

Isle of Wight Council Race Equality Scheme

2005 - 2008

(Reviewed Jan 2006)

Foreword

By 2020 our vision is of ...

A progressive Island built on economic success, high standards and aspirations and a better quality of life for all.

The council would like to make lasting improvements to the quality of life for the whole Island community. The council's corporate plan sets out how the council will make a difference to and improve life on the Island.

Aim High, the council's corporate plan focuses on five main areas:

- Regeneration – Improving the well-being of our communities, the environment in which people live and the resources and the resources available to them to make the most out of their lives
- Health – Helping people to live positive, independent and healthy lives in which they can take responsibility for the choices they make
- Safety – Helping people to be safer and feel safer in their own homes, at work and on the roads especially by reducing crime and the fear of crime
- Choice for Children – Giving them every possible opportunity to achieve their potential and by removing barriers that stop them from doing this
- Excellence – By ensuring that everything that we do as a Council is in support of the first four objectives, and that we are not wasteful in the resources we have available to us

Each of these areas contains objectives, actions and targets that will ensure that we have clarity about how we will deliver those improvements. The Aim High process will ensure that we achieve the five levels of the Equality Standard for Local Government and that the equality and diversity agenda is embedded into the daily business of the whole organisation.

Following the murder of Stephen Lawrence and the ensuing McPherson Report the Race Relations Act 1976 was amended providing clear direction for all public bodies to ensure that within service provision we consider the way we deliver racial equality across the board.

This Race Equality Scheme has been reviewed and sets out how the council will take account of its responsibility. The scheme ensures that it is both inward and outward looking and is working towards ensuring that we make the Island a safe place in which to live, work and relax.

Each council service now undertakes an impact assessment, which looks out how it promotes race equality and then identifies what action needs to be taken to improve. This process now forms part of the performance management service planning process and is seen as a key priority area for the council.

We are committed to service improvement and to becoming an 'excellent authority'; we welcome this Race Equality Scheme and are fully supportive to the actions contained within it. Our aim is to extend this vision into the whole Island community.

John Lawson
Acting Chief Executive

Councillor Andy Sutton
Leader of the Council¹

¹ Second Draft Jan 2006

Introduction

Race Equality Scheme – Race Relations (Amendment) Act 2000

(Reviewed Jan 2006)

The council is committed to an approach that values equality and diversity. We are committed to ensuring that we provide a working environment that harnesses the different perspectives and skills of everyone, is free from discrimination, harassment or victimisation and in which all receive fair and equal treatment.

Following the Stephen Lawrence enquiry, the government amended the law on race relations. The Race Relations (Amendment) Act 2000 places an obligation on public organisations, such as councils, to have in place a Race Equality Scheme (RES). The Isle of Wight Council's RES has been in place since 2003, and has now been replaced by this document following a review.

The new legislation provides clear directions and requirements for all public sector organisations to improve the way they consider and deliver race equality across the services that they provide to their communities.

In keeping with the changing population profile of modern Britain and that of the Island's, we are working to ensure that we deliver services that meet the needs of the local community as a whole.

The council recognises its responsibility of serving a diverse population and aims to ensure that there is equality of opportunity for all Island residents, whatever their background.

The Race Relations (Amendment) Act 2000 outlawed race discrimination in public authorities, and imposed a general duty to promote equality of opportunity and good relations between people of different racial groups. The duty places race equality at the centre of policy-making, service delivery and employment practice. The corporate change agenda Aim High will ensure that we all work towards the five improvement areas and the objectives and targets set within each area. Equality and diversity is a responsibility of everyone and must be embedded into our daily work, irrespective of which department they work in.

Under the 'general duty' public authorities must:

- Eliminate unlawful racial discrimination;
- Promote equality of opportunity; and
- Promote good relations between people of different racial groups.

To ensure improved performance of the 'general duty', 'specific duties' have also been introduced covering areas of policy, services and employment.

As part of its commitment to race equality the Council has introduced the requirement for services to carry out equality impact assessments as part of the annual team plan and service planning processes, these impact assessments address the wider equality and diversity and social inclusion agenda and are now firmly embedded into the performance management process of the council.

Statement of commitment to equality and diversity

Promoting equality and diversity is part of being an effective community leader and is therefore a key priority for the council. This commitment is an essential part of ensuring that we become high performing and cost effective, but it must be emphasised that it is not just about 'ticking the box'. It makes sound business sense, is ethically right, socially desirable and helps to ensure that we build a strong Island community and deliver strong and effective Island services. The council will address and remove procedures, processes and behaviours, which support direct or indirect racial discrimination.

The council is committed to being pro-active and to empowering the staff who work for the organisation to deliver services that respect people from all racial and cultural groups. We will encourage independence, well-being and choice to service users to ensure that all aspects of equality and diversity are promoted and valued.

We have set an ambitious target to achieve level five of the Equality Standard for Local Government by December 2008 – the council is currently at Level 2.

The council will create an organisation that respects and recognises difference whilst valuing the skills of staff at all levels. We aim to release the creative and innovative potential of every individual to enable the Isle of Wight council to be an effective community leader and a high performing cost effective council.

The Council's Race Equality Scheme

This scheme sets out how the council will ensure that race equality is part of the council's business planning through performance management.

