



Scottish Parliament Equality & Human Rights Committee

Scoping session on Bullying and harassment of children and young people in schools

**Written Submission from the Coalition for Racial Equality and Rights
November 2016**

Introduction

The Coalition for Racial Equality and Rights (CRER) is a Scottish anti-racist organisation which works to eliminate racial discrimination and promote racial justice across Scotland. Our primary interest in relation to bullying and harassment of children and young people in schools lies around racist incidents and racist bullying. We have previously undertaken research in this areaⁱ and have been involved in the Equality and Human Rights Commission's Good Relations in Schools project steering group, which oversaw further research and policy development in this area in 2015.

We also worked closely with the Scottish Government on development of its Race Equality Framework 2016-30.ⁱⁱ The Framework includes a commitment to ensure that 'Minority ethnic pupils have confidence in, and are effectively supported by, approaches in schools to prevent and respond to prejudice-based bullying and racist behaviour or incidents.'

CRER welcomes the opportunity to present our views to the Equality and Human Rights Committee on this vital topic. The following submission gives an overview of our perspective on the three scoping questions posed by the Committee.

Throughout this submission, our overarching priority is that the Committee should have the opportunity to further examine issues around prejudice and bullying in schools before the Scottish Government publishes its revised anti-bullying strategy, *Respect for All*. This is due to be published imminently,

however we have serious concerns about the policy development process and missed opportunities within the strategy.

We feel strongly that a draft version of *Respect for All* should be produced for the purposes of stakeholder engagement, particularly considering that no engagement with race equality focussed stakeholders has been undertaken during the development process.

Following requests to John Swinney, Cabinet Secretary for Education and Skills, CRER was recently afforded a very time constrained opportunity to comment on *Respect for All* at the end of the policy development process. We were not involved prior to this, and were unable to meaningfully contribute due to the late stage of the process. Nevertheless, we did provide detailed comments. Further information can be made available to the Committee on request.

We would greatly welcome any work the Committee plans to undertake in this area. We would particularly hope that implementation of *Respect for All* can be paused for a period of engagement, in order to ensure the Committee's work is able to have an appropriate influence on the national approach to anti-bullying.

The nature and extent of prejudice and bullying in schools

In our view, the importance of tackling racism within the context of prejudice based bullying cannot be underestimated. Research has consistently shown how exposure to prejudice harms the wellbeing of minority ethnic pupils.ⁱⁱⁱ

It has also been established that the impact of racist incidents and bullying on children and young people is different from the impact of other forms of bullying. Racism is experienced not just as a personal attack on a young person, but as something deeper which undermines and degrades their family, their community and their culture.^{iv}

Research undertaken by LGBT Youth Scotland and *respectme* for the Equality and Human Rights Commission^v highlighted that bullying based on race or ethnicity is the most frequently cited form of prejudice based bullying by teachers in Scotland, with over half of teachers confirming that this goes on within their school.

Unfortunately, accurate estimates of the extent of prejudice based bullying in schools are not currently possible. CRER undertook extensive research using Freedom of Information Requests to establish the extent of racist incidents in schools, which were until recently the only type of prejudice based incident schools could be expected to routinely record. We found that approaches to recording and tackling racist incidents were extremely patchy, and the resultant data lacking in credibility.^{vi}

This issue has been highlighted in several other arenas in recent months. In particular, we would stress that within the UN Committee on the Elimination of Racial Discrimination (CERD) Concluding Observations, Recommendation 35a is for the state party (including devolved nations) to “Strengthen efforts to eliminate all racist bullying and harassment in the State party’s schools, including by requiring schools to collect qualitative and quantitative data on bullying and school exclusions on grounds of race, colour, descent, or national or ethnic origin, and to use the data to develop concrete strategies.”^{vii} Scottish Government will be required to report on this at the next CERD examination.

EHRC Scotland has called on the Scottish Government to ensure Scottish schools collect qualitative and quantitative data on identity-based bullying across all the protected characteristics, use this information to inform strategies to protect victims and share this data with other agencies involved in reducing prejudice based bullying.^{viii} The Report of the Independent Advisory Group on Hate Crime, Prejudice and Community Cohesion also highlighted the inconsistency of current approaches and stated that opportunities should be taken at national level to influence, regulate and monitor the approach of schools, with further tools and drivers required to support all schools to reach a common standard.^{ix}

Despite all of these drivers, it is our understanding that the forthcoming publication of Respect for All will not recommend a national approach to recording and monitoring prejudice based bullying. We believe this is absolutely vital, and would urge the Committee to make exploring this a key aspect of its work going forward.

How schools respond to bullying and how are they supported in that role

Specifically in relation to prejudice based bullying, the aforementioned research has established that there is no coherent approach to response by schools. In our view, currently available resources on anti-bullying do not adequately tackle issues around racism.

This view is informed by the many cases of poor practice drawn to CRER's attention by our contacts within grassroots organisations and within minority ethnic communities. CRER is not funded to provide advice services and is unable to support individuals, however we are often approached by people who have been unable to find support elsewhere.

