

**Shetland Islands Council  
Education and Social Care Department  
Schools Service**



**Race Equality Policy**

**December 2008**

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## **Access to the Policy**

Copies of this policy can also be made available in large print, Braille or on audiotape.

Copies can also be translated into various languages, on request.

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# Race Equality Policy

## 1 Introduction

The ***Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000*** (hereinafter "***the Act***") placed a general duty on a wide range of public authorities to promote equality: every single member of staff in the public services now has a responsibility to promote good race relations. An outline of Shetland Islands Council's duties under ***the Act*** can be found within the Council's Equality and Diversity Strategy, October 2006, published on the Council's website.

Under the Act, every Education Authority in Britain is required to prepare and maintain a written race equality policy. Shetland Islands Council's Schools Service welcomes its duties under ***the Act*** and the related ***Scottish Order of 2002***.

This policy has been compiled in accordance with the ***Code of Practice on the Duty to Promote Race Equality*** issued by the Commission for Racial Equality in December 2001. The policy reflects concerns and concepts in ***The Future of Multi-Ethnic Britain ('The Parekh Report'), 2000***, and ***The Stephen Lawrence Inquiry ('The Macpherson Report'), 1999***. Both these argued that the promotion of race equality necessarily involves also the recognition of cultural diversity. This policy reflects these arguments both in its overall title and in several of its detailed references.

This policy is consistent with the requirements and expectations of The Scottish Executive's Race Equality Scheme – ***Working Together for Race Equality*** and is in line with the Shetland Island Council's ***Equality and Diversity Strategy (including Race Equality Scheme, Disability Scheme), October 2006***.

## 2 Background

Education authorities are now bound by statutory duty to promote race equality. To meet the duty they need to tackle unlawful discrimination and promote equal opportunities and good relations when carrying out all their relevant functions. This means that education authorities have a key role to play in supporting and encouraging schools to develop good practice in achieving race equality, particularly if the work involves meeting the requirements of the duty. Education authorities are encouraged to:

- play an active part in supporting schools in their race equality work (sample school policies in Equal Opportunities and Race Equality are provided as Appendices 1 and 2)
- identify, set up and promote good practice in achieving race equality in schools
- help to develop positive links between schools and local communities
- provide information, resources, guidance and support so that schools can develop good practice.

### **3 Context of Shetland Islands Council Schools Service from a Race Equality Perspective**

Shetland has a very low black and ethnic minority population. Ethnic groups other than white made up only 1% of the population according to the 2001 census. However, when the 2001 figure are compared with those of the 1991 census, it can be seen that, although the population of Shetland is decreasing (22,394 to 21,755) the black and ethnic minority population is increasing (126 to 233.) This represents an increase of approximately 91%. The ethnic composition of pupils and staff in Shetland schools reflects that figure, and demographic studies suggest that the figure will continue to increase in the future. With this in mind, it is recognised that a wider range of cultural backgrounds at a range of professional levels within Shetland Islands Council Schools Service would be beneficial. A suitable tool for the collection of data on ethnicity is attached as Appendix 4.

The level of reported racist incidents within Shetland schools over the last year has been small (2 in 2005/06 and 1 in 2006/07) although there is anecdotal evidence to suggest that not all racist incidents are being reported; rather some may be dealt with under discipline or anti-bullying policies.

The number of racist incidents within the wider community in Shetland over the last few years is surprisingly low – the annual report from the Northern Constabulary would suggest a figure of zero – anecdotally the Police estimate about four incidents per year.

### **4 Aims and Values**

The Schools Service aims to put children and young people first and to provide a socially inclusive service for them and their families by:

- a) promoting and delivering integrated education, care and support services of the highest quality
- b) ensuring that Schools Services are accessible to all and promoting the rights and responsibilities of those who use them
- c) raising achievement and eliminating inequality where it exists
- d) eliminating unlawful racial discrimination and promoting race equality.

The Schools Service is committed to supporting and encouraging schools to develop good practice in meeting the requirements of the duty to achieve race equality in all aspects of nursery, primary and secondary school and further education life, through quality assurance measures relating to:

- admissions, attendance and exclusions
- attainment and assessment
- curricular flexibility
- learning and teaching
- partnerships with parents, carers and the community
- pastoral care
- personal and social development
- positive behaviour
- progress and achievement
- staff recruitment and professional development.

## 5 Leadership and Management

### 5.1 Commitments

The Schools Service is committed to

- actively tackling racial discrimination, promoting equal opportunities and encouraging good race relations
- supporting and encouraging all pupils and staff to reach their full potential
- working with parents, carers and the wider community to tackle race discrimination, and to identify and promote good practice
- ensuring that the race equality policy and its attendant procedures are followed.

