
Ymateb i Ymgynghoriad / Consultation Response

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Background information about Estyn

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Estyn's principal aim is to raise the standards and quality education and training in Wales. This is primarily set out in the Learning and Skills Act 2000 and the Education Act 2005. In exercising its functions, Estyn must give regard to the:

- Quality of education and training in Wales;
- Extent to which education and training meets the needs of learners;
- Educational standards achieved by education and training providers in Wales;
- Quality of leadership and management of those education and training providers;
- Spiritual, moral, social and cultural development of learners; and,
- Contribution made to the well-being of learners.

Estyn's remit includes (but is not exclusive to) nurseries and non-maintained settings, primary schools, secondary schools, independent schools, pupil referrals units, further education, adult community learning, local government education services, work-based learning, and teacher education and training.

Estyn may give advice to the Assembly on any matter connected to education and training in Wales. To achieve excellence for learners, Estyn has set three strategic objectives:

- Provide accountability to service users on the quality and standards of education and training in Wales;
- Inform the development of national policy by the Welsh Government;
- Build capacity for improvement of the education and training system in Wales.

This response is not confidential.

Response

Introduction

We support the general principles, goals and actions of the Welsh Government's race equality plan. All aspects of racism are unacceptable and we recognise that more action needs to be taken by all stakeholders to ensure that Wales develops further into becoming an anti-racist country.

We have focused our response on the aspects of the plan that relate to education, employability and skills, Welsh language and leadership. We believe that the explanation in the first section of the plan provides a clear context for the chosen goals and actions and makes a strong case for change. We agree with the key considerations in developing the goals and actions. There are a few areas where we feel the plan could be strengthened, for example by:

- including monitoring arrangements to ensure outcomes within the plan are accomplished within the required timescales
- reflecting recommendations from relevant education reports, such as the final report from the Black, Asian and Minority Ethnic Communities, Contributions and Cynefin in the New Curriculum Working Group and our thematic report on Provision for secondary school-aged Gypsy, Roma and Traveller children (Estyn, 2019)
- referencing intersectionality across some of the policy goals and actions in the education part of the plan

A considerable resource needed for the effectiveness of the plan will be in training all staff in anti-racist education including teachers and lecturers, non-teaching staff and trainee teachers. This will have a significant funding implication.

We agree that it is preferable to use the terminology 'Black, Asian and Minority Ethnic' as opposed to the acronym 'BAME'. We feel that the term 'minority ethnic' better reflects the fact that everyone has an ethnicity and the issues being referred to relate to minority groups in Wales, rather than using the term 'ethnic minority'.

We welcome the governance for implementation arrangements and see this as a positive step towards providing support, challenge, monitoring and intervention of the action plan. We agree that the understanding of how well the plan is being implemented and its impact should include consideration of "people's voices" in addition to data and analysis of that data. We would also suggest that our representation as an observer is included as part of the accountability group.

We would also welcome the opportunity to work with the proposed Race Disparity Unit and Equality Data and Evidence Unit to contribute evidence from our inspections and thematic review work. For example, our current review on Welsh and Black, Asian and Minority Ethnic history in schools will provide valuable evidence and identify recommendations for improvement.

Consultation questions

The Action Plan has three distinct areas we would like you to give us your thoughts on. They include the vision setting pages, the policy themes with their goals and actions and the governance section.

You may want to comment on one or all of these areas.

Below are some questions that may guide your responses:

1. Does the vision, purpose, values and the imagined future to 2030 reflect what you would like to see achieved by 2030? What may get in the way to realise the vision and values? What may help to realise the vision and values?

It is unclear why the year 2030 was chosen. To what extent is this acceptable by all stakeholders? If the vision is to ensure “A Wales that is Anti-racist by 2030,” it would be useful to present the broad rationale as to why that year was specifically chosen.

We think that the purpose statement “To make meaningful and measurable changes to the lives of Black, Asian and Minority Ethnic people by tackling racism” should be strengthened. It needs to be stronger than just “tackling racism”. A suggestion for improving on this statement could be to rephrase it as follows: “To make meaningful and measurable changes to the lives of Black, Asian and Minority Ethnic people by making significant progress towards eliminating all aspects of racism.” Ideally, it would be to eliminate racism completely, but realistically that is unlikely to happen in the near future.

