Analytical Report on Education

National Focal Point for UNITED KINGDOM

Commission for Racial Equality (CRE), London

By

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1. Executive Summary

- The report provides a glossary of key terms used in the study including discrimination and anti-discrimination. The complexity of key terms such as racism, including institutionalised racism, is outlined and some differences between their use in the UK and in 'mainland Europe' are noted.

- Section 1 sets out the aims and objectives of the study and provides a theoretical framework for understanding the nature of discrimination in education in the UK. It explains how discrimination is both a cause and a product of prejudice and unequal power relations between ethnic groups within wider society.

- Section 2 provides an overview of the legislative and policy context relating to minority ethnic learners and staff in education in the UK. Discussion focuses in particular on the implications of the recent Race Relations Amendment Act (2000). This law has major implications for education and training and introduces a positive duty on education authorities to tackle discrimination. It has prompted the education departments of England, Scotland, Wales and Northern Ireland to support institutions in developing effective systems for monitoring discrimination, anti-discrimination policies and mechanisms for implementing and appraising these policies. The section then outlines the major policy debates in the UK which centre around targeted funding to support minority ethnic learners; provision for children for whom English is an additional language; raising the achievement of minority ethnic learners at risk of underachieving; faith schools; racial harassment, refugees and asylum seekers and the position of minority ethnic learners and staff in further and higher education. The section concludes by describing monitoring arrangements that are in place to tackle discrimination including the role of statutory bodies such as the Commission for Racial Equality (CRE) and inspection services.

- Section 3 provides an overview of quantitative and qualitative data from the UK relating to the experience of minority ethnic communities within the education systems of the UK. A large body of research covering areas such as participation in schooling; achievement; support for EAL learners; racial harassment, refugees and learners and staff in further and higher education is reviewed in terms of the quantity and quality of data. Although there is a substantial and growing research base in the UK there are also serious gaps, particularly with respect to quantitative data in Scotland, Wales and Northern Ireland; with respect to studies of special programmes for teachers and of the nature and extent of discrimination in the curriculum; and, the accessibility of academic studies.

- Section 4 offers an analysis of discrimination in education based on the existing data. The categories used for data collection are critically examined, including the newly introduced categories used to monitor ethnic data. It suggests that there are currently serious problems of access to education for recently arrived refugees; that the barriers to achievement are complex and impact differentially within and between groups; that some groups, particularly African Caribbeans and travellers are experiencing worsening problems of underachievement; that there remains a serious problem of exclusions from school, particularly for African Caribbean learners and that the exclusion of minority ethnic girls is a serious but unacknowledged problem; that certain categories of minority ethnic learners and

staff are under-represented in higher education and there are serious institutional barriers facing these groups; and, that racial harassment, particularly of asylum seekers remains a serious but under-reported issue.

- Although there are clearly serious problems of discrimination facing minority ethnic people with respect to education in the UK, section 5 outlines some of the many examples of good practice to tackle discrimination that have emerged in recent years. Some of these are driven by new anti-discrimination legislation that is outlined. Much of the focus for intervention has been on raising the achievement of minority ethnic learners 'at risk' of underachieving; supporting EAL learners; and providing a new generation of online resources for teachers to tackle discrimination and promote diversity in the curriculum.

- Section 6 and 7 provide conclusions to the study and offer recommendations. Most of the recommendations are aimed at helping educational institutions across the UK to meet their new statutory requirements under the Race Relations Amendment Act.

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3. List of Abbreviations

ACCAC	Curriculum and Assessment Authority for Wales
ALI	Adult Learning Inspectorate
AoC	Association of Colleges
AoSC	Association of Scottish Colleges
ALAOME	Association of LEA Advisory Officers for Multicultural Education
ARTEN	Anti-Racist Teacher Education Network
BNP	British National Party
CERES	Centre for Education for Racial Equality in Scotland
CHERI	Centre for Higher Education Research and Information
CFMB	The Committee on the Future of Multiethnic Britain
CRE	Commission for Racial Equality
DoE	Department of Education (Northern Ireland)
DfES	Department for Education and Skills (England)
EAL	English as an Additional Language
EAZ	Education Action Zone
ECU	Equality Challenge Unit
ECNI	Equality Commission for Northern Ireland
ELWa	Education and Learning Wales
EMAG	Ethnic Minority Achievement Grant
EMSAG	Ethnic Minority Student Achievement Grant
ESOL	English for Speakers of Other Languages
ESTYN	Office of Her Majesty's Chief Inspector of Education and Training in Wales
ETI	Education and Training Inspectorate (inspects schools in Northern Ireland).
EYDCP	Early Years Development and Childcare Partnership
GCSE	General Certificate of Education
HEFCE	Higher Education Funding Council
HMIE	Her Majesty's Inspectorate of Education (inspects schools in Scotland)
LEA	Local Education Authority
LSC	Learning and Skills Council
NALDIC	National Association for Language Development in the Curriculum
NAME	National Association for Multi-cultural Education
NAS/UWT	National Association of School Masters/ Association of Women Teachers
NATFHE	National Association of Teachers in Further and Higher Education
NATT	National Association for Teachers of Travellers
NGO	Non-Governmental Organisation
NLS	National Literacy Strategy
NUT	National Union of Teachers
OFMDFMNI	Office of the First Minister and Deputy First Minister Northern Ireland
OFSTED	Office for Standards in Education
PLASC	Pupil Level Annual School Census
REC	Race Equality Council
SFEFC	Scottish Further Education Funding Council
SEED	Scottish Executive Education Department
SFEFC	Scottish Further Education Funding Council

SHEFC	Scottish Higher Education Funding Council
SQA	Scottish Qualifications Authority
UCAS	University and Colleges Admissions Service

Glossary of Key Terms

Anti-discrimination measures refer to those strategies adopted by individuals and organisations to tackle direct and indirect discrimination. They are defined by the Commission for Racial Equality (2002)[1] as follows:
- positive action means action permitted by the Race Relations Act 1976 that allows a person to:
    - provide facilities to meet the special needs of people from particular racial groups in relation to their training, education or welfare (section 35); and
    - target job training at people from racial groups that are under-represented in a particular area of work, or encourage them to apply for such work.
- promotion of race equality means that public authorities should have 'due regard to the need', in everything they do, to:
    - tackle racial discrimination;
    - promote equality of opportunity; and
    - promote good relations between people from different racial groups.

Discrimination is defined by the CREs statutory code of practice as follows:
- **Direct discrimination** means treating one person less favourably than another on racial grounds. Direct discrimination is unlawful under the Race Relations Act 1976.

- **Indirect racial discrimination** means that a rule or condition which is applied equally to everyone can be met by a considerably smaller proportion of people from a particular racial group; the rule is to their disadvantage; and the condition or rule cannot be justified on non-racial grounds. All three conditions must apply.

'Institutionalised racism' has been defined by the recent Parekh report (CFMB) as 'a range of phenomena, not all of which may be present in any one situation, and not all of which are obvious. It focuses not only on the processes of an organisation but also on its outputs – the benefits or penalties which customers, clients, service users and members of the public get from it, and the extent to which, as a result, it causes more inequality or less in its surrounding environment' (p. 73).

Minority ethnic groups/ communities refer to groups or communities that are relatively small in number in relation to the entire population and who share common origins, a sense of history, a culture and sense of identity. The study defines minority ethnic communities broadly in accordance with key policy texts and includes the categories identified below.

- **British Black and Asian**: students who are the second, third or fourth generation descendants of migrants who mostly (although not exclusively) arrived in the UK in the 1950s and 1960s, mostly from the Caribbean, the Indian sub-continent, East and West Africa.
- **Other ethnic minorities with British nationality**: for example British Chinese, British Cypriots, British Jews.

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[1] NFPUK0033

- **Travellers and Gypsies**.
- **Asylum-seeking and refugee students**, most of whom have arrived in the UK after 1989 and do not possess British citizenship.
- **English, Welsh, Scottish and Irish students** living in situations where they may be a minority – for example English children in Scotland.
- **EU nationals from countries other than the UK**.
- The children of parents who have other **temporary leave to remain in the UK**, as workers or students.
- **Dual heritage/ mixed race students**: students who have more than one cultural heritage because they are the product of marriages or relationships bearing offspring between people form differing ethnic backgrounds.

An increasingly recognised feature of groups defined in ethnic terms is their 'hybridity'. The term 'hybridity' is used here to signify a cultural (rather than a genetic) 'mixing' of identities and experiences in the context of globalisation and mass migrations of peoples and the increasing fluidity and permeability of ethnic identities and categories[2].

'Race' as is now widely acknowledged, is a social and political construct and is an unhelpful way of attempting to scientifically describing difference between human populations. That is to say that there is more genetic variation within than between so-called 'racial' groups. This is not to negate the effects of 'racism' however (see below) which although grounded in the meaningless category of 'race' has real effects and outcomes on minority ethnic groups.

Racism. In the European context it is common when describing issues relating to discrimination on racial or ethnic lines to use the term 'racism, xenophobia, islamophobia and antisemitism'. Use of this term is not as common in the UK where it is more usual to talk of the emergence over time of different *racisms* targeted at specific groups, each with their own specific histories and effects. In this respect, the UK can be characterised as a 'multi-racist' society. The *Parekh Report*[3] describes the origins and manifestations of these different forms of racism as they have impacted differently on black, Asian, Gypsy, Irish and Jewish people as well as on more recent arrivals including asylum seekers and refugees. Despite the complexity of experiences of racism in the UK nonetheless, it does have some overarching characteristics involving a) stereotypes about difference and inferiority and b) the use of power to exclude, discriminate or subjugate[4].

'UK' is used in the report to refer to the countries of England, Wales, Scotland and Northern Ireland that together constitute the United Kingdom. Apart from England, the other countries of the UK each have a devolved parliament with responsibility for education and the education systems of each country differ in some important respects.

Old Commonwealth: This refers to countries, formerly colonised by Britain, that formed the Commonwealth of Nations prior to the relatively more recent wave of independence of formerly colonised countries since the second world war. The old commonwealth includes Australia, New Zealand, Canada and South Africa.

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[2] Hall, 2000
[3] CFMB, 2000
[4] CFMB, 2000

New Commonwealth: This refers to the expanded Commonwealth of Nations that includes those countries of Africa, Asia and the Caribbean that gained independence in the post World War Two.

Glossary of Type and Level of Educational Institution

MAIN CATEGORIES OF INSTITUTIONS IN ENGLAND, WALES AND NORTHERN IRELAND

Community: Local Education Authority (LEA) employs the school's staff, owns the school's land and buildings and is the admissions authority (it has primary responsibility for deciding the arrangements for admitting pupils. The vast majority of schools in England and Wales are community schools. Admission free.

Voluntary Aided: Similar to former aided schools. The governing body is the employer and the admissions authority. The school's land and buildings (apart from playing fields which are normally vested in the LEA) will normally be owned by a charitable foundation. Admission free.

Voluntary Controlled: Very similar to former controlled schools. The LEA is the employer and the admissions authority. The school's land and buildings (apart from the playing fields which are normally vested in the LEA) will normally be owned by a charitable foundation. Admission free.

Foundation: At foundation schools the governing body is the employer and the admissions authority. The school's land and buildings are either owned by the governing body or by a charitable foundation. Admission free.

City Technology College: Independent all- ability, non fee-paying schools for pupils aged 11-18. Their purpose is to offer pupils of all abilities in urban areas across England the opportunity to study successfully a curriculum geared, with the help of private sector sponsors, towards the world of work. Also encouraged to innovate in the development, management and delivery of the curriculum.

Independent/ Private (commonly known as Public Schools): Any school which provides full time education for 5 or more pupils of compulsory school age, which is not maintained by a local education authority or a non-maintained special school. Normally financed by pupils fees and charitable institutions.

LEA Nursery School
Is maintained by a local education authority and is not a special school, providing education for children who have attained the age of 2 but are under compulsory school age of five. Admission free.

Religious/ faith schools: These terms are used interchangeably in the report. Religious/ faith schools are usually voluntary aided or independent/ private.

Special schools: These are schools that are established to cater for children with special educational needs. They may be community or independent schools.

MAIN CATEGORIES OF INSTITUTIONS IN SCOTLAND

Local schools: The education authority will make decisions on what is taught at the school, how pupils are examined and assessed. It will ensure pupils have proper supervision at school and safe conditions. The education authority will allow parents to choose which school children go to. It publishes information on each school in its area and the rules about parents choosing which school children attend. Each education authority school should have a school board made up of parents, teachers and members of the local community. The school board can have wide powers including involvement in recruitment of staff below the level of head teacher. Admission free

Special schools: The responsibility of the education authority to provide education for 5-16 year olds includes those with special educational needs. Most authorities try to deal with pupils with special educational needs within mainstream schools. Admission free

Denominational schools: Some schools in Scotland are associated with a religious denomination. These schools are provided by the education authority where there is a large enough demand for them. The schools are run in the same way as other education authority schools. The main differences are:

- teachers may be selected on the basis of religious beliefs as well as educational qualifications;
- special time may be set aside for religious services;
- an unpaid religious supervisor, for example the local priest, will report to the education authority on the religious instruction in the school.

Admission is free.

Independent schools: Independent schools are not funded by government. Funding may be from fees only or from both fees and charities. Some schools may have scholarship schemes to assist with the cost of fees. Independent schools must be approved by the Scottish Minister for Children and Education. This means it must reach certain standards on premises, numbers, ages and sex of pupils, teaching staff and safety standards. Once approved the school will be placed on the Register of Independent schools maintained by the Scottish Education Department. The Assisted Places scheme was abolished on 1997. Any pupil who already has a place on the scheme will be able to keep it until s/he leaves school. If the child is at primary school the scheme ends at the end of the primary level.

Technology academies: The government has introduced a scheme whereby independent schools called technology academies can be set up by private individuals or organisations. These can be established by agreement with the Scottish Minister for Children and Education and can be financed by the government provided certain conditions are met.

Self-governing schools: Self-governing schools are those which were formerly education authority schools and which have 'opted out' of local authority control. They are run by a

board of management which consists mostly of parents and they are financed by grants from central government. Admission is free.

PHASES OF EDUCATION

Nursery: Nursery schools provide education for children under the age of 5 and over the age of 2.

Primary: Full-time education suitable to the requirements of junior pupils who have not attained the age of 10 years and 6 months; and full time education suitable to the requirements of junior pupils who have attained that age and whom it is expedient to educate together with junior pupils.

Secondary: Full-time education suitable to the requirements of pupils of compulsory school age who are either senior pupils or junior pupils who have attained the age of 10 years and 6 months and whom it is expedient to educate together with senior pupils of compulsory school age.

Early Years: Early Years settings include private and voluntary day nurseries, pre-schools, playgroups, childminding networks, portage services and local authority day nurseries.
The database only lists Early Years Settings that are registered with the Early Years Development Plan and Childcare Partnerships.

Further Education: This is provided in further education colleges for young people from the age of 15 following compulsory schooling. Further education colleges provide both academic and vocational courses.

Higher Education: This includes the university and university college sector, students pay fees.

Adult education: This takes place in adult education centres which are run and maintained by LEAs.

