



Nurtured we thrive

Dealing with and Reporting Racist Incidents

Compassion, Responsibility, Justice, Forgiveness

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Introduction

This guidance is intended to provide support for schools in addressing racial harassment that may affect anyone within the school community. Schools should ensure that all forms of racism are tackled firmly as and when they occur, because no child or adult can feel safe in an environment where racism is not challenged. If racist incidents are not dealt with in schools, then this will send a powerful message to children, and others within the school community, that racism is acceptable not only in schools but in society as a whole.

Definition of a Racist Incident

The 'Stephen Lawrence Inquiry Report' recommended that the following definition of a racist incident should be adopted by the police, local government and other relevant agencies:

'A racist incident is any incident which is perceived to be racist by the victim, or any other person.'

This definition provides an essential starting point for schools in addressing the wide range of behaviours which could be racially motivated.

It should be made clear that failure to take action, even where an incident appears to be of a relatively minor nature, could be seen as condoning racism and may well lead to more serious incidents in future.

The Public Sector Equality Duty (PSED) was introduced by the Equality Act 2010. As part of the general duty a public body must have due regard to the need to:

- To eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Act.
- To advance equality of opportunity between persons who share a protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- Race is defined as being a 'relevant protected characteristic' for these purposes.

The guidelines are designed to:

- Assist the local authority in fulfilling its own statutory duties under the Equality Act 2010;
- Support schools in fulfilling their duties and responsibilities under the Equality Act 2010;
- Assist all schools to respond appropriately to racial intolerance;
- Contribute to the promotion of high-quality education;

Equality Act 2010

The schools provisions of the Equality Act 2010 prohibit schools from discriminating against, harassing or victimising:

- Students at school
- Prospective students
- In some circumstances, former students.
- Schools also have obligations under the Equality Act 2010 as employers, bodies which carry out public functions and service providers.
- The Act provides a single framework and a clearer more streamlined law that will be more effective at tackling disadvantage and discrimination. The Equality Act 2010 harmonises the previous equality legislation. The single Public Sector Equality Duty requires public bodies (including schools) to:
 - Eliminate discrimination, harassment and victimisation
 - Advance equality of opportunity
 - Foster good relations

The Equality and Human Rights Commission

- The Equality and Human Rights Commission Code of Practice on the duty to promote race equality indicates that, in assessing schools' policies, regard should be paid to steps '*to prevent racist bullying*' [that is the word used in the Code]. The Commission's publication *Learning for All – Standards for Race Equality in Schools* (2000) indicates that schools should be able to satisfy the following:
 - Clear procedures are in place to ensure that racist incidents, racial discrimination and racial harassment are dealt with promptly, firmly and consistently.

- Immediate action is taken to remove racist graffiti from school property.
- All staff are trained to deal effectively with racist incidents, racial harassment, prejudice and stereotyping.
- A sensitive and structured system of support is available to victims of racism, racial discrimination, racist incidents and racial harassment.
- The school has clear procedures for dealing with perpetrators of racist incidents.
- Active links are established with external organisations dealing with racist incidents and racial harassment.

The Prevention of Racist Incidents

Every school must have an equality policy, but all school policies and practices should take account of the potential for promoting racial tolerance and defusing any underlying racial tensions within the institution. Policies should include a close examination of the curriculum itself including, in particular, citizenship. The school's arrangements for personal, social, health and emotional development, and for pastoral care, discipline and supervision should also be examined.

Identifying and Responding to Racist Behaviour

Given the far-reaching implications of racist behaviour and the broad scope of the legislation, it is important that underlying attitudes and values are confronted, as well as the actual incidents. It should be made clear to perpetrators that racist incidents are far more serious than similar incidents where there is no racial motivation. We detail below an initial categorisation of types of racist behaviour, followed by guidance on appropriate responses.

Types of racist behaviour

- a. Incitement of others to behave in a racist way;
- b. Physical assault against a person or group because of colour, race and/or ethnicity;
- c. Derogatory name-calling, insults, racist jokes and language;
- d. Racist graffiti;
- e. Provocative behaviour such as wearing racist badges or insignia;
- f. Bringing racist materials such as leaflets, comics, magazines into school;
- g. Using the school's computer systems to access and distribute racist material;
- h. Verbal abuse and threats;
- i. Racist comments in the course of discussion in lessons;
- j. Attempts to recruit other students and students to racist organisations and groups;
- k. Ridicule of an individual for cultural or religious differences e.g. food, music, dress, worship patterns, cultural lifestyle, etc.
- l. Refusal to co-operate with other students because of their race or ethnicity.