The council has a statutory general duty to promote race equality and will:

- Eliminate unlawful discrimination
- Promote equal opportunities
- Promote good relations between people from different racial groups

To this end the council has, through its performance management process, included impact assessments (for all service areas) within Team Plans and an action plan within Service Plans, which demonstrates how each service will deliver its statutory duty to promote race equality.

We will also implement a process of impact assessments for all new policies during 2006, including an amendment to the committee report checklist to ensure that diversity is considered on all reports received by the Cabinet or Policy Commissions.

Introducing these new processes within the performance management framework will ensure that the council meets its legal obligation with regard to the specific duties placed upon us by the Race Relations (Amendment) Act 2000. These duties are in respect of service delivery, policy-making and employment. The specific duties will enforce and underpin how we fulfil our general duty.

The Race Equality Scheme is part of the framework the council has put in place to deliver equality and diversity throughout the organisation. This framework will set out the action we will take over the next three years to deal with issues, both within the organisation and across the Island community.

The key priorities of the Race Equality Scheme are:

- **Leadership** – to ensure that our leaders demonstrate commitment to promoting race equality and valuing diversity, and take personal responsibility and ownership for making progress
- **Management capability** – to develop, equip and support managers in the promotion of race equality
- **Awareness** – to ensure that all staff understand what race equality means and what behaviours are expected of them
- **Equal Opportunities** – to ensure that all staff receive fair and equal treatment, and to provide safe working environments, free from discrimination, harassment or victimisation
HR will put in place procedures to monitor by racial groups the following:
 - Staff in post
 - Applicants for employment
 - Applicants for training and employees receiving training
 - Employees who suffer detriment or benefit as a result of performance assessment
 - Employees who lodge grievances and who are subject to disciplinary action
 - Employees leaving the council
 - Ensure all staff receive sufficient information to enable them to carry out their roles efficiently and effectively
- **Service Delivery** – to promote improved service delivery across all council services to ensure that the needs of all people including those from minority ethnic groups are met

- **Engagement** - to involve black and minority ethnic staff and minority ethnic people who use services in order to identify barriers to employment and or service provision and develop new ways of working

Monitoring

This Race Equality Scheme provides a framework for improvement. Undertaking annual corporate impact assessments will help to ensure that we deliver improved services. This corporate approach to equality and diversity ensures that the agenda is 'mainstreamed' into the business and planning cycle of performance management. Impact assessments will be carried out on all service areas and any new policy or strategy development.

Action plans will be developed in line with the Equality Standard for Local Government for each level and reported to the cabinet.

The Diversity Link Group will work within their own areas to promote race equality ensuring that the corporate work is integrated across the organisation.

The Diversity Policy Forum lead will review the Race Equality Scheme in conjunction with the Comprehensive Equality Plan, and progress reports will be submitted to the Strategic Aim High Groups. The Race Equality Scheme will be subject to change as progress is made and new objectives identified.

We will develop performance measures and targets that reflect progress, through the corporate performance management system to:

- Ensure that our services reflect the needs of the local community and actively engage with the people who use our services
- Respond to complaints in a positive manner and ensure that they are treated sensitively, particularly where there is a need to collect data relating to and take diversity appropriate action
- Identify and remove any barriers to accessing information. This will include the provision of information in different languages, using plain English and a variety of communication methods
- Publish the results of impact assessments, consultations and the review of the Race Equality Scheme
- Monitor ethnicity with regard to training, staff in post, applicants for employment and promotion and for those leaving the organisation. These results will be published annually.

The Council's Corporate Objectives

Equality and diversity links to the council's corporate priorities and is seen as a 'cross-cutting' across these five priorities:

- **Regeneration** – Improving the well-being of our communities, the environment in which people live and the resources available to them to make the most out of their lives
- **Health** – Helping people to live positive, independent and healthy lives in which they can take responsibility for choices they make
- **Safety** – Helping people to be safer and feel safer in their homes, at work and on the roads especially by reducing crime and the fear of crime
- **Choices for Children** – Giving them every possible opportunity to achieve their full potential and by removing barriers that stop them from doing this
- **Excellence** – By ensuring that everything that we do as a Council is in support of the first four objectives, and that we are not wasteful in the resources we have available to us.

These priorities will guide us in making a difference to the lives of our community ensuring we offer choice and equality of opportunity. Equality and diversity is a priority for the council and by working together we will ensure that the community stays safe, lives healthier lifestyles, enjoys, achieves and reaches its potential, creates economic well being. This will enable all Island residents to make a positive contribution.

Implementation of the Race Equality Scheme

The council has agreed key processes for managing and driving forward equality and diversity issues including race equality throughout the organisation. The council's commitment to performance management will improve the way in which equality and diversity is monitored. The new scheme, shortly to be in place will monitor progress of the Equality Standard for Local Government and impact assessments will be completed on line. The Diversity Policy Forum monthly meetings will monitor performance of the race equality scheme as a standing agenda item.

The Diversity Link Group, comprising a lead officer from each Directorate, will support the Forum. This group will review action plans and performance manage the scheme.

The council has dedicated full time resources to the equality and diversity agenda. The full time officer has the responsibility, along with senior officers and members, to co-ordinate actions and manage the processes in order to ensure that the council meets its duties under the Race Relations (Amendment) Act 2000.

This process and structure will address the actions that are required by the whole organisation. Impact assessments now form part of the council's performance management process, and focuses on both internal and external responsibilities and the duty to promote race equality. The commitment by the council demonstrates how the investment in resources, time and effort, learning, development and shared expertise will contribute to improved outcomes in equality and diversity. This Race Equality Scheme forms part of the council's Comprehensive equality Plan, which was published in the autumn 2005.