4. Introduction

The aim of the education study is to provide an outline of data and experiences of minority ethnic communities within early years, primary, secondary, further and higher education and training within the UK (i.e. within the education systems of England, Wales, Scotland and Northern Ireland). oThe specific objectives of the education study are to report on:

- Legislation and policies in the area of education of relevance for migrants and minorities
- Description and analysis of existing data and sources in the education sector relating to the education of minorities including gaps in the available data
- Analysis of direct and indirect discrimination of minorities within the education sector
- Strategies, initiatives and good practices for reducing racial/ ethnical/ religious/cultural discrimination in education and supporting diversity

Central to the aims of this report is to investigate minority ethnic experiences of discrimination in education. Definitions of key terms, including discrimination and anti-discrimination were given in the previous section. It is worth explaining, however, how discrimination and related terms such as prejudice, exclusion and inequality are theoretically understood to relate to each other. The relationships between these terms are represented diagrammatically below:
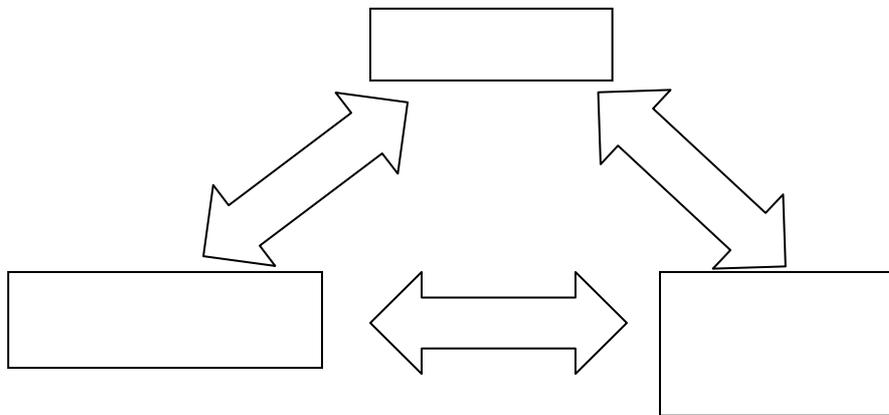
Source: CFMB, 2000, p. 73

In this schema discriminatory behaviour can create as well as arise from prejudiced ideas. Discrimination and prejudice, however, are both sustained by unequal power relationships of exclusion and inequality between groups defined in racial and cultural terms. In this schema, anti-discriminatory measures must not only deal with prejudiced ideas and individuals but must also redress unequal power relationships between individuals and groups. Because racism is a product of prejudice and unequal power relationships manifested in exclusion and inequality, fighting discrimination involves first and foremost challenging racism, including institutionalised racism.

5.   Legislation and Policies

5.1.   INTRODUCTION

The section provides an overview of the legislative and policy context in education and training and considers arrangements for monitoring discrimination. An excellent overview of the structure and function of the four education systems of the UK is available at the following website at

http://news.bbc.co.uk/1/hi/education/uk_systems/default.stm (16/5/03). Annex two provides a description of the key agencies in the UK with responsibility for ethnic minority learners and issues of discrimination within the education and training systems of the UK.

5.2.   THE LEGISLATIVE CONTEXT

THE RACE RELATIONS AMENDMENT ACT (2000)

This is the government's legislative response to the findings of the MacPherson Report[5] which identified 'institutionalised racism' (see glossary) as a key factor in affecting the lives of black people in the UK. A full overview of the Act and of its implications for education and training is given in section 5. Essentially, the Act places a 'positive duty' on authorities responsible for education and training to monitor and report on incidences of discrimination, prepare anti-discrimination policies and report on the impact of these policies.

THE NATIONALITY, IMMIGRATION AND ASYLUM ACT 2002

This Act proposed that some asylum-seekers be housed in large 'accommodation centres' where they would receive education on site instead of in local schools. Political opposition to the legislation has focussed on the issue of separate educational provision for asylum-seeking children. Various studies and reports indicate that pupils benefit most from being placed in mainstream education.[6]

5.3.   GOVERNMENT POLICIES FOR DIVERSITY IN EDUCATION

Annex 1 gives an historical overview of attempts to manage diversity in education and training in the UK. The current policy relating to discrimination in the UK revolves around several, inter-related themes, each of which takes on a slightly different form and emphasis in the four education systems of England, Scotland, Wales and Northern

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[5] Home Office, 1999b
[6] see for example, CRE, 1986; 2000

Ireland. A broad overview of each of these areas will be given below although further information relating to each will be given in later sections of the report.

5.3.1. Funding for Anti-discrimination activities

In the UK school funding from central government to support ethnic minority learners comes in two separate pots of money. Mainstream funding is given to Local Education Authorities (LEAs) and schools to provide for the day-to-day running of schools. Money is allocated according to a formula which takes into account pupil numbers after an annual census. Throughout the UK this formula also includes a small component related to pupil's ethnicity – for example in England LEAs have to record the number of pupils from households where the head of household has been born outside the UK, Ireland or the Old Commonwealth.

Targeted funds are funds from central government whose use is laid down by a minister. In England and Wales there are targeted funds to support minority ethnic pupils. In England, the Ethnic Minority Achievement Grant (EMAG), administered by the DfES[7], is used to fund English as an additional language teaching, refugee support teachers, as well as projects to raise the achievement of Pakistani, African Caribbean and other underachieving groups of pupils. EMAG replaced section 11 funding in 1998. The new Vulnerable Pupil Fund, also administered by the DfES[8], is used to support educational projects working with Gypsy and Traveller children and asylum-seekers. Other sources of funds including the Excellence in Cities programme have been used to support educational projects working with children from minority ethnic communities. The future of targeted funding to support minority ethnic learners in England is currently under review. The recent *Aiming High* consultation document (DfES, 2003) has suggested that EMAG needs to be more specifically targeted at supporting EAL learners and African Caribbean pupils. This is likely to be controversial, however, as it may be perceived as margianalising the needs of other 'at risk' groups. The document also proposes options for new funding arrangement including incorporating EMAG into the general schools budget. This is also likely to be controversial as schools would then be able to use these funds for other purposes.

In Wales an Ethnic Minority Achievement Grant is given to LEAs by the Welsh Assembly. The latter has also provided additional funding for asylum-seeking pupils. In Scotland, a much smaller proportion of educational funding comprises targeted funds. There are no specific monies for minority ethnic pupils; Scottish governance has taken the view that their needs should be met out of mainstream finance. However, the National Asylum Support Service of the Home Office provides grants to Glasgow City Council and other Education Authorities receiving dispersed asylum-seeking children. The money is used to pay for their additional educational needs, most specifically English language support. There is no targeted funding for minority ethnic pupils in Northern Ireland.

In England, an Ethnic Minority Student Achievement Grant (EMSAG) is administered by the Learning and Skills Council (LSC).[9] The grant, about £5 million in total, is available

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[7] NFPUK0034
[8] NFPUK0034
[9] NFPUK0037

to Further Education Colleges to fund English for Speakers of Other Languages (ESOL) teaching and projects to raise the achievement of underachieving groups of students. At present just over 50 colleges receive the funding. The LSC is currently reviewing the funding arrangements for EMSAG. It is likely that colleges will be expected to deliver ESOL teaching from mainstream funding and that EMSAG will be available to Colleges and other providers to fund initiatives to raise minority ethnic achievement.

Within both further and higher education, the general student capitation formulae have a 'widening participation factor' in them which takes ethnicity into account. Many further and higher educational institutions target minority ethnic communities under widening participation programmes in order to increase their participation in higher education.

5.3.2.   Teaching English as an additional language

A discussion of the historical context of teaching English as an additional language in the UK is given in annex 1 where the origins of the existing policy of mainstream teaching and of partnership between specialist and mainstream teachers is described. The introduction of the National Literacy Strategy (NLS) in England in 1999 introduced a compulsory and highly prescribed hour of literacy teaching in primary classrooms. It has belatedly been accompanied by guidelines for good practice in EAL teaching that are discussed in section 8. A key issue for EAL provision is that many EAL teachers feel unrecognised and insecure in their posts and this situation has been worsened by the advent of EMAG because of threats to centrally held LEA posts[10]. Recent concerns about the education of asylum seekers and refugees, the introduction of the Race Relations Amendment Act and the emerging policy framework of inclusion have prompted the DfES[11] and, to a lesser extent, the governments of Scotland and Northern Ireland to reappraise their commitments to EAL teaching. In England the recent *Aiming High* consultation document (DfES, 2003) has identified the need for the government to prioritise greater training and support of both specialist and mainstream staff. In Scotland, the Race Equality Advisory Forum's (REAF) *Education Action Plan* (REAF, 2001) has proposed the development of a strategy to ensure that EAL teaching can be maintained, developed and effectively resourced in all schools. Similar commitments have been undertaken by the Northern Irish Department of Education (DoE, 2001). Promises by central government to prioritise and develop EAL have a long history in the UK and it remains to be seen what will emerge from this latest commitment. There appear to be no similar commitments by the Welsh education department to develop a centralised strategy relating to EAL, although EAL initiatives continue to be funded under EMAG. This in part reflects the predominance of Welsh language issues in the Welsh Assembly and in the education system. Failure to provide such a centralised strategy runs the risk under the race Relations Amendment Act of neglecting a positive duty to tackle discrimination against a small yet significant group of learners, including those whose first language is Welsh.

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[10] CFMB, 2000
[11] NFPUK0034

5.3.3.   Tackling underachievement

Research since the 1980s has consistently revealed patterns of underachievement for specific groups of minority ethnic learners[12]. As will be discussed later in the report, however, there are still significant gaps in the available data, especially for Scotland, Wales and Northern Ireland. As a response the Race Relations Amendment Act, procedures are being put into place for effective monitoring of achievement by ethnicity. The new Pupil Level Annual Schools Census (PLASC) will provide an important mechanism for monitoring ethnicity in England as will similar initiatives in Scotland and Wales.[13] From the available (mainly English) data, the groups most 'at risk' of underachieving are African Caribbean, Gypsy and Traveller, Bangladeshi and Pakistani origin pupils. Whereas Pakistani and Bangladeshi pupils are steadily closing the achievement gap, this is not the case with African Caribbean heritage pupils or for Gypsy traveller pupils where in fact the attainment gap is in widening. This has prompted the DfES[14] in England to specifically target these groups. The DfES[15] and the Office for Standards in Education (OFSTED)[16] in England have also produced various guides to good practice for raising the attainment of minority ethnic learners, particularly African Caribbean learners.[17] In England the *Aiming High* document[18] has identified raising the achievement of African Caribbean pupils as a major government priority. This is likely to be controversial as this prioritisation may be perceived as neglecting other groups who have recognised achievement issues and some groups, such as children of mixed race/ dual heritage, where there is currently a lack of available data relating to achievement.

5.3.4.   Preventing exclusions

Figures relating ethnicity to school exclusion are given in section 6. Once again, a key issue in relation to this area is the unreliability of data.[19] However, data from England indicates that Black Caribbean pupils are three times more likely to be permanently excluded from school than their white peers. Pupils classified as 'Black Other' (which includes pupils of mixed race/ dual heritage) are almost four times more likely to be excluded. There is no national monitoring of temporary exclusions (where pupils are banned from attending school for short periods of time). Once again, the requirement of the Race Relations Amendment Act may force the governments of the UK to develop more robust systems for monitoring exclusion data for ethnicity. Osler and Vincent's[20] recent study of Girls and exclusion found that there is a serious problem of exclusion amongst certain categories of minority ethnic girls, especially African Caribbean girls, but that the problem of girls' exclusion is generally unacknowledged. Monitoring will have to take this into account. The DfES[21] in England is poised to release new data concerning exclusions although it remains to be seen how detailed this data will be.

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[12] see section 4
[13] see section 3
[14] NFPUK0034
[15] NFPUK0034
[16] NFPUK0043
[17] see section 5
[18] DfES, 2003a
[19] see section 3
[20] 2002
[21] NFPUK0034

5.3.5. Promoting diversity and tackling racism in the curriculum

In England, the *Home Secretary's Action Plan*[22] in response to the *MacPherson Report*[23] has identified the need to amend the curriculum to better reflect the needs of a diverse society as a priority. The inclusion statement introduced as part of the revised national curriculum in 1999 provides a statutory requirement on schools to meet pupils' diverse learning needs and this can be interpreted to include promoting cultural diversity. The Race Relations Amendment Act (see below) also places a positive duty on LEAs and schools to eliminate unlawful racial discrimination and this can be interpreted as a basis for developing multicultural and antiracist approaches in education. It must be emphasised, however, that neither the inclusion statement nor the Act mention multicultural and antiracist approaches specifically, reflecting an historic reticence on the part of central government to embrace these approaches (see annex 1). Rather they talk in more guarded terms of providing 'curriculum access' and 'promoting diversity'. Nonetheless, the Curriculum and Qualifications Authority (QCA)[24] in England has recently responded to the inclusion statement and Act by publishing a web based project entitled *Respect for all: Reflecting cultural diversity through the national curriculum* (QCA, 2003). This is a resource for teachers to access materials to help them reflect diversity across subject areas. In Scotland, as part of its own response to the MacPherson report and to the Race Relations Amendment Act, the Scottish Executive Education Department (SEED)[25] has funded the Centre for Education for Racial Equality in Scotland (CERES) [26] to develop a similar online resource entitled *Educating for Race Equality in Scotland: a Toolkit for Teachers* (CERES, 2003). These initiatives are more fully discussed in section 5. Promoting multicultural and antiracist approaches are also an aspect of emerging policy priorities in Northern Ireland (DoE, 2001).

5.3.6. Racial harassment

Incidents of racial harassment in educational institutions often go unreported[27] and there is limited data available about their nature and extent. This is despite the fact that it was a recommendation of the MacPherson enquiry and has subsequently become a requirement under the Race Relations Amendment Act for schools to report incidents of racial harassment to parents, governors and the LEA and that numbers be published annually on a school by school basis. Emerging policy in Scotland Wales and Northern Ireland has also identified measures for tackling racial harassment[28].

5.3.7. Faith Schools and religious instruction in the UK

The 1988 Education reform Act has made acts of collective Christian worship compulsory in all state schools. Religious instruction continues to be given in both fully

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[22] Home Office, 1999,a
[23] Home Office, 1999,b
[24] NFPUK0044
[25] NFPUK0047
[26] NFPUK0005
[27] see section 5
[28] see section 5

maintained and state-aided voluntary schools, and opportunities exist for religious training beyond the daily worship and minimum required instruction. In many schools, the religious offering has become non-denominational, and in areas of high non-Christian immigration, consideration may be given to alternative religious provision. For example, in the summer term of 1998, Islamic primary school in the London Borough of Brent became the first Muslim school to join the state sector. The government has said it is happy to see more single faith secondary schools. It has encouraged private faith schools to opt to become state schools so that they can be subject to inspection by OFSTED.[29] The Church of England is hoping to create 100 new denominational schools.

The summer of 2001 saw violent unrest in Burnley, Oldham and Bradford. The unrest came after a period of growing tension between the British Asian (mostly British Pakistani) community and the white community. The Home Office commissioned inquiries in the disturbances. The Cantle Inquiry[30] concluded that the white and British Asian community experienced segregation, particularly in education, housing and employment. White children and British Asian children rarely attended the same schools. The Cantle Report concluded that further violence would occur if levels of polarisation were not broken down. The report recommended that 25 per cent of places in faith schools be offered to children from different religious backgrounds.