### 5.2 Responsibilities

#### A The Schools Service

The Schools Service is responsible for ensuring that:

- all schools and educational establishments in Shetland have a robust race equality policy in place
- all schools and educational establishments in Shetland make arrangements to assess the impact of its policies
- all schools and educational establishments in Shetland monitor the way these policies work.

#### B Parent Councils

Parent Council members are responsible for:

- supporting the school in complying with **the Act**
- ensuring, with the Head Teacher, that the race equality policy and its procedures are followed.

#### C Head Teachers

The Head Teacher or Manager of a school or other educational establishment is responsible for:

- ensuring that the race equality policy is readily available and that staff, pupils, parents and carers and parent council members are aware of its existence and accessibility
- ensuring that the race equality policy and its attendant procedures are followed
- producing regular information for staff and parent council members about the policy and how it is working, and providing training for them on aspects of the policy if necessary
- ensuring all staff are aware of their responsibilities under **the Act** and receive training for, and support in, carrying them out
- taking appropriate action in cases of racial harassment and racial discrimination.

## D All Staff

- All members of staff of schools and other educational establishments are responsible for
- dealing with racial incidents and being able to recognise and tackle racial bias and stereotyping
- promoting equal opportunities and good race relations and avoiding discrimination against anyone for reasons of race, colour, nationality or ethnic or national origins
- keeping up to date with current legislation on discrimination and taking up training and learning opportunities.

## E Staff with specific responsibilities

- A senior member of staff in each school or other educational establishment will have overall responsibility for
- co-ordinating work on race equality
- dealing with reports of racist incidents.

## **6 Addressing racism and xenophobia**

The Schools Service is opposed to all forms of racism and xenophobia, including those forms that are directed towards religious groups and communities, for example Islamophobia, and against Travellers, refugees and asylum-seekers.

## **7 Religious observance**

The Schools Service respects the religious beliefs and practice of all staff, pupils and parents and carers, and complies with all reasonable requests relating to religious observance and practice.

## **8 Monitoring and evaluation**

The Schools Service will collect, study and use quantitative and qualitative data relating to the implementation of this policy, and make adjustments as appropriate. Records of racial attack, racial harassment, racial prejudice or other racially motivated incidents will be kept and monitored.

Issues relating to the policy and its implementation will be reviewed annually by the Schools Service.

## **9 Working with Partners**

The schools service works closely with its partner agencies, the Shetland Islands Council, the Shetland College, NHS Shetland, Northern Constabulary, the Shetland Area Licensing Board and ZetTrans to improve the life chances of all of Shetlands Citizens.

Together we are fully committed to meeting our Community Planning Priority Target to:

“Ensure that equal opportunities exist for all, no matter an individual’s age, race, gender, faith, sexual orientation or disability and we will decrease inequalities.”

You can access our partners Race Equality Schemes and Annual reports at the following links,

### **Shetland Islands Council**

<http://www.shetland.gov.uk/equalopportunities/documents.asp>

### **Shetland College**

<http://www.shetland.uhi.ac.uk/>

### **Shetland Licensing Board**

<http://www.shetland.gov.uk/equalopportunities/documents.asp>

### **NHS Shetland**

<http://www.shb.scot.nhs.uk/initiatives/equality/index.asp>

### **ZetTrans**

<http://www.zettrans.org.uk/>





# Shetland Islands Council Schools Service

## 1. Improvement Plan Initiation Document

### Race Equality - Priority Brief

|                     |            |  |
|---------------------|------------|--|
| Responsible Officer | Jim Reyner | Quality Improvement Manager                                  |
| Lead Officers       | Various    | Head Teachers<br>Anti-Bullying Co-ordinators<br>School Staff |

