will involve self-evaluation on the part of the individual school.

All schools should strive to ensure that their formal, informal and hidden curricula engender a positive, caring and humane ethos. Schools should not accept any aspect of the curriculum, procedures or practices that could be construed as antagonistic to the achievement or maintenance of such an ethos. Staff should be vigilant both in and out of class and take appropriate action.

### **Home-School Relationships**

For all children the fostering of effective home-school links is educationally desirable and the process must be seen as more than the dissemination of information from the school to the parents/carers. In a race equality context it is particularly important that parents/carers are involved in the development of school policies and practices. Schools are enriched when diversity of cultures is both acknowledged and valued and parents/carers of all children are therefore an important resource.

Teachers need therefore to be aware of the many barriers which may impede effective collaboration with parents/carers. This will include the provision of linguistic assistance to pupils and parents/carers with difficulties using written and spoken English and an awareness of religious, dietary and dress requirements associated with the cultural and religious practices of the home.

Within the school, languages other than English, which are spoken in the home, should be used in displays and notices. Visible evidence of a pupil's first language helps to make the school a richer environment and a more welcoming place for ethnic minority pupils and their parents/carers. In addition, signs and displays should be specifically prepared for use at parents' evenings and open days. Such a strategy can become a central means of communicating a positive message to all those who come to the school and help in creating an atmosphere of trust and security for the pupils.

School staff must be aware of any out-of-school activities undertaken by pupils that may directly or indirectly affect the school e.g. Community Language classes or

religious observance. A pupil's absence for religious holidays will be regarded as an approved absence recorded as Family/Personal.

### **Staff Development**

A training programme relating to the Race Equality Policy will be featured in the annual Highland Council and ECS annual staff development programmes. All staff are expected to develop their awareness and skills in matters relating to race equality through their Continuing Personal Development.

In secondary schools such involvement may be best achieved on a whole school and subject basis. Staff must be made aware of the relationship between education and culture, the concepts of justice and equality, and the moral and social implications of their practice. All staff development programmes, whether explicitly concerned with discrimination issues or not, should have an equality dimension.

Staff development should target the needs of all members of staff including management, teaching and support staff. Staff should be encouraged to identify their own developmental needs through the staff review process.

### **The Curriculum**

The curriculum must improve the learning opportunities of pupils and enhance the quality of their attainment. Schools must take active steps to include in all areas and subjects of the curriculum the history, experience and achievement of different ethnic groups and to recognise their positive contribution to the global society.

Within schools, teaching materials must be examined for:

- Negative images of people from different ethnic groups, stereotyping and tokenism
- Illustrations which perpetuate myths about people from different ethnic groups
- Patronising and condescending attitudes towards people from different ethnic groups.

The curriculum, formal, informal and hidden must aim to:

- Create an understanding of and interest in different environments, societies and systems across the world
- Encourage pupils to recognise that within society there are different beliefs, traditions and living patterns
- Develop the knowledge and skills, which will allow pupils to criticise and actively participate in all aspects of society
- Create images of black and ethnic minority groups no less positive than those of others.

To achieve this, opportunities should be provided to study the political, social and economic reasons for the existence of racism and inequality. It is necessary to include scientific, technological, musical, artistic and literary achievements outside the western world.

Schools must exploit the many opportunities for addressing issues of race equality in the curriculum through timetabled Personal and Social Development/Education programmes, including citizenship education, and Religious and Moral education

(RME), and exploit the opportunities presented by each area of the curriculum. The RME curriculum is designed to introduce pupils to an understanding of religion and religious ideas by exploring areas, which are the concern of religion, and examining issues of belief and morality. This religious context has relevance to cultural diversity and, within this context, the RME curriculum helps pupils develop their own attitudes, values and practices through a process of personal discovery and critical evaluation.

Teachers must be prepared to examine and reflect critically on their own practice in terms of the selection, scrutiny, development and delivery of materials, curriculum content and teaching strategies.

Further guidance can be found in the following Council documents, both of which will be reviewed and updated as part of the Action Plan accompanying this policy:

- Multi-cultural and Anti-racist Guidelines for Primary and Nursery Schools (1997)
- Equal Opportunities in the Curriculum: Guidelines for Secondary Schools (1994).