How It Will Be Delivered

Promoting race equality and challenging discrimination is the responsibility of the whole organisation. The Race Equality Scheme is designed, along with the Comprehensive Equality Plan to support staff and deliver improved outcomes.

The scheme sets out its corporate message and within it there are sections for each directorate and service areas, identifying individual responsibilities to race equality. As part of the annual business planning cycle of the council each directorate will address race equality through impact assessments. The action plan contained within each service plan will identify action to be taken and will be subject to review and scrutiny by Directors and the Cabinet.

The council has the support of the Audit Commission who has used their self-assessment tool – Journey to Equality - to assess the council's overall performance on the wide-ranging equality and diversity agenda. A review undertaken between October 2004 and March 2005 gave the council an overall rating of 'developing' against their criteria of resisting, intending, starting, developing and achieving. The council will continue to make use of the Commission to monitor progress in the future.

Letting People Know

The Race Equality Scheme will be promoted across the organisation, including the website, and will be available in alternative languages on request. The results of consultation and the results of impact assessments will be published on the website www.iwight.com and reported to the Cabinet Member for Resources, Auditing and Council Efficiency and Customer Champion on an annual basis.

We will undertake regular consultation with our service users and staff to ensure that we include results of consultations when developing services and service improvement.

Complaints

The council has a detailed process for dealing with complaints – including comments, complaints and compliments. The complaints processes are being reviewed and a new Unit is being formed – Customer Support Services - bringing together the Corporate Complaints Service and Social Care Complaints and User Rights Service.

During 2005 equality and diversity data of complainants will be collected from source and/or operational services and will be analysed and reviewed to assist the new unit in formulating information, promotion, presentation and access for all of the Island's communities. The planned result of which should be an incremental development in service provision for those Island communities less well represented than at present.

Complaints will be monitored and analysed in terms of the nature of the complaint and appropriate action will be taken to address lessons learned.

Performance Management, Monitoring and Review

Progress on the Race Equality Scheme will be reviewed by the Diversity Policy Forum and progress reported to the Cabinet Member. The Diversity Link Group and Heads of Service will also take an active part in reviewing the results of impact assessments and service plan action plans.

All new policy development will include a diversity impact assessment as part of the process.

Both the Comprehensive Equality Plan and Race Equality Scheme are designed to be active policies that will help the council move forward and achieve the five levels of the Equality Standard for Local Government and improve equal opportunities for all Island residents.

Performance indicators will be monitored and reviewed on an annual basis and the results published. Local indicators will be improved and developed in consultation with the Diversity Link Group and the Corporate Policy Team.

The whole Race Equality Scheme will be reviewed within three years of the implementation date.

Delivery Plan

There are a number of generic key priorities for the council, which have been prioritised and included within this section of the scheme. Each service within the council will identify their priorities and what action is planned over the next year.

Priorities are identified following the annual impact assessment process. Impact assessments will be completed through performance management

The council is committed to the equality and diversity agenda and will continue to demonstrate support. The processes that the council is putting in place will ensure that performance indicators, personal performance reviews, complaints and performance management have race equality principles and practices built in to them.

Corporate Aims, Goals and Measures of Success:

Every individual on the Island has the opportunity to participate in and make a contribution to Island Life

Building Blocks	Evidence	Progress	Action
Leadership Clear leadership is demonstrated by key officers and is now becoming embedded through leadership across the council	The range of organisational arrangements for diversity across the council led by a number of senior managers, and the strong partnership links that have been developed to support diversity. It is vital that this strong corporate commitment to diversity is maintained to ensure the council's progress in the area continues and results in improved outcomes for Island residents.		
Service Improvement Impact Assessment	Impact Assessment – Team Plan Action Plan – Service Plan Consultation Information		
Performance Management Equality Standard for Local Government	Audit Commission reviews DIALOG Review Development of process within new performance management framework Progress reports to cabinet/ strategic Aim High Team		

This action plan integrates actions from our collated action plans within the Corporate Framework for achieving level 2 of the Equality Standard for Local Government					
	Equality Standard for Local Government	Action Required	By Whom	By When	Evidence
1	Engagement in impact/needs/requirements assessment process				
2	Engagement in consultation with designated community staff and stakeholder groups				
3	Development of information and monitoring systems				
4	Action Plan in place for employment, pay and service delivery				
5	System of self-assessment, scrutiny and audit established				
6	Other issues				
<p>Reported to Cabinet:</p> <p>Date:</p> <p>Signed off by Cabinet Member:</p>					

This action plan integrates actions from our collated action plans within the Corporate Framework for achieving level 3 of the Equality Standard for Local Government

	Equality Standard for Local Government	Action Required	By Whom	By When	Evidence
1	The council has completed a full and systematic consultation process with designated community, staff and stakeholder groups				
2	The council has set equality objectives from employment, pay and service delivery based on impact and needs requirements and consultation				
3	Equality objectives have been translated into action plan with specific targets				
4	Action Plan in place for employment, pay and service delivery				
5	Action on achieving targets has started				
6	Other issues				

Reported to Cabinet:

Date:

Signed off by Cabinet Member:

This action plan integrates actions from our collated action plans within the Corporate Framework for achieving level 4 of the Equality Standard for Local Government

