Policy: **Racial Equality**

West Lothian Council
Education and Cultural Services

Author: Phyllis Wood
Service: Education Development

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C O N T E N T S

DEFINITIONS

The following is an account of how terms are used in this document.

Equal Opportunities:

the prevention, elimination or regulation of discrimination between persons on the grounds of sex or marital status, race, disability, age, sexual orientation, language or social origin, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions.

Racial incident:

any alleged crime, offence or incident where the victim, or other person, believes (a) there was a racial motive or believes it forms part of a pattern of incidents with a racial motive; or (b) the reporting or investigating officer considers a racial motive existed.

Racial discrimination may be either direct or indirect.

Direct discrimination -

occurs when a person treats someone less favourably than others in similar circumstances on racial grounds. Racial grounds are grounds of colour, race, and nationality or ethnic or national origin.

Indirect discrimination

occurs when a condition or requirement which is applied equally to everyone can be met by a considerably smaller proportion of people from a particular racial group and it is to their disadvantage because they cannot comply with it. The condition or requirement will be unlawful unless it can be justified on non-racial grounds.

Victimisation

occurs when a person is treated less favourably than others for having made, or supported a complaint of racial discrimination.

MCARE:

multi cultural/anti-racist education

CRE:

Commission for Racial equality

THE LEGAL FRAMEWORK

The Race Relations Act 1976 remains the basic law in Britain that defines and outlaws race discrimination and that gives individuals the right to seek legal redress for acts of racial discrimination. The 1976 Act also established the Commission for Racial Equality (CRE), with powers to investigate and take enforcement action.

The Race Relations (Amendment) Act 2000 came into force on 2 April 2001 and amends the Race Relations Act 1976 and strengthens its application to public authorities in several important ways:

- Outlines race discrimination – direct, indirect and victimisation - in all public authority functions

- Places a general statutory duty to promote racial equality and prevent racial discrimination

- Gives powers to Scottish ministers to impose specific duties on public authorities to ensure better performance of the general duty; these specific duties will be enforceable by CRE, serving compliance notices backed up by court orders if necessary.

- Gives CRE powers to issue statutory Codes of Practice providing practical guidance to public authorities on how to fulfill both their general and specific duties to promote racial equality and powers to enforce these duties.

Specific duties on education have already come into force. Plans for meeting these duties were required to be implemented by 30 November 2002.

THE GENERAL DUTY AND SPECIFIC DUTIES

The General Duty

The **general duty** aims to ensure race equality is a central approach in the ways nurseries, schools and other educational establishments work by putting it at the centre of policy making, learning and teaching, quality assurance and employment practice. This duty means that authorities **must** have due regard to the need to:

- Eliminate unlawful racial discrimination

- Promote equality of opportunity

- Promote good relations between people of different racial groups

The Specific Duties

The **specific duties** have been introduced to help education authorities meet the general duty. They are a means to ends-steps, methods and arrangements. To meet the specific duties, West Lothian Council as an education authority must:

1. Prepare and maintain a written statement of the race equality policy for Education and Cultural Services
2. Make arrangements to meet West Lothian Council's duties as soon as reasonably possible

3. Make sure that all establishments under West Lothian's management maintain a copy of the West Lothian race equality policy and comply with the arrangements.

4. Assess and monitor how their policies affect pupils, staff, parents and other service users of different racial groups; the emphasis here is on young peoples' achievements

5. Publish results of monitoring annually

The new legislation builds on the Race Relations Act 1976 and creates a legal framework for the more effective and consistent embedding of racial equality into all local authority activities. At the same time local authorities continue to work within other existing equality legislation, including the Sex Discrimination Act 1975 and the Disability Discrimination Act 1995 which make it unlawful to discriminate directly or indirectly on the grounds of sex or disability. Local authorities also work in the context of European Legislation and the incorporation into domestic law of the Human Rights Act 1998 provides the right to enjoy any other convention rights and freedoms without discrimination. The Scotland Act allows the Scottish Parliament to impose specific duties on public bodies. The Scottish Executive has expressed a commitment to promoting the mainstreaming of equality across the public sector. There is also an overall focus currently on themes such as social inclusion, which is consistent with the promotion of equality. The Children (Scotland) Act 1995 is relevant, with an obligation to take account of the diversity of children's needs.

BACKGROUND

The 2001 census revealed that West Lothian has a population of around 158,714.

The ethnic origins of the West Lothian community are varied consisting of white European majority with minority groups from varied ethnic backgrounds.

LIST OF FUNCTIONS AND POLICIES RELEVANT TO RACE EQUALITY

The functions and policies listed are identified as being relevant to race equality. All policies will be formed taking into account the legal requirement of the act and will be reviewed and evaluated for the impact of service delivery.