### **Attainment and Attendance**

Schools should routinely monitor attainment and attendance specifically in relation to ethnic minority pupils. Any underlying trends or patterns of underachievement should be investigated and addressed by the Race Equality Co-ordinator in collaboration with the Senior Management Team/Head Teacher.

Information from monitoring should inform the setting of appropriately challenging learning targets for all pupils. Teachers and support staff should be aware of factors which can help raise the attainment of ethnic minority pupils to help them reach their full potential. Effective consultation with EAL staff is vital towards this end.

### **English as an Additional Language**

Multilingual pupils have the right to receive the same intellectual challenge as their peers. Multilingualism should be acknowledged as an asset to the individual and as a source of cultural richness for the school and for society rather than as a difficulty to be overcome. Multilingual pupils should be encouraged to maintain and develop their other languages, through co-operative teaching across the curriculum with EAL specialists in the classroom. This will benefit multilingual pupils and also enable EAL teachers to influence classroom teachers in their methods and approach to language issues, fostering a heightened awareness of the great value of multilingualism. Schools should take care not to disadvantage multilingual pupils when assessing them.

EAL specialists with their detailed knowledge of the needs of multilingual children can advise on the arrangements made by the SQA for multilingual pupils. By working in conjunction with school librarians and head teachers, EAL teachers can also advise on the purchase of suitable resources, which have a race equality dimension.

The needs of multilingual children are more than simply linguistic. Within classrooms all teachers should try to inform themselves about the linguistic and

cultural background, religious beliefs, naming systems, dietary habits etc of multilingual children and should guard against inferring cultural features from pupils names or heritage group. An understanding of these issues will help in the effective delivery of the curriculum. In collaboration with the EAL teacher, a programme of support can be negotiated for the multilingual pupil. The presence of such pupils in the classroom provides a valuable broadening of the cultural horizons of monolingual pupils and an opportunity for the introduction of reading material, which reflects the background of the multilingual child.

### **School Behaviour Policy**

Schools should ensure that their procedures for disciplining pupils and managing behaviour are fair to pupils from all ethnic backgrounds.

### **Addressing Racist Incidents**

All racist incidents are to be recorded and reported in accordance with Highland Council Education guidelines issued previously. Highland Council has approved a local multi-agency Racist Incident Strategy, developed by the Community Safety Partnership on behalf of the Highland Alliance for Racial Equality (HARE). This will provide a common reporting procedure and facilitate joint working between agencies to address racist incidents in Highland.

### **7. DATE OF APPROVAL**

The Race Equality Policy was approved by the Highland Council Education, Culture and Sport committee on 23 September 2004.

### **8. BREACHES OF THE POLICY**

All breaches of this policy will be dealt with under the disciplinary procedures of the Highland Council.

### **9. ACTION PLAN**

The Action Plan to ensure the implementation of the Race Equality Policy is given as Appendix 1. The Action Plan is structured around 5 themes:

- Monitoring and review
- Dissemination
- Audit
- Staff development
- Resourcing

It will be reviewed and updated annually.

## Glossary of terms

### Discrimination

The Race Relations Act 1976 (as amended) defines 4 key forms of discrimination, Direct, Indirect, Harassment and Victimisation:

- **Direct racial discrimination** means treating a person less favourably than you would treat other persons in the same or similar circumstances on racial grounds.
- **Indirect Discrimination** has 2 meanings as a result of Regulations introduced in 2003.
  1. Where a racial group is defined by race or ethnic or national origins, and in relation to employment, education, housing, health, provision of goods, facilities or services, indirect discrimination means applying a neutral provision, criterion or practice which disadvantages people from a particular group compared to others and which cannot be shown to be an appropriate and necessary way to achieve a legitimate aim.
  2. Where a racial group is defined by colour or nationality and in relation to regulation and law enforcement activities of public authorities or their contractors, indirect discrimination means applying a condition or requirements equally to all persons, which a considerably smaller proportion of one racial group can comply with, and which cannot be justified on non-racial grounds.
- **Harassment** in employment, education, housing, health, provision of goods, facilities and services and on the grounds of race or ethnic or national origins means unwanted conduct that has the purpose or effect of violating the person's dignity or creating a hostile, degrading or offensive environment. In other cases, harassment is treated as a form of direct racial discrimination.
- **Victimisation** means treating a person less favourably than others because they have made, or supported, a complaint under the RRA.