	Equality Standard for Local Government	Action Required	By Whom	By When	Evidence
1	The council has developed a monitoring system that allows it to assess progress in achieving targets				
2	The council is measuring against targets effectiveness of its information and monitoring systems				
3	Monitoring reports are being produced at specific intervals and circulated to designated consultation scrutiny groups				
4	Monitoring systems provide useful information about progress towards specific targets				
5	Other issues				

Reported to Cabinet:

Date:

Signed off by Cabinet Member:

This action plan integrates actions from our collated action plans within the Corporate Framework for achieving level 5 of the Equality Standard for Local Government

	Equality Standard for Local Government	Action Required	By Whom	By When	Evidence
1	The council has achieved the targets that it has set at level 3				
2	The council has reviewed and revised targets, monitoring and consultation with designated community, staff and stakeholder groups				
3	The council has initiated a new round of action planning and target setting				
4	The council through its achievements can be seen as an example of good practice to other local authorities and agencies				
5	Other issues				

Reported to Cabinet:

Date:

Signed off by Cabinet Member:

Children's Services

RACE EQUALITY POLICY AND RACIAL EQUALITY SCHEME GUIDANCE FOR SCHOOLS

²Reviewed March 2006

Background

Following the Stephen Lawrence enquiry, the Race Relations (Amendment) Act 2000 required all public organisations, such as the Council and schools, to produce a Race Equality policy and Race Equality Scheme. The commission for Race Equality has issued guidance to all public organisations informing them of the requirements to produce a Race Equality Scheme.

Now that the Council scheme is in place this document sets out the requirements for schools, and will be reviewed every three years.

The Race Relations (Amendment) Act is a piece of positive legislation requiring that public organisations are proactive in their actions to combat racism in all their functions. It is not enough to say we only have a small ethnic minority population. Proposals within the institutions Race Equality Scheme (RES) must reflect the local context and the promotion of race equality both at a local and national level.

Introduction

All Race Equality policies and schemes must take full account of the following legislation, Council and Directorate policies and guidance.

- Race Relations (Amendment) Act 2000
- Isle of Wight Council Comprehensive Equality Plan 2005 – 2008
- Isle of Wight Council Race Equality Scheme 2005 - 2008
- Children's Services Race Equality Scheme and Guidance 2003 - 2006

All institutions of Children's Services will review their race equality policies in 2006, including an impact assessment on their service provision and new or revised policies. These impact assessments will be part of the self-assessment process.

All RES will be subject to annual review by the appropriate Authority for the institution (in schools this will be the governing body). At the bi-annual review the RES must again be passed as policy and/or updated to meet new legislation or changing local circumstance.

The following is the Council's Equality and Diversity Statement and should be reflected in the requirements and monitoring of any local school or other institution Race Equality policy. For schools, monitoring should take full account of the DfES defined ethnic groups, as set out in appendix 2.

² RES for schools review March 2006

Isle of Wight Council - Equality & Diversity Statement

The Isle of Wight Council appreciates and welcomes the diversity of the people of the Isle of Wight, and recognises that to provide the best quality of local government we must identify and address the needs and aspirations of all sections of the community.

The Isle of Wight Council will therefore:

- Work in partnership with other community organisations to provide services, which meet requirements of residents of the Isle of Wight and are accessible to everyone who needs them.
- Consult and involve local people and service users when taking decisions that affect them.
- Promote equality of opportunity for everyone and strive to eliminate unfair discrimination and disadvantage.
- Recruit people based only on the basis of merit, ability and justifiable job requirements, and ensure that employment on terms, conditions and benefits are offered fairly and consistently.
- State that our goal is to support the development of strong, secure, self-reliant, confident communities free from unlawful discrimination.

We will not discriminate against anyone on the grounds of:

- Disability
- Ethnic or national origins, race or colour
- Gender
- HIV status
- Age*
- Income level
- Marital status
- Religious beliefs
- Responsibility for children or dependants
- Sexuality

(This list may not be exhaustive)

* The Council has set a general maximum retirement age of 65. This has been found to be acceptable under case law and accords with the Directive on Discrimination in Employment.

Policy for Race Equality - (Children's Services - Schools and other institutions)

The Legal Duties

All schools and other public institutions of the Directorate must:

Prepare and maintain a written race equality policy.

- In schools this is a statutory requirement of the governing body who must approve the policy. The implementation of provision and monitoring can be delegated to the headteacher and his/her representatives.

- The policy must also contain clear procedures for recording and acting upon racist incidents. (Guidance is given in appendix 1.)
- Ensure that the policy takes full account of the Race Relations (Amendment) Act 2000 and all relevant policies of the Council and Directorate.

Implement the policy through a Race Equality Scheme (RES)

- The RES must ensure the proactive promotion of racial equality within the local context. Both policy and RES must be made available to, and promoted with all pupils, parents, staff, governors and the public, as relevant to the school or institution. It should also indicate how training needs are identified and supported.
- The RES should cover a two year period with annual review by the appropriate Authority. At the bi-annual review the RES must again be passed as policy and/or updated to meet new legislation or changing local circumstance.

Review and assess the impact of the policy

- The specific duty is to assess and monitor the impact of all policies on pupils, parents, staff, governors and the public, as relevant to the school or institution.
- The policy should state how this is achieved and the RES should show the reporting of monitoring outcomes and their evaluation to the appropriate Authority.

