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Response to Department of Education's Draft Audit of Inequalities and Action Plan

November 2011

1 Introduction

The Northern Ireland Council for Ethnic Minorities (NICEM) is an umbrella organisation representing 29 Black and Minority Ethnic (BME) groups across Northern Ireland. Our vision is of a society in which equality and diversity are respected, valued and embraced, that is free from all forms of racism, sectarianism, discrimination and social exclusion, and where human rights are guaranteed. This document sets out NICEM's response to the Department of Education's draft Audit of Inequalities and Action Plan.

2 Presentation of Analysis

Given that the audit involves an analysis of the inequalities affecting each Section 75 category, it seems to make sense to present the findings for each of the nine grounds. Certainly as an organisation working primarily on race it would be helpful if we could easily identify the Department's analysis (and actions) in relation to that ground. However as the DE audit is not structured in this manner NICEM have collated the following references to race:

- ECNI publications *A Statement on Key Inequalities in Northern Ireland* and *Every Child an Equal Child* identify "children and young people from the Irish Travelling community" and "children and young people of new residents and migrant workers" as groups which have "either displayed consistent educational underachievement or for which there was insufficient information to make that assessment".¹
- Having English as an additional language can lead to academic underachievement.²
- 92% of Travellers have no GCSEs compared with 4% of all school leavers.³ The Taskforce on Traveller Education is due to report later in 2011.

¹ DENI (2011) *Section 75 Audit of Inequalities and Action Plan* section 3.4.

² Ibid section 3.5.

³ Ibid section 3.8.

- 8% of minority ethnic pupils leave school with no GCSEs compared to 3.9% of all pupils.
- 69% of pupils have received education in school on the culture and traditions of people of a different race or colour and 88% of those pupils say they know more about this as a result. 79% of pupils would feel comfortable being friends with someone of a different race or colour.⁴
- Key policies and services includes additional funding for schools for each newcomer and Traveller pupil under the Common Funding Formula (CFF),⁵ *Newcomer Guidelines for Schools*, the Inclusion and Diversity Service,⁶ the Traveller Education Support team and a number of initiatives such as Belong and the Toybox project.

3 Newcomer Pupils

Question 1: Can you identify any additional relevant evidence or information which the Equality Team should have considered in undertaking its Audit of Inequalities?

In relation to newcomer pupils, NICEM suggest that DE consider the following information as part of the audit:

- Over the last 3 years, the proportion of students leaving school with 2 or more A-Levels (grade A-E) is 26% for newcomers and 50% for other students.⁷
- 14% of newcomers attend a grammar school compared with 43% of non-newcomers.⁸
- Students learning English as an additional language take, on average, 5 to 7 years to catch up academically with their peers.⁹
- A Delphi study¹⁰ has advocated a number of adjustments in examinations for newcomer students, including allowing extended time and reading aloud test

⁴ Ibid section 3.13.

⁵ Ibid section 4.3.27.

⁶ Ibid section 4.3.28.

⁷ DENI School Leavers Survey.

⁸ DENI School Census.

⁹ J. Cummins (2008) *BICS and CALP: Empirical and Theoretical Status of the Distinction* page 74.

items from a plain English script. However the guidelines on reasonable adjustments only permit extra time for candidates who have been residing in the UK for less than 2 years and do not allow a reader for candidates whose reading difficulties are caused by English not being their first language.¹¹ CCEA has agreed to work with DE on the reasonable adjustments guidelines for newcomer students and specifically to screen the guidelines and conduct an EQIA if appropriate.¹²

- The funding allocated to schools for newcomer pupils under the CFF is not ring-fenced and there is a lack of transparency and accountability in relation to how that funding is used.

Question 2: Are there any actions not identified in the Action Plan which you feel should be included? If so, please outline these and advise why you feel they should be included.

The action plan commits to reviewing *Supporting Newcomer Pupils* by November 2011. NICEM recommend that DE's review:

- Establishes outcome-based measures (i.e. levels of academic attainment) for monitoring the success of the policy (the original policy document did not include measures for assessing progress).
- Considers ways of monitoring the use of funding allocated for newcomers under the CFF.
- Examines the reasonable adjustment guidelines in conjunction with CCEA.

4 Bullying

Question 1: Can you identify any additional relevant evidence or information which the Equality Team should have considered in undertaking its Audit of Inequalities?

¹⁰ B.D. Acosta, C. Rivera and L.S. Willner (2008) *Best Practices in State Assessment Policies for Accommodating English Language Learners: A Delphi Study*.