## 2. Priority Brief

|  |  |
|--|--|
| <p><b>Background:</b></p>                                  | <p>Education authorities are now bound by statutory duty to promote race equality. To meet the duty they need to tackle unlawful discrimination and promote equal opportunities and good relations when carrying out all their relevant functions. This means that education authorities have a key role to play in supporting and encouraging schools to develop good practice in achieving race equality, particularly if the work involves meeting the requirements of the duty. Education authorities are encouraged to</p> <ul style="list-style-type: none"> <li>➤ play an active part in supporting schools in their race equality work</li> <li>➤ identify, set up and promote good practice in achieving race equality in schools</li> <li>➤ help to develop positive links between schools and local communities</li> <li>➤ provide information, resources, guidance and support so that schools can develop good practice.</li> </ul> |
| <p><b>Schools Service Objectives:</b></p>                  | <ul style="list-style-type: none"> <li>• To ensure that the S.I.C. Schools Service meets the requirements of <b><i>Race Relations (Amendment) Act</i></b> in relation to pupils affected by racist behaviour</li> <li>• To ensure that schools are supported in their efforts to eliminate racist incidents</li> <li>• To improve understanding/knowledge of the impact of racist behaviour across the Schools Service and the wider community</li> <li>• To provide appropriate training for School Service personnel (and their inter-agency partners where appropriate) in the issues surrounding racist behaviour.</li> </ul>  |
| <p><b>Strategy for Implementation with timescales:</b></p> | <ul style="list-style-type: none"> <li>• To conduct a consultation exercise on the appropriateness of the current policy and to produce updated documentation (August 2008)</li> <li>• To review the recording and reporting of racist incidents and to produce necessary documentation. (June 2008 and annually thereafter)</li> <li>• To improve understanding of the issues surrounding bullying behaviour, particularly with regard to homophobic and racist bullying (August 2008 – July 2010)</li> <li>• To work with inter-agency partners to review a Council-wide and community-wide approach to bullying behaviour including homophobic and racist bullying.</li> </ul>  |
| <p><b>Scope:</b></p>                                       | <p><b>Within Schools Service</b></p>   |

|                                   |   |
|-----------------------------------|---|
|                                   | <p>Potentially all of schools' communities (pupils, parents &amp; carers, members of staff etc.)</p> <p><b>Inter-Agency Working</b><br/> Youth Services (Avril Nicol)<br/> Anti-Social Behaviour Co-ordinator (Billy Mycock)<br/> Youth Information Services<br/> Housing<br/> Health<br/> Human Resources (Marie Gordon)<br/> Legal</p>                                  |
| <b>Assumptions:</b>               | <ul style="list-style-type: none"> <li>As this policy is based on a legislative requirement, it will become a priority within the Schools Service Improvement Plan</li> </ul>   |
| <b>Resourcing:</b>                | <ul style="list-style-type: none"> <li>Funding for 2008-09 will come from current budgets</li> <li>Funding for 2009-11 will be included in the Revenue Estimates for GRE 1502</li> </ul>  |
| <b>Monitoring and Evaluation:</b> | <p>The Lead Officer will have overall responsibility for the project (Improvement Plan Priority).</p> <p>The named Officers will have responsibility for those parts of the project allocated to them and will report regularly to the Lead Officer.</p> <p>The Lead Officer will report on progress to the Schools Service Management Team on a three-monthly basis.</p> |
| <b>Constraints:</b>               | <ul style="list-style-type: none"> <li>Timescales within School Development Plans</li> <li>Availability of dates/personnel for appropriate training</li> <li>Officers' workloads</li> </ul>   |
| <b>Budget:</b>                    | <p>Estimated costs:</p> <p><u>2008-10 (per annum)</u><br/> Conference fees, travel etc: £1000<br/> Printing, publications etc: £500<br/> Trainers' fees &amp; travel etc £1500</p>  |

### 3. Planned Improvement to Service

|  |
|--|
|  |
|--|

**Target Outcomes:**

- Compliance with Legislative requirements
- Promotion of Inclusion within the Schools Service
- Raised awareness in schools and the wider community

#### 4. Roles and Responsibilities

| <b>ROLES</b>                |                         | <b>NAMES OF STAFF</b>                 |
|-----------------------------|-------------------------|---------------------------------------|
| <b>SSIP SMT</b>             | <b>Senior Executive</b> | Helen Budge                           |
|                             | <b>Senior Officers</b>  | Audrey Edwards<br>Jim Reyner          |
|                             | <b>Others</b>           | SSMT                                  |
| <b>Lead Officer</b>         |                         | Jim Reyner                            |
| <b>Responsible Officers</b> |                         | Schools Service staff<br>School staff |

**Shetland Islands Council  
Education and Social Care  
Schools Service**



**\*\*\*\*\* School  
Equal Opportunities Policy Statement  
(SAMPLE)**

October 2007

## Equal Opportunities – A Policy Statement for Schools

In order to make access to the whole curriculum a reality for all pupils, schools need to foster a climate in which equality of opportunity is supported by a policy to which the whole school subscribes and in which positive attitudes to gender equality, cultural diversity and special needs of all kinds are actively promoted.

The ethos of a school should support the school's policy on quality of opportunity by countering stereotypes and prejudice, reducing the effects of discrimination and helping pupils to accept and understand social diversity.

The Head Teacher and staff of \*\*\*\*\* recognise their responsibilities regarding the provision of an environment in which all children have access to the curriculum and can flourish and progress regardless of their gender, religion, race, ability and social background.