We agree with the values statement of “Open and Transparent, Rights based, and Lived experiences” as core to all policy making.

2. We would like your views on the goals and actions. To comment on some or all of the goals, actions and outcomes please reflect on the below:

(a) Does the explanation (narrative / background) make clear why we have chosen the goals and actions in this policy area?

We believe that the explanation in the background section of the plan provides a clear context for the chosen goals and actions and makes a strong case for change. We agree with the key considerations in developing the goals on page 22. We agree that the Welsh Government needs to “Consider where there is scope to strengthen the work of current audit, inspection, regulatory bodies, and roles of ombudsmen, in responding to racism”. As an inspectorate, we have

already taken account of this aspect in the development of our new inspection arrangements to be undertaken from September 2021.

(b) Is it missing any priorities, background or other information?

We are not aware of any significant omissions.

(c) Do you agree with the selected goals and actions? What would you add or take away in relation the actions?

While we recognise that this is a high level strategic plan, it could benefit from being more consistent in structure and format across all of the goals. For example, some actions have vague timescales whereas others are more precise.

(d) Will each goal and associated actions create the desired outcomes we have stated? If not, what would you want to change so that we achieve changes that are truly anti-racist in the time scales stated?

The plan could be strengthened by including monitoring arrangements and nominating individuals within the accountability group to have responsibility in ensuring specific outcomes within the plan are accomplished within the required timescales.

(e) How could the positive or negative effect be increased, or mitigated?

- **Education:**

We would broadly agree with the actions set out in this section of the plan in order to achieve the desired outcomes. However, we would suggest that the plan includes more references to early years experiences. In addition, we would suggest that in developing these actions, the Welsh Government is mindful of our recommendations in relevant reports. For example, our reports on 'Provision for secondary school-aged Gypsy, Roma and Traveller children' and 'Community schools: families and communities at the heart of school' published in 2019 and 2020 respectively.

The actions refer to the recommendations set out in the interim report submitted by the Black, Asian and Minority Ethnic Communities, Contributions and Cynefin in the New Curriculum Working Group. The action plan now needs to be updated to take account of the final report of this group. The plan does make reference to the final report when considering the goal related to improving the diversity of the teaching workforce, however the other recommendations in the final report should also be reflected in the plan.

We welcome the action that says that "We will work with Estyn to determine how a refreshed inspection framework can be strengthened for anti-racism and so for Black, Asian and Minority Ethnic learners and teachers, and recognise, understand and support them. We will look for this to include how schools create a sense of belonging and safety for both learners and practitioners, building on the

recommendations of the WCPP report and the Show Racism the Red Card recommendations. By October 2021.”

We have already met with Welsh Government to consider this action and have produced a stronger focus on these aspects in our new inspection framework.

The plan could be strengthened to reflect how our inspections of the full range of education and training sectors could promote anti-racism. Other provision specifically mentioned in the action plan that we inspect include Welsh for Adults, initial teacher education, ESOL, non-maintained (childcare) providers, further education and apprenticeships.

- **Hateful crime and justice:**
- **Housing and accommodation:**
- **Employment and income:**

We welcome the action in the plan to undertake an anti-racist review of the Welsh Government’s employability programmes.

Our report on Barriers to Apprenticeships (2014) explored the difficulties experienced by learners from black and minority ethnic groups when entering apprenticeship programmes. Evidence from providers, employers and community groups suggests that the barriers that prevent learners for Black Asian and Minority Ethnic communities and those with disabilities from engaging in apprenticeship programmes include:

- lack of awareness of apprenticeships by parents, employers and learners themselves;
- few apprenticeship role models from the Black Asian and Minority Ethnic communities or from disabled groups;
- difficulties in finding suitable work placements, especially where employers believe there will be a need to provide additional support for learners;
- real or perceived discrimination;
- language difficulties for students for whom English is an additional language and cultural differences;
- available support for learners not being accessed or fully utilised;
- parental anxiety that the young people may not be able to cope; and
- insufficient co-ordination between schools, employers, WBL providers and local community organisations to promote apprenticeships.

We welcome the investment in the Apprenticeship Equality and Diversity Champion and the planned work to help address these barriers through the Equality Strategy. It may be appropriate that we carry out a follow up thematic review related to diversity in apprenticeships once the new apprenticeship contracts start.