Local Duties

All schools and other public institutions of Children's Services must:
Provide a copy of their approved Race Equality Policy and RES to the Directorate.

- This should be sent electronically to keith.simmonds@iow.gov.uk in respect of schools and PRU's and to john.Metcalf@iow.gov.uk in respect of other institutions by the 1 April in each calendar year, with a confirmation of annual review and approval by the appropriate Authority.

Demonstrate the active promotion of the policy and Race Equality Scheme.

- The policy and RES should be actively promoted in relevant publications, as in an equality and diversity statement in the school or institution prospectus.
- Publications should take reasonable account of ethnic minority needs, as in language translation.
- Monitoring of ethnic minority needs should be a regular aspect of the

school or institutions evaluation of performance, as in schools annually reporting ethnic minority pupil performance to governors.

- Agenda and minutes of the appropriate Authority should demonstrate that the RES is regularly reviewed and that monitoring is followed up, as with the reporting of any racist incidents.
- The appropriate Authority must ensure that training needs are identified and that appropriate training or development opportunities are offered to staff, governors and pupils as relevant.

Provide a scheme of monitoring and evaluation for the policy and RES.

- This may be contained within the RES and/or any regular cycle of selfevaluation and review relevant to the school or institution, as in a school's school improvement plan.
- The outcomes of monitoring should be regularly reported to the appropriate Authority with recommendation on further action or development.
- In respect of schools these functions will be monitored through the attached Link Inspector.

Report any racial incident to the Directorate and Council.

- The school or institution must maintain appropriate procedures for dealing with, recording and reporting any racial incident, as set out in appendix 1.
- Incidents and copy of any investigation and action must be reported to the Directorate and Council in line with the procedures in appendix 1. The contact point for the Directorate is mark.goswell@iow.gov.uk.
- In recording and reporting racist incidents the appropriate proformas must be used, as set out in appendix 1.

Guidance

The following paragraphs set out a range of guidance to support the development of a policy and RES. They are good practice guidance and should be used in respect to the local context of the school or institution and its purpose.

In addition to meeting the statutory duties the school or institutions policy should make a clear statement on the following:

Aims and values

Whilst the school or institution may already have a public statement of aims and values, it must now make explicit reference to issues of racial equality, regardless of the ethnicity of staff, pupils or clients/customers.

It is helpful to consider the addition of the following to any such statement.

This school or institution:

- is opposed to all forms of racism, which seek to disadvantage persons on the grounds of colour, culture or ethnic origin;
- will continually appraise its organisation and functions (in schools insert curriculum here) in order to create an ethos that meets the differing needs of all regardless of colour, culture or ethnic origin.
- will not tolerate racist behaviour, such as name calling, stereotyping of all ethnic groups, insulting remarks, offensive graffiti, undue pressure on individuals or harassment (in schools insert bullying here). It will not use literature that is racially biased or dependent upon stereotypes, nor will it allow the distribution of racist literature or pamphlets or permit the wearing of racially offensive symbols;
- will take immediate and positive action against any racist offences whoever may be the perpetrator. Those responsible will be made aware of the schools or institutions opposition to racism and the reasons will be given. Sanctions will be applied in accordance with the law, the appropriate Council disciplinary procedures (in schools insert and school rules here), as judged appropriate to the circumstances and having a mind to a positive outcome.
- in support of the above (insert name of school or institution here), is aware of the need to publicise its racial equality policy and RES. It will keep them under review and maintain a system of monitoring and evaluation of their effectiveness.

The RES should begin with an audit of the local context as it impacts upon the school or institution. This should include reference to the following main race equality issues as relevant to the school or institution.

Geographic location and predominant features

- Isle of Wight geographically isolated from the mainland predominantly white ethnic background community.
- Urban school with high pupil turbulence. The pupils represent a range of cultural and ethnic backgrounds. Staff are from a predominantly white ethnic background.

Ethnic composition of staff, and pupils in a school

- State the position in respect of the following as relevant:
Bilingual staff/pupils, travellers, refugees, asylum seekers.

Comment upon racial ethos

- State any racial equality issues within the institution and locally.
- Identify any key areas of harmony or tension.

- Comment on any recent racially motivated incidents.

This audit should be reviewed on an annual basis by the appropriate Authority to ensure it is still relevant to the current working context of the institution.

This paragraph gives guidance on the necessary responsibilities within the policy and RES.

Responsibilities

- The appropriate Authority (governing body in respect of a school, management group/steering group or similar in respect of other institutions) will ensure that the school or institution complies with the duty under the Race Relations (Amendment) Act and that its policies, RES and all related strategies and procedures are implemented.
- The lead manager (headteacher in a school) of the school or institution will be responsible for implementation of the policy and RES. He/she will ensure that appropriate monitoring review and evaluation is carried out. That procedures to challenge racial bias and to deal with racist incidents are in place and known to all. He/she will ensure that all staff are aware of their responsibilities and given appropriate opportunities for training and support.
- A named member of staff will be given responsibility for co-ordinating the implementation and maintenance of the RES across the school or institution and for dealing with racist incidents. This member of staff must be named in the RES.
- All pupils, staff, governors and the public, as relevant to the school or institution will have a responsibility to challenge racial bias and stereotyping. All staff will have a responsibility to promote opportunities for racial harmony.
- All staff and governors, as relevant to the school or institution, will have a responsibility to attend provided training as necessary to the implementation of the school or institution's policy and RES.
- The lead manager of a school or institution or delegated colleague will have a responsibility to ensure that all visitors and contractors are aware of their responsibility under the law, Council policy and the school or institution's policy and RES.