The school is aware of the provisions of the Sex Discrimination Act (1975) and operates a policy whereby all pupils irrespective of gender can participate in all areas of the curriculum on an equal footing and aims to ensure that no gender-specific teaching takes place, with the possible exception of Sex Education. Each child will be given opportunities to exercise responsibility within the classroom and the school, with care taken regarding the stereotyping of roles. The school fully realises that we live in a multi-cultural society and that we need to provide opportunities to promote pupils' understanding of and interest in different religions, societies and environments, as outlined in our policy on religious education.

The School is aware of the needs of ethnicity and the requirements of Shetland Islands Council's Schools Service on racial equality. By using examples from many traditions in their teaching, staff will ensure that lessons and resources reflect the multi-cultural nature of present day British society.

The School is aware that the range of ability among pupils is wide and that each child should be taught according to their specific needs. The staff administer a wide-ranging Learning Support and Additional Support Needs Policy that encompasses both children with learning difficulties and those who are exceptionally able, by differentiating their teaching methods, strategies and resources accordingly.

The School recognises that children come from different backgrounds and have different needs. We appreciate that it is important to demonstrate that all the children are valued equally and that they should have equal opportunities to take part in all activities and be respected for their contribution. All children need to understand that name-calling, bullying or biased attitudes and behaviour are unacceptable at \*\*\*\*\* School.

Learning materials and resources utilised by staff will avoid gender bias and stereotyping and will reflect the diverse and multi-racial nature of our society. The School aims to promote good relationships between everyone in the school and to build an atmosphere of mutual trust and confidence. We aim to recognise each individual's value and to celebrate the diversity of life.

### The School as a Place of Employment

\*\*\*\*\* School takes note of Shetland Island Council's Policy on Equal Opportunities, as follows:-

"The Authority is an equal opportunities employer. The aim of the policy is to ensure that no job applicant or employee receives less favourable treatment on grounds of sex, age, disability, race, colour, nationality, ethnic or national origins, marital status, being lesbian or gay, family responsibility, trade union activity, class, political or religious belief.

Selection criteria and procedures will be kept under review to ensure that individuals are selected, promoted and treated on the basis of their relative merits and abilities. All employees will be given equal opportunity and, where appropriate, special training to progress within the organisation. The authority is committed to a programme of positive action to make this policy fully effective and to monitor progress."

All staff should be aware of, and valued for, the unique contribution they make to the life and work of the school.

**Shetland Islands Council  
Education and Social Care  
Schools Service**



**\*\*\*\*\* School  
Race Equality Policy  
(SAMPLE)**

**October 2007**



# Race Equality Policy

## Introduction

Under the ***Race Relations (Amendment) Act, 2000*** (hereinafter "***the Act***") every school in Britain is required to prepare and maintain a written race equality policy. \*\*\*\*\* School welcomes its duties under ***the Act*** and the related ***Scottish Order of 2002***.

This policy has been compiled in accordance with the ***Code of Practice on the Duty to Promote Race Equality*** issued by the Commission for Racial Equality in December 2001, and ***Preparing a race equality policy for schools***, issued in March 2002. The CRE's handbook ***Learning for All*** was also a helpful guide.

The policy reflects concerns and concepts in ***The Future of Multi-Ethnic Britain ('The Parekh Report'), 2000***, and ***The Stephen Lawrence Inquiry ('The Macpherson Report'), 1999***. Both these argued that the promotion of race equality necessarily involves also the recognition of cultural diversity. This policy reflects these arguments both in its overall title and in several of its detailed references.

This policy is consistent with the requirements and expectations of The Scottish Executive's Race Equality Scheme – ***Working Together for Race Equality*** and is in line with the Shetland Island Council's ***Equality and Diversity Strategy (including Race Equality Scheme, Disability Scheme), October 2006***.

## Context of \*\*\*\*\* School from a Race Equality Perspective

Shetland has a very low ethnic minority population. Ethnic groups other than white made up only 1% of the population according to the 2001 census. The ethnic composition of pupils and staff at \*\*\*\*\* School reflects the Shetland figure, although demographic studies suggest that this figure will increase in the future. With this in mind, it is recognised that a wider range of cultural backgrounds at a range of professional levels within \*\*\*\*\* School would be beneficial. It is also recognised that more data on ethnic minorities should be available in Shetland schools. A suitable tool for collection of data is attached as Appendix 2.

The level of racist incidents within \*\*\*\*\* School over the last year has been .....

Racist incidents within the \*\*\*\*\* area of Shetland over the last year have numbered .....

