

The duty to promote race equality

## **A GUIDE FOR SCHOOLS**

(Non-statutory)



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# 1

## Introduction

The Race Relations Act 1976 as amended by the Race Relations (Amendment) Act 2000 (and referred to in this guide as ‘the Act’) gives public authorities a statutory general duty to promote race equality. Set out in section 71(1) of the Act, the duty applies to all the public authorities listed in schedule 1A to the Act (as amended by the Home Secretary’s order). Appendix 1 to our statutory *Code of Practice on the Duty to Promote Race Equality* (the code) gives the final list. The code came into effect on 31 May 2002, following approval by parliament.

The code gives public authorities practical advice on how to meet the general duty and any specific duties introduced by the Home Secretary. The code can be used in evidence in any legal proceedings under the Act. Although you are not required to follow the code, you will have to show that you are meeting the duties. Our advice is that you should be fully aware of the code’s guidelines.

This guide supports the code and has been written mainly for the governing bodies of maintained schools and other educational institutions maintained by local education authorities (LEAs), which are also bound by the duty. However, the guide will also be useful for pupils, parents and guardians, community groups, contractors, partners, and others who want to know what they can expect from schools, and what schools might expect from them.

Unlike the code, this guide does not have legal standing. The courts may refer to it, but they do not have to take it into account. Even so, this guide is an important document, and will be a valuable aid. This is because it is based on tried-and-tested experience in schools that have been working towards race equality.

You should use this guide with the code and our other non-statutory guides: *The Duty to Promote Race Equality: A guide for public authorities*, and *Ethnic Monitoring: A guide for public authorities*. We have also published a wide range of other good practice guidance, including *Learning for All: Racial equality standards for schools*. *Learning for All* is designed to help you to assess your progress in promoting race equality. You can also use it to set targets and to train your staff. *Learning for All* supports this guide.

This guide contains five chapters and three appendices. Following this introduction, chapter 2 describes the benefits of the duty. Chapter 3 explains the general duty and the specific duties. Chapter 4 gives practical advice on meeting the specific duties for schools. Chapter 5 explains the specific duties for employers. Appendix 1 sets out a framework for preparing a race equality policy, and building race equality into your other policies. Appendix 2 gives examples of how LEAs and schools can work together. Appendix 3 explains some of the terms used in the Act.

# 2

## Promoting race equality

The aim of the general duty is to make promoting race equality central to the way public authorities work, and to all areas of their work. This includes developing policies, delivering services, regulation and enforcement, and employment practice.

In most cases, you will be able to use your existing arrangements to meet the duty. This should help to avoid any unnecessary work and expense.

### What are the benefits of the general duty?

Meeting the general duty will help you to:

- meet all your pupils' needs, encourage them to achieve their full potential, and raise educational standards;
- take specific action to tackle any differences between racial groups in terms of their attainment levels and progress, in the use of disciplinary measures against them (such as exclusion), in admissions, or in assessment;
- create a positive atmosphere, where there is a shared commitment to value diversity and respect difference;
- challenge and prevent racism and discrimination, and promote good relations between people from different racial groups;
- prepare pupils to be full citizens in today's multi-ethnic society;
- make your workforce more representative of the communities you serve;
- improve staff morale and performance;
- avoid losing able staff; and
- make full use of the skills and ideas among people from different racial groups (for example, in the classroom or as members of governing bodies).

# 3

## The general duty and the specific duties

### What is the general duty?

The general duty, as set out in section 71(1) of the Act, says you must have ‘due regard to the need’:

- to eliminate unlawful racial discrimination; and
- to promote equality of opportunity and good relations between persons of different racial groups.

The duty is obligatory (which means it must be met) and it must be applied to all functions that are ‘relevant’ to race equality. The weight given to a function should be in proportion to its relevance to race equality. The three parts of the duty – eliminating unlawful racial discrimination, promoting equal opportunities, and promoting good relations between people from different racial groups – complement each other. You should try to find ways of meeting them all.

### What are ‘functions’ and ‘policies’?

This guide follows the code in using the term ‘functions’ to mean the full range of your duties and powers. The term ‘policies’ means the formal and informal decisions you take to carry out your duties and use your powers.

### What does the general duty mean in practice?

#### Obligatory

Promoting race equality is not something you can choose to do or not do. This means you cannot claim that you do not have the resources to meet your responsibilities. Your aim should be to make race equality a central part of any of your policies or services that are relevant to the duty. The best approach is to build these responsibilities into the work you already do, and to adapt your plans and priorities. You should also make sure that you take account of race equality in all your monitoring, reviewing, and evaluation systems.

## **TACKLING UNLAWFUL RACIAL DISCRIMINATION**

A foundation secondary school has traditionally accepted pupils only from certain feeder schools. These schools happen to have mainly white populations. The local primary school, attended by most of the ethnic minority children in the area, is not one of the feeder schools and its pupils, ethnic minority and white, are turned down for this reason.

The effect of this policy is that, while equally applied to ethnic minority and white pupils, it disproportionately affects pupils from ethnic minorities. Unless the school can justify the policy on non-racial grounds – and this seems unlikely – it could be liable for unlawful indirect racial discrimination (see appendix 3). To meet its duty, the school will have to review its admission criteria and remove the discriminatory rule.

## **PROMOTING GOOD RACE RELATIONS**

A small rural primary school with few pupils from ethnic minorities decided to encourage understanding and appreciation of cultural diversity by inviting a local black musician to the school. The musician, who specialises in songs and stories from different parts of the world, worked with pupils and staff, encouraging them to think about local and family connections beyond Britain.

The school also set up links with an inner-city primary school with a large number of ethnic minority children. The schools agreed to run parallel themes in certain subjects and pupils were encouraged to talk to each other on the internet, for example to discuss how they celebrate new year. Groups of pupils from each school also got the chance to spend time in the other school, on an exchange.

## **Relevant**

You need to consider all your functions and decide whether they are relevant to race equality. 'Relevant' means 'having implications for' (or affecting) race equality. While some purely technical functions (such as maintaining computers) may not be relevant, race equality will always be relevant when delivering services, and in employment.

