Preventing and Tackling Islamophobia

equality matters

Contents

Introduction

Islamophobia has intensified in recent years. In certain quarters, an unfounded association has been made between terrorist networks, human rights violations and Muslim communities. This has inflamed racial and religious tensions in some towns and cities, and may have contributed to the resurgence of extreme far-right political parties.

All of these developments have resulted in an increased level of anxiety within both Muslim communities and other communities. Schools and colleges are not immune to these tensions, and preventing and tackling Islamophobia should be a priority for every school and college.

What is Islamophobia?

'Islamophobia' is a contested term. It is often used to mean an unfounded fear, hatred or prejudice against Islam or Muslims. However, other terms may also be used to highlight slightly different dimensions of the issue.[1] For example, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and the United Nations Educational, Scientific and Cultural Organisation (UNESCO) use the general term 'intolerance and discrimination against Muslims'. Others use the term 'anti-Muslim racism' because this locates intolerance of Muslims within the broader framework of racism and implies racialisation of a religious category.[2] Sometimes, the meanings of these different terms are used interchangeably.[3]

The NASUWT defines 'Islamophobia' as an unfounded hatred of and hostility towards Islam which may be directed against individuals or groups because of their perceived or actual religious background or identification. This definition is interpreted broadly to cover intolerance and discrimination against Muslims and anti-Muslim racism.

Islamophobia entails claims that Islam is a threat to the dominant values of western societies. It may be evident in employment, the provision of goods and services, and the general treatment of Muslim communities by non-Muslim individuals, groups or organisations. Islamophobia results in discrimination and harassment and it alienates and excludes individuals and groups from areas of social, economic and political life.

Islamophobia may include a range of behaviours and practices such as:

- direct verbal or physical attacks against individuals and groups;
- discrimination in relation to access to jobs, goods and services and other civic rights and entitlements; and
- cultural or religious insensitivity, which may create barriers to Muslim people becoming involved in society and result in them feeling marginalised or excluded.

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[1]   OSCE Office for Democratic Institutions and Human Rights, Council for Europe and UNESCO (2011) *Guidelines for Educators on Countering Intolerance and Discrimination against Muslims: Addressing Islamophobia through Education,* Warsaw.

[2]   Ibid.

[3]   Ibid.

Amongst students in schools and colleges, such prejudice and racism may take the form of:

- name-calling;
- offensive 'jokes';
- verbal assault;
- graffiti;
- intimidation;
- exclusion from friendship groups; and
- physical assault.

Muslims in Britain

According to the 2011 Census, 12.9% of the United Kingdom population are from minority ethnic groups.[4] Muslims have been present in Britain for at least 300 years[5] and the 2011 Census shows that Muslims constitute the second largest religious group (4.4% of the UK population). The Census also shows that there are Muslim communities in all Census enumeration districts in Britain.

The Census demonstrates that there is extensive ethnic and religious diversity within British society. Also, in a globalised world, children are likely to come into contact with people from different backgrounds socially via the internet, through travel, education, training and work. Therefore, all children and young people need to learn about diversity and develop a respect for different beliefs and practices. This is as much an issue for schools and colleges with low numbers of students from minority ethnic backgrounds as it is for schools and colleges with a large number of students from minority ethnic backgrounds.

Legislation covering religious discrimination

The Equality Act 2010 makes it unlawful to discriminate on the grounds of religion or belief in employment and the provision of services, including education. The Act prohibits direct discrimination, indirect discrimination, victimisation and harassment on the grounds of religion or belief.[6] It also requires schools and colleges to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between those who share a protected characteristic and people who do not share it.

Direct discrimination occurs where a person is treated, or would be treated, less favourably than another person on grounds of religion or belief.

Indirect discrimination occurs where a provision, criterion or practice that applies to all people puts those who share a protected characteristic (e.g. a particular religion or belief) at a disadvantage and where the provision/criterion/practice cannot be shown to be a proportionate means of achieving a legitimate aim.

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[4] Taken from the Office for National Statistics website, data on ethnic group for local authorities in the UK.
[5] Runnymede Trust, *Islamophobia: A Challenge for Us All*, 1997.
[6] There are some exceptions for schools of religious character and some areas of education, e.g. the content of curriculum is not covered by the legislation. See the EHRC website for further information.