Incidents Involving Pupils

It is recognised that teachers will use their professional judgement in dealing with specific incidents, but individual practice should be based on school policy.

Category	Suggested Actions
a. Incitement of others to behave in a racist way	Schools need to be vigilant in identifying potential inter-group tensions that might have a racial context. In every case, consideration should be given to involving the Police who can support the school. Refer pupils to Headteacher or Deputy DSL, as appropriate. Consider suspension. Inform parents. Offer support to all those involved. Perpetrators will also need to be counselled.

	Record as a racist incident via the School's electronic reporting system, CPOMS.
b. Physical assault against a person or group because of colour, race and/or ethnicity	Refer pupils to Headteacher or Deputy DSL, as appropriate. Full report to the Headteacher. Consider suspension. Inform parents. Take necessary action to prevent reoccurrences. Offer support to the victim and counselling to the perpetrator. Record as a racist incident via the School's electronic reporting system, CPOMS.
c. Derogatory name-calling, insults, racist jokes and language	Explain fully to the perpetrator that verbal racist abuse will not be tolerated. Full report to the Headteacher. Consider suspension. Inform parents. Offer support to the victim and counselling to the perpetrator. Record as a racist incident via the School's electronic reporting system, CPOMS.
d. Racist graffiti	All racist graffiti must be reported to the Headteacher and should be removed immediately. Regular checks should be made and steps taken to discourage re-appearance of graffiti. Inform parents where the perpetrator is known. Consider suspension. Offer counselling to the perpetrator.

	Record as a racist incident via the School's electronic reporting system, CPOMS.
e. Provocative behaviour such as wearing racist badges or insignia	Educational institutions should not permit the wearing of racist badges or insignia. In certain circumstances, schools may need the support of the Police. Consider suspension for repeated offences. Pupils wearing such badges or insignia should be referred to the Headteacher or Deputy DSL. Inform parents. Consider suspension. Offer counselling to the perpetrator. Record as a racist incident via the School's electronic reporting system, CPOMS.
f. Bringing racist materials such as leaflets, comics, magazines or into school	All forms of racist literature and materials must be removed. In certain circumstances, schools may need the support of the Police. Refer pupil to the Headteacher, or Deputy DSL, as appropriate. Inform parents. Consider suspension. Offer counselling to the perpetrator. Record as a racist incident via the School's electronic reporting system, CPOMS, together with examples of the relevant material.

g. Using the school's computer systems to access and distribute racist material	All racist material should be deleted and memory drives wiped. Hard copies should be removed. Refer pupil to the Headteacher, or Deputy DSL, as appropriate. Inform parents. Consider suspension. Offer support to any victims. Offer counselling to the perpetrator. Record as a racist incident via the School's electronic reporting system, CPOMS, together with examples of the relevant material.
h. Verbal abuse and threats	Members of staff must not ignore any form of verbal racist abuse in the school. Explain fully to the perpetrator that verbal racist abuse will not be tolerated. Pupils who are persistently abusive must be dealt with through the School's behaviour policy. Inform parents. Consider suspension. Offer support to the victim and counselling to the perpetrator. Record as a racist incident via the School's electronic reporting system, CPOMS.
i. Racist comments in the course of discussion in lessons	Racist comments must not be allowed to go unchallenged. The School has clear guidelines which identifies expectations of how teachers will react to the use of racist comments. Pupils who persist in making racist comments, must be referred to the Headteacher, or Deputy DLS, as appropriate.

	Inform parents. Consider suspension. Offer support to the victim and counselling to the perpetrator. Record as a racist incident via the School's electronic reporting system, CPOMS.
j. Attempts to recruit other pupils to racist organisations and groups	Report immediately to the Headteacher. Headteacher to consider contacting the Police. Seek guidance from the Local Authority. Consider suspension. Recruiter should be interviewed. Inform parents. Consider suspension. Offer support to the victim and counselling to the perpetrator. Record as a racist incident via the School's electronic reporting system, CPOMS.
k. Ridicule of an individual for cultural or religious differences e.g. food, music, dress, worship patterns, cultural lifestyle, etc	Members of staff must not ignore any form of ridicule. Explain fully to the perpetrator that racist behaviour will not be tolerated. Perpetrators who persist in ridiculing individuals in these ways must be referred to the Headteacher, or Deputy DSL. Inform parents. Consider suspension. Offer support to the victim and counselling to the perpetrator. Record as a racist incident via the School's electronic reporting system, CPOMS.
l. Refusal to co-operate with other pupils because of their race or ethnicity	Every pupil has the right to be included in school activities, and the school should ensure that no pupil is discriminated against on racial, ethnic or cultural grounds.