## **Proportionate**

Under the duty, you must have 'due regard' for race equality. This means that the weight you give a function should be in proportion to how relevant it is to race equality. In practice, you will find that you give the highest priority to those of your functions and policies that have the greatest potential to affect different racial groups in different ways. The duty will be particularly relevant to functions such as admission, assessment, raising pupils' attainment levels, delivering the curriculum, discipline

## PROMOTING EQUAL OPPORTUNITIES

A school found that its Caribbean pupils had lower attainment levels than the average for the school, and that the differences became more marked as these pupils progressed through the school. The school set targets to reduce – and finally remove – the difference. It also took positive action (see appendix 3) and introduced various schemes, specially targeted at its Caribbean pupils, such as mentoring and after-school study groups.

(including exclusion), guidance and support, and recruitment and professional development of staff.

Race equality is important, even if there is nobody from an ethnic minority group in your school or local community. Education plays a vital role in influencing young people, because the views and attitudes they form as pupils or students will probably stay with them for the rest of their lives. Also, racist acts (such as handing out racist literature) can happen in schools with no pupils from ethnic minorities.

## Complementary

The three parts of the general duty – eliminating unlawful racial discrimination, promoting equal opportunities, and promoting good relations between people from different racial groups – complement each other. Sometimes they may overlap, but they are three separate and distinct parts of the duty. For example, a project you are involved in to tackle racial harassment or abuse may contribute to eliminating unlawful racial discrimination, but it may not, by itself, promote good race relations. You may have to take other steps to do this. You should try to find ways of meeting all three parts of the duty.

## What are the specific duties?

The Home Secretary can place specific duties on the public authorities bound by the general duty. The specific duties for schools are set out in chapter 4 of this guide.

## What is the relationship between the general duty and the specific duties?

The specific duties have been introduced to help you to meet the general duty. They are a means to an end – steps, methods, and arrangements – not ends in themselves. Your ultimate aim must be to meet the general duty. For example, if the monitoring you carry out under the specific duty on monitoring (see pp 18 – 21) shows that children of Turkish Cypriot origin perform well below the school average, to meet the general duty, you should take steps to find out why this is happening. You should then do something about it.

## **How does the general duty apply to contracted services?**

You are responsible for meeting the general duty and any specific duties in all your relevant functions, including those carried out by someone else through a contract or a service-level agreement. This means that if you decide to outsource a service, and the service is relevant to race equality, you should ask what you need to do to meet the duties. You could then consider including those duties in the contract or agreement as performance standards for delivering the service.

## **How does the general duty affect partnerships?**

You are responsible for meeting the general duty and any specific duties when you carry out a relevant function with other organisations. If your partners are other public authorities that are also bound by the duty, each authority will be individually responsible for meeting the general duty and the specific duties. If your partners are private or voluntary organisations, you may need to make sure that the work you do jointly, and the way you do it, allows you to meet the duties in terms of race equality. Your private and voluntary partners do not have any similar obligation.

## **What role do auditing and inspection agencies have?**

Agencies that carry out statutory inspections and audits of public authorities are bound by the general duty. They are responsible for making sure that they take account of the general duty and any specific duties in their inspections and monitoring. In practice, this means that agencies such as OFSTED and Estyn will inspect, and report on, whether you are meeting the general duty and the specific duties.

## **How are the duties enforced?**

Under the Act, we have the power to enforce the specific duties. If we believe you are not meeting these duties, we can issue a 'compliance notice'. This is a legal document that orders you to meet the specific duties within a certain timescale. You will also have to tell us how you will meet the duties and observe the conditions of the notice. If you do not observe any part of the notice, we can apply to the courts for an order to make you do so. If the court issues the order and you still do not observe the notice, you can face legal action for contempt of court.



## The general duty and the specific duties

We can also enforce the general duty by applying for a judicial review, as can anyone with an interest in the matter. This means that the High Court will consider whether you took appropriate action to meet the general duty (for example by dealing with any adverse impact on a particular racial group that you might have found through monitoring a service). If the court finds that you did not take appropriate action, you will not have met the general duty and you can be ordered to do something about it.

# 4

## Specific duties Policies and services

The Race Relations Act 1976 (Statutory Duties) Order 2001 says that the governing body of a school must:

*3 (1). ... before 31st May 2002,*

- (a) prepare a written statement of its policy for promoting race equality (referred to in this article as its "race equality policy") and*
- (b) have in place arrangements for fulfilling, as soon as is reasonably practicable, its duties under paragraph (3) ...*

*(2) Such a body shall,*

- (a) maintain a copy of the statement, and*
- (b) fulfil those duties in accordance with such arrangements.*

*(3) It shall be the duty of [such] a body ... to –*

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

*...*

- (5) Such a body shall take steps as are reasonably practicable to publish annually the results of its monitoring under this article.*

### Race equality policy

#### What is the duty?

You must prepare and maintain a written statement of your race equality policy. You must, also have arrangements in place for meeting your duties as soon as reasonably possible. Both the statement and the arrangements had to be ready by 31 May 2002.

### INTRODUCING A RACE EQUALITY POLICY

A secondary school decided to involve its staff and pupils in drawing up its race equality policy. A small group was set up, including the head teacher, a governor, members of teaching and non-teaching staff, and a representative from the pupils' council. The group produced a template for a comprehensive race equality policy.

The template was discussed at a staff meeting and a more detailed policy was drawn up for consultation. This was sent to the governors, the pupils' council, the parent-teacher association, unions, the local education authority (LEA), and local community groups, including the racial equality council. The draft policy was also discussed in lessons on citizenship, and in special consultation meetings with parents and guardians.

When the governors had approved the policy, the group met them to discuss how to promote the policy and make sure that everyone knew about it. A poster was produced in the main languages used in the community and copies were distributed widely. The policy was discussed at length at parents' evenings, in school assemblies and citizenship lessons, and in training sessions for all staff.

The pupils' council, the governing body, and the senior management team all had various responsibilities for monitoring the policy and making sure that it was working as intended. The school's plan was to review and evaluate the policy every four years.

## What is a race equality policy?

A race equality policy is a description of how you intend to prevent racial discrimination, promote equality of opportunity, and promote good race relations across all areas of your school's activity. The policy should be part of the planning arrangements you already make.