5.3.8. Refugees and asylum seekers

Asylum-seekers have been the subject of much political debate and, often hostile, media coverage. Changes to recent asylum legislation in the UK impact on the education of asylum seekers (see above). Some LEAs and schools have pioneered good practice in supporting asylum-seeking and refugee children.[31] However, there remain concerns about the education of asylum-seeking and refugee children and these are discussed in section 6.

5.3.9. Minority ethnic students in further and higher education

Issues relating to minority ethnic participation and achievement in further and higher education are discussed in sections 3 and 4. Although minority ethnic students as a whole are over-represented in further and higher education, some groups notably Pakistanis and Bangladeshis, are under-represented. Some categories of minority ethnic students also underachieve. In England the government in its recent White and Green Papers on Higher and Further Education[32] respectively has committed itself to broadening participation and improving achievement for disadvantaged groups including those from minority ethnic backgrounds. The DfES has also commissioned a study to examine the experiences of ethnic minority students, which will identify and assess the factors which affect participation, student achievement and transition into the labor market. This will report in 2004. Finally, a follow up document to the White paper on Higher Education, entitled

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[29] NFPUK0043
[30] Home Office, 2002
[31] see section 5
[32] DfES 2002; 2003b

Widening Participation in Higher Education[33] proposed the establishment of an Office for Fair Access which will monitor a new system of access agreements committing universities to quotas of students from disadvantaged, including those from minority ethnic backgrounds. REAF[34] has also recommended that the Scottish Executive work to broaden participation of minority ethnic students.

5.3.10. Minority ethnic staff in further and higher education

The Commission, which ran until January 2003, was funded by the DfES and the LSC. The Commission was sponsored by the Association of Colleges, the university and college lecturers union NATFHE, and the Network for Black Managers. The Commission commissioned quantitative and qualitative research on black staff and their experiences in the FE sector in England. This data is discussed in section 4. The commission found chronic under-representation of black staff and described institutional barriers to their selection and promotion.   The Commission has reported its findings and recommendations to Colleges and key stakeholders, including the DfES[35], the LSC[36], OFSTED[37] and the Adult Learning Inspectorate (ALI)[38], trade unions, and the Commission for Racial Equality[39]. The DfES[40] has now established two groups to oversee the implementation of the recommendations of the Commission's report: an mplementation group which will focus on the recommendations for colleges, and a strategic implementation group which will look at the recommendations for national stakeholders and their links to wider education and race policy and strategy.

A recent study of minority ethnic staff in higher education found similar problems of under-representation and institutional barriers facing black staff. [41] This work is also discussed in section 4.

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[33] DfES, 2003c
[34] 2001
[35] NFPUK0034
[36] NFPUK0037
[37] NFPUK0043
[38] NFPUK0031
[39] NFPUK0033
[40] NFPUK0034
[41] Carter et al, 1999

5.4.   SYSTEMS FOR MONITORING DISCRIMINATION IN THE UK EDUCATION SYSTEMS

5.4.1.   The Commission for Racial Equality (CRE)[42]

This a non-departmental Government body operational in England Scotland and Wales. It was established by the Race Relations Act 1976 and has a remit to: (a) work towards the elimination of discrimination, (b) promote equality of opportunity and good relations between persons of different racial groups, and (c) keep the Act under review and advise the Secretary of State on changes to the Act. The CRE can assist individuals making complaints of racial discrimination; it has the power to undertake formal investigations of organisations where there is evidence or a belief that racial discrimination is occurring. The CRE also has the power to enforce the specific duties placed on public bodies by the amended Race Relations Act.

The CRE employs nearly 250 staff in its national and regional offices. It has national country and regional staff who are responsible for education policy work. To ensure that the Race Relations (Ammendment) Act (2000) has teeth, the government has ensured that the CRE can enforce the specific duties by issuing a compliance notice. Failure to comply could result in legal action. The Act insists that schools and local authorities should:

- Assess the racial implications of new and existing policies.
- Monitor the ethnicity of staff and pupils, and the progress of different racial groups.
- Include in governors' annual reports to parents a section on race relations.

The CRE already has the power to investigate complaints about a school's policies. But in future it will be able to issue an enforcement order if it concludes that they are not up to scratch.

5.4.2.   School Inspections

In England inspections are carried out by the Office for Standards in education (OFSTED)[43]. In Scotland, inspections are carried out by Her Majesties Inspectors of Education (HMIE); in Wales by Office of Her Majesty's Chief Inspector of Education and Training in Wales (ESTYN) and in Northern Ireland by the Education and Traninig Inspectorate[44]. In all cases these bodies are responsible for inspecting schools, early years providers, LEAs, 16-19 provision and teacher training providers. These inspections require schools to record percentages of pupils with English as an additional language. Inspection criteria also require these bodies to inspect for 'educational inclusion' a term that OFSTED[45] uses to include race equality. OFSTED's own inspectors are more

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[42] NFPUK0033
[43] NFPUK0043
[44] NFPUK0036
[45] NFPUK0043

directly concerned with policy. This includes undertaking subject inspections. This body has published a great deal on raising the achievement of minority ethnic pupils in schools.

In England OFSTED[46] will inspect schools' compliance with the Race Relations Ammendment Act 2000 as part of their regular inspections. The new inspection framework places a strong emphasis on race equality and the need for schools to plan action to narrow achievement gaps, whatever the composition of the community they serve. OFSTED's[47] guidance on Evaluating Educational Inclusion sets out for schools what it means to be an inclusive school and gives schools a valuable tool for monitoring and evaluating their practice. In addition, OFSTED will undertake a thematic review to assess schools' progress towards meeting the requirements of the Act and to identify good practice. In Scotland, the Race Equality Advisory Forum (REAF, 2002) has recommended that more minority ethnic inspectors are recruited to the inspectorate.

Recent resaerch by Osler and Morrison[48] has criticsed OFSTED for failing to inspect adequately for issues of race. This research has cast serious doubt over the ability of OFSTED to fulfill its statutory obligations. Although the research was originally challenged by Chris Woodhead, the Head of OFSTED, it is argued that the service has not gone far enough in attempting to redress the situation.

The Equality Commission for Northern Ireland is non-departmental government body whose role is to challenge racism and unlawful discrimination in Northern Ireland, as well as promoting equal opportunities and good race relations. The Race Relations Act (Northern Ireland) 1997 is the statute law that governs race relations in Northern Ireland.

The Equality Challenge Unit replaced the Commission on University Career Opportunity in 2001. It was established as a result of the Steven Lawrence Inquiry Report, the government's new equality agenda and the 'Modood' report on *Employment and Ethnicity in Higher Education.* The ECU works to the Joint Equality Group, which includes HE funding councils (England, Wales and Scotland) and UUK (plus some minority groups within the UUK's membership). It covers all areas of equality and currently offers advisory/consultative services to universities. It focuses on staffing issues.

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[46] NFPUK0043
[47] NFPUK0043
[48] Osler and Morrison, 2000

6. Description and Analysis of Existing Data and Sources in the Education Sector

6.1. INTRODUCTION

The section begins with a discussion of the nature of the categories used for data collection. This is followed by an account of specific areas of data that have been identified by the Raxen project as forming a basis for Europe-wide comparison. The section concludes with a 'gap analysis' of missing data.

6.2. CATEGORIES USED IN DATA COLLECTION REGARDING MINORITY ETHNIC COMMUNITIES IN EDUCATION.

Up until 2003 the categories used for recording data relating to minority ethnic communities in education was inconsistent and varied between arms and levels of government. For example, the list below shows the most categories most commonly used by LEAs in their data analysis[49].

Table 3.1: categories used for ethnic data monitoring before and after 2003

Categories used prior to 2003	Categories introduced in 2003
Pakistani	WHITE
Chinese	White British
Bangladeshi	White Irish
Indian	Traveller of Irish heritage
Black Caribbean	Gypsy/ Roma
Other	Greek/ Greek Cypriot
Black African	Turkish/ Turkish Cypriot
Black Other	White European (Including Russian, Latvian, Ukrainian, Polish, Bulgarian, Czech, Slovak, Lithuanian and Romanian.)
Traveller	MIXED
White all	White and Black Caribbean
White Other	White and Black African
White UK	White and Asian
	ASIAN or ASIAN BRITISH
	Indian
	Pakistani
	Bangladeshi
	Any other Asian background
	CHINESE
	Hong Kong Chinese
	Other Chinese
	BLACK OR BLACK BRITISH

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[49] from Tikly et al, 2002

Caribbean
African
Any Other Black background
ANY OTHER ETHNIC BACKGROUND
Afghan
Arab
Filipino
Iranian
Japanese
Malay
Thai
Any Other Ethnic Group (including Egyptian, Iraqi, Korean, Kurdish, Latin/South/Central/ American, Lebanese, Libyan, Moroccan, Polynesian, Vietnamese and Yemeni

The use of categories such as 'black African', 'black other' and 'other' are criticised because they are too broad and homogenise too large a range of experiences[50]. Furthermore, the old categories did not include categories for dual heritage/ mixed race despite the fact that these students form a sizeable proportion of the school population in some LEAs and that there may well be achievement problems amongst some of these groups[51]. Inconsistencies between LEAs in the use of the old categories have also made national comparisons of ethnicity data extremely problematic. The majority of LEAs have also failed to disaggregate data according to gender despite strong evidence that there are large differences in the educational achievement of boys and girls amongst some minority ethnic groups (see below).

In 2003 the DfES introduced the Pupil Level Annual Census (PLASC) which collects data relating to a range of educational indicators. Similar systems operate in Scotland and Wales but not in Northern Ireland. The PLASC includes categories on ethnicity that are derived from the census. These categories are likely to standardise the collection of data relating to ethnicity and are very similar to those used in the national census. They include for the first time several categories relating to pupils of mixed race/ dual heritage. They also provide a more detailed breakdown of the ethnic categories than has hitherto been the case. The categories used by PLASC in England are given in table 3.1 above. Although there is a lack of available data across the UK relating to ethnic monitoring the UK governments have committed themselves to redressing this situation (see section 2).

6.3.   DATA ON SCHOOL STANDARDS, ETHNICITY AND GEOGRAPHICAL AREAS

In the UK context it is potentially useful to collect data relating to the performance of schools by ethnicity and geographical area as it allows for a consideration of school performance in areas with high and low proportions of minority ethnic learners and to understand the achievement of minority ethnic learners within a more contextualised understanding of the urban and rural locations within which they live. Two recent studies

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[50] CFMB, 2002
[51] Tikly and Caballero, 2003

have provided an insight into the overall performance of schools in urban areas local authorities with high levels of minority ethnic learners[52], and schools in rural and other areas where ethnic minorities constitute 'isolated' communities (i.e. 4-6% or less of the school population)[53]. However, for the most part, information relating to school standards, ethnicity and geographical area can be found only through secondary analysis of primary sources. These include school league tables published by the DfES[54] (available at: http://www.dfes.gov.uk/performancetables/index.shtml) (16/5/03) (not available for schools in Scotland, Wales and Northern Ireland). The PLASC data, which will be made available late in 2003, will facilitate a more in depth analysis of school performance by ethnicity and geographical area. Inspection reports also provide an additional source of information and are available online as indicated in table 3.2 below.

Table 3.2: URL location of school inspection reports in the UK

Country	Inspection body	URL
England	Office for Standards in education (OFSTED)[55]	Http://www.OFSTED.gov.uk/reports/
Scotland	Her Majesty's Inspectorate of Education (HMIE)[56]	Http://www.hmie.gov.uk/
Wales	Office of Her Majesty's Chief Inspector of Education and Training in Wales (ESTYN)[57]	Http://www.estyn.gov.uk/home.asp
Northern Ireland	Education and Training Inspectorate (ETI)[58]	Http://www.denidata.nics.gov.uk/insp/index.asp

All sites last accessed on 16/5/03

A final potential source of data in England is from published information relating to Education Action Zones (EAZs) (see the School standards website at:

http://www.standards.dfes.gov.uk/eaz/zones_explained/large_zones/) (16/5/03). These were established in terms of the Schools Standards and Frameworks Act, 1988 with the objective of raising standards within zones. Zones are typically located in inner city areas often with high minority ethnic populations. Both inspection reports and information about EAZs require secondary analysis, however, if information linking school standards to specific geographical/ demographical areas and contexts is to be extracted.

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[52] Gillborn and Mirza, 2000
[53] Cline et al, 2002
[54] NFPUK0034
[55] NFPUK0043
[56] NFPUK0046
[57] NFPUK0041
[58] NFPUK0036

6.4. DATA ON SPECIAL EDUCATIONAL PROVISION FOR MINORITY ETHNIC CHILDREN

Data referring to faith schools is difficult to find in the UK. A recent newspaper article published online has given some information. According to this source the range of religious schools includes Church of England, Roman Catholic, Methodist, Jewish, Muslim and Sikh. In England, the numbers of different types of faith school are as follows:

Primary schools - 6,384
Secondary schools – 589

Of these, 4,716 are Church of England, 2,108 Roman Catholic, 32 Jewish, four Muslim, two Sikh, one Greek Orthodox and one Seventh Day Adventist.
(Source: http://education.guardian.co.uk/schools/story/0,5500,593365,00.html) (16/5/03)

The British Broadcasting Corporation (BBC) has made some general data concerning faith schools in Scotland, Wales and Northern Ireland available at http://news.bbc.co.uk/1/hi/education/uk_systems/default.stm (16/5/03). In Scotland, schools which have chosen to transfer to the education authority, rather than be independent, became "public schools" (the term used in Scotland for maintained or state schools), although they can make separate arrangements for denominational instruction. Most are Roman Catholic although no precise numbers are given. There are no non-Christian faith schools and the same is true in Wales and Northern Ireland. In Northern Ireland with its long history of sectarian violence between the majority Protestant and the minority Catholic populations, the law guarantees that every school is open to all pupils regardless of religious denomination. In practice, however, some schools have both Protestant and Catholic pupils, but most Catholics attend Catholic schools and most Protestant children attend state controlled schools. There are more than 40 'integrated schools', teaching Catholic and Protestant pupils together, but this accounts for only about 3% of Northern Ireland's school population. In many areas, segregated housing has been important in deciding who goes to which school.

Most teaching of English as an additional language (EAL), with the exception of recently arrived refugee and asylum seekers now takes place in mainstream classes and so there is no quantitative data concerning separate classes as far as teaching EAL is concerned. Indeed, the whole area of EAL suffers from a lack of recent research in the UK[59]. The exception is two recent qualitative studies of EAL learners. The Advanced Bilingual Learners' (ABL) writing project[60] was commissioned as part of an OFSTED[61] study of support for students in key stage 4 and post-16 using English as an additional language (EAL). The key finding of the study was that learners with poor oral skills also had poor writing skills but that there are also often writing problems with EAL learners fluent in English. The research investigated the writing skills of those who, although at an advanced stage of formal education, may be underachieving in English. The second piece of research[62] focused on young learners of English as an additional language (EAL) in

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[59] Franson, 2002
[60] Cameron, 2003
[61] NFPUK0043
[62] Rea-Dickins, 2002

Key Stage 1 (five to seven years) of the National Curriculum for England and Wales, based in inner-city Coventry schools which have a high density of learners with EAL. It investigated ways in which EAL assessment is currently linked to the National Curriculum (NC) and devised assessment regimes to assist EAL learners to access the national curriculum. Some recent research on training needs of EAL teachers is highlighted below.