The policy must contain a statement upon the action to be taken if pupils, staff or others, as relevant to the school or institution, do not comply with the policy. This statement must take due account of the law, Council policies and the school or institution policy.

The RES should give further detail of the staged action to be taken if pupils, staff or others, as relevant to the school or institution do not comply with the policy. Clear distinction must be drawn between the concept of disciplinary

action in respect of breaches of the policy actions, as in the failure to carry out designated monitoring, and breaches of the policy or RES, which could constitute a racial incident.

In respect of the latter procedures should follow the guidance in appendix 1.

The policy should include the timescale for review (annual).

The RES should include the detail and timescale for monitoring and the evaluation of impact. This should cover the period of the RES (two years) and allow for re-affirmation of the policy at the bi-annual review by the appropriate Authority.

The procedures for monitoring and evaluation of impact in the RES should include:

- how the school or institution will assess the impact of policy through audit, consultation and evaluation;
- how race equality issues will be built into any cycle of self-evaluation;
- how ethnic monitoring data will be used to assess and develop performance of the school or institution, groups or individuals and to set targets as part of relevant strategic plans;
- how information will be shared with key groups, such as the governing body in schools, and the wider community.

The RES should demonstrate how training needs will be audited and addressed both in the short and long term.

In the appointment of staff the RES should make clear relationship to equal opportunities at all stages of the appointment process. Job specifications must in no manner be discriminatory to any ethnic group. Appointments panels must be sensitive to the promotion of racial equality, so that those from ethnic minority groups are not exposed to any action, which might undermine their self-esteem and position.

Systems of performance management and appraisal must display no bias on the grounds of colour, culture or ethnic origin. Those involved in the performance management of others must be aware of equality issues as an integral part of the process and be robust in avoiding the risk of stereotyping on grounds of colour, culture or ethnic origin.

When dealing with issues of staff grievance or discipline institution managers, headteachers or governors (in schools) should be aware of the following:

- that they act fully within their established grievance or disciplinary procedures;
- that they act within their declared equal opportunities and race

equality policies;

- that they make reasonable provision to ensure that any panel established to hear grievance or disciplinary cases or appeals, is selected, subject to availability of individuals, in such a way as to maintain an appropriate local ethnic balance.
- members of such panels should confront their own biases and prejudices to ensure a fair hearing.
- procedures should take appropriate account of cultural and/or ethnic needs of individuals, as in the provision of the translation of written materials, where English is an additional language.

Schools Guidance

This section provides specific guidance for schools and other educational institutions in the areas of:

- Achievement and the Curriculum;
- Religious education and Worship;
- Behaviour management and the exclusion of pupils.

Achievement and the Curriculum

In ensuring that all pupils regardless of colour, culture or ethnic origin have equal opportunity to achieve their full potential the school should ensure that:

- the achievement of ethnic minority pupils is monitored in all key stages and compared with the performance of the predominant ethnic background group or groups of the school;
- this performance is regularly reported to the governing body, at least annually, and any follow up action is noted;
- good practice should be identified and promoted;
- teaching and learning strategies and the materials used to promote learning meet the needs of pupils regardless of colour, culture or ethnic origin;
- the learning opportunities offered to pupils allows them to make critical engagement in challenging bias and racism and to make positive contribution from their cultural, ethnic or language origins;
- appropriate safeguards have been put into place against the stereotyping of pupils, as in the regular review of syllabus content, schemes of work, academic counselling and careers advice.

Religious education and Worship

In the provision of religious education and in the meeting of its statutory duties in worship the school should provide:

- positive recognition to ethnic and faith backgrounds in all policy and scheme of work documentation;
- a multi-faith dimension in the religious education scheme of work;
- appropriate opportunities for pupils to have first hand experience of artefacts and symbolism from a range of faiths and cultures;
- opportunities to meet members of local religious communities, as appropriate to the local context of the RES, in the school's planned programme of religious education and worship;
- appropriate opportunities for all pupils to worship and develop spiritually and morally.

Behaviour management and the exclusion of pupils

In managing the behaviour of pupils and ensuring that there is no bias in the school's procedures in respect of colour, culture or ethnic origin the school should ensure that:

pupils have regular opportunities to discuss issues of racial equality;

- systems, which are known to pupils and in which they have confidence must be in place to ensure that pupils are able to bring incidences of racial harassment to the attention of staff in confidence, and without fear of reprisal;
- parents are also made aware of the procedures for raising similar issues of concern in relation to their own children;
- behaviour management policies and procedures recognise the culturally determined differences between pupils;
- sanctions are staged in their response to incidents, administered fairly and monitored to ensure there is no cultural or racial bias;
- governors regularly monitor the incidence of fixed and permanent exclusion. They should identify, in particular, the ethnic origin of excluded pupils to ensure that pupils from different ethnic groups are not disproportionately represented;
- all behaviour policies state that racial harassment will not be tolerated.

Appendix 1 PROCEDURES FOR RECORDING AND REPORTING RACIST INCIDENTS IN SCHOOLS

DfES Circular 10/99 clearly states that all schools should record all racist incidents and that Governors and the LEA should be informed of the action taken to deal with them. A racist incident was defined in the Stephen Lawrence inquiry report as “any incident, which is perceived to be racist by the victim or any other person”

The LEA recommends this definition to all its educational establishments.