## Aims

We aim to:

- promote equality of opportunity;
- promote good relations between members of different racial, cultural and religious groups and communities
- challenge racial discrimination aiming to eliminate unlawful discrimination

## **Guiding Principles**

In fulfilling our legal duties listed above, we are guided by three essential principles:

- Every pupil should have opportunities to achieve the highest possible standards, and the best possible qualifications for the next stages of their life and education.
- Every pupil should be helped to develop a sense of personal and cultural identity that is confident and open to change, and that is receptive and respectful towards other identities.
- Every pupil should develop the knowledge, understandings and skills that they need in order to participate in Britain's multi-ethnic society, and in the wider context of an interdependent world.

## **Policy into Practice**

The Head Teacher is designated to lead on the development and implementation of this policy. The procedure for development and implementation of the policy is also aimed at raising awareness of its content and aims. This means that it is incumbent on the Head Teacher to consult with pupils, staff, parents and carers, the Parent Council and the wider community on the content and implications of the policy. It should also appear in the School Development Plan as part of the 3-year review cycle.

As each existing policy in \*\*\*\*\* School is reviewed, the principles listed are considered and embedded into policy and practice. (Suggested Quality Indicators for assessing the effectiveness of school policies are listed later) Policies reflecting the principles of race equality will include:

- pupils' progress, attainment and assessment
- behaviour, discipline and exclusions
- pupils' personal development and pastoral care
- teaching and learning
- admissions and attendance
- the content of the curriculum
- staff recruitment and professional development
- partnerships with parents and communities.

All staff, parents and carers and the Parent Council will have access to a selection of resources, held in the school, which discuss and explain concepts of race equality and cultural diversity in appropriate detail.

The Head Teacher is also responsible for ensuring that all staff are aware of their responsibilities and are given appropriate training and support; and for taking appropriate action in any cases of unlawful discrimination.

All staff are expected to:

- a) deal with racist incidents that may occur
- b) know how to identify and challenge racial and cultural bias and stereotyping
- c) support pupils in their class for whom English is an additional language
- d) incorporate principles of equality and diversity into all aspects of their work.

## **Addressing racism and xenophobia**

The school is opposed to all forms of racism and xenophobia, including those forms that are directed towards religious groups and communities, for example Islamophobia, and against Travellers, refugees and asylum-seekers.

## **Religious observance**

The school respects the religious beliefs and practice of all staff, pupils and parents and carers, and complies with all reasonable requests relating to religious observance and practice.

## **Breaches of the policy**

Breaches of this policy will be dealt with in the same ways that breaches of other school policies are dealt with, as determined by the Head Teacher in line with the policies and procedures of Shetland Islands Council and its Schools Service.

## **Monitoring and evaluation**

The school will collect, study and use quantitative and qualitative data relating to the implementation of this policy, and make adjustments as appropriate. Records of racial attack will be kept and monitored. All such incidents will be reported immediately by the Head Teacher to the Schools Service through the school's Quality Improvement Officer.

Issues relating to the implementation of the policy will be reviewed annually through \*\*\*\*\* School's self-evaluation procedures.

## Indicators for Success

In assessing school policies, the following indicators demonstrate success with regard to race equality

- **Pupils reach their potential** A school where individual steps toward achievement, however small, are recognised and celebrated and ethnicity is not a barrier to that achievement.
- **Higher attainment** The school's profile of attainment rises and any attainment gaps between ethnic groups are reduced.
- **A diverse curriculum** Challenging racism and celebrating diversity and racial equality is addressed across all areas of the curriculum. The experiences and expertise of pupils, parents, staff, and members of the local community from different racial groups are utilised in delivering the curriculum.
- **Exclusions** Exclusion rates are monitored closely to ensure there are no disparities in rates of exclusion across different racial groups.
- **Parental involvement** Attendance at parents' evenings and annual reviews is proportionate across all racial groups. Parents from all racial groups contribute to consultations, and participate in activities and events organised for parents.
- **An effective Parent Council** All members of the Parent Council are fully aware of their responsibilities in relation to their duties under the Act.
- **Effective response to racial harassment and racist incidents** Incidents of racism and racial harassment are dealt with promptly. Strategies are employed to reduce racism and racial harassment and evaluations show that these are effective. Feedback from pupils, parents and staff victims show high levels of satisfaction with the way in which victims are supported, and incidents handled and resolved.
- **A diverse workforce** The ethnic profile of non-teaching and support posts reflects ethnic diversity.
- **A successful workforce** All staff feel valued and able to contribute fully to all aspects of the school's work.
- **Successful partnerships** Successful partnerships with a wide variety of local organisations, including local groups representing the minority ethnic population
- **Pupil and parent satisfaction** Strategies are employed to ensure that all pupils are enabled to express their levels of satisfaction with the school's performance. The levels of satisfaction should be high and equal from parents and pupils from all ethnic and cultural groups.

