

Gatekeeping communication

Title:	Discontinuation of the requirement to report racist incidents to the Local Authority
Summary:	Following clarification as to schools' duties in relation to recording and reporting racist incidents and in line with current practice in many other London local authorities; we will no longer be collecting racist incident reports from schools.
For attention of:	Heads of nursery/children's centres, primary school heads, high school heads and special school heads
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Action required/ due date:	Please pass this information on to your governing body.

Until 2008, Local Authorities were required to report the number of racist incidents recorded in schools to the audit commission as a best value performance indicator. After this requirement was removed, we continued to collect information on the number and type of racist incidents from schools so we could report on this issue at a local level and respond to freedom of information requests, although we moved from a termly to an annual collection of the data in 2012/13.

We have recently received the following clarification from the DfE's Behaviour and Attendance in Schools Division about schools' duties in relation to recording and reporting racist incidents:

"One of the recommendations of the Macpherson report on the Stephen Lawrence enquiry advised that recording incidents of racist bullying should be a legal requirement for schools. However, this was never implemented.

The Race Relations (Amendment) Act 2000, section 71 places a general duty on governing bodies of local authority maintained schools 'to eliminate unlawful racist discrimination' and 'to promote equal opportunity and good relations between persons of different racial groups'. However, there is no specific duty to record incidents of racist bullying.

From April 2011, the Race Relations (Amendment) Act 2000 was replaced by a similar general duty in the Equality Act 2010. Equally, there is not a specific requirement for schools to record incidents of racial bullying, although in order to comply with the duty schools would need to be aware of the problems and would need to take steps to address them."

Therefore while we would advise schools to continue to record racist incidents to enable them to support their legal duties as outlined above, in line with current practice at many other London authorities, we will be discontinuing our collection of racist incident forms from schools. Schools will therefore not be required to make a racist incident return for 2013/14 or for any subsequent years. Any future freedom of information requests relating to racist incidents will be directed back to individual schools.

School Effectiveness