Some schools, colleges and adult education centres in the UK offer 'community languages', i.e. classes in minority languages including those of minority ethnic communities. Again, there are serious gaps in the data relating to this provision including even basic data relating to the languages offered for instruction, take-up and class size.

6.5. DATA ON PARTICIPATION IN EARLY YEARS, PRIMARY AND SECONDARY SCHOOL EDUCATION

As noted above, there is almost a total lack of data relating to pupils numbers by ethnicity in Scotland, Wales and Northern Ireland. Data on minority ethnic participation in early years education in England is limited to small scale surveys.[63] These are discussed in section 4. The English data relating to pupil numbers in schools is given in table 3.3 below:

Table 3.3 Numbers of pupils by ethnic group (England) for the period April 2002-2003.

Ethnic group	Pupils of compulsory school age and above	
	Primary schools (6 school years; 5-11 years)	Secondary schools (5 school years; 11-16 years)
WHITE	**2,853,800**	**2,736,300**
White British	2,762,100	2,656,800
White Irish	13,300	13,200
Traveller of Irish heritage	2,600	1,200
Gypsy/ Roma	4,400	1,600
Any other white background	71,300	63,600
MIXED	**104,200**	**64,700**
White and Black Caribbean	37,200	23,500
White and Black African	9,600	5,400
White and Asian	20,700	12,600
Any other mixed background	36,800	23,200
ASIAN or ASIAN BRITISH	**235,700**	**204,900**
Indian	74,700	79,100
Pakistani	98,900	76,300
Bangladeshi	40,100	30,200
Any other Asian background	22,000	19,300
BLACK OR BLACK BRITISH	**127,900**	**105,200**
Caribbean	51,200	46,100
African	62,900	45,500
Any Other Black background	13,800	13,500
CHINESE	**10,800**	**12,000**

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[63]Prior et al, 1998; LaVelle, 1999

Any other ethnic group	29,400	24,900
Classified*	**3,361,700**	**3,148,000**
Unclassified**	**111,500**	**161,100**
All pupils***	**3,473,200**	**3,309,200**
Total pupils	**6,782,400**	
Total number of ethnic minority pupils (% of All pupils)***	**478,600 (13.78)**	**386,800 (11.69)**

* Pupils of compulsory school age and above were classified according to ethnic group
** Information refused or not obtained
*** All pupils of compulsory school age or above
****Note that the Office for National Statistics do not include White Irish, Traveler of Irish heritage, Gypsy/Roma or White Other in its definition of ethnic minority groups. The inference is that 'ethnic minority groups' refers to all non-white groups.

Source: DfES, Pupil Characteristics and Class Sizes in Maintained Schools in England: January 2003 (Provisional).   Table 3.
(available   http://www.dfes.gov.uk/rsgateway/DB/SFR/s000390/index.shtml)   Last accessed 09/09/03.

Besides the lack of availability of data, it is also noticeable that the available data for England is not disaggregated to the same extent as the new categories for PLASC actually allow for (see above). This means that some groups, e.g. certain categories of recently arrived refugees and asylum seekers, or white groups who may have special educational needs such as Greek Cypriots or Turks remain invisible. The data is also not disaggregated by gender. Finally, there are significant numbers of unclassified pupils, i.e. pupils whose parents refused to enter ethnic data or whose information simply was not obtained. Ethnic data collected as part of PLASC is obtained by schools sending forms home for parents to complete. The DfES[64] and LEAs will need to work together to ensure better monitoring systems for the completion and return of these forms. Some LEAs such as Derbyshire give advice on the Internet as to how schools can effectively gather ethnic data from parents and these practices need to be shared.

Data relating to the number of pupils for whom English is an additional language is only available for England and for Northern Ireland. The data for England is as follows:

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[64] NFPUK0034

Table 3.4 Number and percentage of pupils by first language (England) for the period April 2002-03.

	Pupils of compulsory school age			
	Primary schools		Secondary schools	
First language is known or believed to be other than English	365,600	10.5	293,000	8.9
First language is known or believed to be English	3,105,300	89.4	3,012,700	91.0
Unclassified	2,200	0.1	3,400	0.1
Total	3,437,200	100	3,309,200	100

Source: DfES, Pupil Characteristics and Class Sizes in Maintained Schools in England: January 2003 (Provisional). Table 4.
(available http://www.dfes.gov.uk/rsgateway/DB/SFR/s000390/index.shtml) Last accessed 09/09/03.

Unfortunately, this data does not provide an indication of the numbers of pupils actually receiving EAL support. By way of contrast this information is provided by the Office of the First Minister and Deputy First Minister Northern Ireland (OFMDFM, 2002)[65] in Northern Ireland. It is claimed that out of 1281 pupils in primary and secondary schools for whom English is an additional language, 243 receive EAL support. Neither sets of figures, however, provide information about the relative proficiency of EAL learners, nor about the mother tongue of EAL learners despite the fact that this kind of information would be helpful in developing a strategy for providing support to different categories of learners. It is hoped that the advent of PLASC in England and its equivalent in Scotland and Wales will enable much more accurate information about the numbers of minority ethnic learners including EAL learners, although there are at present no categories to record mother tongue.

Small-scale action research conducted by the Refugee Council (1997) has monitored pupils numbers (82,000 asylum-seeking and refugee children January 2001) as well as the numbers of asylum-seeking and refugee students unable to secure school places (using information given by LEAs and community groups). This research is discussed further in section 4.

6.6.   ACHIEVEMENT DATA FOR MINORITY ETHNIC LEARNERS IN SCHOOLS

The advent of the PLASC will enable the development of more accurate achievement data for minority ethnic groups. Some of the initial results for PLASC 2002 relating to achievement are given in section 6 in the analysis of underachievement. The results also demonstrate how the PLASC data can be used to effectively correlate ethnicity with class and gender in understanding underachievement and its causes. Although the PLASC data is the most accurate national picture of the relative achievement of minority ethnic pupils in schools, it seeks to confirm earlier quantitative studies such as those conducted by

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[65] NFPUK0038

Tikly[66] and Gillborn and Mirze[67]. Other studies indicate that further groups of pupils may achieve less well at 7, 11, 14 and 16. Such groups include:

- Gypsy and Traveller Children[68]
- Turkish, Turkish Kurdish and Turkish Cypriot Children[69]
- Somali pupils[70]

Another dimension of developing quantitative achievement data is the possibilities opened up for international comparisons. This would allow policy makers to benchmark the achievement of minority ethnic learners in the UK with that of their peers in other European and international contexts. This would be an important first step in identifying and developing good practice across national borders. Such data is sorely lacking. The recent UK report of the OECD Programme for International Student Assessment[71] makes no mention of ethnicity as a factor in literacy and numeracy scores although there is disagreggation by gender.

A neglected area is in relation to the achievement of minority ethnic children in nursery schools. The DfES[72] (2000; 2003a) sites anecdotal evidence to suggest that nursery education can have a positive effect on the later achievement of Pakistani, Bangladeshi and African Caribbean children although this is not backed up by any quantitative data. More qualitative studies such as those by Sammons[73] are cited in section 4.

Indeed, there has also been a strong qualitative education research tradition into the achievement of minority ethnic pupils. Some of this has been ethnographic in orientation and has been important in identifying the factors relating to minority ethnic underachievement including institutionalised racism, pupil resistance, peer group pressure and low teacher expectations.[74] More recent qualitative research[75] has shifted the focus towards identifying examples of good practice towards raising achievement and will be discussed in section 5.

6.7.   TRUANCY AND EXCLUSION RATES BY ETHNICITY

The DfES[76] maps school attendance and unauthorised absence (truancy) in England (see http://www.dfes.gov.uk/statistics/catego.html#m3_1   16.05.03).   It   lists   unauthorised absence against the percentage of minority ethnic pupils in given schools and LEAs. There are a greater number of unauthorised absences in schools with higher proportions

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[66] et al 2002
[67] 2000
[68] see Gillborn and Gipps, 1996
[69] see Mehmet Ali 2001
[70] see Jones and Ali, 2000
[71] Gill et al, 2002
[72] NFPUK0034
[73] 1999
[74] Gillborn, 1990; Wright, 1986; Mac an Ghaill, 1988; Mirza, 1992; Connolly, 1998; see also section 7
[75] Gillborn and Gipps, 1996; Blair, 1998a; Runnymeade Trust, 1998; OFSTED, 2002a,b
[76] NFPUK0034

of minority ethnic students. However, this does not mean that students from minority ethnic communities are more likely to be absent – indeed some research studies state otherwise. A more likely explanation is that they attend schools with higher unauthorised absence for all pupils. More careful analysis of this key area is required.

The DfES also publishes data on permanent school exclusions by ethnicity. A summary and analysis of this data is given in section 4. There is no national monitoring of temporary exclusions (where pupils are banned from attending school for short periods of time). Osler's[77] work has provided a quantitative account of the rate of girls exclusions compared to boys for different minority ethnic groups. This research is also discussed more fully in section 4. Finally, there are some excellent qualitative studies relating to school exclusions by ethnicity such as those summarised by Gillborn and Gipps[78] and McGlaughlin[79].

6.8. DATA ON ADULT EDUCATION AND VOCATIONAL TRAINING BY ETHNICITY

Evidence in this field is again largely confined to England and even here it is rather limited. Data relating to participation in further and higher education has been collected as part of the 4th PSI Survey of Ethnic Minorities[80]. This is reproduced in the table below:

Table 3.5: Proportion of qualified 16-24 years old in full-time education

	White	Caribbean	Indian/ African Asian	Pakistani/ Bangladeshi	All Ethnic Minorities
				cell percentages	
Has 'O' level or higher and is in full-time education:	21	34	63	71	58
Men	28	40	47	48	46
Women					
Weighted count					
Men	163	105	166	105	413
Women	145	137	187	101	471
Unweighted count					
Men	116	48	110	119	293
Women	119	73	124	119	334

Source: PSI Fourth Survey of Ethnic Minorities (Modood et. al., 1997, p. 76).

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[77] 2002

[78] 1996

[79] 1999

[80] Modood et al, 1997

This data covers both further and higher education but does not include part time students or data about the courses chosen. There is some data relating to the choices that learners make post-16 although largely to the findings of the Youth Cohort Study (DfEE, 1998). Caution is needed in interpreting this data as participating numbers of students are relatively small. Data concerning the numbers of students in further education and work-based training by ethnicity are available from the Learning and Skills Council (LSC)[81] and from the Scottish and Welsh Further Education Funding Councils. No data relating to Northern Ireland is available. Data are recorded using an 'Individualised Student Record' (ISR) system which is effectively a census of students. It links student data, including data about ethnicity and age, to qualification aims and qualifications on entry. Available data relating to qualifications by ethnic group is from the Youth Cohort Study. The ISRs will be replaced in 2003 with a new form, Individualised Learner Records (ILRs) which will also cover adult education. At present no data relating to ethnicity and adult education are available. There has been a study of language skills of minority ethnic language learners and this is discussed in section 4 along with the data from the ISRs. The LSC[82] is currently developing Equality and Diversity Impact Measures which will enable them to monitor the recruitment, retention and achievement of students by race, gender, age and disability. The Measures should allow for a more detailed examination of student attainment and progress.

Information relating to ethnicity and higher education comes from several sources. Firstly, the University and Colleges Admissions Service (UCAS)[83] gives information about the ethnicity and expected grades and qualifications of university applicants throughout the UK. This is collected from university admissions forms and from institutions. The Higher Education Funding Councils of England[84] and Scotland and Education and Learning Wales (ELWa)[85] collects data relating to numbers in Higher education by ethnicity and course. They are assisted in this process by the Higher education Statistics Agency (HESA)[86]. Modood (2003) has recently compiled data from a number of sources to give an overview of minority ethnic participation in higher education. This is reproduced in the table below:

Table 3.6: Domiciled first year full-time and part-time students, 1997-98

	% in Higher Ed	% 18-24s in Higher Ed	% of 18-24s in Great Britain	18-24s Gender balance in HE (m - f)
Whites	84.9	85.2	92.0	48* -- 52*
Indians	4.1	4.7	2.0	51 -- 49
Pakistanis	2.5	2.7	1.8	56 -- 44
B'deshis	0.7	O.7	0.7	58 -- 42*
Chinese	0.9	1.0	0.4	50 -- 50
Asian-other	1.2	1.2	0.4	52 -- 48
Africans	2.1	1.4	0.6	48 -- 52
Caribbeans	1.3	1.0	0.9	40* -- 60
Black-others	0.6	0.5	0.7	38* -- 62

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[81] NFPUK0037
[82] NFPUK0037
[83] NFPUK0052
[84] NFPUK0040
[85] NFPUK0035
[86] NFPUK0042

* denotes under-representation
Source: Modood (2003)

Recent studies by the Commission for Black Staff in Further Education[87] and by Carter et al (1999) have drawn attention to the under-representation of black staff in these sectors. The main findings of their research are discussed in the next section.

Lost Opportunities: the language skills of linguistic minorities in England and Wales[88] explores the linguistic abilities of ethnic minority groups in England and Wales. The groups selected were adults aged 16 to 64 from the Indian sub-continent (Bengalis, Gujeratis, and Punjabis), from China, and from refugee groups (Bosnians, Somalis, Tamils and Kurds). It offers extensive insight into the difficulties of conducting a survey on groups which are often widely spread and in varying social circumstances. Nineteen tasks were used to assess linguistic ability in the use of English and mother tongue. The completion of the task was used to indicate whether or not the respondent was at 'survival level' and above or 'pre-survival level'. Tasks ranged from the completion of a library card, and use of a calendar to sentence completion and understanding benefits information. The respondents were asked about the following:

- their educational background before coming to the UK;
- their English learning history before entering the UK;
- their educational background and qualifications obtained since arriving;
- their English learning history in the UK;
- and their exposure to English in everyday life.

They were also asked to complete a self-assessment module. More than a third of Bengali speakers and Punjabi speakers scored zero on the written test, i.e. unable to fill in a library card application, read a school timetable or telephone directory. Further to this, only 14% of Bengalis, 29% of Gujeratis, 26% of Punjabis, 41% of Chinese and 32% of the refugees reached a survival level of competence. However, these figures are for those not born in the UK and, for Asian groups, it excludes those for whom English is the main spoken language and the preferred reading language, and who had a British qualification. A best estimate for South Asian communities, whether born in Britain or not, is 16% of Bengalis, 44% of Gujeratis and 29% of Punjabis would reach a survival level of competence. Conclusions arising from this report are discussed in section 7.