Primary and Planning	Secondary and Development
Customer Care	**Learning Support**
Advice and Conciliation Policy	Autistic Continuum
School Boards	SEN Children Moving into West Lothian
Pupil Placement and Admission	Integration for SEN Children and Young People
Class and Staffing Organisation	Early Identification of Children with SEN
Nursery Provision	Education of Children at Home
Parents Charter Information	English as an Additional Language
Pupil Placement and Admission	Hearing Impaired Services
Professional Services	Literacy Class Provision
Attainment	Support for Learning
Performance	Support for Learning – Primary Secondary Transfer
Strategic Planning Process	Supporting Achievement – Framework
Early Years and Primary	
Composite Classes	**Psychological Services**
Curriculum	Future Needs Assessment
Drug Education in Schools	Music Therapy
Early Intervention Policy	Placement of Children and Young People in Special Schools and Classes and Outwith the Authority Placements – Guidelines for Submission to Professional Assessment Group
Early Years Policy	Pre School Home Teaching
Health Education in West Lothian Schools	Record of Needs

Learning and Teaching Policy	**Pupil Support**
Personal Safety and Personal Social	Attendance at School: Strategies for Improvement
Anti Bullying Policy	Child Protection Guidelines
Quality Assurance	Exclusion of Pupils from School
Developing a Pupil Voice	Hospital and Home Tuition Service
Deferred Entry	The Children's Hearing System - Guidance
Procedure for School Review	**Schools**
Role of Education Officers	Secondary Curricular Guidelines
School Attendance	Drug Education in Schools
Wraparound Care	Anti Bullying Policy
Transition Guidelines (Nursery to Primary)	Personal Safety and Personal Social
Education of Children at Home	Education For Work
	Health Education in West Lothian Schools
	Learning and Teaching Policy
	Role of Education Officers
	Procedures for School Review
	School Attendance
	School/College Partnership

Community and Leisure Services

Arts	**Life Long Learning**
Arts and Cultural Services	Adult Guidance Service
Arts Development Strategy	Community Education Development Plan
Crescendo Howden Park Centre Policy and procedures	Guidance for the establishment of Youth Forum
Participation Instrumental Music Strategy	Out of School Care
Arts Development Policy	Youth Work Policy
Instrumental Music Policy	Staff Development strategy
Arts Grants Policy	
Arts Education Service	
Library Services	**New Community Schools**
Communication & Information Service	Integration Policy
Service for Children	New Community Schools Policy
Service for Adults	**Outdoor Education**
Service for Schools	Operational Guidelines
Child Protection in Libraries – Policy for Staff	**Sport**
Archives and Record Management Policy	Sport for All Strategy
Grants to Local Authors	
Photography Policy	
Library Services to Schools	
Outreach Services	
Local History Services	
Acceptable Use Policy (Draft)	
Stock Development Policy (Draft)	
Mobile Libraries	

AIMS AND VALUES

West Lothian Council is committed to achieving equality of opportunity and enhancing the quality of life within its communities. In particular this policy aim is to improve the quality of life for pupils, staff, parents and other service users by creating an environment where discrimination or abuse on the basis of race is confronted and tackled effectively. The Council considers any expression of racism unacceptable. Furthermore the Council seeks to develop positive attitudes to and support positive actions by all citizens in West Lothian through effective education and the promotion of tolerance and understanding of cultural diversity.

The specific aims of this policy are to:

- Highlight the need to further develop action to ensure that pupils, staff, parents and other service users develop positive attitudes and behaviour towards people from different ethnic, cultural or national origins.

- Develop systems and structures to protect people from racist attitudes and actions.

- Promote through the curriculum, ethos programmes of work of schools and other establishments, tolerance for, knowledge, understanding about and positive attitudes towards people of different cultures, religions and origins.

- Develop consultation processes and alliances with organisations and individuals to promote the positive value of a multicultural, multi faith and pluralist society.

West Lothian Council will meet these aims by:

- Taking positive action to promote equality of opportunity and good relations between persons of different racial groups by ensuring that all functions and policies are linked and acted on.

- Recognising that it is likely that overt and hidden racial attitudes and actions are frequently experienced by all citizens in West Lothian.

- Taking action to eliminate unlawful discrimination.

- Developing systems and structures to consult, identify and address the different needs of groups and make appropriate changes to practice.

- Working to ensure that the ethos of the schools and other establishments is inclusive and promotes tolerance and understanding..

- Working to ensure that racial equality issues, diversity and cultural heritage are embedded in curricular studies/programmes of work..

This policy is designed to apply to pupils, staff, parents, other service users and all other partner agencies in a variety of educational settings in West Lothian and primarily addresses issues associated with racial equality.