Other forms of unlawful conduct under the RRA:

- **Segregation:** deliberately segregating people on racial grounds (for example, in housing or shift patterns)
- **Discriminatory advertising:** any type of sign or notice which indicates an intention to discriminate (for example, a "No Travellers" sign at a camp site).
- **Instruction to discriminate:** instructing a person who is accustomed to act in accordance with your wishes to discriminate (for example, a manager instructs a junior to require more documentation from Asians than other applicants).
- **Pressure to discriminate** (for example, a building contractor informs a subcontractor that they would rather not have any Black people on the site).

**Ethnic minority** is the term mainly used to denote people who are in the minority within a defined population on the grounds of 'race', colour, culture, language or nationality. In Scotland, in practice, those referred to as 'ethnic minorities' are mainly identified as those groups of people who have come from the 'new commonwealth' to live in the country since the 1950's, that is, visible minorities. However, this excludes the many 'ethnic minorities' from England and Europe who settled in Scotland before and since the 1950's.

**Minority ethnic people** This term is widely used as an alternative to "ethnic minority" to refer to people who belong to an ethnic group numerically smaller than the predominant white group in the UK This includes groups distinguished by their

skin colour, as well as others, such as Irish, Turkish, Cypriot, Jewish and travelling people. In recent years, attempts have been made to acknowledge that ethnicity is a characteristic of all individuals and groups, majorities and minorities alike.

**Positive action** through training and encouragement for under-represented groups can be lawful. For example, if over the previous twelve months, no person from a particular racial group has been doing a certain type of work then it is lawful to offer training only for the racial group. Another example of positive action is advertising to encourage candidates from a particular group to compete for jobs. However, positive discrimination is not legal, and when it comes to the filling of a particular post the appointment must be made on merit.

**Racism** is the belief that some 'races' are superior to others - based on the false idea that different physical characteristics (like skin colour) or ethnic background make some people better than others. Racism appears in several, often interrelated forms e.g. personal, cultural, and institutional.

**Personal Racism** refers to the negative/antagonistic thoughts, feelings and actions which characterise the outlook and behaviour of racially prejudiced individuals. It may also refer to the effects of such perspectives and activity on those against whom they are directed. Personal racism can have a significant effect on reproducing inequalities particularly if the individual concerned is in a position of power. Personal racism can be open and explicit or covert and implicit.

**Cultural racism** This is when a particular culture perceives itself as superior to others. It is often when one culture is dominant that systematic cultural racism can take place. The dominant culture then imposes its patterns, assumptions and values on others often in a manner that many do not even notice. This becomes the 'commonsense culture' taken for granted as part of everyday life

**Institutional racism** The common definition now used across the UK is derived from the Stephen Lawrence Inquiry Report. Institutional racism is “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. It persists because of the failure of the organisation openly and adequately to recognise and address its existence and causes by policy, example and leadership”.

**Racial grounds** are grounds of colour, race, nationality (including citizenship), or ethnic or national origin.

**Racial Group:** a group of people defined by their race, colour, nationality (including citizenship), ethnic or national origins.

**Racist Incident:** The Macpherson Report on the Stephen Lawrence Inquiry in 1999 recommended the following definition of a Racist Incident and that it should be universally adopted by the Police, local Government and other relevant agencies: “A racist incident is any incident which is perceived to be racist by the victim or any other person”. The report also recommended that the term “racist incident” must be understood to include crimes and non-crimes in policing terms. Both must be reported, recorded and investigated with equal commitment.

**The Highland Council**  
**Education, Culture and Sport Service**

**EDUCATION AUTHORITY**

**Race Equality Policy**

**Action Plan**

**September 2004**

# **Race Equality Policy**

## **Action Plan**

Up to this point, the emphasis has been on awareness-raising and establishing new procedures. The most significant development has been the revised guidance on bullying and racist incidents. A rigorous system is now in place.