Victimisation occurs where a person receives less favourable treatment than others because of something they have done in connection with the Act (e.g. bringing a case or making an allegation) or if they are **believed** to have done one of these things. A child or young person may be victimised because of something done to a parent or sibling.

Harassment occurs where a person is subjected to unwanted conduct on the grounds of religion or belief with the purpose or effect of violating their dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.[7]

Public Sector Equality Duty

The Equality Act 2010 places a public sector equality duty (PSED) on schools and colleges in Scotland. The duty requires schools and colleges to have due regard to the need to:

- eliminate unlawful discrimination;
- advance equality of opportunity; and
- foster good relations between people who share a protected characteristic and people who do not.

Schools and colleges have specific duties to report progress on mainstreaming the general equality duty, publish equality outcomes and report on progress, assess new or revised policies and practices, and review existing policies and practices.

This means that schools and colleges need to collect evidence about equality matters systematically and use that evidence to establish the likely impact of proposals on groups who share a protected characteristic. They also need to monitor and evaluate how decisions impact on people who share a protected characteristic. Therefore, schools and colleges need to assess, monitor and evaluate how plans and decisions affect Muslims and take action to address inequalities. Schools and colleges also need to identify opportunities to advance equality and foster good relations between Muslims and other communities. The NASUWT recommends that schools and colleges set objectives to tackle and prevent Islamophobia and publish information about outcomes and progress to meeting these objectives.

National policies to tackle Islamophobia and extremism

There is no specific national policy for schools and colleges on preventing and tackling Islamophobia.

The Prevent Strategy forms one strand of the UK Government's counter-terrorism strategy and applies across the UK. The strategy defines extremism as: *'vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs'*.

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[7] Note that this definition of harassment does not apply to school pupils in respect of religion or belief. Any case against the school would be made on the grounds of direct discrimination.

In 2013, the Coalition Government established the Task Force on Tackling Radicalisation and Extremism to identify areas 'where the current approach to fighting extremism could be improved'. The Task Force published a report in December 2013 which set out plans to change legislation, regulations and policy. Most of the recommendations apply to schools and colleges across the UK.

The Report stated that all kinds of extremism must be tackled, including Islamophobia and neo-Nazism, but it focused mainly on tackling the threat of Al Qa'ida. As a result, the solutions for tackling extremism concentrate on the strategies adopted by terrorists linked to Al Qa'ida rather than strategies to tackle Islamophobia and far-right extremism.

The Report set out plans to improve oversight of religious supplementary schools by introducing a voluntary code of practice 'to protect children and young people from harm, including exposure to intolerant or extremist views'.

The Counter-Terrorism and Security Act 2015 introduced significant new responsibilities on schools, colleges and their staff in relation to the risk of children and young people being drawn into terrorism and ideologies that can be used to justify terrorist activity. In particular, the Prevent Strategy places a duty on schools and colleges to stop children and young people from engaging in or supporting terrorism.

In many schools and colleges, extremism linked to Islamist terrorist organisations that operate principally in Syria and Iraq, particularly the organisation commonly referred to as Islamic State, ISIS, ISIL or Daesh, as well as groups associated with Al Qa'ida, will not be a significant issue. Other forms of extremism will be much more likely to occur. Therefore, schools and colleges should ensure that they respond to Prevent by covering all forms of extremism and intolerance, including right-wing extremism and Islamophobia.

Schools and colleges should ensure that they adopt a strategic approach to tackling and preventing extremism. This means, for example, that their response to Prevent should be discussed as part of strategic planning and decision-making. It means that policies and actions to prevent and tackle extremism should be guided by the institution's values and ethos. It also means that policies and actions to prevent and tackle extremism should be addressed within policies and strategies such as those related to safeguarding, staff and student wellbeing, behaviour management, the curriculum, community engagement and partnership working.

Schools and colleges will be unlikely to prevent and tackle extremism effectively unless they work closely with other organisations. It will be important to share information about potential issues and draw on the specialist knowledge and expertise available in other organisations. Schools and colleges need to know how, if needed, they can pass information on to the local authority. Community organisations may be well placed to identify whether incidents that occur in a school or college form part of a wider problem within the area. They may also be able to provide specialist advice and support to schools and colleges, including contributing to the curriculum.

For more detailed information on the Prevent Strategy, see the NASUWT publication *The Prevent Strategy* (www.nasuwt.org.uk).