Please find attached:

1. The Legal Framework – for reference. (Appendix A)
2. Points for consideration when dealing with racist incidents. (Appendix B)
3. Specimen racist incident reporting form (copies have been sent direct to schools by the Crime and Disorder Office; further supplies are available on request from community.safety@iow.gov.uk)
4. (Appendix C)
5. Guidance notes on the racist incident reporting form – Appendix D

Key action points for schools:

1. Ensure that you have a system for recording racist incidents.
2. File the Legal Framework for future reference
3. Ensure that you complete and return racist incident reporting forms promptly to the Crime and Disorder Office and LEA.
4. Ensure that you report to your full governing body on racist incidents at least once a year.

This is a serious and important issue, which underpins the principles of learning and excellence for all. For further advice about specific incidents please speak to your school’s Link Inspector.

We are grateful to West Sussex County Council for their help, which has enabled us to establish these guidelines.

PROCEDURES FOR RECORDING AND REPORTING RACIST INCIDENTS IN SCHOOLS – THE LEGAL FRAMEWORK

Introduction

A school's equal opportunities policy should:

- state the school's aims and rationale for equality of opportunity (these should reflect the general aims of the school);
- articulate the expectations of the school for both adults and students;
- provide clear, practical guidance to all those working in or with the school or college;
- contain clear statements on how to respond to incidents of inequality (e.g. racist remarks, racial harassment, sexist behaviour, sexual harassment, bullying, name calling).

Legal Responsibilities of LEAs and Schools

Section 71 of the Race Relations Act 1976 as amended by the Race Relations Amendment Act 2000 places a general duty on LEAs in relation to racial discrimination. It states:-

“Every body shall in carrying out its functions have due regard to the need:-

- (a) to eliminate unlawful discrimination; and
- (b) to promote equality of opportunity and good relations between persons of different racial groups.”

More specifically, Section 17 of the Act makes it unlawful for educational establishments to discriminate in the way that they afford pupils access to any benefits, facilities or services. Failure to deal adequately with complaints of racial harassment may mean that a school becomes liable under this provision if an ethnic minority child suffers as a result.

In order to guard against discrimination, it is important for all schools to adopt policies and practices which are consistent with these statutory requirements. These policies include procedures for dealing with and reporting racist incidents. For these policies and procedures to be effective, LEAs need to collect data regularly on the frequency of racist incidents in the schools.

Part II of the Crime and Disorder Act 1998 introduces new racially aggravated offences supplementing the main existing offences of violence and harassment under previous legislation.

Recent Developments

The murder of Stephen Lawrence and the subsequent report by Sir William MacPherson has given fresh impetus to continue our work to make racial equality a reality as we seek to achieve excellence for all children.

The MacPherson Report and its Recommendations

The Report of the ‘**Stephen Lawrence Inquiry**’ in 1999 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.’

The Report states that:

‘It is incumbent on every institution to examine their policies and the outcome of their policies and practices to guard against disadvantaging any section of our communities There must be an unequivocal acceptance of the problem of institutional racism and its nature before it can be addressed, as it needs to be, in full partnership with members of minority ethnic communities.’

The DfES has identified how it is responding to the Stephen Lawrence Inquiry Report. The Government believes that dealing with racial harassment is a central element in its policies for Social Inclusion.

Section 4.32 of DfEE Circular 10/99 ‘**Social Inclusion: Pupil Support**’ states that:

‘All schools’ behaviour policies must make clear that racial harassment will not be tolerated and say how staff and pupils should deal with it. **The school should record all racist incidents, and parents and Governors should be informed of such incidents and the action taken to deal with them. Governing Bodies should inform LEAs annually of the pattern and frequency of any incidents.** Pupils who have suffered racial harassment, at or outside school, may need support.’

The Isle of Wight LEA asks that all incidents be reported as soon as possible after they have occurred, in the way described in Appendix D, rather than annually.

The revisions to the National Curriculum emphasise that the issue of equipping pupils with the knowledge, understanding and skills to recognise and challenge prejudice and discrimination is one for **all** schools, colleges and community education centres and all of the pupils and adults within them.

In ‘**The National Curriculum Handbooks for primary and secondary**

teachers in England” (DfEE/QCA 1999) the following aims are identified:

- The school curriculum should contribute to the development of pupils’ sense of identity through knowledge and understanding of the spiritual, moral, social and cultural heritages of Britain’s diverse society and of the local, national, European, Commonwealth and global dimensions of their lives.
- The school curriculum should promote equal opportunities and enable pupils to challenge discrimination and stereotyping.

The ‘**OFSTED Handbook for the Inspection of Schools**’ includes the following:

Inspectors should:

- assess how aware the adults in the school are and what steps they take to promote positive role models and counter negative attitudes throughout the school.
- evaluate the extent to which pupils are encouraged to work in mixed ethnic and gender groups. If there is evidence of racism, find out what the school is doing to combat this.
- should assess the impact of the school’s statutory behaviour policy in promoting respect and tolerance towards others and their beliefs, cultures and ethnic backgrounds.
- check that the policy makes clear the school’s intolerance of bullying and racial and sexual harassment.
- check that the policies for recording the pattern and frequency of racist incidents are in place and that such incidents and the actions taken are reported as they occur to the Governing Body, parents and the LEA
- **ask for the records of any incidents that have taken place during the previous 12 months** and take particular note of the measures the school takes to prevent bullying, harassment and racist incidents.