- **Low complaint levels** Complaints about admissions, behaviour, exclusions, the curriculum, teaching, assessment, support and other provision for pupils, do not show disparities across different racial groups.
- **Trust** A high level of trust and confidence from all parents, children and staff and a rich diverse sense of community within the school.
- **Respect** The school is respected for its commitment and effectiveness in the race equality field.

**Shetland Islands Council  
Schools Service:  
Promoting Race Equality**



**Impact assessment checklist**

Shetland Islands Council

Schools Service

Introduction

The Race Relations Act 1976 (Statutory Duties) (Scotland) Order 2002 places education authorities under a duty to<sup>1</sup>:

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

Shetland Islands Council's Schools Service (which includes the schools and education support services under its management) is therefore under a duty to find out how its policies and procedures impact on pupils, parents and staff from all racial groups – not just those from Black and Minority Ethnic communities.

Shetland Islands Council already has in place an Impact Assessment Tool and this checklist takes cognisance of the implications of that document.

During the period 2002 to 2005, the Schools Service undertook some significant work in the area of impact assessment, most notably through its consultation, development and implementation of its policy of race equality in schools and its monitoring of allegations of racist incidents. However, as at February 2006, the Schools Service does not yet have in place a consistent approach to assessing the impact of new and existing policies.

This document details an **impact assessment checklist** for use by schools and services under the management of the Schools Service. It was developed with the assistance of education officers from East Dunbartonshire Council and is adapted from NHS Scotland's *Equality and Diversity Impact Assessment Toolkit*. It takes account of the advice given on impact assessment by the Commission for Racial Equality (CRE), including the *Guide for Education Authorities and Schools in Scotland* (CRE, 2002). It should strengthen the existing approaches to assessment and evaluation that are noted above.

---

<sup>1</sup> See p.11, *The Duty to Promote Race Equality: A Guide for Education Authorities and Schools in Scotland*, CRE, 2002.

## What is the purpose of impact assessment?

The purpose of impact assessment is to improve the way in which the Schools Service develops its policies and functions by making sure that there is no discrimination in the way that they are designed, developed or delivered and that, wherever possible, race equality is actively promoted. It provides a means to assess the potential or actual impact of the Schools Service's work on pupils, parents and staff **from all racial groups** and highlights issues that may have a negative impact on some individuals/groups.

### The benefits of impact assessment

There are many benefits to having a systematic approach to impact assessment; these include (for example):

- helping to ensure that pupils from all racial groups are supported to achieve to their full potential;
- helping to ensure that policies are targeted effectively;
- encouraging greater openness about the way in which policies are determined;
- showing a commitment to eliminating racial discrimination in Schools Services;
- helping to develop good practice in general;
- helping to avoid claims of unlawful discrimination.

### An impact assessment checklist

When considering the need for a new/revised policy or procedure it is important to make sure that it is 'equality proofed'. One way of doing this is to work to a checklist of questions/issues that help to keep the focus on the key question – *“could this policy have negative consequences for pupils, parents and staff from particular racial groups”?*

It is anticipated that the Schools Service will use this impact assessment checklist whenever it develops a new policy and procedure or reviews those currently in place.



|   |
|---|
| <b>Checklist for assessing the impact of policies/procedures<br/>on race equality</b> |
|---|

This impact assessment checklist is designed to help you to consider how your policy/procedure may impact (either positively or negatively) on pupils, parents and staff from all racial groups.

|                                       |
|---------------------------------------|
| <b>SECTION 1 – aims and key areas</b> |
|---------------------------------------|

|                             |
|-----------------------------|
| a) Name of policy/procedure |
|-----------------------------|

|  |
|--|
| b) What areas will this policy impact on e.g.: |
|--|

- |  |                          |
|--|--------------------------|
| • Progress, attainment and assessment                  | <input type="checkbox"/> |
| • Behaviour, discipline and exclusions                 | <input type="checkbox"/> |
| • Teaching and learning                                | <input type="checkbox"/> |
| • Admissions and attendance                            | <input type="checkbox"/> |
| • The curriculum                                       | <input type="checkbox"/> |
| • Staff recruitment and professional development       | <input type="checkbox"/> |
| • Partnerships with parents, guardians and communities | <input type="checkbox"/> |

|  |
|--|
| c) What is the aim/purpose of this policy/procedure? |
|--|

|   |
|---|
| d) Who is intended to benefit from this policy/procedure and in what way? For example is it aimed at pupils, parents/carers or staff? |
|---|

|  |
|--|
| e) How does this policy/procedure fit into the Schools Service's current aims that are stated in the Service Improvement Plan? |
|--|

|   |
|---|
| f) What outcomes are intended from this policy/procedure? |
|---|

|  |
|--|
| g) What resource implications are linked to the development and implementation of this policy/procedure? |
|--|

|   |
|---|
| <b>SECTION 2 – complete this section for new policies/procedures only</b> |
|---|

|  |
|--|
| a) At what stage of development is the new policy/procedure? |
|--|

b) What is the target date for completion?