- **Health:**
- **Social Care:**
- **Leadership and representation:**

We recognise that strong, representative leadership is a key factor in ensuring that the actions identified in the action plan are delivered successfully.

- **Arts, Culture, Sports and Heritage:**
- **Environment:**
- **Welsh Language:**

This is a timely consultation in light of the introduction of a new curriculum for Wales and a new Welsh in Education Strategic Plan (WESP) cycle. The proposals support the national ambition for the Welsh language outlined in Cymraeg 2050: a million Welsh speakers. It aligns with the descriptions of learning within the Languages, Literacy and Communication Area of Learning and Experience in the new Curriculum for Wales.

Following the principles of Qualified for Life (Welsh Government, 2015), Successful Futures acknowledges the importance of the Welsh language in the development of Wales 'as a bilingual nation with the strength and assurance to nurture both languages' (Donaldson, 2015, p.26). Furthermore, it states that schools should have a renewed focus 'on learning Welsh primarily as a means of communication, particularly oral communication and understanding' (Donaldson, 2015, p.115).

The Curriculum for Wales guidance (Welsh Government, 2020a) for Languages, Literacy and Communication sets out how the area of learning and experience supports the four purposes of the curriculum. As its main aim, it identifies supporting learning across the whole curriculum and enabling learners to gain knowledge and skills in Welsh, English and international languages, as well as in literature (Welsh Government, 2020a, p.126). The importance of supporting 'learners to use Welsh confidently and appreciate its usefulness to communication in a bilingual Wales' (Welsh Government, 2020a, p.30) is also highlighted. As a result, developing learners who take pride in the Welsh language and use it with increasing confidence is at the heart of the national vision.

The action in relation to the National Centre for Learning Welsh could be strengthened to include engagement with the Black, Asian and Minority Ethnic community to promote opportunities and explore barriers.

- **Local democracy:**
- **Cross-cutting issues:**

3. Are there any goals and actions that you can think of that are missing? Who should deliver on them and what actions would help to deliver them?

At this stage, we think that the plan should include more references to early years experiences.

4. What are the key challenges that could stop the goals and actions achieving anti-racism by 2025?

This may be a typing error - we assume this should read '2030' not '2025'?

If the pandemic continues, this could affect the roll-out of the race equality action plan and impact negatively on the actions and outcomes.

5. What resources (this could include funding, staff time, training, access to support or advocacy services among other things) do you think will be necessary in achieving the goals and actions outlined?

All education staff will need to be trained in anti-racist education including teachers, non-teaching staff and trainee teachers. This will have a significant impact on funding. This funding should be ring-fenced so that it is used only for the specific purpose for which it is intended.

6. Do you feel the Race Equality Action Plan adequately covers the intersection of race with other protected characteristics, such as religion or belief, disability, age, sexual orientation, gender reassignment, sex, and marriage and civil partnership? If not, how can we improve this?

We recognise that work on intersectionality is ongoing and that the Welsh Government hopes to develop this further through this consultation. However, while there are references to intersectionality across some of the policy goals and actions, there doesn't appear to be any references to this in the section on education. Including intersectionality in the education section of the plan could strengthen the plan further.

7. Please see the section on Governance. What suggestions can you provide for measuring success in creating an anti-racist Wales and for strengthening the accountability for implementation?

We welcome the governance for implementation arrangements and see this as a positive step towards providing support, challenge, monitoring and intervention of the action plan. A particular strength of these arrangements is the commitment that “governance arrangements which oversee implementation should compel people to action.” We agree that the understanding of how well the plan is being implemented and its impact should include consideration of “people’s voices” in addition to data and analysis of that data.

We would also suggest that our representation as an observer is included as part of the accountability group.

We would also welcome the opportunity to work with the proposed Race Disparity Unit and Equality Data and Evidence Unit to contribute evidence from our inspections and thematic review work. For example, our current review on ‘Welsh and Black, Asian and Minority Ethnic history in schools’ will provide valuable evidence and identify recommendations for improvement.