6.9.   DATA RELATING TO TEACHERS OF MINORITY ETHNIC STUDENTS

There is a lack of data on teacher training for cultural diversity although some evidence suggests that existing provision is patchy[89]. Data on teachers' qualifications, wages/salaries/income levels for teachers in "multicultural" schools compared to non-

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[87] 2002
[88] Carhill et al, 1998
[89] Netto et al, 2001

multi cultural schools is unavailable in the UK. The Teacher Training Agency (TTA)[90] monitors but does not publish the ethnicity of recruits to teacher training and has set targets for increasing the percentage of trainees from minority ethnic groups that are recruited to initial teacher training. The TTA does not monitor retention rates to teacher training. Informal evidence from teacher training providers suggests that minority ethnic applicants may be more likely to 'drop out' of courses, particularly after their first teaching placement. As a result of the amended Race Relations Act, Teacher training providers now have a specific duty to monitor the recruitment and progression of students by racial group. It should, therefore be possible to gather national data on the recruitment, retention and achievement rates of trainees by racial group.

A recent study[91] reveals that LEAs in England which have demonstrated the greatest success in raising the attainment of minority ethnic pupils have prioritised using EMAG to support training of managers, mainstream and specialist teachers in the use of the grant. Such training is by no means widespread, however, and it is recommended in this report that such training becomes a priority (see section 7).

6.10. RACIAL HARASSMENT

Although there is a requirement to record and report racist incidents annually to parents, governors and the LEA in English schools, none of this data is publicly available. This means that changing patterns to racial harassment in educational settings cannot be identified. Staff responsible for race equality issues in LEAs state that there is significant under-reporting of incidents by schools. LEAs that are most successful in getting information on racist incidents from schools are those that follow up reports of incidents and provide schools with support in dealing with specific racist incidents. Some small-scale action research projects have pointed towards increased racial harassment where local media coverage of asylum issues has been hostile[92].

6.11. NON-EXISTING DATA, "GAP ANALYSIS", DESCRIPTION OF NON-EXISTING DATA

6.11.1. Missing Quantitative Data

The most pressing issue concerning missing data is the almost total absence of reliable national data on the achievement and experiences of minority ethnic students in Scotland, Wales and Northern Ireland. There is also a lack of reliable data on the numbers of minority ethnic teaching staff in schools in England, Wales, Scotland and Northern Ireland. The specific duties placed on the DfES[93] and the Scottish Executive mean that this should be addressed in the future. There are a number of other issues concerning missing data:

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[90] NFPUK0051
[91] Tikly et al, 2002
[92] Richman, 1995, as cited in Rutter, 2001; Save the Children, 1997
[93] NFPUK0034

- Ethnicity categories that are used are often too broad. As a result issues of underachievement, affecting particular groups of students within African, Middle Eastern, and White minority ethnic communities may not come to light.
- The lack of data on overseas students in HE, and the failure to disaggregate data by home/overseas status (for example British Pakistani students may have different experiences to overseas Pakistani students)
- The lack of data on the uptake of early years provision by ethnic group.
- The lack of national ethnic data on staff by grade, type of post in schools, colleges and higher education institutions which means that the career progression of staff cannot be monitored
- The lack of national data about racial incidents in schools.

6.11.2.   Missing qualitative data

- Data on key themes is missing, mostly crucially on English as additional language provision. There is little research on pedagogy and EAL provision, as well as ideal levels of support. (The latter may involve demands for more monies to fund EAL support).
- Data analysing curriculum content in relation to discrimination and racism is almost totally absent in the UK.
- Another key theme about which there is little qualitative research is an evaluation of mentoring schemes for pupils from minority ethnic communities.
- There is little qualitative research data on minority ethnic students in further and higher education.
- Much less qualitative data on ethnic minority pupils in Wales has been produced.
- There is a lack of case study and evaluative data on effective ways to challenge racism in education.
- There is also a lack of qualitative data on certain ethnic groups. These include
  - Somalis
  - Tamils
  - Iranians
  - Turkish, Turkish Cypriot and Turkish Kurdish pupils
  - Traveller and Gypsy pupils.

7. Analysis of Direct and Indirect Discrimination

7.1. INTRODUCTION

This section provides an analysis of discrimination in the education sector based on the data sources outlined in the previous section. The discussion is organised around key areas where there is clear evidence of discrimination.

7.2. MINORITY ETHNIC PARTICIPATION IN SCHOOLING

Early years education in the UK is not universally provided. Research shows that minority ethnic parents are slightly less likely to use early years education for their children than white parents. In spring 1998, a survey of parents with 3 and 4 year old children showed that 94% of white parents had used such provision compared to 88% of minority ethnic parents[94]. Preliminary information suggests that a Black child (0-14) is nearly two and a half times more likely to receive formal childcare than a white child[95]. Further investigation is needed to ascertain patterns of childcare for specific age groups and by ethnic group and factors influencing differential take-up and choice of childcare provision.

Primary and secondary schooling is compulsory in the UK and enrolment rates are almost universal. The issues in this area relate to refugees and asylum seekers. Small-scale action research conducted by the Refugee Council[96] has monitored pupil numbers (82,000 asylum-seeking and refugee children January 2001) as well as the numbers of asylum-seeking and refugee students unable to secure school places (using information given by LEAs and community groups). This research concluded that in 2001 an estimated 2,400 refugee children were unable to secure a school place, despite their clear rights to school education. Some schools deliberately refused places, even though they had vacancies. A small number of LEAs were also unwilling to discharge their statutory duty to provide school places for asylum seeking and refugee children. Some of the latter argued that government funding did not provide sufficient monies for English as an additional language provision. This refusal to provide an education is a clear example of institutional racism.

7.3. THE ACHIEVEMENT OF MINORITY ETHNIC LEARNERS

Even at a young age, there appear to be differences in attainment between children from different ethnic groups. Results from a study of pre-school children have shown differences in the average attainment of different ethnic groups when tested in cognitive skills (verbal and non-verbal) on entry into pre-school. Children of white UK heritage had

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[94] Prior et al, 1998
[95] LaVelle, 1999
[96] Refugee Council, 1997 and 2001

the highest mean scores the lowest scores being recorded for Pakistani followed by Black African children. The differences between ethnic groups are reduced when factors such as parents' educational and occupational classifications are taken into account. Furthermore, differences between ethnic groups in non-verbal cognitive attainment are not statistically significant when other factors are taken into account.[97]

Data on the achievement of minority ethnic children at school has produced consistent findings over many years. Students from Chinese and Indian backgrounds achieve significantly above average results. But the picture for other minority ethnic communities is very different. Black pupils and those from Pakistani and Bangladeshi backgrounds achieve poorer GCSE results than other groups. Diagram 4.1 shows the relative performance of different minority ethnic groups in the General Certificate of Secondary Education (GCSE) examinations which are taken by all students at age 16.

Diagram 4.1: Proportion of minority ethnic learners achieving 5+ A*-C GCSEs for those entered for GCSEs in maintained schools in 2002
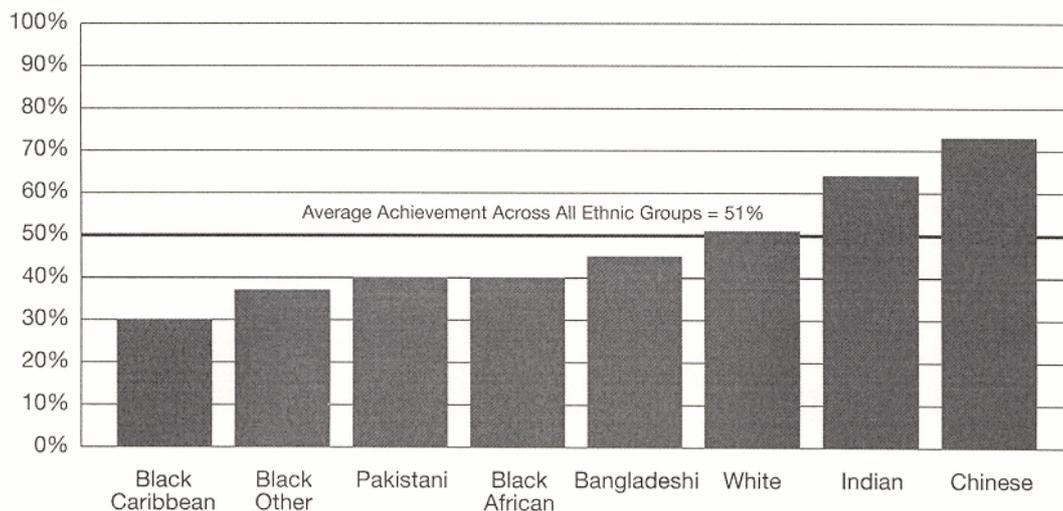
**Other, Unkown and New Code Pupils are included in the Average Achievement across All Ethnic Groups Figure but not represented in the chart
Source: NPD 2002

Source: DfES (2003a)

According to the DfES[98] (2003a), one explanation for the differences may be that minority ethnic pupils more often live in disadvantaged areas. Most pupils from minority ethnic backgrounds live in and around the big cities: three quarters attend schools in a third of local authorities. 40% attend schools in London, which has just 16% of the population of England. Research suggests that social class strongly influences ethnic minority attainment.[99] However, it also shows us that the impact differs for different ethnic groups: the correlation between class indicators and attainment is not as strong for Black Caribbean and Black African pupils as for white ethnic groups.[100]

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[97] Sammons, 1999
[98] NFPUK0034
[99] Troyna, 1984; Swann, 1985; Drew and Gray, 1990
[100] Gillborn and Mirza, 2000

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Diagram 4.2 illustrates the impact of socio-economic disadvantage by comparing relative GCSE performance for pupils who are eligible for free school meals. This shows that pupils from lower socio-economic groups tend to achieve less good results than those from higher socio-economic groups and that this difference is particularly large for white pupils.

Diagram 4.2: Proportion achieving 5+ A*-C GCSEs and free school meals
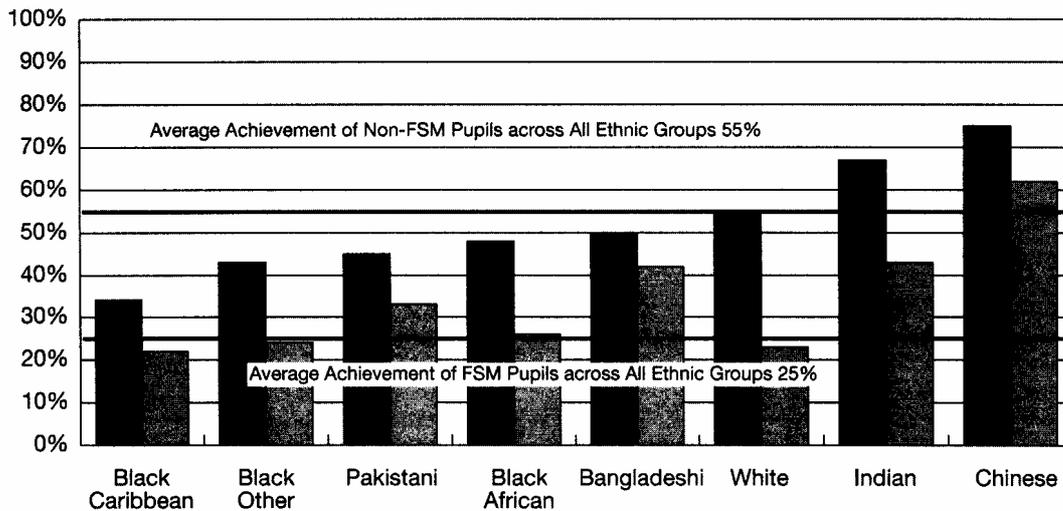
**Other, Unkown and New Code Pupils are included in the Average Achievement across All Ethnic Groups Figure but not represented in the chart
Source: NPD 2002

Source: DfES, 2003

While most minority ethnic pupils live in ethnically diverse urban areas, many live in areas of the country where the population is predominantly white. We should not overlook the problems that such isolation can create. Recent research[101] showed that teachers in schools with few minority ethnic pupils tend to be less confident in preparing their pupils for life in Britain's diverse society. Differences in the performance of white and minority ethnic learners in isolated and non-isolated contexts can be summarised as follows:

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[101] Cline et al, 2002

Diagram 4.3: The relative achievement of minority ethnic learners in isolated communities

- Children from a white background in mainly white schools outperformed those in urban multiethnic schools in Key Stage 2 SATs and GCSE exams - presumably because these schools were in socially more advantaged areas.

- Children from black Caribbean, Indian and Pakistani backgrounds in the same schools also outperformed their urban counterparts at GCSE level but *not* at the end of Key Stage 2. Children from ethnic minority backgrounds shared in whatever educational advantages were available in these schools to the same degree as children from a white background in secondary school but not in primary school.

Source: Cline et al (2002).

Furthermore, individual school and local authority data show a more complex picture: in some areas, bilingual groups are amongst the highest performing groups. Other smaller minority groups, such as Turkish and Portuguese pupils, tend to underachieve throughout school. Gender also has a significant impact: in most cases girls outperform boys of the same background at all key stages[102].

While diagram 4.3 uses attainment at age 16 as a proxy for overall attainment, achievement gaps are visible in primary school. Diagram 4.4 shows the relative achievement of different ethnic groups at the end of Key Stages 2, 3 and 4, based on the national tests taken at ages seven, eleven and fourteen. It demonstrates that gaps are apparent at the end of Key Stage 2 and, for many groups, widen further during secondary education.

Pupils from some minority ethnic backgrounds may find themselves facing other forms of disadvantage. 28% of Black Caribbean secondary school pupils were recorded as having special educational needs, 23% of Pakistani pupils and 23% of Bangladeshi pupils compared with 18% of white pupils. Schools are also up to four times more likely permanently to exclude Black Caribbean pupils, increasing the chances that they will be disengaged from education in the longer term.

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[102] DfES, 2003a; Gillborn and Mirza, 2000

Diagram 4.4: Relative Achievement of Minority Ethnic Pupils compared to White Pupils in Maintained Schools in 2002 at Key Stage English 2 Level 4+, Key Stage 3 English Level 5+ and GCSE English A*-C (those entered for GCSEs)
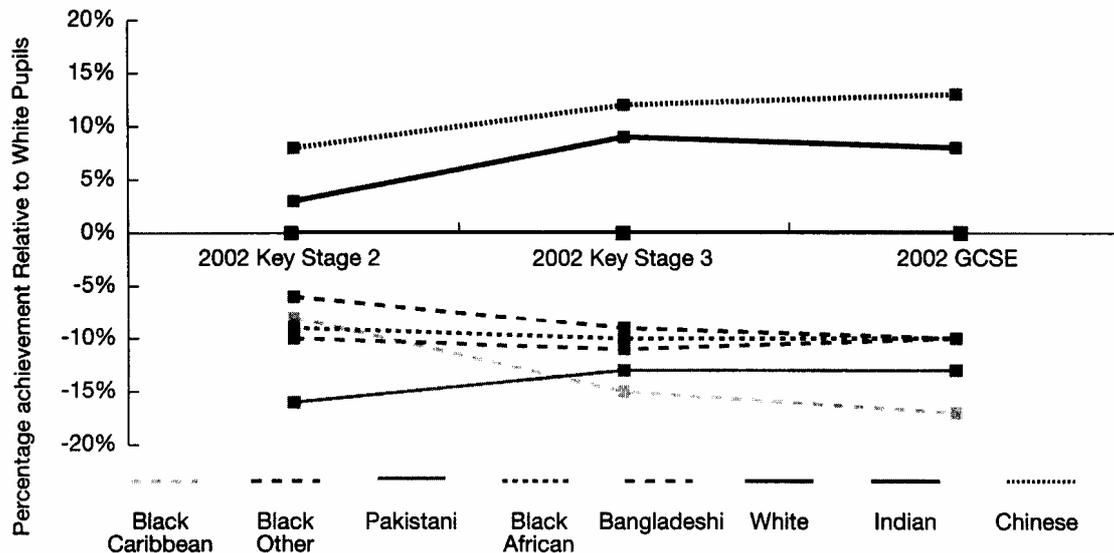
Source: NPD 2002

This chart compares achievement of minority ethnic groups to that of the white group as the largest ethnic group.