¹¹ JCQ (2010) *Access Arrangements, Reasonable Adjustments and Special Consideration*.

¹² NICEM personal communication with DE (September 2011).

The policy chapter includes a section on bullying. Surprisingly, there is no analysis of the bullying by Section 75 category. NICEM would add the following:

- A recent survey found that 42% of 16 year old minority ethnic students had “been a victim of racist bullying or harassment in their school”.¹³
- 63.0% of year 9 pupils agree that a pupil’s race or skin colour could make them more likely to be bullied.¹⁴
- Research has highlighted variation in school responses to racist bullying (each school has its own approach), the often unsatisfactory nature of those responses, the need for improved knowledge on what strategies are effective, and training to ensure that teachers are equipped to implement those strategies.¹⁵

Question 2: Are there any actions not identified in the Action Plan which you feel should be included? If so, please outline these and advise why you feel they should be included.

Although DE outlines some of its current activities in relation to bullying, it does not refer to the issue in its action plan. NICEM recommend that DE consider actions to address bullying on the ground of race. Specifically we suggest that DE:

- Issue guidance on addressing racist bullying in schools.
- Consider steps to ensure that teachers are trained to respond to racist bullying incidents.
- Introduce a standard approach for schools to monitor bullying incidents – one that allows disaggregation by key Section 75 grounds including race (the Department has already funded a successful pilot of software for recording bullying incidents electronically¹⁶). This would help schools monitor progress in reducing bullying incidents and assist DE/ELBs in targeting anti-bullying support to the schools that need it most.

¹³ NCBNI and ARK YLT (2010) *Attitudes to Difference* page 55.

¹⁴ DE (2011) *Research into the Nature and Extent of Pupil Bullying in Schools in the North of Ireland* page 89.

¹⁵ P. Connolly and M. Keenan (2002) ‘Racist Harassment in the White Hinterlands’ in *British Journal of Sociology of Education* 23(3).

¹⁶ NIABF (2008) *Assessing the Usefulness to Schools of the SIMS Behaviour Management Module in Recording Bullying Incidents Electronically*.

Question 1: Can you identify any additional relevant evidence or information which the Equality Team should have considered in undertaking its Audit of Inequalities?

- NICEM's recent research report highlighted the need for schools to provide more information on school food preparation and ingredients, and to improve the food options appropriate to ethnic minority students.¹⁷

Question 2: Are there any actions not identified in the Action Plan which you feel should be included? If so, please outline these and advise why you feel they should be included.

- DE is due to review its *Nutritional Standards for School Lunches* document. NICEM recommend that as part of this review DE consider the dietary needs of ethnic minority pupils.

5 Categorisation of Ethnicity

Question 1: Can you identify any additional relevant evidence or information which the Equality Team should have considered in undertaking its Audit of Inequalities?

- DE uses 15 categories for ascribing the ethnicity of students. One of these categories is 'white'. Ethnic minority students are defined as those that fall into one of the 14 non-white categories. This is a flawed measure of ethnicity as many of the largest ethnic minority communities (e.g. Polish, Lithuanian) are primarily white. Consequently the ability of DE to monitor racial inequalities is limited. Given the centrality of monitoring to the successful operation of Section 75 this issue is of critical importance.

Question 2: Are there any actions not identified in the Action Plan which you feel should be included? If so, please outline these and advise why you feel they should be included.

¹⁷ E. Rooney and B. Fitzpatrick (2011) *Promoting Racial Equality in Northern Ireland's Post-Primary Schools*.

- DE should revise its categorisation of ethnicity in line with OFMDFM's *Guidance for Monitoring Racial Equality* (2011). NICEM understand that the DE system for categorising ethnicity is used by all government departments and that DE wishes to maintain a common approach. In this case NICEM recommend that DE acknowledge the flaws in the current approach to monitoring race and affirm its willingness to adapt a new system in conjunction with all Departments.

6 Research

Question 2: Are there any actions not identified in the Action Plan which you feel should be included? If so, please outline these and advise why you feel they should be included.

- There is a dearth of research on ethnic minorities in the Northern Ireland education system in areas such as academic attainment, access to schools, language needs and strategies, racist bullying, the appropriateness of the curriculum, food in schools and the role of ethnic minority parents. The representation and participation of ethnic minorities on school Boards of Governors also merits further scrutiny. NICEM urge DE to develop a research plan for ethnic minorities.

7 Further Information

For further information in relation to this submission, please contact:

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