8. We would like to know your views on the effects that the draft regulations or the proposal in respect of the revised trading order would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

The advantages for learners of increasing their competence in the Welsh language and in being bilingual are well-established. They include:

- commercial value in the employment market and extending language skills for the workplace
- expanding their horizons and enriching their experiences of life in Wales and beyond
- the cognitive advantages of bilingualism
- appreciation of diversity

We welcome the commitment that has been made in the draft plan to promote the Welsh language through increased take-up of Welsh medium education by Black, Asian and Minority Ethnic children and ensuring that local authorities engage with the Black, Asian and Minority Ethnic community in developing and delivering their Welsh in Education Strategic Plans (WESPs). Local authorities are already developing the next 10-year WESPs to be operational from September 2022.

As part of our work in the [Estyn Remit Letter 2021-2022](#), we will provide each local authority with an evaluation of their Welsh in Education Strategic plans and we will consider how well they have engaged with the Black, Asian and Minority Ethnic

community and how ambitious their plans are in increasing the take up of Welsh medium education by Black, Asian and Minority Ethnic children.

We also welcome the recognition of the role the National Centre for Learning Welsh has in promoting take up of Welsh for Adults and Welsh in the Workplace courses by Black, Asian and Minority Ethnic learners. We feel that the action relating to the National Centre for Learning Welsh could be strengthened to include engagement with the Black, Asian and Minority Ethnic community to promote opportunities and explore barriers.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

The WESPs are instrumental in ensuring equity to all learners to enter Welsh-medium provision. The Curriculum for Wales supports pupils to engage in Welsh-medium education from different individual starting points. As a result, this will have a positive impact on learners from diverse backgrounds to be immersed in Welsh and therefore gain confidence to be able to converse through the medium of Welsh in addition to their first language.

- 9. Please also explain how you believe the proposed draft regulations or the proposal in respect of the revised trading order could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

We do not believe that the proposals in the draft plan will have negative effects on opportunities for people to use the Welsh language.

- 10. This plan has been developed in co-construction, and discussions around language and identity have shown that many people do not consider the term 'BAME' to be appropriate. As a result we refer to Black, Asian and Minority Ethnic people or particular ethnic minority people in the Plan. However, we recognise that this term is also problematic and, where possible, being more specific to the particular race or ethnicity an individual or community identifies with is generally preferred. However, there are times where it is necessary to make reference to all those people who share the experience of being subject to racism. We have used the term Black, Asian and Minority Ethnic**

people for this purpose. What are your views on this term and is there an alternative you would prefer? Welsh speakers may wish to consider suitable terminology in both languages.

We agree that it is preferable to use the terminology 'Black, Asian and Minority Ethnic' as opposed to the acronym 'BAME'. We also recognise that this term is problematic. However, we suggest that the term 'ethnic minority' should be replaced with the term 'minority ethnic'. We feel that 'minority ethnic' better reflects the fact that everyone has an ethnicity and the issues being referred to relate to minority groups in Wales.

11. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

In the co-chairs foreword on page 5, they make the statement that "most people in society are generally non-racist". It would be useful to include the source of this information as it sets the whole tone for the consultation on the race equality action plan.

Section 4 'Racism - quotes from partners' on page 8 are distressing and if this race equality action plan can help to address the issues outlined in the quotes, then we would consider that to be a positive outcome.

We have some concerns about the wording on page 10 – "Yet for ethnic minority groups, these rights have long-since been earned" – why do the rights for minority ethnic groups have to be 'earned'? Isn't a "right" by its definition something that does not have to be earned? Later in the values section on page 26, it states that 'We believe that we are asking "only for our rights, as opposed to favours" in all you do'. We agree with this statement, but it appears to contradict the wording on page 10 about earning their rights.

We agree with the comments on page 11 that "Wales is not an equal country, and the experiences of the many communities within it are very different. Black, Asian and Minority Ethnic people face discrimination and racism." We also welcome the statements made under the heading "A plan for racism (not a strategy)", in particular that "Anti-racism at organisational and institutional levels requires a careful audit of policies, practices, functions and processes to uncover whether and how practices and behaviours which may seemingly appear benign may inadvertently discriminate against ethnic minority groups."

On page 127, the plan comments that "According to evidence provided by EYST to the Children, Young People and Education Committee currently there are no ethnic minority head teachers in Wales" and references a 2018 document. This is incorrect. We are aware of at least one minority ethnic headteacher in Wales who was also in post in 2018.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here: