

BRYN DERI PRIMARY SCHOOL

**EQUALITY IMPACT ASSESSMENT
OF
ATTENDANCE POLICY**

Introduction

Institutional Discrimination may occur when an institution assumes that all people using its services are homogeneous or the same. This is sometimes known as 'ethnocentricity' or 'heteronormativity' (or by other terms).

It is often the case that although day to day practice and ethos within a school fully recognises a community's diversity, formal policy does not always fully reflect this. If this is the case this can sometimes result in a policy or procedure serving some groups of people less well than others, even potentially leading to negative experiences for some. If this is disproportionately and directly related to an aspect of a person's identity (e.g. being from a minority community, having different or additional needs, being within a historically oppressed community etc) then this can sometimes result in a 'negative differential impact'.

At our school we are keen to ensure not only that all of our people are treated equally and fairly but that if someone ever feels that this is not the case they have an equal opportunity to redress that. For this reason, we have chosen to Equality Impact Assess our Attendance Policy.

Aim and Purpose of Attendance Policy

The main purpose of the policy is to explain our school's policy position on attendance. It specifically aims to communicate the sanctions parents might face for unauthorised absences, and what an unauthorised or authorised absence might be.

Is Equality Explicit/Clearly Referenced?

The policy includes mention of the United Nations Convention on the Rights of the Child but no further reference to the Protected Characteristics or Equality generally, other than a point on "Days of Religious Observance" in the "Exceptional Circumstances" section. There is not currently any other explicit recognition within the policy that people within the Protected Characteristics may have different attendance patterns or different sickness patterns.

The document appears to be split into two parts – a policy for parents in the first half and a policy for school managers in the latter part of the document, which descends into a more complicated form of words and it is clear the audience has changed. The latter part of the document often duplicates the first half of the document but in a more business like language. Within this, there is reference to 'life limiting illness' but it is not clear if this relates to Disability more generally.

Where is there *Unlikely* to be a Negative Differential Impact?

There is unlikely to be a negative differential impact in terms of

- Gender
- Sexual Orientation
- Age
- Marriage/Civil Partnership Status
- Pregnancy/Maternity

There is a recognised link between attendance levels and bullying i.e. bullied pupils might avoid school in order to avoid being bullied. There is also recognition that bullying is often motivated by actual or perceived difference and that pupils who fall into the protected characteristics are more likely to be bullied (see impact assessment of anti-bullying policy for more detail). Ipso facto there is a link between attendance and the protected characteristics (for example 70% of LGBT pupils truant to avoid bullying – Stonewall). At the same time, not all pupils who are bullied are from one of the protected characteristics. Therefore overall we have drawn the conclusion that there is no differential impact for the groups listed above. We do however recognise that pupils who are being bullied might have poor attendance, we have recognised the above statements, and there is a need to recognise that within our policy.

Where is there *Likely* to be a Negative Differential Impact ?

There is likely to be a negative differential impact on the grounds of

Race
Religion or Belief
Disability
Gender Reassignment
Pregnancy and Maternity

Race

Heritage Visits

Pupils from Black or Minority Ethnic (BME) families may have their attendance impacted by heritage visits. Although only a small number of BME pupils will encounter this, it is a situation unique to BME pupils as it does not affect White British pupils at all. Some BME pupils are more likely than other BME pupils to be affected.

Currently our school's attendance policy does not differentiate between heritage visits and term-time family holidays. The Welsh Government All Wales Attendance Framework states of extended visits overseas (ie heritage visits) that

“visits involving a family overseas has an entirely different significance from the normal associations with ‘holiday’ which is the category recognised by the Welsh Assembly Government”

However, the same document goes on to state that

- such visits should be planned for school holidays where possible
- a maximum of ten days can be taken during term time in *exceptional circumstances*

Even when an additional ten days on top of regular school holidays is applied it could still be argued that

- some BME families are going to be disproportionately and negatively affected by a policy that prevents them from undertaking heritage visits of more than ten days during term time.
- the policy will impact on some BME groups more than others
- White British Groups will not be affected

However, applying such a policy is a *proportionate means of achieving the legitimate aim* of ensuring a pupils right to an education under article 14 of the United Nations Convention on the Rights of the Child and applying that Right equally to all pupils.

In other words, not authorising a heritage visit during term time would be considered a proportionate means of achieving a legitimate aim and would *not* be considered institutional discrimination.

In summation: Because there is no reference to Heritage visits, but there is reference family holidays, it could be argued that the school does not have a policy on Heritage visits, which are different from family holidays even though the same principle in terms of authorising them applies.

Communication

A separate issue lies in terms of communicating our attendance policy to parents. In total there are over 130 languages spoken by pupils and parents in Cardiff schools (Ethnic Minority and Traveller Education Service) with literacy levels and English Language acquisition varying between Nationalities and Ethnicities. For instance, according to the Manchester University Paper “Geography of Diversities in Cardiff” (2013) poor English language proficiency is greatest in those areas where the South Asian ethnic minorities are most clustered. Other research suggests illiteracy of 62% among Gypsy/Travellers (*Friends, Families and Travellers – A bit of background on Gypsies and Travellers briefing paper*).

In addition, there is a general pattern of poor attendance from pupils in particular ethnic groups. For instance, many schools report that Czech Roma, Polish and White Boys in receipt of FSM have lower attendance levels than other groups. Gypsy Traveller pupils have the lowest attendance rates of all ethnic groups across Cardiff.

The policy as it stands has a ‘Flesh-Kincaid Reading Ease Score’ of 31.8% putting it in the ‘difficult to read’ category. This means that any native English speakers would need to be educated to college level to be able to read it, making it even more difficult to understand for parents whose language is not English.

Disability

The policy does not reflect the different attendance patterns of Disabled pupils or pupils who are Carers. According to the Office for National Statistics over 11,500 pupils in Wales

in are Carers for Disabled parents or relatives which will may impact on attendance differently to pupils who are not Carers.

In addition, there are approximately 24,000 people of school age in Wales who were born with congenital or chromosomal conditions such as Spina Difida, Heart Defects, Down's Syndrome etc with Cardiff having a higher rate of births with these conditions per capita than most other areas in Wales (*Children and Young People Profile Wales Report*). The Welsh Government's Welsh Health Survey 2016 reports that 19% of children in Wales have a long-standing illness, 7% having a limiting long-standing illness.

The law requires schools to treat Disabled people differently - and, where necessary, more favourably – than other pupils. Currently the policy does say that any medical reasons for absence will be sought from parents but the policy does not mention reasonable adjustments in terms of the triggers for implementing sanctions, which could lead to Disabled pupils and pupils who are Carers being disproportionately and negatively impacted by this policy.

Recommendations

- 1) Add an explicit element to the policy introduction that references Equality (perhaps from the Strategic Equality Plan). Make reference to the Strategic Equality Plan itself.
- 2) Clarify within this policy the arrangements for heritage visits, potentially within an appendix. The appendix could also be used to clarify and commit to reasonable adjustments for Disabled pupils and pupils who are Carers.
- 3) Produce a summary document in Plain English including the salient points that parents need to know OR redraft the whole policy with a clearer audience in mind.