POLICY INTO PRACTICE

Establishments will make sure that they put the race equality policy into practice and deal with issues that arise in the establishments and in the communities they serve. Establishments will develop an action plan as part of normal planning arrangements. The policy and the action plan must be linked to the service development plans and followed through. To support staff in meeting their responsibilities in promoting race equality the Authority will provide access to staff training.

The Education Authority will ensure that:

- The school board/community education association/funded organisation/ service user is clear about the race equality policy and fully understands its implications. The policy will be a regular item on the agenda at school board/ community education association and other appropriate meetings.

- Parents, guardians, service users, pupils and staff are aware of what the policy says, and understand what it means for them

Monitoring And Assessing Policies

West Lothian Education Services and West Lothian schools will be subject to ongoing thematic inspections of race equality issues by HM Inspectorate of Education from August 2005.

The focus of the inspections will be:

- Initiatives undertaken by the authority to promote race equality, tackle racial discrimination and to promote good relations between groups from different ethnic backgrounds
- The quality of guidance given to schools and other establishments on race equality matters
- The education authority's progress in publishing a race equality policy
- The role of specialist services in promoting race equality
- The range of staff training opportunities relating to race equality in the last 3 years
- Progress with data collection systems and use of ethnic monitoring
- Identification of support needs in helping the authority and schools and other establishments promote race equality
- Identification of schools and other establishments exemplifying good practice in promoting race equality

West Lothian schools' compliance with the policy and the impact of the racial equality policy will be monitored through West Lothian Education Services' Quality Assurance school review programme. Cultural and Leisure Services' compliance will be monitored through their Quality Assurance review programme. Education Officers and Service Managers will support establishments in ensuring that both the general and specific duties of the policy are met.

Individual establishments will be expected to monitor the impact of their policies on pupils, parents, staff and other service users from different racial groups. A summary of responsibilities for various staff members can be found in Appendix 5. Both West Lothian Education authority and West Lothian establishments will annually assess the impact of the racial equality policy and the results of these assessments will inform policy review and feature in both the authorities and establishments annual standards and quality report. The authority will, through the tracking and monitoring systems linked to the West Lothian Education Services' central database, monitor and analyse pupil attainment by racial group. Reports from this analysis and the Education Services' performance monitoring processes for all pupils will inform target setting and support strategies for ethnic minorities.

The ethnic categories used should be those identified in the 2001 census. It may be useful to note details about refugee status, religion and first language. (Appendix 4)

To monitor effectively establishments will take account of their particular circumstances. Staff monitoring and exam results will provide most of the required data. However other monitoring methods will also be employed such as ethos surveys, one-to-one interviews, classroom discussion, feedback exercises on questions such as learning styles, end of course evaluations, tutor–learner and teacher-pupil relations.

Monitoring data will help establishments to see what progress they are making toward meeting the race equality targets and aims. In particular it will help them to:

- Highlight any differences between pupils or users from different racial groups

- Ask why the differences exist and test explanations given

- Decide what further action will be necessary to meet particular needs and to improve the performance of pupils or users from different racial groups (which may include positive action)

- Set new targets in establishment development plans then take action to make improvements

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

- Ethnic profiles of pupils

- Pupils' attainment levels

- Temporary and permanent exclusion

- Truancy

- Reports of bullying

- Parental complaints

- Reports of racist incidents and outcomes

- Disciplinary action

- EAL

- Extra curricular activities

- Admissions

- Appeals on placement

TAKING ACTION AND SETTING TARGETS

The reasons for inequalities shown up by monitoring and the steps that establishments can take to tackle them are wide ranging. Data analysis may point to an institutional barrier that is fairly obvious and easy to remove. For example, a rule or requirement may put some ethnic groups at a disadvantage. Positive action could be used to remedy past discrimination and disadvantage.

If under-representation of an ethnic group at parents meetings, parent teacher associations, school boards or community education associations or other user forum is a problem the most effective solution could be an outreach programme for example establishments will be expected to:

- Improve contact with all sections of the community

- Translate information into the main languages used in the community

- Arrange for interpreters where necessary

In consultation with school boards, community education associations and other service users and with the support of the Education Officer or staff from within Education Services, West Lothian establishments will set appropriate targets around which action can be planned. These targets will be set in conjunction with the schools' three-year attainment targets, or service plans.

However these targets may, as a result of changing circumstances or in response to issues raised by pupils, staff, parents or other service users, be reviewed at any time during this period. The target setting process should take into account the following:

- Set targets that are challenging but achievable, and that are based on relevant internal and external benchmarking data

- Set stage-by-stage and final achievement dates

- Develop a programme that will deliver the target

- Identify and deal with any obstacles to progress

- Revise targets downwards or upwards, if the evidence suggests they were originally set unrealistically high or were not challenging enough.

Annual Publication of Monitoring Results

Education Service's central database and tracking and monitoring systems will be customised to collect and analyse data relating to race equality. In addition establishments will monitor the impact of policies and report the results of this monitoring exercise annually in their standards and quality reports. The data and information collected from the Service monitoring programme will be published annually in the Authority Standard and Quality report. Reference to race equality targets and progress toward these targets will also be reported in the Local Improvement Plan, Education Services Group Plan and Service specific annual reports.

RESPONSIBILITIES OF STAFF TO PROMOTE EQUALITY

Ethos Of The Establishment

It is necessary to have an environment that fosters a positive ethos in the establishment. Entrances and routes for visitors will be clearly marked. All important signs and notices must be displayed in an appropriate range of languages. Displays should be kept fresh and show a range of young peoples' and adult learners' work. The building should be clean, orderly and provide a safe learning and leisure environment.

The establishment will actively promote an ethos of equality of opportunities for all in an atmosphere of harmonious relationships amongst all users. This ethos and atmosphere will reflect the entitlement of all persons entering the educational establishment. Rules and regulations should be sensitive to, and show respect for, diverse religious and cultural practices. West Lothian Council will ensure that establishments create an integrated, consistent approach in dealing with problems of racial discrimination, and in promoting equal opportunities and good race relations. A secure learning and working environment for all pupils and staff is possible if pupils, teachers, parents, staff, service users, the community, outside agencies and the Council work in partnership

It is essential that establishments acknowledge the existence and nature of racism in society and do their best to combat it effectively. The pluralist nature of the society in which pupils live requires that all our young people be made aware of the contribution which every section of the community can make to society. Education at every level should be harnessed to raise awareness of the racism embedded in society and change the attitudes and behaviour, which make society racist. Only by acknowledging the racism within society will young people come to appreciate and value other cultures. Establishments must challenge and deconstruct the everyday racist assumptions, which permeate society. This will involve self-analysis on the part of the teacher, tutor or member of staff. The person responsible must examine their professional activities from a MCARE perspective; the content of the curriculum, classroom organisation, assessment procedures, disciplinary procedures, learning opportunities and other related matters can be considered within the context of a policy and set of procedures.

All establishments should strive to ensure that their formal, informal and hidden curricula engender a positive, caring and humane ethos. Establishments 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 or activity and take appropriate action.

Home-Establishment Relationships

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

Staff within Education Services need therefore to be aware of the many barriers, which may impede effective collaboration with parents and service users. The process will of course include, but go far beyond, the provision of linguistic assistance to pupils, parents and service users with difficulties using written and spoken English and an awareness of religious, dietary and dress requirements associated with the cultural practices of the home.

Within the establishment, languages other than English, which are spoken in the home, should be used in displays and notices. Visible evidence of a young person's first language helps to make the establishment a richer environment and a more welcoming place for ethnic minority young people and their parents. In addition, signs and displays should be specifically prepared for use at Parents' Evenings, community events and open days. Such a strategy can become a central means of communicating a positive message to all those who come to the establishment and creating an atmosphere of trust and security for the young people or service user.

Parents will also wish to be informed about establishment MCARE policies and other initiatives on tackling bullying and discrimination. Clear and effective mechanisms must exist to inform parents and service users of the curricular developments and other initiatives that are taking place within the establishment and should include procedures whereby information can be translated into Community Languages. Establishment staff must be aware of any extra-curricular activities undertaken by young people or service user that may directly or indirectly affect the establishment e.g. Community Language classes or religious observance. Pupils' absence for religious holidays will be approved absence recorded as Family/Personal (F).

STAFF DEVELOPMENT OPPORTUNITIES

A training programme relating to the racial equality policy will be featured in the annual West Lothian Staff development guide. All staff are expected to develop their awareness and skills in matters relating to racial equality through their Continuing Personal Development. Staff access to the development programme will be monitored through the review programme.

Staff development activities must be based on a clear commitment to combating racism and promoting equal life chances for all. Effective staff development must be supported by trained personnel at both local authority and establishment level. Knowledge of the historical roots of racism and the legal context in which the anti-racist policy will operate is essential to the learning process. All staff must become involved in the promotion of the policy. A whole school approach to staff development may best suit primary schools. In secondary schools such involvement may be best achieved on a departmental basis enabling teachers to look at the implications for their

subjects. In other establishments discussion relating to implementation would be identified through team and staff development meetings. 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 education. 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, professional workers and support staff. Staff should be encouraged to identify their own developmental needs however in-service training will be provided on eliminating racism and establishing equality of opportunity. The necessary skills required are:

- assessment and monitoring

- human relations management

- leadership

- communication skills (especially with young people and parents or service user with English as an additional language)

- understanding how to deal with racist incidents

- curriculum management

- implementation of learning strategies for greater cultural engagement and greater moral responsibility

- Developing criteria for resources.