The Action Plan sets out how, as an Education Authority, we are going to secure the implementation of the Race Equality Policy (REP), which derives from our statutory duties under the Race Relations (Amendment) Act.

It is organised under five themes:

- Monitoring and Review
- Dissemination
- Audit
- Staff Development
- Resourcing

Within each theme, the specific targets are described.

Success depends upon schools being supported. Staff development and training are central to the process. In recognition of this a head teacher has been seconded, on a part-time basis, to lead and co-ordinate our work on race equality.

The Action Plan will be responsive to schools' needs and will be reviewed and updated annually.

## **Monitoring & Review**

### **Monitor levels racist incidents, attendance and levels of attainment in relation to pupils from minority ethnic backgrounds at school level**

Monitoring levels of attainment is one of the main outcomes of the duties specified in the RRAA.

- Data from PMU examined for trends/anomalies
- Feedback given to individual schools
- In partnership with AEM's, schools set targets to address issues raised
- Monitoring by the Quality Development Team

PMU, John Ritchie, Head Teachers, Area Education Managers, Quality Development Team

October-December 2004; ongoing

### **Conduct an analysis, in relation to Race Equality, on data collated by Performance Management Unit on attainment, attendance and racist incidents. Publish the same at authority and, where applicable, school level.**

- Data forwarded by schools / picked up from Phoenix
  - Data examined by Education Race Equality Working Group
  - Report written on council-wide trends
  - Report published
  - Significant trends relating to individual schools followed up by Quality Development Team
  - Individual schools advised on publishing data relation to own establishment
  - Provide information to multi-agency racist incident monitoring group
- PMU, Education Race Equality Working Party, Quality Development Officers

Annually, in September

### **Ensure that the Race Equality dimension of National and Council Priorities is being addressed in schools through self-evaluation and development planning.**

The Education Authority recognises the importance of school self-evaluation in ensuring the success of the implementation of the Race Equality policy.

- Schools advised that Race Equality is a School Development Priority for 2005-06
- Schools provided with data from PMU in relation to Race Equality, both at whole-Council and individual school level
- School Development Plans monitored to ensure that Race Equality features in line with advice

- Quality Assurance visits planned to elicit evidence of Race Equality issues being addressed in terms of Policy & Practice, Ethos, Home-School Relationships, Curriculum, Attainment & Attendance.

Head of Service, Quality Development Manager, Quality Development Officers, Area Education Managers

Advice issued April 2005

Monitoring of School Development Plans July-September 2005

Becomes an annual cycle

### **Monitor and Review the ECS Race Equality Policy Action Plan**

This will take place on a regular basis throughout the year.

- Termly meetings between secondee and the chair of the Education Race Equality Working Group
- Annual report on progress written up for presentation to the ECS Committee by the Director and, formally, to the Council's Equalities Group

Lawrence Sutherland, John Ritchie, Bruce Robertson

Ongoing, report submitted September 2005

### **Put into place arrangements to monitor staff with reference to racial group**

- ECS to take part in pilot of the Payroll and Personnel scheme
- Analyse data collected
- Report back to the Education Race Equality Working Group

Elaine Kirkham – Principal Staffing Officer, Education Race Equality Working Group

## **Dissemination**

### **Provide awareness-raising training for all head teachers on equality issues, including race.**

This will take place during the Autumn Forums for each of the seven Areas of the Education Authority.

- HTs apprised of legal background to the new policy – RRAA
- HTs informed of responsibilities and commitments under the Policy
- HTs taken through the Action Plan and given the opportunity to identify issues which are liable to require additional support from the Authority

John Ritchie, Rosemary MacKinnon, Lawrence Sutherland

September-October 2004

### **Provide Information for School Board members on the Race Equality Policy**

- All School Boards issued with a copy of the Education Race Equality Policy
- Head Teachers to liaise with Board Chairpersons to ensure the policy is discussed at a meeting before the end of 2004
- Issues raised to be forwarded by Boards to secondees by February 2005

Head Teachers, School Boards, Lawrence Sutherland

September-February 2005

### **Develop the Authority's links with HARE (Highland Alliance for Racial Equality) and other agencies**

There are well-established links between the Council and these bodies which now require to be developed from an Education perspective.

- Authority to write to HARE seeking representation of Race Equality Education Development Officer on the same
- Seconded member of staff to attend meetings and report back to the Education Race Equality Working Group
- Participate in the local multi-agency approach to racist incidents

John Ritchie, Lawrence Sutherland, Education Race Equality Working Group

October 2004; ongoing

### **Publish the Race Education Policy**

Following approval by ECS Committee the policy will be published.

- Policy distributed to schools, Area Offices and Service Points
- Policy Published on the Council website
- Copy sent to CRE & CERES
- Annual reports to ECS Committee also to be published on the Council Website

Donnie MacDonald - Head of Service, ICT Manager, John Ritchie

Following approval by Committee

## **Audit**

### **Schools to identify support needs for implementing the Education Race Equality Policy**

Head Teachers will be introduced to the Policy at the Autumn forums.

- In discussion with colleagues, Head Teachers identify issues which need to be addressed in implementing the policy
- These are collated and prioritised and written up as additions to the Action Plan
- Race Equality secondee to oversee support delivery through liaison with schools

Highland Head Teachers, Lawrence Sutherland

September-October 2004

### **Conduct a trawl of existing good practice in relation to Race Equality: Learning & Teaching, Resources & Community Links**

It is recognised that there are many examples of good practice in relation to the promotion of Race Equality in Highland Schools. There are clear benefits which would accrue were this good practice to be available more widely.

- Schools invited to submit examples of good practice in terms of policy an/or practice in race Equality
- EAL and other agencies (e.g. Highland One World Group) asked to make nominations
- Data collated and shared in a format that enables other schools to access

Lawrence Sutherland

November 2004; ongoing

### **Undertake a consultation with ethnic minority pupils and parents on their experiences of education in Highland**

- Questionnaire devised on the basis of Rana Sayed's report on ethnic minorities' experiences of Education in the Lothians
- Through *Phoenix*, target particular schools with ethnic minority pupils
- In consultation with EAL staff, identify a representative sample of ethnic minority families for interview and questionnaire completion
- Results written-up and fed back into annual review

Lawrence Sutherland, EAL Teachers throughout the authority

March-April 2005

### **Conduct a review of EAL provision throughout Highland**

- Devise, and email to all schools, a questionnaire to elicit experiences of EAL provision to date
- Devise and send out to all EAL staff / SfL Area Team Leaders a questionnaire about current provision within Highland
- Results written-up and fed back into annual review

Lawrence Sutherland, Dr Margaret Crombie

November 2004

### **Conduct an evaluation of the anti-sectarianism and anti-racist drama pilots**

The Education Authority responded positively to new national initiatives on the above and signed up to two pilot projects which will run across four Highland schools during session 2004-05

- Projects run in schools (Drama – September 2004, Anti-sectarianism – October-December 2004) Participating schools asked to complete an evaluation of each project
- Results analysed and reported back to Race Equality Working Group and national organising bodies to determine future plans at local and national level

Lawrence Sutherland

within 4 weeks of the conclusion of each project

### **Conduct an audit using Equalities Performance Indicators for Education Authorities**

- Use City of Edinburgh Council audit materials to elicit areas for future development
- Findings written up as report with salient action points informing the next ECS Service Plan

Senior Education Service personnel

October-December 2004

### **Staff Development**

#### **Provide Training on the Race Equality Policy for Race Equality Co-ordinators including the use of HMIE and CERES self-evaluation tools**

The Education Authority recognises the importance of assisting schools to adjust to the challenges of the Race Equality policy.

- Race Equality Co-ordinators attend in-service training where they are given the opportunity to familiarise themselves with their role in relation to the Race Equality policy
- The use of the audit materials as part of the school's self evaluation process is explained

Lawrence Sutherland

November 2004-June 2005

**Provide additional advice and training for EAL teachers in Race Equality issues**

The Education Authority recognises the important contribution which can be made by EAL staff in ensuring the success of the Race Equality Policy in schools.