Tackling Islamophobia and extremism in educational settings

Islamophobia is an issue for all schools and colleges, regardless of the number of Muslim students or staff within the establishment.

Schools and colleges need to take steps to ensure that:

- the school/college promotes a climate of respect for diverse beliefs and customs;
- every student, member of staff, and parent/carer within the school or college community feels valued and secure;
- the curriculum reflects and represents accurately the racial, cultural and religious diversity of the UK and the world, and addresses issues of difference and diversity in ways that counter prejudiced assumptions about ethnic, cultural and faith groups;
- false assumptions and stereotypes are challenged with sound factual information;
- they are vigilant for any signs of name-calling, abuse or bullying involving any member of the school/college community;
- all incidents of name-calling, abuse and bullying are reported, recorded and dealt with promptly and sensitively;
- the views and needs of staff and students from all religious and ethnic backgrounds are identified, including through consultation, and used in policy planning and decision-making;
- policy proposals and decisions are assessed and monitored to establish their impact on ethnic, cultural and religious grounds;
- arrangements for appointing, promoting and developing staff are open, fair, transparent and non-discriminatory;
- all staff are given appropriate training and support to enable them to tackle discrimination, bullying and harassment, promote equality of opportunity and tackle issues of racial, cultural and religious diversity;
- appropriate systems for monitoring by ethnicity and religious group are in place, and monitoring includes pupil attainment and progress, school admissions, sanctions (including exclusion), staff recruitment and selection, promotions (including the award of responsibility points), and professional development; and
- where monitoring identifies differences/gaps between groups of students/staff, measures, including positive action strategies, are put in place to address inequalities and improve outcomes.

In light of the points listed above, school and college leaders have a critical role to play in ensuring that issues related to Islamophobia are identified and addressed appropriately and effectively. They need to ensure that:

- equality matters are identified and addressed through strategic planning and decision-making;
- all staff and students know about equality policy and procedures, and the policy and procedures are being implemented consistently and coherently across the establishment;
- responsibility for tackling Islamophobia and promoting good practice is a collective one;
- all staff are appropriately trained and supported so that they can fulfil their roles and responsibilities.

School and college leaders should ensure that individual staff are not isolated or placed in a vulnerable position because they challenge Islamophobia and racism, or promote equality and diversity through their teaching. School leaders should be aware that some staff, notably Muslim staff and staff from minority ethnic backgrounds, may be particularly vulnerable if the school does not adopt a collective approach to tackling these issues.

i. Involving external bodies in work to tackle and prevent Islamophobia

Local organisations may be able to provide advice and support about tackling and preventing discrimination and prejudice, including through the curriculum. They may also be able to provide access to networks of support and advice about using the curriculum to promote equality and diversity. Schools may also contact their local authority or school sponsor for advice and support.

If schools or colleges encounter problems of Islamophobia and this appears to be linked to tensions within the local area, it will be particularly important to establish links with local organisations that work to tackle racist and religious incidents and improve community relations, for example an anti-harassment forum.

Where problems exist locally, the school or college should carry out a health and safety risk assessment. It should also consider consulting with appropriate experts, including the local community, religious organisations and trade unions.

Depending on the seriousness of an incident of bullying or harassment, it may be appropriate to involve the police.

See the section 'Further information' for sources of further advice and support.

ii. Dress code

Some Muslims will follow a particular dress code that identifies them as Muslim. This may lead to them being subject to hatred and abuse. Similarly, some people may make

assumptions about Muslims based on stereotypes about Muslim dress. For example, they may assume that all Muslims are the same, that Muslims regard women as inferior or that Muslim women are passive. Perceptions that Muslims are 'different' are likely to increase tensions within a school or college and may make it difficult for students and/or staff to work well together.

It is vital that schools and colleges identify and challenge prejudice and discrimination related to dress code. Establishing a dress code policy that is sensitive to the needs of Muslims will help to raise staff and students' awareness of discrimination and prejudice. Further, it will help schools and colleges to avoid discrimination and promote social and community cohesion.

Judgements about discrimination are informed by case law and cases involving claims of discrimination may be complex. Schools and colleges should be aware of the outcomes of relevant case law and understand the steps that they should take to minimise the risks of discrimination.

The issue of dress can be complex. One case that highlights this complexity involved a student who made a complaint of racial discrimination against her school because she had been excluded for wearing a jilbab, which was not deemed to be part of the school uniform. The initial tribunal decision found in favour of the school, but this was subsequently overturned in favour of the student. Ultimately, the case went to the House of Lords, where the decision was overturned again and the school was found not guilty of discrimination.

Generally, cases have found in favour of Muslim women and girls wanting to wear 'modest dress' such as a shalwar kameez and a head scarf.

Critically, the outcome of any claim for discrimination will depend on the circumstances that are particular to the case. Therefore, schools and colleges must not assume that they can ban a particular form of dress because claims of discrimination for wearing that type of dress have been unsuccessful in the past.

If a decision to refuse a particular type of dress leads to a complaint of discrimination, the school or college will need to be able to show that the decision is a 'proportionate means of achieving a legitimate aim'. In practice, this means that schools and colleges need to look very carefully at their dress code policies.

It is to be noted that it is **not** the case that any change made to uniform policy on religious grounds for one person must be replicated for all employees or students. It is not unlawful direct discrimination to treat people differently if their situations are different.

Schools and colleges are most likely to avoid claims of discrimination on the grounds of dress if they consider race and religious equality matters when they develop and

review dress code policies. Engaging staff, students and parents in discussions and decisions about dress code will help to ensure that policies cater for the needs and expectations of different groups. Schools and colleges also need to look beyond their immediate community (of students, staff and parents) and seek and take account of the views of local minority ethnic and religious communities.

iii. Arrangements for worship and prayer

There is no legal requirement on schools or colleges, as educational establishments or employers, to provide prayer facilities. However, in some instances, failing to provide such facilities may result in indirect discrimination.

It is good practice to provide facilities to enable students and staff to pray or engage in personal reflection. If a facility is provided for one group of staff or students, failing to make similar arrangements for other groups of staff or students could result in a claim of indirect discrimination. Therefore, a school or college should ensure that any facility provided caters for all groups of staff and students, including Muslims and those who have no specific religion or belief. In practice, this might be a quiet room which can be used for prayer, meditation or reflection.

Schools and colleges need to ensure that facilities provided for prayer and personal reflection meet the needs of those who use or might use the facility. In the case of Muslim staff and students, this will include ensuring that there are facilities nearby to enable the person to perform ablution (washing before prayer). It will also involve ensuring that there are separate spaces for male and female staff or students, e.g. separate rooms or areas of a room divided by a curtain.

Schools and colleges should consult staff and students about their needs and engage them in discussions and decisions about prayer and quiet-room facilities. They should also monitor the use of facilities and seek feedback to identify and address any issues or concerns.

Advice for NASUWT members and Workplace Representatives

If a member witnesses or believes that they are the victim of discrimination on the grounds of race or religion and belief, they should contact their NASUWT Representative immediately for advice and support.

NASUWT Representatives should check that:

- the school or college is complying with the requirements of the Equality Act 2010 both on paper and in spirit. This last point is particularly important because the PSED is about embedding equality 'thinking' and actions into the policies, practices and culture of an organisation;

- the school or college has published information about how it is eliminating discrimination, advancing equality and fostering good relations between people who share a protected characteristic and those who do not;

- the published information recognises and, where appropriate, addresses issues of Islamophobia;

- the school or college has set equality objectives;

- the equality objectives cover Islamophobia and the related issues of religious and racial discrimination as appropriate;

- the equality objectives are incorporated into strategic plans;

- there is clear evidence of actions being taken to meet the equality objectives;

- all evidence indicates both that improvements are being made and the school or college's management is identifying and addressing any issues or problems that arise;

- school and college management consult the NASUWT and other unions about the design, development and implementation of policies;

- complaints of discrimination, harassment and bullying, including discrimination, harassment and bullying on the grounds of race and religion, are monitored with a view to identifying particular problems or issues.

Further information

1001 Inventions
A global brand that promotes the contributions that Muslims have made to different areas of science through the ages. It includes educational programmes, exhibitions and resources. Further information is available from **www.1001inventions.com**.

Anne Frank House
The educational centre provides guidance on teaching about anti-Semitism, anti-racism and tolerance: **www.annefrank.org**.

Caabu (Council for Arab-British Understanding)
A not-for-profit cross-party organisation whose mission is to work towards a British Middle East policy that promotes conflict resolution, human rights and civil society in the Arab world through informed debate and mutual understanding: **www.caabu.org**.

Development Education Centres (DECs)
Focuses on issues related to the global dimension of teaching. This includes issues related to Islamophobia. They provide resources, run training and events and offer schools and colleges a means of networking with other schools locally. Details of DECs in Scotland that are members of Ideas for Global Citizenship are available from the following web link: **https://globaldimension.org.uk/support/local-support**.

EqualiTeach
A not-for-profit equality and diversity training and consultancy organisation working with education settings UK wide, helping to promote equality and tackle discrimination in the classroom. (See also 'Universal Values', a teaching resource produced by EqualiTeach in partnership with the NASUWT with the aim of equipping schools to respond in a cohesive fashion to the requirement to actively promote fundamental British values.) **www.equaliteach.co.uk**.

Equality and Human Rights Commission (EHRC)
The EHRC has produced non-statutory guidance for schools and colleges: **www.equalityhumanrights.com**.

Equality Challenge Unit for Higher Education (ECU)
ECU has produced guidance on tackling religious discrimination in higher education. Whilst the guidance is for higher education institutions, it may also be useful to colleges of further education: **www.ecu.ac.uk**

Facing History and Ourselves
An American-based organisation that works to combat racism, anti-Semitism and prejudice. The organisation provides a range of educational resources: **www.facinghistory.org**.

Global Learning Programme (GLP)
A programme which aims to enable schools to network with other schools on 'global learning' issues, including drawing on sources of support and expertise within other schools: **http://globaldimension.org.uk/glp**.

Insted
A consultancy that provides advice and guidance to schools, colleges and local authorities on equality and diversity in education. The website includes specific guidance on preventing and tackling Islamophobia: **www.insted.co.uk**.

Lifeworlds Learning
Providing support to schools and other organisations on issues related to global learning and sustainability: **www.lifeworldslearning.co.uk**.

Organisation of Islamic Cooperation (OIC)
An intergovernmental organisation that aims to strengthen cooperation among member states in the fields of education, science and culture. It also monitors and reports on intolerance and discrimination against Muslims: **http://www.oic-oci.org**.

OSCE/ODIHR, Council of Europe, UNESCO (2011)
Guidelines for Educators on Countering Intolerance and Discrimination against Muslims: Addressing Islamophobia through Education. The guidance suggests strategies that schools and colleges might adopt to prevent and tackle intolerance and discrimination against Muslims. It also provides links to websites, resources and information tools that schools and colleges can use. Downloadable from: **www.osce.org/odihr/84495**.

Show Racism the Red Card (SRtRC)
SRtRC produces anti-racist educational resources, using professional footballers to combat racism. SRtRC has also produced an anti-Islamophobia educational pack and film for use in schools and other educational settings: **www.srtrc.org**.

Tell MAMA (Measuring Anti-Muslim Attacks)
This is an independent, non-governmental organisation which works on tackling anti-Muslim hatred. It runs a secure and reliable service that allows people from across England to report any form of anti-Muslim abuse: **https://tellmamauk.org**.

Think Global
A membership organisation that works to educate and engage people in the UK on global issues. Think Global runs a global dimensions website for schools. The Think Global website also provides details of local DECs across the UK: **www.think-global.org.uk**.

UNESCO

Learning to Live Together: An Intercultural and Interfaith Programme for Ethics Education – this toolkit aims to help young people develop ethical decision-making skills and nurture a sense of belonging, community and values through teaching tolerance and mutual understanding: **http://unesdoc.unesco.org/images/0016/001610/161059e.pdf**.

UNESCO (2009), **Stopping Violence in Schools: A Guide for Teachers**
The guide is aimed at teachers and provides practical advice on different forms of violence and how to prevent it: **http://unesdoc.unesco.org/images/0018/001841/184162e.pdf**.

UNICEF UK Rights Respecting Schools Award (RRSA)
The award is based on principles of equality, dignity, respect, non-discrimination and participation. The RRSA seeks to put the UN Convention on the Rights of the Child at the heart of a school's ethos and culture to improve wellbeing: **https://www.unicef.org.uk/rights-respecting-schools**.

United Nations Alliance of Civilizations (UNAOC)
Materials and resources on Education about Religions and Beliefs (ERB). Further information and resources are available from: **http://erb.unaoc.org**.

Young, Muslim & Citizen – Identity, Empowerment and Change
An online resource pack for parents, teachers and others who work with young people from Muslim backgrounds: **www.youngmuslimcitizens.org.uk**.