CURRICULAR IMPLICATIONS

The curriculum must improve the learning opportunities of young people and adults and enhance the quality of their learning attainments. Establishments 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.

Teaching materials have to be examined for:
- Negative images of people from different ethnic groups, stereotyping and tokenism
- Illustrations which perpetuate myths about people from different ethnic groups
- Patronizing 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 young people and learners to recognise that within society there are different beliefs, traditions and living patterns.

- Develop the knowledge and skills, which will allow young people and learners to criticise and actively participate in all aspects of society.

- Create images of black and minority ethnic 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 equality. It is necessary to study scientific, technical musical, artistic and literary achievements outside the western world.

Establishments must introduce MCARE into the curriculum through timetabled Personal and Social Education programmes, including citizenship education, and RME, and exploit the opportunities presented by each area of the 5-14 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 however a relevance to cultural diversity and it is with in this context that the RME curriculum helps pupils develop their own attitudes, values and practices through a process of personal discovery and critical evaluation.

Teachers /tutors/ buddies must be prepared to examine and reflect critically on their own practices in terms of the scrutiny, development and delivery of materials, curriculum cover and teaching strategies.

Curriculum development includes

Raising awareness of:

- Human diversity, globally and historically (including the roots of racism)

- Creative responses to human circumstances (including resistance to racism)

- Patterns of social organisation (including those based on class, race and gender)

- Moral responsibilities (including human rights reform movements)

- Models for living (including groups/individuals from various ethnic/cultural backgrounds)

Developing skills in:

- Investigating what people are like and how they live

- Critical thinking

- Selecting appropriate resources

- Expressing responses to observations

- Proposing solutions to human problems

- Working co-operatively

- Providing equality of opportunity

- Valuing people and their endeavors

- Enriching quality of life for self and others

- Forming coherent world-views based on insight and action

Forming attitudes of:

- Interest in human affairs

- Concern for others

- Commitment to working for improved quality of life for all

Making full use of resources

ENGLISH AS AN ADDITIONAL LANGUAGE

Multilingual young people have the right to receive the same intellectual challenge as their peers. It should be acknowledged as an asset to the individual and as a source of cultural richness for the establishment and for society rather than as a difficulty to be overcome. Multilingual young people should be encouraged to maintain and develop their other languages. It is essential to expand co-operative teaching across the curriculum with ESL specialists in the classroom. This will benefit multilingual young people and also enable ESL teachers to influence classroom teachers in their methods and approach to language issues, fostering a heightened awareness of the great value of multilingualism. Establishments should take care, in the assessment of multilingual pupils in all curricular areas, that criteria are not applied which disadvantage them.

ESL specialists with their detailed knowledge of the needs of multilingual children can advise on the arrangements made by the SQA for multilingual pupils, providing additional time and the use of a dictionary in some instances. By working in conjunction with school librarians, ESL can advise on the purchase of books for the library, which take a MCARE approach.

The needs of multilingual children of course are more than simply linguistic. Within classrooms all teachers or professional staff 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 guidelines for English Language 5-14 etc. In collaboration with the ESL teacher, a programme of in-class and tutorial 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.

ADDRESSING RACISM IN EDUCATIONAL ESTABLISHMENTS

Dealing with racism in establishments

♦ Racist graffiti or slogans, whether on walls, books or elsewhere, must be removed immediately on discovery and any damage repaired.

♦ Racist literature, badges and insignia must be confiscated on discovery and the reason for not allowing them explained.

♦ If the matter is of a serious nature, it may be appropriate for the pupils and staff to meet together to discuss it. Assemblies may be used for this purpose.

♦ Keeping staff and pupils and/or service users informed is essential for harmonious relationships within the establishment.

♦ Any distortion of the matter through rumour should be explained promptly by the adult in charge.

♦ Feedback from parents should be obtained in order to assess the impact of the incident.

Establishments must therefore keep a record of all racist incidents. Records must be kept that give details of the offence itself, the person(s) concerned, action taken and sanctions imposed. Headteachers or Senior Staff should provide the Customer Care Manager with termly reports on incidents of racial incidents and their response to them. In the case of racist violence a full written report on the matter should be submitted together with a statement of how it was dealt with. The Customer Care Manager will collate all recorded racial incidents provided by educational establishments in West Lothian and the authority will provide a report to all Heads and Senior Officers. This will enable the authority to provide further support and training.

Points to be followed in response to incidents of racism

These points should be followed in response to incidents of racism:

Contact person:

- A named member of staff in each establishments should be responsible for ensuring the consistency of action in cases where racism is alleged.

Acknowledging the incident

- Each incident must be taken seriously and investigated.

Investigating the incident:

- Clarify exactly what occurred and why racism is perceived

- The police must be informed by the Head Teacher or Senior Member of Staff if in his/her judgement the incident is out-with the establishment's ability to investigate

Support the victim:

- Make it easy for young people, parents and service users to report racial harassment
- Accept the victims' perceptions unless investigation proves otherwise
- Respond quickly
- Identify the physical and emotional support needed on an individual basis
- Involve victims/parents in determining appropriate support
- Involve community groups and members of the victim's own community to provide appropriate support
- Check that the support being given is acceptable
- Keep the victim and their parents informed of all action taken.

Contacting parents or service users.

In serious circumstances, establishments should contact the parents of those concerned (the Police may be notified).

Recording

- Incidents in establishments must be recorded. A model recording form is given as appendix 1. (This form is for internal school use only) or Appendix 8 (for other establishments) Record the basic details of each report

- Record the action decided in each reported case

- Make and record routine checks in cases where action is taken

- Record and give reasons when a case is closed

- Keep a central record of all cases reported

Monitoring:

- A monitoring form (appendix 2) assists school/establishment to review the extent of the problem and evaluate the effectiveness of action taken

- A monitoring form (appendix 6) assists other establishments review the extent of the problem and evaluate the effectiveness of action taken

- Produce regular reports for staff, school board members and parents or senior officers when appropriate, showing the extent and nature of incidents and the school's response to them

- Use the records to monitor trends and review procedures accordingly

- Co-ordinate monitoring and review with other schools, establishments and agencies

Evaluation:

- Review procedures and evaluate results to address gaps in the process.

Procedure:

- (See appendix 3) for schools

- (See appendix 7 for other establishments and appendix 8 for Sport and Recreation)

School Support:

Address the incident in assembly (in schools) or other forum where appropriate (in other establishments) without using names and explain that the whole establishment is responsible for eliminating racism.

Timescale:

- Set a reasonable timescale for dealing with the incident.

It is important to note that in dealing with racist incidents schools/establishments may be required to link to other school/establishment personnel procedures such as

- Discipline

- Child Protection

- Harassment / Discrimination / Victimisation and Bullying

- Exclusions

STRATEGY TO PROMOTE, PUBLISH AND MAKE THE POLICY ACCESSIBLE TO A WIDE AUDIENCE

Good Practice for Dealing with Racial Harassment in establishments

1. **Make provision for:**
- Preventing racial harassment

- Supporting victims

- Dealing with perpetrators.

2. **Generate maximum support for the policy:**
- Consult and involve all the staff

- Consult and involve the School Board/Community Education Association/other service users

- Consult and involve parents and/or service users

- Consult and involve young people

3. **Publicise the policy:**
- To your staff

- To parents and other service users
- To voluntary and community organisations
- To other statutory agencies.

4. **Develop a policy and action plan for implementation:**

- Identify resources
- Designate a senior member of staff to co-ordinate the implementation and monitoring
- Design robust recording and reporting mechanisms
- Identify clearly the responsibilities for specific aspects of policy
- Provide training to raise awareness among all staff/ user groups/ buddies
- Provide for an efficient flow of information between all relevant parties.

5. **Develop procedures to be followed when incidents are reported:**

- Identify the sequence of actions and the staff member/user responsible
- Specify timescales for action at each stage
- Ensure that the incident report forms are available
- Provide training to demonstrate the procedures
- Allocate responsibility for checking that procedures are followed

6. **Offer meaningful support to victims of harassment:**

- Make it easy for young people, parents and other service users to report racial harassment
- Accept victims' perceptions unless investigation proves otherwise
- Respond quickly
- Identify the physical and emotional support needed on an individual basis
- Involve victims/parents in determining appropriate support
- Involve community groups and members of the victim's own community to provide appropriate support
- Check that the support being given is acceptable
- Keep the victim and their parents(if applicable) informed of all action taken

7. **Systematically monitor what is happening:**
8. Record the basic details of each report
9. Record the action decided in each reported case
10. Make and record routine checks in cases where action is taken
11. Record and give reasons when a case is closed
12. Keep a central record of all cases reported
13. Produce regular reports for the authority, staff, school board members, community education associations or other user forum, parents and service users when appropriate,

14. Showing the extent and nature of incidents and the establishment's response to them
15. Use the records to monitor trends and review procedures accordingly
16. Co-ordinate monitoring and review with other schools, establishments and agencies

OTHER SOURCES OF INFORMATION:

Professional Services Manager
West Lothian Education Services
West Lothian Civic Centre
Howden South Road
Livingston

Policy and Equality Unit
West Lothian Civic Centre
Howden South Road
Livingston

Commission for Racial Equality Website

www.cre.gov.uk

Central Research Unit Website

www.scotland.gov.uk/cru

Scottish Parliament Website

www.scottish.parliament.uk

Home Office Website

www.homeoffice.gov.uk

Race Relations (Amendment) Act 2000 is available online at:
http://www.hmso.gov.uk/acts/acts2000/20000034.htm

Equality Unit
Scottish Executive
Area 3H
Victoria Quay
Leith
Edinburgh
EH6 6QQ
Telephone: 0131 244 0095

APPENDIX 1 - RACIAL INCIDENT RECORD SHEET

INCIDENT NUMBER ….....

Alleged victim(s)				
Alleged aggressor(s)				
Reported by:				
Reported to:				
Report to police	Date		Police Officer	
Date of report:				
Date of incident:				

DETAILS OF INCIDENT

ACTION TAKEN

DATE:	COMPLETED BY:
DATE:	Signature of Parent (if applicable)

APPENDIX 2 MONITORING FORM FOR PATTERN AND FREQUENCY OF RACIST INCIDENTS

Date of incident	Name/s of victim/s	Ethnicity of victim/s	Name/s of perpetrator/s	Ethnicity of perpetrator/s	Incident recorded by

APPENDIX 3 - THE PROCEDURE FOR DEALING WITH RACIST INCIDENTS IN SCHOOLS

Incident (observed, informed, complaint recorded)

Staff contact informed immediately and fills in incident form

- headteacher alerted
- police informed where appropriate
- Letter to parent of victim
- Letter to parent of aggressor

Investigation starts

- Victim continually supported
- Aggressor continually counselled

Report form completed

- Report to head teacher
- Report to school board

Take appropriate action

- Report to parents of victim and aggressor
- If the complainant is dissatisfied, then they will be told they have the right to appeal

Number of racial incidents sent to West Lothian Council annually for monitoring

APPENDIX 4 - ETHNIC CATEGORIES

White

Scottish

English

Welsh

Irish

Any other White background

Mixed

Any mixed background

Asian, Asian Scottish, Asian English,
Asian Welsh, or other Asian British

Indian

Pakistani

Bangladeshi

Chinese

Any other Asian background

Black, Black Scottish, Black English
Black Welsh, or other Black British

Caribbean

African

Any Other Black Background

Other ethnic background

APPENDIX 5 - LEADERSHIP AND MANAGEMENT

The education authority is responsible for:

- Actively promoting equality and tackling disadvantage and discrimination in all areas of its work
- Encouraging staff to promote equality in all aspects of its work
- Monitoring race equality policies across the service
- Providing training, information, advice and support to establishments in relation to equalities work
- Integrating race equality into quality assurance mechanisms
- Monitoring staff and learners, analysing results and supporting strategies to breakdown any barriers to learning and development
- Making sure there is a named officer within the education authority who has responsibility for liaising with establishments and supporting strategic developments in the area of equalities education
- Carrying out impact analysis of existing and new policies on a regular basis
- Ensure that communication with parents / carers, service users is accessible
- Ensuring that black and ethnic minority parents / carers, staff and service users are included in the consultation processes
- Providing English as an Additional Language to pupils for whom it is required following assessment
- Researching, developing and disseminating best practice
- Reporting to the Executive of the Council on issues relating to equalities education
- Connecting with authority wide, corporate and community planning initiatives related to race equality

Headteachers and Senior staff are responsible for:

- Monitoring and assessing the impact of the authority policy within their establishment
- Monitoring the impact of all establishment policies on pupils / carers/ service users from black and ethnic minority backgrounds
- Ensuring that young people from different racial groups are not discriminated against within the curriculum (both formal and informal), assessment procedures, learning and teaching methods and access to services provided by the establishment
- Ensuring that consultation processes involve black and ethnic minority parents / carers, young people, service users and community groups wherever practicable
- Ensuring that all staff, young people, parents / carers, members of school boards/community education associations/partners/ funded organisations and external contractors are aware of the Race Equality Education Policy and their responsibilities under it Integrating race equality within the development planning of the school or service
- Preparing a race equality audit and embedding race equality within the curriculum and in learning and teaching approaches
- Providing the education authority with information regarding staff monitoring
- Monitoring attainment of black and ethnic minority pupils and taking action on underachievement
- Ensuring that information to parents and service users is in a format accessible to parents for whom English is an additional language

- Making sure that there is a named member of staff with responsibility for dealing with bullying and racism within the establishment
- Ensuring that all staff are dealing appropriately with racist incidents and recording them according to the authority guidelines
- Providing an inclusive ethos within the establishment where diversity is acknowledged and celebrated
-

All staff have a responsibility for:

- Promoting equality and fairness in all aspects of their work
- Responding appropriately to racism and racist incidents where they occur
- Delivering a curriculum or service which acknowledges and celebrates diversity
- Making themselves aware of their duties under the legislation and the Race Equality Education Policy
- Taking up CPD/staff development opportunities where appropriate to extend their knowledge of race equality within the context of their post