Source: DfES (2003).

In addition, OFSTED[103] (1999) has shown that Gypsy/Traveller children, mostly either Gypsy/Roma or Travellers of Irish Heritage, have the lowest results of any minority ethnic group and are the group most at risk in the education system. They are also more likely to be excluded from school than most other pupils. The DfES[104] (2003a) has stated that data on their achievement will be collected as part of the 2003 Pupil Level Annual Schools Census so that their needs can be considered alongside those of other minority ethnic pupils.

Poverty or relative disadvantage are not the only factors influencing achievement. Even allowing for such factors, some schools can achieve significantly better results than others because they have the right policies and procedures in place. We need to learn from them if we are to improve access and narrow the achievement gaps. Research suggests several inter-related factors impact on achievement and impact differently on different ethnic groups.[105] The DfES has recently summarised these factors:

- **Teacher expectations:** studies[106] have shown that low teachers' expectations deter some minority ethnic pupils from doing well, particularly Black Caribbean boys

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[103] NFPUK0043
[104] NFPUK0034
[105] Gillborn, 1990; Wright, 1986; Mac an Ghaill, 1988; Mirza, 1992; Connolly, 1998
[106] E.g. CRE, 1992; Sukhnandan and Lee, 1998

Length of settlement and period of schooling in the UK can affect performance, though this is not universally the case. Many African-Asian and Chinese communities developed after the Pakistani community, yet their young people have significantly better results.

Parental education and aspirations: Where parents have high levels of education and/or high aspirations for their children, this can be a strong factor in promoting high levels of achievement among pupils, both from minority ethnic backgrounds and across the wider population.[107]

Fluency in English affects some minority ethnic pupils' attainment: studies have shown for example that Bangladeshi pupils who achieved poorer results were more likely to be relatively new to English compared with more fluent higher performing Indian or African-Asian students. However, Cameron (2003) has upheld previous evidence that bilingual pupils continue to need support for academic writing even when orally fluent in English.

Institutional racism: The Stephen Lawrence Inquiry identified institutional racism as a major factor disadvantaging some minority ethnic groups (see also the definition of institutionalised racism in the glossary).

Research projects have also looked at educational achievement among particular groups of refugee children, including Somalis, Turkish children and Congolese (on-going). Jones and Ali argue that Somali children's underachievement has many causes including

- An interrupted or non-existent educational experience in Somalia
- Exposure to organised violence leading to psychological sequela
- Arrival with little or no English, both among adults and children
- High level of parental illiteracy
- High housing mobility resulting in children attending many schools in their first years in the UK
- A disproportionate number of female heads of household in UK and absence of male role models
- Poor health in the UK – often a result of poverty and poor housing
- Over-representation of Somali children in underachieving inner city school
- Experiences of racial harassment by peers, leading to a fear of attending some schools
- Teacher racism and stereotyping.

The analysis leads to the conclusion that many factors influence achievement and that these impact differently on different minority ethnic groups.

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[107] Modood, 2003

7.4.   SCHOOL EXCLUSION

Only 12,476 children (0.17% of the total school population) were excluded in 1995/6. While by no means homogenous, this small group of children do share certain characteristics. An excluded child is likely to be a teenage boy. 83% of excluded children are male and over two-thirds of them are aged between 13 and 16. What is also clear is that pupils with statements of special educational need (SEN) are seven times more likely to be excluded (0.98%) than children without statements (0.14%). Of relevance for this report, however, is the disproportionately high number of black children who are excluded from school. According to the Social Exclusion Unit (1998), 16% of permanently excluded children are of ethnic minority origin; and nearly half of those are African-Caribbean. Yet African-Caribbean children make up only a little over 1 per cent of the school population. One study found that African-Caribbean children who had been excluded had different characteristics from other excluded children in the study: a higher proportion lived with a lone parent, and they also tended to be of higher or average ability (but said by schools to be underachieving). They had not usually shown disruptive behaviour from early in their school career, and showed less evidence of deep-seated trauma. Statistically, African-Caribbean children are no more likely than other children to be persistent truants: this suggests that they are not disaffected with education. An OFSTED research review[108] explored the issue of ethnic origin and teacher-pupil interaction. It concluded that qualitative research has frequently pointed to a relatively high level of tension, even conflict, between white teachers and African-Caribbean pupils. Examples quoted varied from teacher complaints about 'troublesome' black pupils, disproportionate levels of criticism and control of black pupils, negative stereotypes, and a 'stimulus-response' situation where pupils identified and responded to expectations of low ability and disruptive behaviour.

7.5.   MINORITY ETHNIC STUDENTS IN FURTHER EDUCATION

The Learning and Skills Council[109] has recently collected data on Black and Asian student participation in further education. From this ethnic minorities are more likely to be enrolled in further education at 17, 19 and 21 than their White peers (Some 90 per cent of Black and Asian 17 year olds were in further education). However, whilst the participation rates may be seen as positive, it may also reflect the fact that some minority ethnic groups have greater difficulties in finding employment[110]. White students are five times more likely to be in full-time work than students from minority ethnic communities[111].

Data collected from the Individualised Student Record shows that Black students in Further Education are underachieving compared to their White counterparts. Whilst there are differences between groups, all minority ethnic groups (including Indian and Chinese students who have higher levels of achievement than White students in schools), are

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[108] Gillborn and Gipps, 1996
[109] 2002
[110] Modood, 2003
[111] Drew et al, 1992; Drew, 1995; Hagell and Shaw, 1996

underachieving compared to White pupils. In the year 1998-1999, 72% of White students completing courses achieved a qualification, compared to 61% of Black African, 62% of Black Caribbean, 64.2% of Pakistani, 64.8% of Bangladeshi, 67.7% of Chinese and 68.9% of Indian students. The LSC data from previous years, shows that improvements in the rates of achievement was most marked for students from minority ethnic groups.

66% of Black African students and 63% White students in FE Colleges are either extremely or very satisfied with the overall quality of teaching. This compares with 56% of Black Caribbean, 53% of Pakistani/ Bangladeshi, 50% of Indian and 48% of mixed race students. Looking at those areas of teaching and training that students are unhappy about, minority ethnic students (particularly Asian and mixed race students) are much more likely to give low ratings for 'understanding you', 'understanding how you like to learn', 'making the subject interesting and enjoyable' and 'how well they relate to you as a person'. Minority ethnic students are more likely than White students to cite career related or self-development objectives as reasons for choosing a particular course.

7.6.   MINORITY ETHNIC STUDENTS AND HIGHER EDUCATION

Ethnic minority communities account for 8% of 18-24 year olds in Britain, but almost twice this proportion enter universities. Whilst there is a clear procedure for applying to universities, applicants are often admitted through informal processes. Such processes are open to subjective interpretations which impact negatively on ethnic minority applicants. Minority applicants are more likely than whites to have re-taken one or more subjects, but selectors tend to give less weight to qualifications obtained after more than one sitting. All ethnic minority groups except Chinese are less likely to get initial offers than whites and to have firm offers confirmed and Black Africans and Pakistanis are particularly unsuccessful. Only 57% of Black Africans received an initial offer, and 38% of these were confirmed.

Applicants from Northern Ireland have much lower rates of admission (to all UK HEIs) than those in England and Wales (62% compared to 81%). They are disadvantaged at initial offer stage, but not at acceptance stage. This could however be due to the fact that candidates may apply to universities in Southern Ireland and this data is not collected by UCAS[112].

Ethnic minorities in general are far more likely to choose vocational degrees. In almost every ethnic group, the likelihood of studying some sort of vocational subject is higher. This can be seen most clearly for Chinese students, with 75% of males and 66% of females in vocational subjects. Only Black 'others' and Black Caribbean are not more likely to study a vocational field.

White applicants are as likely to receive an offer from an 'old' (pre 1992) as from a 'new' university. For ethnic minority applicants, old universities are less likely to give an initial offer than new. Black Caribbean and Pakistani applicants are less likely than whites to gain admission to 'old' universities, whereas Chinese and Asian other are more likely.

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[112] NFPUK0052

Black Africans, Black 'Others', Indians, Bangladeshis and 'Other' are as likely as whites. Most admissions resulting from clearing are to new universities, and ethnic minority candidates are more likely to go via this route.

In general White graduates out-perform all other ethnic groups. This difference is greatest between White graduates and Black Africans, who gain the smallest proportion of first or upper second degrees.[113] White students get a much higher proportion of 'good' degrees than Asian and black students do. African and Asian students do much better at coursework than exams, whereas white students perform much better on examinations, but exam marks are likely to be given higher weighting. Students with English as a first language achieve higher marks than ESL students.

In general HESA[114] data shows that ethnic minority graduates are not less likely than other graduates to be in graduate level jobs but that they have greater difficulties in obtaining an initial job. A report[115] showed that far greater proportion of graduates among each black minority group and among Indian and Pakistani groups were still looking for employment or training six months after graduation. Six months after graduation 55% of white graduates were working, but this proportion was considerably lower in every non-white ethnic group. Some of this variation is due to the much higher frequency of ethnic minorities studying post-degree and participating in training. The later employment difficulties could also be explained by the academic achievements of graduates; White graduates out-perform all other ethnic groups. This difference is greatest between white and Black Africans who gain the smallest proportion of first or upper second degrees.

In terms of females, Black females were less satisfied with their jobs than other female graduates and Bangladeshi, Pakistani, Indian, Chinese, black African, black Caribbean, 'other' black and 'other Asian' graduates were far more likely than white graduates to be unemployed six months after graduation. When social background, age, type-and quality of entry qualification, type of institution, field of study and also class of degree are taken into account, variations persist in the likelihood of graduate unemployment by ethnic group. Compared to white graduates, almost every ethnic group experiences difficulty in finding employment. Bangladeshi and Pakistani males are most disadvantaged and are approximately two and a half times as likely as white males to be unemployed. Chinese males are relatively advantaged but are still about one-third more at risk of unemployment.

However there are different patterns if this is examined by subject. South Asians work in a graduate job in the field of medicine about twice as often as whites. Chinese males only face increased unemployment if they graduate in business and administration, but South Asians and black minorities face increased unemployment in a number of other fields. Differential employment outcomes can however also be explained by other factors. Many employers give preference to experience over qualifications, which tends to exclude ethnic minorities who are less likely to have the social networks to get this work experience. Many companies do not recruit from new universities where ethnic

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[113] Modood, 2003
[114] NFPUK0042
[115] CHERI, 2000

minorities are concentrated. The 'top 2000' companies recruit overwhelmingly from old universities, as does the legal profession and high-status City firms.

7.7.   MINORITY ETHNIC STAFF IN FURTHER AND HIGHER EDUCATION

The Commission for Black Staff in Further Education commissioned quantitative and qualitative data on Black staff and their experiences in the FE sector in England. They gathered first hand evidence from Black and White staff in the sector, received evidence from national organisations, stakeholders and expert witnesses, and held targeted events for Black staff to enable them to express their views.

The Commission found that:

- Most colleges employ fewer than 5% Black staff
- Black staff are under-represented at management and senior management level
- Black lecturing staff are over-represented in part-time, hourly paid lecturing posts
- Black staff are concentrated in certain curriculum areas, particularly basic skills and English for Speakers of Other Languages (ESOL)
- Proportionately fewer Black staff are on permanent contracts compared with their White colleagues
- More Black staff are educated to at least first degree level than their White counterparts
- Most colleges have equal opportunities policies, but prior to 31st May 2002, few had developed discrete Race Equality Policies
- Most colleges claim to use ethnic monitoring data, but few set targets for the employment or progression of under-represented groups.

The Commission has reported on its findings to the government as noted in section 2. A similar study of staff in higher education[116] found amongst its key findings that about 6–6.5 per cent of academic staff in UK higher education institutions (HEIs) are not white, just over half of whom are non-British nationals; those of Chinese, 'Asian Other' and Indian ethnic groups are the largest groups within minority staff, accounting for about three quarters of all who are not white; Bangladeshi, Pakistani, Black Caribbean and 'Black Other' are significantly underrepresented in academic posts; minorities are on average younger and have shorter lengths of service. After allowing for age and length of service they are less likely to be professors; minority staff are more likely to be in research-only posts than majority staff; non-British nationality staff (white and minority) are highly concentrated in research posts, many of them being employed post-doctorate in fixed term contract research; and, that Women in all groups are under-represented in academic posts and more likely to be in fixed term contract, in part-time and in less senior posts. The position of ethnic minority women, especially the non-British, is the most disadvantaged. The research team identified the following barriers to the appointment and promotion of minority ethnic staff:

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[116] Carteret al, 1999

- *Policies*. A third of institutions did not have a racial equality policy. Even amongst those who had a policy commitment, significant areas of employment were not always covered. Just over six out of ten policies covered recruitment, just over half covered career progression and only four out of ten covered contract status.

- *Monitoring*. Three quarters of all institutions said that they routinely monitor job applications by ethnicity but only 30 per cent stated that any policy decisions had ever been made on the basis of ethnic statistics. Monitoring of other aspects of employment was rare: only 26 per cent of respondents monitor internal promotions and only 11 per cent monitor the grievance and disciplinary procedure. Only 5 per cent of our sample said they had a positive action plan for ethnic minorities.

- *Discrimination*. About one in five minority respondents reported that they had personally experienced discrimination in job applications or in promotion and had experienced racial harassment from staff or students. Thirty per cent of non-British minorities said that they felt they had been discriminated against in job applications. A quarter of minority women said they had experienced racial harassment.

- *Equal Opportunities*. A substantial proportion of all respondents, including whites, were uncertain about their institution's 'commitment to equal opportunities policies'. Between 35 and 40 per cent of white and minority respondents were 'not sure' about their institution's commitment and 16 per cent of British minorities were clearly sceptical.

- *Employment*. A majority of British minorities (55 per cent) believed 'greatly' or 'partly' that there is discrimination in employment in higher education as did 49 per cent of non-British minorities; whites were less likely (19 per cent) to express these views but 41 per cent were 'not sure'.

- *Stereotypes*. In discussion, minority staff and research students expressed resentment at being typecast by ethnicity, nationality and gender and argued that white academics should reflect on the assumptions they held about minorities. Such assumptions and the practices they were manifest in resulted in the marginalisation of minorities and their concerns.