*The race equality policy should be a written statement of responsibilities and commitments. It could be linked to an action plan for putting the policy into practice. A good policy would:*

- a. be part of the school's development plan;*
- b. give details of how the school will put the policy into practice and assess how effective it is;*
- c. clearly define roles and responsibilities, so that people know what is expected of them; and*
- d. explain clearly what the school will do if the policy is not followed.*

(paragraph 6.10, code of practice)

### AUDITING POLICIES

With support from its local education authority (LEA), a school used *Learning for All*, our racial equality standard for schools, to audit its policies. The audit took two years and covered all seven areas of the standard. As a result, the school revised its targets and built them into its strategic plan. The school uses the LEA's school self-evaluation framework, which includes racial equality questions taken from *Learning for All*, to monitor its performance and progress.

### REVIEWING THE CURRICULUM

As part of a review of its curriculum policy, a secondary school released the heads of each department for half a day to work with specialists from the LEA's ethnic minority support service. Work schemes and national curriculum orders for each subject were discussed and the teachers took away new ideas and perspectives, which they built into their lessons and course units. A booklet was produced on possible approaches to each subject, and made available to all staff.

## Does the race equality policy have to be a separate policy?

*The race equality policy can be combined with another policy, such as an equal opportunities or diversity policy. However, to meet this duty, the race equality policy should be clearly identifiable and easily available (paragraph 6.11, code of practice).*

We suggest that, if you have a general equal opportunities or diversity policy, you should make race equality a separate section (or series of sections) within it.

## What should the race equality policy cover?

*The race equality policy should reflect the character and circumstances of the school, and deal with the main areas that are relevant to promoting the general duty. For example:*

### REVISING FAILING POLICIES

When it found that some groups of pupils were underachieving, a school decided to revise its policy on pupil assessment. The change meant that pupils admitted after the start of the academic year, including those for whom English was not their first language, were automatically placed in the top set until their abilities could be assessed. The school monitored the change carefully. The data showed that pupils from ethnic minorities and refugee and asylum seeker groups were receiving better assessments, and that their attainment levels had improved noticeably after the policy was changed.

### **A SCHOOL WITH TEN ETHNIC MINORITY PUPILS**

A secondary school with only ten pupils from ethnic minorities decided to monitor each racial group's performance and progress. It emerged that five out of seven Caribbean pupils were performing below the average for the school. Closer examination of the data showed that, in three cases, there had been a marked drop over the years, especially in certain subjects.

The school decided to give special support to these three pupils. It also asked all its pupils from ethnic minorities how they thought the curriculum could be made more interesting, and whether there were any issues that it needed to consider. Following this consultation, the school made sure that it considered cultural and race equality issues at the curriculum planning stages for all subjects.

- a. *pupils' attainment and progress;*
- b. *curriculum, teaching and learning (including language and cultural needs);*
- c. *promoting good race relations in the school and in the local community;*
- d. *care and assessment;*
- e. *staff recruitment and career development;*
- f. *the school's values;*
- g. *pupil behaviour, discipline and exclusion;*
- h. *racial harassment and bullying;*
- i. *admission and transfer procedures;*
- j. *membership of the governing body;*
- k. *involving parents and the community in the school.*

(paragraph 6.12, code of practice)

### **UNDERSTANDING DIFFERENT BACKGROUNDS**

At the start of the school year, all staff in a secondary school were given a brief questionnaire on race equality and on the needs of pupils from ethnic minorities. A group of these pupils, drawn from different years in the school, were also asked whether they thought their different backgrounds were acknowledged and understood by the school and its staff. When both sets of answers were collated, it was clear that both staff and pupils thought there was room for improvement in several areas. These were then included in the staff training programme for the next two years.

### GETTING PARENTS INVOLVED

A school that was having difficulty involving parents and guardians from ethnic minorities, especially women, in the life of the school introduced discussion groups and adult learning classes. Home-school liaison workers worked closely with the women to encourage them to take part. The school used the sessions to tell the women about the school and about how they could support their children's education, as well as to consult them on various school policies. A number of women got involved in classroom activities. As a result of the initiatives, the number of parents and guardians from ethnic minorities attending parent evenings and similar events rose from under five per cent to 50 per cent, and one of the women became a school governor.

### REACHING LOCAL COMMUNITIES

A school decided that the best way of building strong links with local ethnic minority communities was to get parents and guardians to help. A small group of parents and guardians from ethnic minorities were approached and, before long, the school found itself hosting a series of community events. The initiative was a resounding success and the number of parents and guardians from ethnic minorities taking part in school activities shot up dramatically. Community groups also contributed ideas for the curriculum and some of their members agreed to be mentors for pupils, and to help them to improve their reading skills.

We suggest that your policy should set out:

- your arrangements for building race equality into your processes for policy planning and development;
- your arrangements for putting the policy into practice, including a timetable for regular reviews of the policy; and
- your arrangements for monitoring and assessing progress towards meeting any race equality targets you have set, and your race equality duty.

### How should you put the policy into practice?

We suggest that you link your race equality policy to an action plan, and put the plan into practice. The action plan could be part of your strategic plan and you could develop and introduce it through your normal planning and decision-making processes.

You should consider getting approval for the policy from your governing body, because the governors are ultimately responsible for seeing that you meet the duty. The policy could also be a regular item on the agenda at governors' meetings.

### **DECISIVE ACTION**

To see whether racist incidents were being dealt with effectively, a school employed a consultant to talk to pupils about racism and racial equality in the school. During the discussions, a number of pupils from ethnic minorities complained about a particular member of staff who joked and made racist remarks about them. They also complained that staff did not take racist incidents seriously.

The school reviewed its racial harassment policy and procedures and drew up an action plan, which included training for all staff. It also introduced a code of ethics for the school. A year later, the consultant was invited back to the school to talk to pupils. The initiative, and the school's decisive response, had clearly led to improvements.

You should consider including in the policy your plans for training staff and governors to meet their responsibilities.

Parents, guardians, pupils and staff will also need to know what the policy says, and understand what it means for them. We suggest that you make it clear in the policy how you plan to do this, and keep everyone up to date with progress.

## **Assessing policies**

### **What is the duty?**

You must assess the impact your policies (including your race equality policy) have on pupils, staff, and parents from different racial groups. In particular, you should assess whether your policies have, or could have, an adverse impact on the attainment levels of pupils from different racial groups.

### **When should you assess your policies?**

You are not expected to assess all your relevant policies at once, but you will find it helpful to include a timetable for assessing them all in the arrangements you set out for meeting this duty.