c) Under the Race Relations (Amendment) Act 2000 the Schools Service is required to consult on the impact of new policies, functions and service changes. What consultation is planned?

d) What are the aims of the consultation?

e) What is the planned timescale for the consultation?

f) Who is responsible for managing the consultation process?

g) Which individuals/groups do you want to consult with and why?

h) What methods of consultation will be used?

i) How will the findings from the consultation be fed back into the policy development process?

**SECTION 3 – examination of available data**

Data could include advice and input from external consultants, surveys, focus groups, interviews with parents/pupils/staff, reviews of allegations of racist incidents, feedback from parent/community forums, data from Phoenix, ScotXed etc., academic findings and research from education bodies etc.

a) Are there any individuals/groups that could provide specialist input to the development of this policy/procedure?

b) Have you noted any significant issues from your analysis of quantitative data sources?

c) Have you noted any significant issues from your analysis of qualitative data sources?

d) Can you identify any significant knowledge gaps that may need to be explored?

e) Have you identified any potential difficulties with the aim(s) of the policy/procedure that may need to be addressed?

**SECTION 4: impact on pupils, parents and/or staff across all racial groups (see Appendix 1 for guidance on direct, indirect, unlawful discrimination and positive action).**

a) What is the likely impact (i.e. positive or negative) of the policy/procedure on different racial groups? To identify these groups you should look at the way Shetland Islands Council currently categorises 'ethnicity'.

b) Is there likely to be a differential impact on any racial group? If YES, please consider if this impact may be adverse and why you think this is the case? What steps could you take to lessen the negative impact of this policy/procedure?

c) Do you feel that the policy/procedure could lead to a challenge of 'direct discrimination'? Please state YES or NO (see Appendix 1 for guidance on 'direct discrimination').

d) Do you feel that the policy/procedure could lead to 'indirect discrimination'? Please state YES or NO (see Appendix A for guidance on 'indirect discrimination').

e) Is the policy/procedure intended to increase equality of opportunity by permitting positive action or action to redress disadvantage? Please state YES or NO (see Appendix 1 for guidance on positive action).

**NB – If you consider the policy/procedure to be unlawfully discriminatory, you must decide how to ensure the Schools Service acts lawfully.**

**SECTION 5: Monitoring and review**

a) How will the implementation of the policy/procedure be monitored?

b) How will the results of the monitoring be used to develop future policy/procedure and practice?

c) When is the policy/procedure due to be reviewed?

**SECTION 6: Public availability of policy/procedure and any findings from monitoring**

These findings should include:

- arrangements for publishing the policy/procedure
- results of impact assessment
- result of consultations
- employment monitoring outcomes (for relevant policies)
- other monitoring outcomes (e.g. service users, stakeholder views etc.)

## Appendix A: definitions of direct and indirect discrimination etc<sup>2</sup>.

The Race Relations Act 1976 as amended by the Race Relations (Amendment) Act 2000 makes it unlawful to discriminate – directly or indirectly – against someone on racial grounds. Under the Act ‘racial grounds’ means reasons of race, colour, nationality (including citizenship) or ethnic or national origins.

**Direct racial discrimination** means treating a person less favourably than another on racial grounds. An example of direct discrimination would be applying harsher discipline to black pupils because they are black.

**Indirect racial discrimination** means that a requirement or condition which is applied equally to everyone:

- can only be met by a considerably smaller proportion of people from a particular racial group;
- is to their detriment; and
- cannot be justified on non-racial grounds.

All three parts must apply. An example of unlawful indirect discrimination might be where a school’s rules on uniform do not allow for a particular racial group’s customs and cannot be justified in terms of the school’s needs.

### Positive action

In specific circumstances, the Act allows positive action as a way of overcoming racial inequality.

Positive action allows you to:

- provide facilities or services (in training, education or welfare) to meet the particular needs of people from different racial groups (for example English Language classes – see section 35 of the Race relations Act);
- target job training at those racial groups that are under-represented in particular areas of work and;
- encourage applications from racial groups that are under-represented in particular areas of work.

Positive action plans are only meant to be a temporary solution and you may need to review them regularly. You should not use them if the under-representation or the particular need no longer exists.