The Audit Commission Best Value Performance Indicators include an indicator, which addresses the adoption and implementation of the CRE’s local government standard: ‘*Racial Equality Means Quality.*’ In correspondence with Staffordshire County Council, the Audit Commission has stated that local authorities should audit their schools against racial standards. The Commission for Racial Equality (CRE)’s Standards for Racial Equality in Schools “Learning for All” are a framework against which schools can assess their performance and the progress that they can make within racial equality matters.

Points for Consideration when Dealing with Racist Incidents

The following points are offered for consideration.

- Do the schools' policies and published documentation make it clear that racist behaviour is unacceptable?
- Do all staff understand what constitutes a racist incident and are they aware of the need to record the incident itself and how the school has responded to the incident? Do staff know that in law these incidents have to be reported to the full governing body and staff know that the LEA has a legal duty to monitor these incidents?
- Are the policies widely known to parents and pupils?
- Do students, parents, staff and governors have a shared understanding of the incidents that are covered by the school's policy and the sanctions that are available?
- Are parents informed?
- Has an appropriate referral been made on the school's pastoral system e.g. to Head of Year or headteacher? Are the referral systems clearly set out in the school's policy; do staff know who to refer to and the seriousness of the referral?
- Has consideration been given by the Headteacher to exclusion in serious cases?
- Has consideration been given to informing the Police following incidents?
- Does the school identify appropriate pastoral support to the victim and, where appropriate, the perpetrator?
- Is racist graffiti removed promptly?
- Does the school have expectations as to how staff should react to the use of racist comments?
- Does the school have a system whereby all racist incidents are reported and recorded?

INCIDENTS INVOLVING STAFF

An allegation of racist behaviour on the part of any member of school staff is a serious matter, which should be investigated and dealt with under the appropriate disciplinary procedures.

If the member of staff is the victim, the school will need to ensure that support is given to the member of staff concerned.

The Education Personnel Section can offer further advice in these circumstances.

How do we support the victims of racial abuse? How do we create a climate in schools where victims report all incidents?

There is much evidence that shows that incidents of racial abuse are under-reported. Monitoring systems are important, but they cannot be truly effective if victims feel that they cannot safely report incidents, that their feelings are not taken seriously or that no action is taken. Pastoral support to a victim may also need to be ongoing.

TYPES OF RACIST BEHAVIOUR

This is an initial categorisation taken from documentation produced by Lancashire LEA, but grouped in the six categories on the model reporting form.

Provocative Behaviour

- incitement of others to behave in a racist way
- the wearing of racist badges or insignia
- racist comments in the course of discussion in lessons

Violence

- physical assault against a person or group because of colour, race and/or ethnicity

Verbal Abuse

- verbal abuse and threats
- derogatory name-calling, insults, racist jokes and language
- ridicule of an individual for cultural or religious differences e.g. food, music, dress, worship patterns etc.

Graffiti

- racist graffiti
-

Possession/distribution of racist material

- bringing racist materials such as leaflets, comics, magazines or computer software into school
- using the school's computer systems to access and distribute racist material

Other

- attempts to recruit other pupils and students to racist organisations and groups
- refusal to co-operate with other pupils because of their race.

Appendix 1

APPENDIX C

Please note Appendix C is copy of the Multi-Agency reporting Form, which has already been sent to schools and other institutions. Further copies can be obtained from community.safety@iow.gov.uk

Appendix 1

APPENDIX D

Guidance Notes on Racist Incident Reporting Form

Purpose

For the School

The collection and analysis of information provided by this form will allow the school to have a view of the nature and frequency of racist incidents. It will inform your evaluation of the strategies that you employ to deal with such behaviour. Such a system will also assist the school in preparation for OFSTED inspection under the revised framework.

For the Council

The information will allow the Crime and Disorder Office and the LEA to identify areas of concern and, contribute to multi-agency action as well as this Authority's own strategy.

Ethnic Origin

Please tick the relevant box(es) on the form to identify the ethnic origin of the victim.

We recognise that there will be times when schools will need to record an "educated guess" when completing the form. There may be, for instance, incidents involving perpetrators who are not known to the school and who perpetrate racist incidents involving school pupils as victims on or off the school premises.

Nature of Incident

It is recognised that there is a range of racist behaviours but we intend to focus on the six main categories outlined in Appendix B for our monitoring purposes.

Recommended Action

Record all incidents on the model form, send copies to Crime and Disorder Office and also to Mark Goswell, Education Officer (Client Services), County Hall, Newport, Telephone 823494, e-mail mark.goswell@iow.gov.uk and file to inform/report to Governing Body in Autumn Term.

Appendix 2

Ethnic Origin Groups – as currently defined by the DfES

White - British

White – Irish

White – Traveller or Irish Heritage

White – Gypsy/Romany Heritage

White – any other White background

Mixed – White and Black Caribbean

Mixed – White and Black African

Mixed – any other Mixed background

Asian or Asian British – Indian

Asian or Asian British – Pakistani

Asian or Asian British – Bangladeshi

Asian or Asian British – any other Asian background

Black or Black British – Caribbean

Black or Black British – African

Black – Black British – any other Black background

Chinese

Any other ethnic group

Parent/pupil preferred not to say

Information not obtained