You should assess your race equality policy through arrangements you have already made to develop and review policies.

You will also find it useful to be able to show that you have made arrangements to take account of race equality when you review any policies, and when you draw up and consider new ones.

### OPEN SCHOOL POLICY

A nursery and infant school says in its information for parents and guardians that everyone is welcome to visit the school at any time that is convenient for staff and pupils. Staff are also available for discussions 15 minutes before school and after closing. The school keeps records of parents' and guardians' visits (and the reasons for them) in the school secretary's office. It also encourages parents and guardians to come into their child's classroom at the start of each day for a 15-minute reading session.

When the school reviewed its arrangements, it became clear that Pakistani and Bangladeshi parents and guardians were much less likely to visit the school or attend the reading sessions. Following a first informal meeting with them, the school held regular meetings, where interpreters – who knew many of the families personally – were present. By the end of the year, the small group of regulars had grown appreciably and the number of parents and guardians attending the reading sessions also rose.

### How should you assess your policies?

To assess your policies, you will need information, by racial group, on needs, entitlements, and outcomes for pupils, parents, guardians, and staff. The information should tell you whether your policies are affecting some racial groups differently. If you do find differences, and the differences amount to adverse impact, to meet the general duty, you will need to investigate the processes that have led to them. Adverse impact means significant differences in patterns of representation or outcomes between racial groups. You should then consider how to remove any barriers and, where necessary, review and revise your policy.

Our guide, *Ethnic Monitoring: A guide for public authorities*, explains in more detail how to assess differences between racial groups. It also gives examples of action you could take to remove or reduce adverse impact.

The code lists ten questions you can use to assess the impact of your policies, including your race equality policy – giving special attention to pupils' attainment levels.

- a. *Is the school making sure that its policies, for example on exclusion, bullying, the curriculum, parental involvement, community involvement, and race equality, are not having an adverse impact on pupils, staff or parents from some racial groups?*
- b. *How does the school help all staff to develop and reach their full potential?*
- c. *How does the school encourage all parents to take part fully in the life of the school?*
- d. *Does the school help all its pupils to achieve as much as they can, and get the most from what is on offer, based on their individual needs?*



### SURVEYING DIFFERENCES

A school that regularly assesses its ethnic monitoring data on pupils' attainment found that pupils who had support in English as an additional language (EAL) did well in some subjects, but not in others. To understand why, the school carried out a sample survey of bilingual pupils. It also surveyed a randomly selected group of pupils, for comparison. The pupils were asked about their favourite subjects and why they found some lessons easier to follow or more enjoyable. The survey found that it was important for all pupils – but especially for EAL pupils – to have a clear idea of the subject matter, and of their teacher's expectations and plans for the lesson.

- e. *How does the school explain any differences? Are the explanations justified? Can they be justified on non-racial grounds, such as English language difficulties?*
- f. *Does each relevant policy include aims to deal with differences (or possible differences) in pupils' attainments between racial groups? Do the policy's aims lead to action to deal with any differences that have been identified (for example, extra coaching for pupils, or steps to prevent racist bullying)?*
- g. *What is the school doing to raise standards, and promote equality of opportunity for pupils who seem to be underachieving and who may need extra support?*
- h. *What is the school doing to:*
  - (i) *prepare pupils for living in a multi-ethnic society;*
  - (ii) *promote race equality and harmony in the school, and in the local community; and*
  - (iii) *prevent or deal with racism?*
- i. *Is the action the school has taken appropriate and effective? Are there any unexpected results? If so, how are they being handled?*
- j. *What changes does the school need to make to relevant policies, policy aims, and any related targets and strategies?*

(paragraph 6.15, code of practice)

### What information could you use to answer these questions?

*To answer these questions, schools could consider:*

- a. *collecting and analysing relevant monitoring and other data;*
- b. *talking to pupils, parents and staff to find out their needs and opinions; and*
- c. *carrying out surveys or special research.*

(paragraph 6.16, code of practice)

## What could you do with the results of assessments?

*Schools could use the results of these assessments to:*

- a. rethink their race equality objectives (where necessary); and*
- b. influence and guide their planning and decision making.*

(paragraph 6.17, code of practice)

## How can you take account of everyone's views and needs?

We recommend that you consider the views and needs of parents, guardians, staff, and pupils who are affected by the policy you are assessing. This could involve explaining clearly to the groups concerned what you are doing and why. It could also mean looking at how you might communicate better (formally and informally) with pupils, parents, guardians, and staff from different racial groups, and involve them in planning and decision-making.

It will be helpful to get feedback on the methods you use to reach various groups, so that you know if the methods are working.

## Monitoring policies

### What is the duty?

You must monitor the impact of your policies on pupils, parents and staff from different racial groups. In particular, you should monitor the impact of your policies on pupils' attainment levels.

### What should you monitor?

*To monitor their pupils' attainment, schools collect information about pupils' performance and progress, by racial group. They will need to analyse the information, and use it to examine trends. To help interpret this information, schools may find it useful to examine other areas that could have an impact on pupils' attainment (paragraph 6.19, code of practice).*

Other areas that may affect pupils' attainment include:

- exclusion;
- racial harassment and bullying;
- curriculum, teaching, and learning (including language and cultural needs);
- punishment and reward;
- support, advice, and guidance; and
- parents' and guardians' involvement in the school.

### **MONITORING PERFORMANCE**

A school analysed its GCSE results by ethnic background, sex, and subject area. For a more detailed analysis, the school asked its department heads to compare the results with previous years (in terms of overall performance, national averages and estimated grades), to see if there were significant differences in performance relating to ability, sex, teaching groups, and racial groups. The school also asked the heads to explain any inequalities they found, and to suggest what individual departments, and the school as a whole, should do to raise attainment levels.

The standard monitoring you already carry out, such as assessment of teaching and test and exam results, will give you most of the data you need. However, you could also consider other monitoring methods, such as satisfaction surveys, one-to-one interviews, classroom discussion, and feedback exercises on questions such as learning styles and relations between teachers and pupils.

You might also consider monitoring areas that could have an adverse impact on staff and parents and guardians from different racial groups.

### **MONITORING FIXED-TERM EXCLUSIONS**

As part of a strategy to reduce permanent exclusions, a secondary school monitored and analysed fixed-term exclusions over each school term. The school kept records by racial group, sex, year group, subject, and reasons for exclusions, and discussed the results with staff at department and year team meetings. The data allowed the school to identify:

- individual pupils who needed support;
- year groups that needed support;
- individual staff and departments that needed support; and
- areas in which both individuals and the school as a whole needed training.

The school was able to direct resources where they were most needed. It introduced plans to support individual pupils, with strategies for 'anger management and behaviour modification' in some cases. The school worked not only with pupils, but also with teaching and other staff, who all received training in managing behaviour. A part-time counsellor worked with some of the pupils and ran early morning clinics once a fortnight for teachers. These sessions gave teachers the chance to think about how to deal with certain types of behaviour and to understand where their 'problem' pupils were coming from. Form tutors also met parents and guardians regularly to discuss their children's progress.

### TACKLING NAME-CALLING

Staff at an infant school realised that the school's only two Irish children were being called racist names. However, on reflection, the staff acknowledged that the children also used other kinds of name-calling. So, they decided to tackle all name-calling and arranged a meeting with governors and parents and guardians to discuss the problem. The staff and some parents and guardians drew up a plan. This included:

- making a list of all the names that were used;
- attending classes to tackle the problem; and
- using the records they kept to see whether their efforts had made any difference.

In the school's newsletter, the head teacher informed parents and guardians about the school's plans to deal with the problem. She emphasised that the school's approach was not to blame parents or guardians or pupils, but that the problem could only be tackled if everyone worked together. She invited parents and guardians to talk to her about any worries they might have and, as there was some apprehension about the school's proposals, she arranged a meeting to go into the matter in more detail. She explained that the school's approach was entirely consistent with its values and ethos, and that she was taking personal responsibility for the project.

Monitoring over time showed that name-calling incidents dropped considerably, and parents and guardians made it clear that they were very pleased with what the school had achieved.

In the case of staff, this is likely to include monitoring:

- staff; and
- applications for employment, training and promotion, by racial group.

You should already be providing this information to your local education authority (LEA), which has a specific duty to monitor staff at all maintained schools in its area (see chapter 5 and appendix 2).

In the case of parents and guardians, this may include monitoring, by racial group:

- attendance at meetings or other events for parents and guardians;
- membership of the governing body and parent-teacher association; and
- access to information, services, and resources for parents and guardians.

## How should you use the monitoring data?

Monitoring information will help you to see what progress you are making towards meeting your race equality targets and objectives. In particular, it will help you to:

- a. highlight any differences in attainment between pupils from different racial groups;*
- b. ask why these differences exist, and test the explanations given;*
- c. review how effective their current targets and objectives are; and*
- c. decide what further action may be needed to meet the three parts of the general duty, and to improve the performance of pupils from different racial groups.*

(paragraph 6.20, code of practice)

## Publishing

You must take reasonable and practical steps to publish the results of your monitoring each year.

You should use the arrangements you already have in place to publish the results of the monitoring you do to meet the duty. It should be sufficient to publish summaries of the results, highlighting trends and key issues, and outlining the steps you are planning to take.

# 5

## Specific duties Employment

Schools are not directly bound by the specific duties for employers. However, you will have to give your local education authority (LEA) information on employment, so that it can meet its duty to monitor, by racial group, and report on staff in all the maintained schools in its area each year.

You will also need to take account of the specific duties for employers to meet the general duty. We would strongly advise you, therefore, to look carefully at these duties in chapter 5 of the code. You should also remember that it is unlawful under the Act for any employer, public or private (unless specifically exempted), to discriminate on racial grounds (see appendix 3).

Under article 4(2) of the Race Relations Act 1976 (Statutory Duties) Order 2001, an LEA has a specific duty to have in place, before 31 May 2002, arrangements:

- 4 (2) ... to monitor, by reference to the racial groups to which they belong,*
- (a) the numbers at all maintained schools in its area of –*
    - (i) staff in post, and*
    - (ii) applicants for employment, training and promotion, from each such group, and*
  - (b) in the case of all maintained schools in its area which have 150 or more full-time staff, the numbers of staff from each such group who –*
    - (i) receive training;*
    - (ii) benefit or suffer detriment as a result of its performance assessment procedures;*
    - (iii) are involved in grievance procedures;*
    - (iv) are the subject of disciplinary procedures; or*
    - (v) cease employment with such schools.*
- ...
- (5) Such a body shall take such steps as are reasonably practicable to publish annually the results of its monitoring under this article.*

To be sure your school is meeting the general duty, we recommend that you collect ethnic data for all areas of employment where racial inequality or discrimination might occur. You could then:

- analyse the data to see if there are any patterns of inequality; and
- take whatever steps are needed to remove barriers and promote equal opportunities.

If your monitoring shows that an employment policy, procedure, or practice is resulting in unlawful racial discrimination (see appendix 3), you should examine the policy, procedure, or practice carefully to see where and how discrimination is taking place. You should then consider what changes to introduce, make them as soon as possible, and monitor their effects.

If your monitoring shows that a policy, procedure, or practice has an adverse impact on equal opportunities or good race relations (even though it is not unlawfully discriminatory), to meet the general duty, you should consider making changes to the policy, procedure, or practice to remove, or at least reduce, inequalities.

### **Positive action**

If your monitoring shows that some racial groups are under-represented in your workforce, you could consider taking ‘positive action’ (see appendix 3). This allows you to target your on-the-job training, and your efforts to recruit staff, at those groups that are under-represented in a particular area of work. However, positive action does not allow you to discriminate when you decide who to select for the job.

### **Ethnic categories**

We would encourage you to use the same ethnic classification system as the one used in the 2001 census, and to add extra categories to reflect your circumstances. For example, if you recruit a number of overseas staff from a particular country, your classification system may need to include a category for that country. However, you should be able to fit the extra category within the census categories. See our guide, *Ethnic Monitoring: A guide for public authorities*, for more information.

## Appendix 1

# Framework for a race equality policy

## Introduction

Under the duty to promote race equality, you must:

- prepare a written statement of your race equality policy; and
- maintain the written statement.

The policy could be a separate race equality policy or part of another policy. If it is part of another policy, we suggest that it should be easily identifiable as a race equality policy.

