

Select Committee on Children's Services – 15 November 2007

Report of the Director of Children's Services

Addendum to the Directorate of Children's Services Equality and Diversity Annual Report for 2006/07

Purpose of Addendum

1. To consider this committee's response to information about racist incidents reported by Dudley schools outlined in the Children's Services Annual Report on Equality and Diversity which this committee considered on 21 June 2007.

Background

2. This Committee scrutinized the equality and diversity annual report for the year 2006-07 at its meeting on 21st June 2007. Members commented on aspects of the section of the report providing information about racist incidents reports received from Dudley schools. There was concern that 7% of schools had not (by that time) returned annual data to the local authority. It was resolved that those schools that had not shared their annual data with the local authority would be contacted by The Director of Children's Services. A request was made also, for details of the geographical location of incidents in the Borough.
3. This Select Committee has within its terms of reference responsibility for scrutinising equality and diversity action plans and annual reports.

Response

4. Schools who had not shared this information were contacted again as requested by this Committee, and as a result the small number of schools who had not shared their aggregated statistical data with the local authority have now done so.
5. Apropos of the request for location details of 'where racist attacks have taken place'. The local authority publishes information relating to 'racist incidents' in school in accordance with the definition of a racist incident recommended by the government. The great majority of these incidents involve the use, by pupils, of racist language. We recognise, of course, the hurt caused by the use of such language but the phrase 'racist attacks' is not synonymous with the term 'racist

incidents'. During the year 2006-07, of the reported incidents 258 involved the use of language that was considered to be racist. Only 6 of the incidents reported involved physical contact between pupils.

6. Local authorities have specific responsibilities to gather and publish aggregated statistical information about racist incidents in schools, in their area, on a yearly basis. There are a range of factors governing the nature of the data published and the way in which this publication takes place which must accord with the principles of data protection. The process local authorities follow was set out in the Home Secretary's Action Plan which was part of the government's response to The Report of the Inquiry into the Death of Stephen Lawrence. Advice was given through 'The Code of Practice on the Reporting and Recording Racist Incidents in Response to Recommendation 15 of the Stephen Lawrence Inquiry Report' (April 2000). This reinforces guidance in the DfES document 'The Secretary of States' Guidance on Pupil Behaviour and Attendance' (Circular 10/99).
7. The guidance emphasises the need to ensure that data contained in local authority racist incident reports are not published in a manner which could allow the identification of individuals; affect schools adversely (which may lead to prejudicing the race equality work already being carried out in them) or compromise community relations. It is for these reasons that locality data, from which it may be possible to identify particular schools, or small groups of schools, could not be published without serious risk of compromising the above mentioned principles. Location data is not, therefore, published on a school by school basis.
8. However, as this committee has asked for information relating to the location of the incidents contained in the report we have considered our publication process very carefully and believe that to provide this information by 'township' would allow elected members the opportunity to access data more specifically relevant to the electors they represent, without compromising the data protection principles and statutory guidance to which the Council must adhere. Please see table below:
9. **Racist Incident Reports form Dudley Schools 2006-07 by township.**

Township	Wards in township	Racist incidents
Brierley Hill	3, 4, 12, 13, 24.	61
Dudley Central	5, 15, 18, 20, 21.	57
Dudley North	6, 8, 19, 22.	45
Halesowen	2, 7, 9, 10, 11.	69
Stourbridge	1, 14, 16, 17, 23.	39
Revised total for all Dudley wards		271

Finance

10. Any costs associated with the annual report will be met from within existing budgets.

Law

11. The Race Relations (Amendment) Act 2000 replaced Section 71 of the Race Relations Act 1976 with a general duty on public authorities to work towards the elimination of unlawful discrimination and promote equality of opportunity and good relations between persons of different racial groups.
12. The Data Protection Act 1998 governs the way personal information collected by organisations is processed.
13. Under Section 111 of the Local Government Act 1972 the Council is empowered to do anything which is calculated to facilitate, or is conducive to, or incidental to the discharge of its functions.

Equality Impact

14. The process of reporting, recording and publishing data about the number of racist incidents occurring in schools has resulted from this directorate's endeavours to fulfil the requirements of the Race Relations (Amendment) Act by monitoring activity in schools that may cause suffering to individuals and their families and affect community relations adversely. The standard operating procedure that Directorate staff and schools follow was developed with the involvement of a wide range of individuals and representative organisations. Members, officers and the public are asked to be mindful that the report contains information that could have an effect upon community relations.

Recommendation

15. That the Committee note the addendum to the Directorate of Children's Services Equality and Diversity Annual Report for 2006/07.



John Freeman
Director of Children's Services