	Pupils persistently refusing to cooperate must be referred to the Headteacher, or Deputy DSL, as appropriate. Inform parents. Consider suspension. Offer support to the victim and counselling to the perpetrator. Record as a racist incident via the School's electronic reporting system, CPOMS.
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Incidents Involving Staff

An allegation of racist behaviour on the part of any member of staff is a potentially serious disciplinary matter and it will be for the Headteacher / governing body to deal with. In addition, there is a specific procedure that an employee can use for raising a complaint of racial harassment against a colleague (see Bullying and Harassment Policy).

Where the victim of alleged racist behaviour by a member of staff is a pupil, the headteacher should, after careful investigation, consider what action to take. The Headteacher may seek to resolve the matter informally. If the matter cannot be resolved satisfactorily at this stage, then the parents / carers and / or representative should submit the complaint in writing (see Complaints Policy on our website) to the Headteacher who will further investigate the case and take appropriate action. This could involve the use of formal disciplinary procedures.

Where a member of staff is the victim of racist behaviour by students, it is important that full support is given to the member of staff concerned. Guidance can also be sought from the school's HR provider. Staff may also wish to seek support from their trade union / professional association.

Incidents Outside of School

There may well be occasions when racist incidents outside school, or involving outside perpetrators, are brought to the attention of the Headteacher. These incidents should be reported to the appropriate authorities. Opportunity should also be taken to condemn such incidents publicly.

Pupils may be subject to racist bullying and harassment on their journeys to and from school. Headteachers, governors and staff will be aware that the actions of pupils outside the school affect the reputation of the school. Schools have the right to discipline students for their behaviour outside the school gates where the students are in the charge of staff or it is reasonable for the school to regulate the students' conduct; this rule of law has

been clarified and put on a statutory basis by section 90(2)(a) of the Education and Inspection Act 2006.

Schools should encourage pupils to report such incidents to school staff, and these should be followed up, recorded and reported in the normal way. Following consultation with the victim and/or their parents, schools may report the incidents to the police, e.g. to the Youth Engagement Support Officer. Alternatively, they may work with local multi-agency partners to deal with incidents and prevent them recurring. Schools should also be aware that their pupils can commit racist acts against, for example, pupils from other schools, members of the public or against property, on their way to and from school. Schools should record and report these incidents. However, schools should also be aware that the victims of these incidents may prefer to report them directly to the police, who may contact the school for assistance in identification or to provide information.

Procedures for Recording Racist Incidents

Policies and procedures should be in place within each school to ensure that:

- preventative action is taken to reduce the likelihood of racist incidents occurring;
- racist behaviour is clearly identified as such;
- the victims of racist incidents are supported;
- perpetrators are dealt with effectively;
- the wider implications of racist incidents for the school and local community are recognised;
- the frequency and nature of racist incidents are monitored within the school;
- there is full and regular reporting of racist incidents to the governing body;
- there is full and regular reporting of racist incidents to the local authority.

Monitoring and Reporting

Records are kept of racist incidents to enable the school and the Local Authority to identify any patterns of behaviour whereby individuals or groups can be shown to be regular victims or perpetrators of racial harassment.

School Records

All incidents which are perceived to be racist should be recorded.

The monitoring of these records on a regular basis will also provide the school with a picture of the frequency and nature of racist incidents and give some indication as to how effective the school is in combating such behaviour. This internal record keeping system may be inspected by OFSTED under the current inspection arrangements.

Headteachers should inform governors of racist incidents, particularly where serious or persistent offences occur. However, it is important that information given to governors does not prejudice their ability to act impartially and appropriately in any subsequent disciplinary action, complaint or appeal.

Local Authority Monitoring

The purpose of reporting to the local authority is to enable the Kent County Council to collect information on the nature and extent of racist incidents in Kent schools. **The local authority does not identify or record the names of individual victims or perpetrators.** The information collected is analysed to help to identify areas of concern, and to contribute to multi-agency monitoring.

The aggregated statistics will be published by the local authority on an annual basis.