We cannot detail these cases individually for confidentiality reasons, however there are common threads throughout:

- Schools' initial lack of willingness to engage with complaints about racist incidents (they may acknowledge the incident at a basic level, but will often contest the assertion that racism is involved, even where this is blatant).
- Hostility or dismissiveness towards young people and their parents where they choose to make a formal complaint about a racist incident, or about the school's failure to deal with an incident.
- Attempts to minimise or justify racist behaviour.
- Reluctance to follow good practice in restorative approaches which confront the issue of racism.
- Where the Education Authority is approached, further attempts to minimise or justify racist behaviour.

Obviously, this does not represent the experience of every child, young person or parent who complains about racism at school. However, the fact that these common themes still emerge suggests that considerable work is needed to ensure schools and Education Authorities can confidently tackle racist incidents and bullying.

CRER is currently discussing the potential development of a race-specific anti-bullying resource in partnership with *respectme*, which is linked to the Scottish Government's Race Equality Framework 2016-30. We hope that this may go some way towards supporting schools, provided that teachers are willing to use it and that it can be promoted widely and sustainably. However, as the resource will sit alongside *Respect for All*, we feel it is vital that the national strategy itself should take a stronger approach. Without this, the potential effectiveness of the planned race-specific resource will be compromised.

What needs to change to ensure schools can deal with cases of bullying and promote inclusivity in schools

The evidence available through research and practice suggests that some key changes could considerably improve approaches to tackling prejudice based bullying and promoting inclusivity. Many of the following recommendations draw on feedback provided by CRER regarding *Respect for All*.

In brief, our recommendations would include:

- **Strengthening *Respect for All* through a further involvement and evidence gathering process**
 - Publication of a draft version to allow for a period of engagement, ensuring that the views of those most affected by prejudice based bullying can be better reflected in the final document.
 - Publication of the Equality Impact Assessment of *Respect for All* alongside the draft, to provide an overview of the equality evidence considered so far in the policy development process (we have not had access to this but suggest that the Committee may find it useful in their current considerations).
- **A coherent national approach to recording and monitoring prejudice based bullying, including racist incidents**
 - Incorporating specific processes for schools and local authorities to implement within *Respect for All*.
 - Clarifying that local authorities should develop a central policy which is equality impact assessed (as required by law) and includes minimum requirements to be incorporated into individual school policies.
 - Provision of a template, or at least specific instruction for minimum recording requirements, with an appropriate level of detail on how data should be processed, collated and used at local level.
 - Central collation and publication of national bullying statistics, including statistics on prejudice based incidents disaggregated by protected characteristic. This will provide a baseline for policy development both locally and nationally, ensuring that the need to tackle specific forms of prejudice continues to be taken seriously.
- **Clarifying the meaning of ‘prejudice based bullying’**
 - The Scottish Government’s proposed approach includes non-protected characteristics within the definition of ‘prejudice based

bullying'. The definition given makes the term almost meaningless, as virtually any form of bullying would fit within it. In our view, it is essential that this term be applied only to bullying connected to protected characteristics, as defined within the Equality Act 2010.

- **More nuanced approaches to tackling bullying**
 - Further emphasis needs to be placed on encouraging schools to resolve incidents of bullying proactively, using a respectful, proportionate and holistic approach which takes account of the impact of the incident as well as any underlying prejudice or other negative attitudes.
 - Evidence on what works to tackle prejudice and change behaviour should be used to design more effective approaches.
- **Better understandings of race and racism with the education sector**
 - Current discomfort with these issues is hampering both process and practice at local and national level.
 - There is a need to shift to a rights based approach to race equality in education, moving away from counterproductive practices which entrench racial stereotypes and exoticize people from minority ethnic communities (further detail on this is available in our publication *Changing the Race Equality Paradigm*).^x
- **Ensuring that training effectively equips teachers to tackle the issues**
 - This links to the commitment within the Scottish Government's Race Equality Framework 2016-30 to 'Ensure that equality and intercultural competency training resources are developed and made available to practitioners at all stages of their careers – through initial teacher education, induction and career long professional learning.'

Conclusion

We hope that our comments will prove useful in considering the Committee's potential work on bullying and harassment of children and young people in schools, and look forward to participating in the forthcoming scoping session.

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ⁱ Coalition for Racial Equality and Rights (2013). Racist Incident Reporting in Scotland's Schools.

ⁱⁱ Scottish Government (2015) Race Equality Framework for Scotland 2016-30. Edinburgh: APS

ⁱⁱⁱ Arshad et al (2005). Minority Ethnic Pupils' Experiences of School in Scotland.

^{iv} Tippett et al (2011) Prevention and Response to Identity Based Bullying among Local Authorities in England, Scotland and Wales.

^v Lough Dennell and Logan (2015). Prejudice-based bullying in Scottish schools: A research report.

^{vi} Coalition for Racial Equality and Rights (2013). Racist Incident Reporting in Scotland's Schools.

^{vii} CERD (2016), Concluding Observations: United Kingdom of Great Britain and Northern Ireland.

^{viii} EHRC website news article dated 4th August 2016: <https://www.equalityhumanrights.com/en/our-work/news/ehrc-scotland-raises-identity-based-bullying-scottish-schools-un>

^{ix} Secretariat to the Independent Advisory Group on Hate Crime (2016), Report of the Independent Advisory Group on Hate Crime, Prejudice and Community Cohesion

^x Coalition for Racial Equality and Rights (2016). Changing the Race Equality Paradigm: Key Concepts for Public, Organisational and Social Policy.