7.8.   RACIAL HARASSMENT

Action research projects have also highlighted the high levels of harassment experienced by newly arrived asylum-seeking communities and this is discussed in the next section. In one study in the London Borough of Hackney in 1995 thirty-two refugee children were interviewed. They were from a range of national groups, including Bosnians, Turkish Kurds, Somalis and Vietnamese. All the children were judged by their parents and teachers to be 'coping' in school but nineteen of them reported that they had suffered racial harassment and nine had moved school as a result. The racial harassment ranged from name-calling, spitting, damage of property and physical attack.[117]

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[117] Richman, 1995, as cited in Rutter, 2001

Let's Spell It Out, Save the Children's peer-led research, reported that over half the refugee children reported bullying in their schools and over 25 per cent reported the existence of racism, although fewer freely admitted to experiencing bullying themselves (15 per cent) or racism (30 per cent). Most common were comments against refugees and Africans. The children in the research were targets of racism from both white and black UK-born students. Less than half the refugee children surveyed knew if their schools had anti-bullying or anti-racist policies and these were rarely seen as effective.[118]

[118] Save the Children, 1997

8. Good Practices for Reducing Discrimination in Education and Supporting Diversity

8.1. INTRODUCTION

This section reviews recent examples of good practice relating to anti-discrimination measures in education in the UK

8.2. ANTI-DISCRIMINATION LEGISLATION

A brief overview of the Race Relations Amendment Act (2000) was given in section 3. The Act potentially provides an example of good practice with respect to ways in which governments can tackle discrimination (direct and indirect) in the main public institutions including education and training. The Act, which amended the Race Relations Act (1976), attempts to address the issue of institutionalised racism (see section 1) by placing a positive duty on listed public authorities to have due regard to the need:

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

Many listed public authorities also have enforceable specific duties placed on them. The specific duties are intended to be steps or methods to achieving the general duty. This point is important because the specific duties focus on developing and implementing policies and procedures. The general duty means that public authorities need to take action to address any discrimination or inequalities that are identified as a result of implementing the specific duties.

Maintained (state) schools in England and Wales and Education Authorities in Scotland have specific duties to:

- Prepare and maintain a written Race Equality Policy;
- Assess the impact of its policies, including the race equality policy, on pupils, parents and staff of different racial groups. Priority should be given to policies which impact on pupil attainment;
- Monitor the impact of the operation of policies on pupils, parents and staff of different racial groups. Again priority should be given to the impact on pupil attainment levels;
- Publish annually, as far as is reasonably practicable, the results of monitoring (England and Wales only).

Education Authorities in Scotland have a duty to ensure that each of the schools under its management prepares and maintains a Race Equality Policy and has arrangements in place for assessing the impact of policies, and monitoring their operation.

Further and Higher Education Institutions in England, Scotland and Wales have specific duties to:

- Prepare and maintain a written race equality policy;
- Assess the impact of policies, including the Race Equality Policy on students and staff of different racial groups;
- Monitor the admission and progression of students by racial group and the recruitment and development of staff by racial group;
- Set out in its Race Equality Policy, its arrangements for publishing the policy and the results of monitoring and assessments;
- Take reasonably practicable steps to publish annually the results of monitoring.

Local Education Authorities (LEAs) along with the Department for Education and Skills (DfES)[119] in England, the Education Department of the National Assembly for Wales, the Scottish Executive Education Department (SEED)[120] and many other national educational bodies have a specific duty to prepare and publish a Race Equality Scheme. The duty requires them to assess and prioritise all functions according to their relevance to race equality; it also requires them to set out their arrangements for meeting the duty including assessing and consulting on the impact of proposed policies, and monitoring existing policies for adverse impact on race equality. LEAs in England and Wales and Education Authorities in Scotland have a specific duty to monitor staff by racial group in all their schools. In England, the DfES[121], and in Scotland SEED[122], has a duty to monitor teaching staff by racial group in all maintained schools. LEAs, Education Authorities, the DfES[123] and SEED[124] are required to take reasonable steps to publish annually the results of this monitoring.

The LSC[125], the National Council for Education and Training in Wales, the Scottish Further Education Funding Council[126] and the Higher Education Funding Councils for England[127], Wales and Scotland all have duties to monitor by racial group teaching staff at all the establishments for which they are responsible. All are required to take reasonable steps to publish annually the results of this monitoring.

The specific duties have been enforceable since 31st May 2002 in England and Wales, and 30th November 2002 in Scotland. The Commission for Racial Equality[128] has published a statutory *Code of Practice on the Duty to Promote Race Equality*. The *Code* is supported by non-statutory guides for schools, and by further and higher education institutions.

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[119] NFPUK0034
[120] NFPUK0047
[121] NFPUK0034
[122] NFPUK0047
[123] NFPUK0034
[124] NFPUK0047
[125] NFPUK0037
[126] NFPUK0048
[127] NFPUK0040
[128] NFPUK0033

8.3. GOOD PRACTICE FOR RAISING ACHIEVEMENT OF MINORITY ETHNIC LEARNERS 'AT RISK' OF UNDERACHIEVING

Based on the evidence gathered over the last twenty years[129] the DfES has recently outlined best practice in tackling exclusion and raising attainment.

Strong leadership: The headteacher and senior managers must lead an effective strategy that is applied across the whole school.

High expectations: Every pupil is expected and encouraged to achieve their potential by teachers and parents. These expectations are underpinned by the practical use of data to monitor the achievement of particular groups of pupils to pinpoint and tackle underperformance.
Effective teaching and learning: Lessons are planned and delivered as effectively as possible, with support provided for bilingual pupils, and teachers are able to reflect the cultures and identities of the communities represented in the school in their lessons.

Ethos of respect, with a clear approach to racism and bad behaviour:There is a strong ethos and culture of mutual respect where pupils are able to have their voices heard. There are clear and consistent approaches to bad behaviour, bullying and tackling racism across the whole school with a focus on prevention.

Parental involvement: Parents and the wider community are positively encouraged to play a full part in the life and development of the school.

8.4. SUPPORTING LEARNERS FOR WHOM ENGLISH IS AN ADDITIONAL LANGUAGE

In late 2000, the NLS published *Supporting Pupils Learning English as an Additional Language*[130], a revised version of guidance originally published in 1999. It includes 6 training modules. The appendices include NLS target statements for reading and writing, a checklist of inclusive practice in supporting EAL learners, guidance for supporting newly arrived pupils, articles, best practice case studies and criteria for selecting texts for use with EAL learners. In November 2000 the Key Stage 3 Strategy launched 3 new publications concerned with raising the achievement of ethnic minority pupils. These included a training module aimed at senior management teams entitled, Unlocking potential: raising ethnic minority attainment at Key Stage 3. This is a series of publications offering guidance on effective support for pupils learning EAL within subject areas and teaching grammar to EAL pupils.

In August 2002, the National Association for Language Development in the Curriculum (NALDIC), with funding from the Department for Education and Skills, published *The*

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[129] see, for example, Gillborn and Gipps, 1996; Blair, 1998a; Runnymede Trust, 1998; OFSTED, 2002a,b
[130] DfES, 2002

EAL Teacher: Descriptors of Good Practice[131]. This report presents the key findings of a research project, recommendations, the descriptors of Good practice for EAL teachers, a summary of key points in national documentation on EAL teaching and learning, a summary of findings from a survey of international standards for the teaching of English as a second language, and issues for discussion.

8.5.   PROMOTING DIVERSITY IN EDUCATION AND TACKLING DISCRIMINATION: RESOURCES FOR SCHOOLS

Following the recommendations of the Stephen Lawrence enquiry and in light of the positive duty on educational institutions to tackle discrimination as a consequence of the race Relations Act, the QCA[132] in England and the Scottish Executive have developed online resources for teachers to promote diversity across the curriculum. These resources draw on substantial expertise developed in the UK over the years and are comprehensive in their scope. Besides offering curriculum guidance, they also deal with other areas such as establishing whole school policies to support diversity, supporting bilingual pupils and dealing with racist incidents. The QCA's[133] resources are located at:

http://www.qca.org.uk/ca/inclusion/respect_for_all/ (16/5/03)

The antiracist toolkit Scottish resource can be found at:

http://www.antiracisttoolkit.org.uk/html/mainmenu.htm (16/5/03)

Other organisations such as the Runnymede Trust and the CRE[134] have produced online resources to assist schools implement the Race Relations Act and to develop whole school policy to promote diversity. See for example:

Runnymede Trust website at: http://www.runnymedetrust.org/meb/m_f_s/re_cd.html (16/5/03)

CRE[135] at: http://www.cre.gov.uk/duty/index.html (16/5/03)

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[131] NALDIC, 2002
[132] NFPUK0044
[133] NFPUK0044
[134] NFPUK0033
[135] NFPUK0033

9. Summary and Conclusions

All key bodies charged with delivering, monitoring and assessing education within the UK include race equality objectives within their mandate. With the coming into force of the Race Relations (Amendment) Act 2000 there is a public duty to promote race relations and a specific duty on maintained educational institutions to monitor and report on issues relating to minority ethnic learners and discrimination, prepare and maintain a race equality policy, and to monitor its impact. This constitutes a real advance in the field of race equality in education in the UK.

However, only England and Wales have specific targeted funding for ethnic minority pupils to help raise their achievement. In Scotland asylum seeking and refugee children's' language support needs are met from the Home Office budget for the support of asylum seekers. In England the needs of ethnic minority students in further and higher education are met from within the 'widening participation factor' in the general student capitation formulae.

To date implementation of race equality objectives and policies has been patchy. The report comments on the poor training of OFSTED[136] Inspectors in relation to assessing the race equality objectives. The impact of the new Government policy to separate asylum seeking children from mainstream education will have to be assessed as the policy takes shape.

Whilst Government collects the most reliable quantitative data the categories are often too wide to detail the real experience and achievements of individual ethnic groups. In Wales and Scotland there is an absence of reliable national data on the achievement and experiences of minority ethnic students. Academic studies are limited by:

- The lack of availability of many of these academic studies.
- That the studies are often of particular areas and of small scale, so it is difficult to build a national picture.
- That there is a lack of data on minority ethnic students in Wales.
- That most of the data focuses on pupils of school age - there is a lack of research into achievement and experiences in early years provision and further and higher education.
- That there is a lack of data about some of the smaller minority ethnic communities, for example Travellers and Gypsies, Somalis, Tamils and Iranians.

Missing quantitative data includes the failure to disaggregate the differences between home and overseas higher education data. Also the failure to record generational differences between the same ethnic minority group. There is a lack of national data about racial incidents in schools or the race of the perpetrators. Key themes missing in qualitative data include the assessment of pedagogy and EAL provision and the efficacy of schemes to challenge racism, such as mentoring. There is a lack of data on the newer ethnic groups and traveller and Roma children.

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[136] NFPUK0043

Whilst there are a number of initiatives to improve the performance of ethnic minority groups there is a lack of assessment of these initiatives. The actual performance of ethnic minorities is complicated. Different minority groups in schools appear to do well at different ages in relation to each other and their white peers. The reasons for this are multi-factorial, under studied and are only beginning to be understood. Although approximately twice as many ethnic minority students enter higher education proportionate to whites the drop out rate is higher and all groups under perform compared to white peers at this stage. This includes Indian and Chinese heritage students who out-perform whites in schools.

Again the reasons for this are multi-factorial and poorly understood but it is likely that racism and its impact on individuals is a factor. This finding is particularly likely when looking at black and Caribbean students who in early years out perform other groups but are the least successful minorities in higher education.

Particular ethnic minorities are over-represented in vocational courses and vocational employment but when looking at seniority of positions they are under represented and tend to be more qualified than their more senior white colleagues.

The study demonstrates that the picture of ethnic minority achievement in education is complex and needs refined research. Whilst there does not appear to be particular problems with access to education for ethnic minority students except for refugee and asylum seeking children there appear to be factors within the system which impact negatively on all ethnic minority students and their subsequent career patterns.

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Annex 1: Background Data about Minority Ethnic Communities in the UK

i) Statistics relating to ethnicity and religion in the UK

Country	All persons	Percentage of persons in ethnic group											
		White	Irish traveller	Mixed	Indian	Pakistani	Bangladeshi	Other Asian	Black Caribbean	Black African	Other Black	Chinese	Other
England & Wales*	52,041,916	91.31	-	1.27	1.99	1.37	0.54	0.46	1.08	0.92	0.18	0.44	0.42
Scotland	5,062,011	98	-	-	0.3	0.8**			-	-	-	0.3	0.6
Northern Ireland	1,685,267	99.15	0.1	0.2	0.09	0.04	0.01	0.01	0.02	0.03	0.02	0.25	0.08

Source: Adapted from the 2001 censuses for England and Wales, Scotland and Northern Ireland

* Data for England and Wales only given in aggregate form.
**Figures for people of South Asian origin only given in aggregated form for Scotland.

Where are minority ethnic communities located in the UK?

The vast majority of minority ethnic learners can be located in inner city areas, with half living in inner London. Local concentrations of individual ethnic groups are even more marked, for example, over half of Black Africans and over 40% of Bangladeshis live in the most deprived wards, followed by smaller proportions of Pakistanis and Black Caribbeans. Indians live in areas of higher deprivation than African, Asians and Chinese. Whites in general live in wards with the lowest levels of deprivation (Dorsett, 1997). However, a sizeable minority are increasingly found in isolated communities including rural settings (Cline et al, 2002).

BACKGROUND TO EDUCATIONAL RESPONSES TO CULTURAL DIVERSITY

A brief history and description of immigration to the UK is given in annex one. The initial response of the education system to the growing immigrant population in English schools from the 1950s onwards can be described as *assimilationist*. First and second generation immigrants were expected to 'fit in' with the dominant English culture and no concessions were made to different cultural backgrounds. This was reflected, for example, in language policy and the sole emphasis on teaching English to children with different mother tongues. 'Section 11' money,[137] has its origins in this policy. Black pupils were also bussed to schools away from black areas in order to 'spread the burden' of the 'problem'.

By the late 1960s, however the underachievement of African-Caribbean and Asian pupils had become a real cause for concern. The policy of assimilationism was replaced by one of *integration* of different cultures. 'Equal opportunity' and 'multicultural' policies were introduced to 'level the playing fields' between white and black children. By allowing for and celebrating cultural pluralism it was hoped that a) prejudice and intolerance would be reduced, and b) that blacks would develop a more 'positive image'[138] of themselves. The net result, so it was thought, would be an improvement in the performance of black children in school. Multiculturalism as a philosophy began to inform influential government reports such as the Swann Report[139] which also signalled a shift towards limited bilingual provision for immigrant children.

Multiculturalism came increasingly under attack during the 1980s by antiracists. Drawing on concepts such as 'institutionalised racism' it was argued that multiculturalism represented a superficial approach to problems that had their roots in deeper economic and political processes and institutions. Rather, it was argued, racism needed to be tackled head on through the curriculum, challenging teacher racism through in-service and pre-service training, applying 'positive discrimination' policies in the promotion of black staff and devising effective ways of tackling racist incidents in schools.

Multicultural and antiracist policies came increasingly under attack from the early 1980s onwards by the Thatcher government and sections of the educational establishment. Multiculturalism was criticised for treating all cultures as 'equal' and for not giving enough status to indigenous 'English' culture (although in a pluralistic society such as England this is a very difficult term to define). Some local governments were often also criticised for implementing doctrinaire and ideological antiracist approaches[140]. The 1988 Education Act introduced a national curriculum that gives little consideration to multicultural approaches. All schools are also obliged to include 'acts of Christian worship' in assemblies.