- Examine data gleaned from EAL audit of provision, deployment and resources
- Revise guidelines for EAL provision in the Education Authority
- Identify main staff development issues and devise a programme of development activities to address these.

Lawrence Sutherland, Dr Margaret Crombie, Area SfL Team Leaders, EAL teachers, staff from CERES

2004-05

**Develop and deliver a training programme for all Education staff in Race Equality**

The Education Authority recognises the importance of each member of staff being aware of their individual and collective role in eliminating racism from our schools.

- Devise a Training Strategy to encompass all Education staff
- Identify staff development needs through Head Teacher workshops at the Autumn 2004 forums, reports from Race Equality Co-ordinators and issues arising through the year of secondment
- Liaise with the Staff Development Co-ordinator to incorporate annual programme of training into the annual calendar of staff development

Lawrence Sutherland, John Ritchie, Robert English

Preparatory work Jan-April 2005 to inform staff development opportunities available from 2005-06 onwards

## **Resourcing**

### **Second a head teacher to take forward Race Equality developments within the Education Service**

The Education Authority recognises the importance of ensuring a co-ordinated and coherent response to its obligations under the duties of the RRAA.

- Head Teacher appointed as part-time secondee – Race Equality Education Development Officer
- Secondment remit to include joint drafting of ECS Race Equality Policy and taking a lead role in devising and implementing an Action Plan for the same

John Ritchie

Secondee in place for August 2004

### **All Schools identify and appoint a Race Equality Co-ordinator**

As stated in the Race Equality policy, each school must designate a senior member of staff to take on responsibility for co-ordinating Race Equality within their school.

- Schools asked to designate their Race Equality co-ordinator
- Remit negotiated and written into job description
- To encourage sharing of practice and ideas, list of Co-ordinators circulated amongst schools

Lawrence Sutherland, Head Teachers

November 2004

### **Issue exemplar school policy on Race Equality to all schools for consultation**

The Education Authority recognises the need to update its advice to schools in the light of the RRAA.

- Schools issued with exemplar policies (Nursery, Primary, Secondary & Special) to elicit feedback on content
- Exemplars amended as necessary in the light of feedback
- Final versions issued to schools for customising
- Schools publish and disseminate own policies on Race Equality
- Individual school Race Equality policies monitored as part of Quality Assurance visits during session 2005-06

Lawrence Sutherland, Education Race Equality Working Group,  
Quality Development Manager, Quality Development Officers

From December 2004

### **Develop and provide guidance on the use of a range Race Equality resources including on-line materials**

Previous guidelines on MACRE/Equal Opportunities identified a range of resources suitable for enhancing teaching and learning in relation to Race Equality. These guidelines are now seen to be in need of updating and augmenting.

- Range of resources identified and examined in relation to audit material
- Database of key resources drawn up
- Examples of key resources displayed at the Spring Area Forums
- MACRE/Equal Opportunities guidelines re-vamped in the light of ECS Race Equality Policy

Lawrence Sutherland, Education Race Equality Working Group

January-June 2005

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<sup>i</sup> Statutory Code of Practice on the Duty to Promote Race Equality in Scotland and associated non-statutory guides, CRE, November 2002

<sup>ii</sup> Highland Council Race Equality Scheme, November 2002.

<sup>iii</sup> Highland Council Corporate Plan 2004 - 2007

<sup>iv</sup> National Priorities in Education

<sup>v</sup> SCHOOL CENSUS SEPTEMBER 2002 - ADDITIONAL ANALYSIS 18<sup>th</sup>

December 2003, A Scottish Executive National Statistics Publication

<sup>vi</sup> How Good is our school? Self evaluation series E, Inclusion and Equality, Part 3: Promoting Race Equality, HMIE 2004

<sup>vii</sup> Race Equality Audit for Schools, A Self-Evaluation Resource CERES/City of Edinburgh Council/SEED/LTS April 2004

<sup>viii</sup> Teachers in Scotland 2003, Scottish Executive