Anti – Bullying and Anti- Racist Co-ordinators in schools are responsible for:

- Ensuring that racist incidents are recognised, dealt with and recorded appropriately and consistently according to the education authority policy and guidelines
- Communicating the establishment policy on dealing with bullying and racism to all members of the establishment staff

School Board and Management Committee members are responsible for:

- Making themselves familiar with the legislation, the Race Equality Education Policy and local establishment or team policies on race equality
- Following their duties under the legislations and policies
- Supporting the head of establishment in implementing the legislation and policies
- Reflecting the views of the parent body or centre users on the establishment policy and reporting these to the head of establishment
- Encouraging membership from black and minority ethnic communities

Pupil and Student Councils; Youth Committees / Forums are responsible for:

- Commenting on issues relating to the education authority's Race Equality Education Policy and / or their individual establishment race equality policy and the implementation of such policies
- Gathering and reporting to the head of establishment on the views of the pupil or student body or youth groups they represent
- Supporting the implementation of the policies
- Advising staff of improvements to the policies
- Encouraging and welcoming black and ethnic minority members

Visiting Services and Contractors are responsible for:

Adhering to the legislation and the Race Equality Education Policy

APPENDIX 6 - MONITORING FORM FOR PATTERN & FREQUENCY OF INCIDENTS FOR COMMUNITY LEARNING & DEVELOPMENT, LIBRARIES ARTS & OTHER ESTABLISHMENTS

Establishment/Club Name and Location……………………………………………………………

………………………………………………………………………………………………………..

Date of incident	Number of incident	Type and description of incident	Action taken	Parent's signature if required	Incident recorded by

APPENDIX 7 - PROCEDURE FOR DEALING WITH RACIST INCIDENTS WITHIN COMMUNITY LEARNING & DEVELOPMENT, LIBRARIES, ARTS OR OTHER ESTABLISHMENTS

Incident (observed, informed, complaint recorded).

Staff member challenges the perpetrators and informs them this behaviour is not appropriate

Warning given to perpetrator of 'one, two, three – out' policy within Community Learning and Development, Libraries or other establishment and incident logged

If an adult perpetrator then one warning is given then perpetrator is asked to leave

Incident logged by staff member on incident reporting form and incident reported to Community Education Worker, Senior Community Education Worker, Team Manager, Library Manager or senior member of staff

(If incidents then persist perpetrator is warned they will be reported to police)

If a serious incident then Community Education Worker, Library Manager or member of staff who has been informed then reports to:

- Team/Area manager or Head of Service
- Police where appropriate
- Letter to parent of victim
- Letter to parent of aggressor
- Letter to adult aggressor

Investigation
- Victim continually supported
- Aggressor continually counselled

Take appropriate action
- Report to parents of victim and aggressor
- If the complainant is dissatisfied, then they will be told they have the right to appeal.

Number of racial incidents sent to Culture and Leisure services for annual monitoring

APPENDIX 8 - PROCEDURE FOR DEALING WITH RACIST INCIDENTS WITHIN SPORT AND RECREATION PROVISION

Incident (observed, informed, complaint recorded).

Sport and Recreation staff challenges the perpetrators and informs them this behaviour is not appropriate.

Warning given to perpetrator of 'one, two, three – out' policy within Sport and Recreation Provision and incident logged.

If an adult perpetrator then one warning is given then perpetrator is asked to leave.

Incident logged by Sport and Recreation staff on incident reporting form and incident made known to facility staff and line-manager.

(If perpetrator continues to abuse other users on the grounds of racial discrimination they will be warned that they will be reported to police)

If a serious incident occurs the member of staff who has been dealing with the incident then reports to:

- Line manager or Head of Service.
- Police where appropriate.

If it is deemed necessary a letter will be sent:
- To parent of victim/victim to assure them that the incident is being investigated and that the Sport and Recreation Service take these types of incident very seriously.
- To parent of aggressor to inform them of the behaviour of their child and the course of action the Sport and Recreation Service will be following.
- To adult aggressor to inform them of the course of action the Sport and Recreation Service will now take in dealing with the incident.

Investigation
- Victim continually supported.
- Aggressor continually counselled.

Take appropriate action
- Report to parents of victim and aggressor.
- If the complainant is dissatisfied, then they will be told they have the right to appeal.

Number of racial incidents sent to Culture and Leisure services for annual monitoring

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Scotland's Children: A Brief Guide to the Children (Scotland) Act (1995), HMSO, 1995

Code of Practice on the Duty to Promote Racial Equality Commission for Racial Equality April 2001

The Role of School Development Plans in Managing School Effectiveness (MER5), 2nd edition, SOED, 1994

INTERPRETATION INFORMATION

Information is available in **Braille**, on tape, in large print and community languages.
Please contact the Interpretation and Translation Service on 0131 242 8181.

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