You will find it helpful to put a senior member of staff in charge of developing the policy, putting it into practice, and informing and involving people inside and outside the school.

Part I covers the points we would advise you to include in your race equality policy. Part II suggests questions that should help you to take account of race equality in your other policies.

## I. The race equality policy

### 1. Background

It may help to include a summary of the main race equality issues for your school. These could include:

- the population of your area;
- the ethnic backgrounds of your pupils and staff; and
- brief accounts of any racist incidents in the school or local area.

### 2. Aims and values

Your race equality policy should be based on your values and aims. It should include a statement that your aim is to eliminate unlawful racial discrimination, and to promote equal opportunities and good race relations in all areas of school life. These could include:

- progress, attainment, and assessment;
- behaviour, discipline, and exclusion;



- pupils' personal development and pastoral care;
- teaching and learning;
- admission and attendance;
- the curriculum;
- staff recruitment and professional development; and
- partnerships with parents and guardians, and communities.

The statement is important because it links your race equality policy to other school activities. You should also consider including race equality statements in other relevant policies (see p 28).

### 3. Leadership and management

You will find it helpful to set out in your policy your commitments and the responsibilities of governors, the head teacher, staff, pupils, and visitors to the school. We give examples of these below.

#### **Commitments**

We are committed to:

- actively tackling racial discrimination, and promoting equal opportunities and good race relations;
- encouraging, supporting, and helping all pupils and staff to reach their potential;
- working with parents and guardians, and with the wider community, to tackle racial discrimination, and to follow and promote good practice; and
- making sure the race equality policy and its procedures are followed.

#### **Responsibilities**

##### *A Governing body*

The governors are responsible for:

- making sure the school complies with the amended Race Relations Act 1976 (the Act); and
- making sure the race equality policy and its procedures are followed.

##### *B Head teacher*

The head teacher is responsible for:

- making sure the race equality policy is readily available and that the governors, staff, pupils, and their parents and guardians know about it;

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- making sure the race equality policy and its procedures are followed;
- producing regular information for staff and governors about the policy and how it is working, and providing training for them on the policy, if necessary;
- making sure all staff know their responsibilities and receive training and support in carrying these out; and
- taking appropriate action in cases of racial harassment and racial discrimination.

### *C All staff*

All staff are responsible for:

- dealing with racist incidents, and being able to recognise and tackle racial bias and stereotyping;
- promoting equal opportunities and good race relations, and avoiding discrimination against anyone for reasons of race, colour, nationality or ethnic or national origins; and
- keeping up to date with the law on discrimination, and taking up training and learning opportunities.

### *D Staff with specific responsibilities*

We suggest that you make a senior member of staff or a governor responsible overall for:

- coordinating work on race equality; and
- dealing with reports of racist incidents.

### *E Visitors and contractors*

Visitors and contractors are responsible for:

- knowing, and following, your race equality policy.

## 4. Covering the specific duties

You have specific duties under the Act to assess and monitor the effects of your policies (including your race equality policy) on pupils, parents, guardians, and staff from different racial groups. Your race equality policy should briefly set out how you will do this. The policy could include the following.

### **Planning and developing policy**

- How you plan to build questions on the implications for race equality into the processes for developing and planning policy.

- How you will build race equality targets within your wider strategic plans.
- How you plan to assess the effects of your race equality policy, for example through consultation, and by using auditing tools (such as *Learning for All*) to set race equality targets and take action.

### **Ethnic monitoring**

- How you plan to collect ethnic data to monitor pupils' attainment and progress, and to set targets.
- How you plan to use ethnic data – for example on attainment, progress, exclusions, sanctions, and rewards – to inform planning and decision-making.

### **Assessing and reviewing policies**

- How and when you plan to monitor, assess, and review your policies and strategies that are relevant to race equality, to see how effective they are in tackling unlawful racial discrimination, and promoting equal opportunities and good race relations.
- How you plan to build race equality questions into your self-review and evaluation frameworks.
- How you plan to use the results of reviews and assessments to inform planning and decision-making.
- How you plan to review your race equality policy against your assessments, and make any changes that are needed to the policy, and to any targets it includes.

### **Publishing the results of monitoring**

- How you plan to publish each year the results of your monitoring.
- How you plan to keep everyone in the school informed about the policy and how it is working.
- How you plan to make sure that any information you publish cannot be used to identify individuals.

## **5. Putting the race equality policy into practice**

You could consider the following questions.

### **How will you put the policy into practice?**

You should include:

- monitoring the policy to see how it is working; and
- when, and how often, you plan to review the race equality policy.

### **How will you use training and development?**

You should include:

- developing a training strategy which includes training and support for staff and governors;
- the methods you will use to train staff and governors; and
- monitoring and assessing the training.

### **How will you publish and promote the policy?**

You should include:

- how and where the policy will be available;
- who will get a copy of the policy; and
- whether the policy will be translated or made available in special formats (for example, on cassette and in Braille).

## **6. Date of the policy**

Always say when the policy was approved and signed.

## **7. Breaches of the policy**

We would advise you to make it clear in your race equality policy what action you will take if pupils, staff or others do not follow the policy.

## **II. Building race equality into other policies**

We suggest below some examples of questions you could ask to take account of race equality in your other policies, and to build policy statements for them. You may also find the code and *Learning for All* helpful.

### **Policies on attainment, progress, and assessment**

- How do you make sure that you have equally high expectations of all pupils and are committed to encouraging and helping them to achieve the highest standards?
- How do you recognise and value different kinds of achievement?
- Do you monitor pupils' attainments and progress by their racial group, and analyse the information to identify trends and any patterns of underachievement?

## Policies on behaviour, discipline, and exclusion

- How do you make sure your procedures for disciplining pupils and managing behaviour are fair to pupils from all racial groups?
- Do your staff use rewards and sanctions consistently?
- Do you monitor exclusions to see if there are any patterns or trends?
- Do your strategies for integrating long-term truants and excluded pupils in the school consider the needs of pupils from all racial groups?

## Policies on admission and attendance

### Own-admission authority schools

- Is your admission policy equally open to pupils from all racial groups?
- Do you monitor the admission process to make sure it is applied consistently and fairly to applicants from all racial groups?

### All schools

- Do you monitor school attendance by pupils' racial groups?