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<sup>2</sup> Information taken from *The Duty to Promote Race Equality: A Guide for Education Authorities and Schools in Scotland* (pp. 38 and 39) CRE, 2002).

### GLOSSARY

#### **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.

#### **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 'races' and that some were superior to others. However it remains the case that race in a social sense provides a basis of identity and can be a basis for unequal treatment.

#### **Racial Group**

The Race Relations Act 1976 defines 'racial group' by race, colour, nationality (including citizenship) and ethnic or national origin. Under the Human Rights Act (2000) this category is expanded to include Travellers and religious groups.

#### **Racial Harassment**

The Commission for Racial Equality (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 (see also Institutional 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 than others. 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 and/or who are likely to be subjected to racism.

### **Racism (Institutional)**

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.

### **Racist incident**

The Stephen Lawrence Inquiry Report defines a racist incident as:

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 includes Gypsies, Bargees, Circus People, and New Age Travellers.



**Ethnic Monitoring Categories, September 2002**

**Ethnic background record form (based on the new national population Census ethnic categories.)**

Pupil's name.....

Class/form .....

*Our ethnic background describes how we think of ourselves. This may be based on many things, including, for example, our skin colour, language, culture, ancestry or family history. **Ethnic background is not the same as nationality or country of birth.***

*The Information Commissioner (formerly the Data Protection Registrar) recommends that young people aged over 11 years old have the opportunity to decide their own ethnic identity. Parents or those with parental responsibility are asked to support or advise those children aged over 11 in making this decision, wherever necessary. Pupils aged 16 or over can make this decision for themselves.*

Please study the list below and tick one box only to indicate the ethnic background of the pupil or child named above. Please also tick whether the form was filled in by a parent or the pupil

- (a) White**
- British
  - Irish
  - Traveller from Irish heritage
  - Gypsy
  - Any other White background 
    - Italian
    - Turkish

- (b) Mixed**
- White and Black Caribbean
  - White and Black African
  - White and Asian
  - Any other mixed background

- (c) Asian or Asian British**
- Indian
  - Pakistani

- Bangladeshi
- Any other Asian background

**(d) Black or Black British**

- Caribbean
- African
- Any other Black background

**(e) Chinese**

**(f) Any other ethnic group**

I do not wish an ethnic background to be recorded .

|                                   |                          |
|-----------------------------------|--------------------------|
| This information was provided by: |                          |
| Parent                            | <input type="checkbox"/> |
| Pupil                             | <input type="checkbox"/> |

Please return the form to the school within four weeks in the enclosed envelope, or by dropping it into the office.

*(Any information you provide will be used solely to compile statistics on the school careers and experiences of pupils from different ethnic backgrounds, to help ensure that all pupils have the opportunity to fulfil their potential. These statistics will not allow individual pupils to be identified. From time to time the information will be passed on to the Shetland Islands Council's Schools Service and the Scottish Executive Education Department to contribute to local and national statistics. The information will also be passed on to future schools to save it having to be asked for again.)*

### FURTHER 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.

##### Documents

CRE (2000) *Learning for All - Standards for Racial Equality in Schools*, This has been sent to all schools

CRE Consultant Draft on the Statutory Code of Practice on the Duty to Promote Race Equality (*Race Relations (Amendment) Act – 2000*), This has been sent to all schools – (In particular see ‘*Guide for Schools*’)

#### THE SCOTTISH EXECUTIVE

##### Website

The Scottish Executive website can be found at [www.scotland.gov.uk](http://www.scotland.gov.uk)

##### Documents

*Working Together for Race Equality* – The Scottish Executive’s Race Equality Scheme – November 2002 Further details available by e-mail from [paul.smart@scotland.gsi.gov.uk](mailto:paul.smart@scotland.gsi.gov.uk)

#### OTHER USEFUL WEBSITES

One Scotland. Many Cultures – [www.onescotland.com](http://www.onescotland.com)

Centre for Education for Racial Equality in Scotland – [www.mhie.ac.uk](http://www.mhie.ac.uk)

Scottish Refugee Council – [www.scottishrefugeecouncil.org.uk](http://www.scottishrefugeecouncil.org.uk)

Educating for Race Equality – a Toolkit for Scottish Teachers – [www.antiracisttoolkit.org.uk](http://www.antiracisttoolkit.org.uk)

#### OTHER USEFUL DOCUMENTS AND RESOURCES

Race Relations Act 1976 (Statutory Duties) (Scotland) Order 2002

Race Relations (Amendment) Act 2000

Educating for Race Equality – a Toolkit for Scottish Teachers – CD-Rom