Criticisms of multicultural policies have not been confined to the Conservative Party and its supporters. The Macdonald report[141] which was co-authored by well known antiracists, also criticised some of the antiracist policies adopted by the school as doctrinaire,

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[137] administered by the Home Office in terms of the Local Government Act of 1966
[138] see Jeffcoate, 1979
[139] DES, 1985
[140] Donald and Rattansi, 1992
[141] MacDonald et al, 1989 (into the incidents at Burnage school which led to the fatal stabbing of an Asian boy)

counterproductive and ineffectual. It was claimed that these policies did not sufficiently tackle teacher racism. Nor was the support of the school and parent community sufficiently mobilised for the policies themselves.

Prior to devolution, the education of minority ethnic learners in Scotland, Wales and Northern Ireland has historically suffered from neglect. This may partly be explained by the relatively small proportions of minority ethnic learners compared to England. In the case of Wales and Northern Ireland it is also a reflection of the predominance of Welsh identity issues and sectarian violence on the respective policy agendas of government and non-governmental organisations. In Scotland the interregnum caused by government inaction has been filled to some extent by non-governmental organisations such as the Educational Institute of Scotland (EIS)[142] and the Centre for Education for Racial Equality (CERE)[143]. The advent of devolved government, along with the passing of UK wide anti-discrimination legislation (Home Office, 2001), has led the devolved governments to begin to put into place policies to combat discrimination (see section 3).

There have also been important policy shifts with respect to teaching children for whom English is an additional language within the four education systems of England, Scotland, Wales and Northern Ireland. In the 1960s much of the provision offered to the many newly arrived immigrant children was predicated upon the English as a Foreign Language (EFL) teaching tradition and this meant in practice, separate provision outside of the mainstream classroom. Funding for this provision was approved through section 11 (see above). By the early 1970s, however, there was a move pedagogically and ideologically into mainstream provision (Franson, 2002). Pedagogically, mainstream teaching was justified on the basis of socio-cultural perspectives which privilege the learning context of second language learners. Ideologically, it was deemed important to better integrate second language learners into mainstream classes. In 1988, the national curriculum was introduced in England. Although the new curriculum made less explicit references to the needs of EAL learners than had been the case previously, it became a statutory responsibility on schools and LEAs to ensure access of all to the curriculum, including EAL learners. By the early 1990s, the trend of mainstreaming EAL led to the development of the idea of 'partnership teaching' between EAL and mainstream teachers. Mainstream provision has formed the basis for the majority of bids made by LEAs for EMAG funding.

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[142] NFPUK0009
[143] NFPUK0005

Annex 2: Structure of Education and Key Agencies With Respect to Minority Ethnic Learners in the Education and Training System

The education systems of the four nations of the United Kingdom (Northern Ireland, Scotland, England and Wales) are now separate, although prior to 1999 education in Wales was not devolved to the Welsh assembly. Most educational legislation passed by the Department for Education in London prior to 1999 still applies to Wales.

1. Government and key national bodies concerned with education are

England

The Department for Education and Skill (DfES): is responsible for setting national education policy and strategy through all phases of education.

The DfES is split into a number of directorates including a Schools Directorate, and Lifelong Learning Directorate. The DfES has an Equality and Diversity Team who work across all Directorates. The focus of the teams work is on mainstreaming equality.

Responsibility for early years, primary and secondary schooling, and school standards and effectiveness lies within the schools directorate.

There is a Minority Ethnic Achievement Project team located within the Children and Families Group of the Schools Directorate. This division administers the Ethnic Minority Achievement Grant. There are also teams whose brief includes, ethnic minority achievement, English as an additional language, refugee and Traveller education.

Responsibility for Adult Basic Skills, Further Education, Adult education, work place learning and skills, and Higher Education lies within the Lifelong Learning Directorate.

The DfES works closely with other government bodies, for example the Higher Education Funding Council for England and the Learning and Skills Council (LSC) to ensure the effective implementation of policy and strategy.

Office for Standards in Education (OFSTED) is a non-departmental government body whose role includes the inspection of schools, early years providers, LEAs, 16-19 provision and teacher training providers. Inspections are contracted out to private companies who conduct these inspections. These inspections require schools to record percentages of pupils with English as an additional language. Inspection criteria also require OFSTED to inspect for 'educational inclusion' a term that OFSTED uses to include race equality. OFSTED's own inspectors are more directly concerned with policy. This includes undertaking subject inspections. This body has published a great deal on raising the achievement of minority ethnic pupils in schools.

The Teacher Training Agency is another non-departmental government body whose role is to maintain teacher numbers and to promote quality teacher training in England. It has published guidance to trainee teachers *Raising the Attainment of Minority Ethnic Pupils*.

Trainee teachers in England have to meet standards before they can qualify as a teacher. The standards are set out in *Qualifying to Teach: Professional Standards for Qualified Teacher Status and Requirements for Initial Teacher Training*. The standards address issues of equality and trainees must demonstrate that they are committed to raising the educational achievement of pupils from minority ethnic communities before they achieve Qualified Teacher Status (QTS).

The Learning and Skills Council (LSC) is responsible for funding and planning post 16 education and training (excluding higher education) in England. This includes:

- further education
- work-based training for young people
- workforce development
- adult and community learning
- information, advice and guidance for adults
- education business links

Section 14 of the Learning and Skills Act 2000 requires the LSC to have due regard to the need to promote equality of opportunity between:

- people from different racial groups
- men and women
- people with a disability and people without

The LSC is required to report annually to the Secretary of State on

- What equality arrangements it has made during the preceding year
- How effective the equality arrangements were
- Equality plans for the following year

The LSC operates through a national office, and 47 local offices. Local LSCs are responsible for planning and funding of local education and training provision. They also monitor providers' performance through 6 monthly Provider Performance Reviews.

The Adult Learning Inspectorate (ALI) was set up by the Learning and Skills Act 2002 and is responsible for inspecting post-19 provision in Further Education Colleges, Adult and Community Education, work based learning, Job Centre Plus funded provision such as New Deal, Learn Direct, Connexions services, education in prisons (jointly with the Prisons Inspectorate), and police training (jointly with Her Majesty's Chief Inspector of Constabularies).

Qualifications and Curriculum Authority (QCA) is responsible for the development, accreditation, assessment, certification and monitoring of qualifications other than

degrees in England. This includes a responsibility for developing and monitoring the national curriculum in schools. It advises the Secretary of State about the curriculum, assessment and qualifications in education and training. It also provides information, guidance and support for those involved in education and training.

The QCA has developed a web-site resource, *Respect for All*, that includes examples of good curriculum practice in challenging racism and promoting diversity across the subject areas of the national curriculum for schools. The web-site is not yet 'live'.

Higher Education Funding Council for England (HEFCE) is responsible for funding England's higher education institutions, and for monitoring the financial health of the sector. It is also responsible for advising the Secretary of State for Education on funding matters relating to higher education.

The HEFCE has used its responsibilities under the duty to promote race equality to take a lead in encouraging the development of race equality good practice in the Higher Education sector. For example, the HEFCE has undertaken monitoring of all Higher Education Institution's Race Equality Policies and their action plans. Institutions are being offered advice on what they should do to improve policies and action plans.

Quality Assurance Agency for Higher Education is responsible for reviewing the quality and standards of UK higher education. It audits the way in which each higher education institution manages the overall quality and standards of its provision. It also reviews academic standards and the quality of teaching and learning in each subject area.

Scotland

The Scottish Executives Education Department (SEED) leads early years and school education in Scotland. The Scottish Executive's Enterprise and Lifelong Learning Department is concerned with further education and training. SEED employs staff whose brief is concerned with race equality. It has published two policy papers concerned with multilingualism and valuing diversity.

Her Majesty's Inspectorate of Education inspects Scottish school. Learning and Teaching Scotland promotes curriculum development, while the Scottish Qualifications Authority oversees qualifications in Scotland. The Scottish Further Education Funding Council (SFEFC) plans and funds the further education sector, with the Scottish Higher Education Funding Council (SHEFC) doing the same in higher education.

The SFEFC is responsible for funding Scotland's further education colleges, and for monitoring the financial health of the sector. It is also responsible for advising the First Minister on funding matters and supporting his duty to secure adequate and efficient provision of further education in Scotland.

The SHEFC is a non-departmental public body. Its remit is to distribute funds to support teaching and research in higher education institutions; to secure that provision is made for assessing the quality of higher education supported by the Council; and to provide Scottish Ministers with information and advice relating to all aspects of higher education in Scotland, including the financial needs of the sector

Scottish Qualifications Authority (SQA) is responsible for the development, accreditation, assessment, and certification of qualifications other than degrees in Scotland. This includes devising, developing and validating qualifications, and keeping them under review and accrediting qualifications.

Wales

The Welsh Assembly's Education Department leads education in Wales. It employs staff with responsibility for the achievement of ethnic minority pupils. Her Majesty's Inspectorate for Education and Training in Wales (ESTYN) is the non-departmental public body who inspect early years, schools and 16-19 provision in Wales.

ESTYN is responsible for inspecting schools, early years provision in the non-maintained sector, further education, teacher education and training, work-based training, Careers Wales companies, the education guidance and training elements of New Deal and Adult Education.

Education and Learning Wales (ELWa) plan and fund further and higher education in Wales. ELWa is made up of The National Council for Education and Training for Wales and the Higher Education Funding Council for Wales. They are responsible for funding all post-16 and higher education and training in Wales.

Curriculum and Assessment Authority for Wales (ACCAC) is responsible for the development, accreditation, assessment, certification and monitoring of the school curriculum, examinations and vocational qualifications other than degrees in Wales. ACCAC has developed guidance for schools Equal Opportunities and the School Curriculum.

Northern Ireland

Devolved government in Northern Ireland is presently suspended, with the Northern Ireland Office leading on education. However, the now suspended Office for the First Minister and Deputy First Minister of Northern Ireland has produced reports on ethnic minority students. (OFMDFMNI, 2001a; OFMDFMNI 2001b; OFMDFMNI, 2002).

2. Local government

Local Education Authorities in England and Wales and Education Authorities in Scotland

The main role of LEAs and Education Authorities is to promote high standards of education in schools, by supporting school self-improvement. LEAs monitor schools, and facilitate the sharing of good practice between schools. LEAs are also expected to work in partnership with other agencies and groups on issues relating to education and the welfare of pupils. In Scotland, Education Authorities are responsible for the management of schools. In England and Wales, most management responsibilities are devolved to schools as part of Local Management in Schools.

Early Years Development and Childcare Partnerships (EYDCPs)

All early years provision is organised through Early Years Development and Childcare Partnerships (EYDCPs). The partnership is responsible for maintaining an overview of provision and resources. Partnerships advise on, agree and draw together the Early Years Development and Childcare Plan.

Whilst EYDCPs have statutory functions, they are not corporate bodies with independent statutory powers. They cannot enter into contracts or directly manage resources. Local authorities have a duty to set up EYDCPs. They also have duties to work in partnership with the EYDCP, to prepare, submit and publish the EYDCP and to secure implementation of Early Years Development and Childcare Plan. Local authorities are accountable for EYDCP resources. Local authorities are responsible for partnership contracts (including specification, tendering and monitoring). External providers of early years services (which may include statutory, private and voluntary sector nurseries) are accountable to the local authority for delivering the contract.

3. Race Equality Agencies and Education

The Commission for Racial Equality (CRE) is a non-departmental Government body operational in England Scotland and Wales. It was established by the Race Relations Act 1976 and has a remit to: (a) work towards the elimination of discrimination, (b) promote equality of opportunity and good relations between persons of different racial groups, and (c) keep the Act under review and advise the Secretary of State on changes to the Act.

The CRE can assist individuals making complaints of racial discrimination; it has the power to undertake formal investigations of organisations where there is evidence or a belief that racial discrimination is occurring. The CRE also has the power to enforce the specific duties placed on public bodies by the amended Race Relations Act.

The CRE employs nearly 250 staff in its national and regional offices. It has national country and regional staff who are responsible for education policy work.

The Race Relations Act 1976 and the Race Relation's Amendment Act 2000 are the two statute laws that govern race relations in England, Scotland and Wales.

The Equality Commission for Northern Ireland (ECNI) is non-departmental government body whose role is to challenge racism and unlawful discrimination in Northern Ireland, as well as promoting equal opportunities and good race relations. The Race Relations Act (Northern Ireland) 1997 is the statute law that governs race relations in Northern Ireland.

The Equality Challenge Unit (ECU) replaced the Commission on University Career Opportunity in 2001. It was established as a result of the Steven Lawrence Inquiry Report, the government's new equality agenda and the 'Modood' report on *Employment and Ethnicity in Higher Education.* The ECU works to the Joint Equality Group, which includes HE funding councils (England, Wales and Scotland) and UUK (plus some minority groups within the UUK's membership). It covers all areas of equality and currently offers advisory/consultative services to universities. It focuses on staffing issues.

4. Professional associations and unions

Universities UK and the Standing Conference of Principals (SCOP) are professional associations which represent the interests of Vice-Chancellors and Principals respectively. SCOP and UUK provide funding to the Equality Challenge Unit (ECU). They give the ECU access to HE policy development and heads of institution, which means that ECU are well placed to influence equality issues in the sector.

The Association of Colleges (AoC) and the Association of Scottish Colleges (AoSC) are professional associations which represents the interests of College Principals. The AoC has been active in the area of race equality. It was one of the sponsor organisations of the Commission for Black Staff in Further Education. It has also produced guidance for colleges on the duty to promote race equality.

The Network for Black Managers is a support network for Black Managers working in the further education sector. The Network was a sponsor of the Commission for Black Staff in Further Education

Teaching and lecturing unions, for example the National Union of Teachers (NUT), and the National Association of School masters/ Union of Women Teachers (NASUWT) (for schools) and NATFHE (for Further and Higher Education) have equality specialists and provide advice and guidance to members on race equality issues. NATFHE was a sponsor of the Commission for Black Staff in Further Education.

5. Non-Governmental Organisations (NGOs)

Many NGOs have conducted research on minority ethnic students. These organisations include those who work specifically on race equality issues, as well as other NGOs for example those working on children's rights.

The Runnymede Trust is a national organisation that has produced a substantial amount of research on race issues in education. Race on the Agenda, the 1990 Trust, the Refugee Council have also produced briefings on race issues in education. In Scotland, the Centre for Education for Race Equality in Education (CERES) has been the most influential NGO. In Northern Ireland the Northern Ireland Council for Ethnic Minorities is the most influential NGO

There are over 60 local Race Equality Councils in England, Scotland and Wales. RECs are independent bodies who receive funding from a variety of sources, including the CRE. Some RECs have educational programmes and lobby on educational issues.

The other active groups in debate about race and education are minority ethnic community groups. Many have been active lobbying local and central Government. A large number of minority ethnic communities run supplementary and home language schools, particularly among refugee, British Asian, African and African Caribbean communities.

A small number of professional bodies lobby on issues related to race and education, for example the National Association for Language Development in the Curriculum (NALDIC), the Association of LEA Advisory Officers for Multicultural Education

(ALAOME), the National Association for Teachers of Travellers (NATT), the Early Years Trainers Anti-Racist Network, Anti-Racist Teacher Education Network (ARTEN) and the National Association for Multi-Cultural Education (NAME).

Trentham Books, a small commercial publisher publishes the largest number of books on race issues in education as well as *Race Equality Teaching* (formerly Multicultural Teaching*)*, a practice journal.