## Policies on the curriculum

- How do you plan the curriculum so that it includes the principle of race equality, and recognises and values diversity?
- How do you make sure that pupils get the opportunity to explore questions of identity, race equality, and racism?
- How do you monitor the curriculum and assess whether it helps all pupils to achieve their full potential?
- What do you do to give pupils the chance to experience other cultures?
- How do extra-curricular activities and events cater for the interests and abilities of all pupils, and take account of parents' and guardians' concerns about religion or culture?

## Policies on personal development and pastoral care

- How do you make sure that pastoral support takes account of religious and ethnic differences, and the experiences and needs of particular groups of pupils, such as Gypsy or Roma, Travellers of Irish extraction, refugees, and asylum seekers?
- How do you encourage all pupils to consider the full range of options after they are 16?

# Appendix 1

## Framework for a race equality policy

- Do you monitor work experience placements by racial group to make sure there is no stereotyping?
- What support do you give to victims of racism and racial harassment through the school or with help from outside agencies?

### Policies on teaching and learning

- How do your staff create an environment where all pupils can contribute fully and feel valued?
- How does your teaching take account of pupils' cultural backgrounds, language needs, and different learning styles?
- How are different cultural traditions valued and made meaningful to pupils? Do you help pupils to make connections with their own lives?
- How do your teachers challenge stereotypes and give pupils the understanding they need to recognise prejudice and reject racial discrimination?

### Policies on working with parents and guardians, and with communities

- What steps do you take to encourage all parents and guardians to get involved in the school?
- How do you make sure that information and material for parents and guardians is written clearly and is available (where necessary) in languages other than English, and in special formats?
- How do you make sure that your premises and facilities are fully accessible to, and can be used by, everyone in your community?

### Policies on racial harassment, bullying, and school values

- How do you publicly promote good personal and community relations, and what steps do you take to prevent racial discrimination?
- How do you record, investigate, and report racist incidents and racial harassment to your local education authority (LEA)?
- What training do you give staff to make sure they know how to deal firmly, consistently, and effectively with racist incidents, racial harassment, and bullying?
- How do you make sure that pupils, parents, guardians, and staff know the procedures for dealing with racist incidents and racial harassment?
- How do you work with the LEA and others to tackle racism and racial harassment in your school and in the local area?

## Policies on staff recruitment and professional development

- How do you advertise posts, including posts for non-teaching staff? Are all posts open to the widest pool of applicants?
- How do you make sure that everyone who is involved in recruitment and selection is effectively trained and knows what to do to avoid discriminating, intentionally or otherwise?
- How do you make sure that your recruitment and selection procedures follow good equal opportunities practice?
- How do you monitor applications for employment, training and promotion, and staff in post?

## Policies on procurement and outsourcing

- How do you make sure that you meet the general duty in relevant functions or services that you carry out under contract or under other service arrangements?
- How do you take account of race equality in your contractual or other arrangements for delivering services?
- What sanctions do you take against contractors or providers of services who do not follow your race equality policy? What procedures do you have for this?

## Appendix 2

# LEA support for schools

## LEAs and the duty to promote race equality

As part of local authorities, local education authorities (LEAs) are bound by the duty to promote race equality. To meet the duty, they need to tackle unlawful racial discrimination, and promote equal opportunities and good race relations when carrying out all their 'relevant' functions (see p 5). This means that LEAs have a key role to play in encouraging, supporting, and helping schools to develop good practice in achieving race equality, particularly if the work involves meeting the requirements of the duty. We shall encourage LEAs to:

- play an active part in supporting schools in their race equality work;
- identify, set up, and promote good practice in achieving race equality in schools;
- help to develop positive links between schools and local communities;
- provide information, resources, guidance, and support, so that schools can develop good practice.

The following examples show how LEAs might support their schools.

## Examples

### 1. Reviewing functions

An LEA carried out a review of the way the duty to promote race equality affected its work with schools, based on our racial equality standard for schools, *Learning for All*. The review, which was led by an assistant director, consisted of each section of the directorate looking at what they would need to do to help schools to meet the standards in *Learning for All*. As a result, they drew up an action plan, aimed at building race equality into all areas of the directorate's work. The plan included the following.

- The LEA would review all the policy guidance and support they give schools, to make sure it refers to race (and other forms of) equality throughout. The LEA would also update its guidance for schools on race equality policies, and on how to deal with racial harassment.
- The LEA would make sure that race equality questions were included in its processes for planning, review, and decision-making, particularly in areas such as: school organisation, admission, allocating funds and resources, exclusion, inclusion and behaviour support, curriculum support, school improvement, and special educational needs.



- The LEA would update its monitoring systems, so that data (including ethnic data on pupils' performance and progress, exclusions, and racist incidents) could be broken down and analysed on an LEA, individual school, and 'similar school' basis. The LEA would also improve the way it distributed and used the data.
- The LEA would set up a programme to support schools when they carry out race equality audits and impact assessments. The programme would be closely linked to the school self-evaluation framework, which LEA inspectors use when they work with schools.

## 2. Workshops on race equality policies

Using this framework for a race equality policy, an LEA arranged a series of workshops for schools to guide them through the process of preparing a race equality policy and developing an action plan. The LEA encouraged schools to work in small groups, so that they could share ideas and practice. The groups met regularly and were supported by LEA officers, who gave them advice and guidance. Once the policies and action plans had been prepared, schools used the groups to share good practice and to get support from other schools. As the coordinator of the groups, the LEA made sure that good practice was passed on to all schools in the LEA. The LEA also identified areas of common concern, and held training events to help schools resolve their problems.

## 3. Advising schools on monitoring and assessing policies

An LEA produced a leaflet on what schools needed to do to meet their duties to monitor and assess the effects of their policies. The leaflet also set out what monitoring information the LEA needed from schools to meet its specific duty to monitor staff in its schools.

The LEA then organised a seminar for schools on how to assess the effects of their policies. The seminar focused on practical examples of policies on attainment and curriculum planning and delivery. The LEA explained how it could support schools, both with assessments (for example, by providing analyses of monitoring data at a school, LEA or similar-school level) and with good practice (for example, by helping schools set targets, and coordinating and providing resources). The LEA also gave schools practical support, both through networks and individually, through its advisers and inspectors.

The LEA used the duty to promote race equality as an opportunity to revise its staff monitoring systems. At the seminar, the LEA explained how it would use the data to inform its planning and decision-making, and to develop and assess the positive action initiatives it takes to increase the recruitment and development of staff from ethnic minorities in teaching.

#### 4. Training and support for school governors

An LEA's governor support service produced a paper for governors to inform them of their responsibilities under the duty to promote race equality, and followed this up with a seminar on the specific duties.

The LEA then held meetings for a small group of governors to discuss race equality issues, especially the question of recruiting and retaining governors from ethnic minorities. The LEA carried out a survey to see how many ethnic minority governors there were in schools, and set up systems to regularly monitor recruitment and retention. Following the analysis of a 'needs and satisfaction' survey of ethnic minority governors, the LEA set up a support network for ethnic minority governors.

#### 5. Helping schools to develop good practice

An LEA helps its schools to develop good practice in achieving race equality in a number of ways.

- It sets out clearly what good practice is and shares this with schools.
- It produces guidance on the curriculum which includes advice on the race equality aspects of each subject.
- It helps schools to identify under-achieving groups and set targets, and gives them professional support to achieve these targets.
- It uses its contacts in the community to improve links between schools and communities, and encourages schools to become resources for their local communities.
- It makes sure schools have clear procedures for reporting, and acting on, racist incidents.
- It uses *Learning for All* and builds its guidelines into its school self-evaluation scheme.

Through its monitoring, the LEA found that Caribbean and Traveller pupils were underachieving in its schools. To tackle this, the LEA set up special projects to raise their achievement levels. Steering groups, chaired by the director of education and including representatives from both communities, oversee the projects.

The LEA has also introduced a scheme to set up 'families' of schools. The scheme involves matching schools in deprived areas with schools in more affluent areas. The schools in each family share ideas and good practice, and help and support each other.

## 6. Resources for schools

As part of a review of race equality issues in the curriculum, an LEA carried out an audit of the resources its schools used. It then set up a database to help teachers find suitable resources more easily. The database includes details of artists and others who have dealt with the subjects of racism and diversity in their work, as well as materials that schools have developed or used in lessons or projects on these subjects.

The LEA also identified gaps in resources and, with outside funding, set up a project to track down other resources that were available in Britain, and to develop new resources and materials for schools.

The LEA promoted the database, and good practice it had found in schools, through its website, and by holding a series of events for teachers from different types of school.

## 7. Reaching parents and guardians, and communities

A number of schools in an LEA faced potentially difficult situations when parents and guardians wanted to take their children on extended holidays to the Indian sub-continent. With help from the local racial equality council (REC), the LEA held a series of meetings with parents, guardians, and community groups in various venues, including local mosques and community centres, to discuss the problem and to listen to their concerns. The meetings also gave schools and the LEA the opportunity to explain the difficulties they were having.

As a result of the consultations, the LEA, with support from the REC director, a small group of parents and guardians from ethnic minorities, representatives from the community (including the local mosques), and staff from several local schools, drew up a policy on extended leave. The policy set out:

- when it would be acceptable for parents and guardians to ask for extended leave;
- what parents and guardians were expected to do; and
- how the LEA would support pupils on extended leave.

## Appendix 3

# Race Relations Act 1976

### What is unlawful racial discrimination?

The Race Relations Act 1976 as amended by the Race Relations (Amendment) Act 2000 (the Act) makes it unlawful to discriminate – directly or indirectly – against someone on racial grounds. Under the Act, ‘racial grounds’ means reasons of race, colour, nationality (including citizenship) or ethnic or national origins. Racial groups are defined accordingly. For example, African Caribbeans, Gypsies, Indians, Irish, Pakistanis, Bangladeshis, Irish Travellers, Jews, and Sikhs are among the groups recognised as racial groups under the Act.

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

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

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

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

**Victimisation.** The Act also makes it unlawful to treat someone less favourably because they are known to have, or are suspected of having:

- made a complaint of racial discrimination;
- planned to make a complaint; or
- supported someone else who has made a complaint of racial discrimination or is planning to do so.

An example of victimisation would be where an employee is refused leave because they backed up a colleague’s complaint of racial discrimination.

## In what areas is racial discrimination unlawful?

The original Race Relations Act 1976 makes it unlawful for most public, private, and voluntary organisations to discriminate on racial grounds in the following areas:

- employment;
- education;
- housing; and
- providing goods, facilities and services.

The Race Relations (Amendment) Act 2000 extended the scope of the original law to cover the way public authorities carry out all their functions. The Act defines a public authority widely, as a person or organisation carrying out functions of a public nature. This includes enforcement and regulation functions, such as policing and child protection. It also includes functions or services that are carried out by private or voluntary organisations under a contract or a service-level agreement, such as charities providing local authorities with emergency housing.

## What is positive action?

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

Positive action allows you to:

- provide facilities or services (in training, education or welfare) to meet the particular needs of people from different racial groups (for example, English language classes – see section 35 of the Act);
- target job training at those racial groups that are under-represented in a particular area of work (see sections 37 and 38); and
- encourage applications from racial groups that are under-represented in particular work areas (see section 38).

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

### General duty and specific duties

Section 71(1) of the Act places a statutory general duty on most public authorities (see appendix 1 to the code). Under the duty, when carrying out all their functions, authorities must have 'due regard to the need':

- to eliminate unlawful racial discrimination; and
- to promote equality of opportunity and good relations between persons of different racial groups.

Under section 71(2) and (3) of the Act, the Home Secretary has the power to place specific duties on all or some of the public authorities bound by the general duty (see appendix 2 to the code).

Under section 71(C) of the Act, we can issue codes of practice that will help public authorities to meet their general and specific duties. The statutory *Code of Practice on the Duty to Promote Race Equality* came into effect on 31 May 2002, with approval from parliament.

Under section 71(D) of the Act, we have the power to enforce the specific duties. If we are satisfied that a person has failed to, or is failing to, meet a specific duty, we can issue a compliance notice ordering them to do so. The person concerned has to observe the terms of the notice and tell us, within 28 days, what they have done or will do to meet the duty.

Under section 71(E) of the Act, we have the power to apply to a designated county court (or sheriff court in Scotland) for an order, if the person concerned has not supplied the relevant information after being served with a compliance notice, or if we have reason to believe they will not do so.



**COMMISSION FOR  
RACIAL EQUALITY**

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