

Guidance for schools on dealing with racist incidents

2004



the learning trust
the future for education in Hackney

CONTENTS	PAGE
PART A GENERAL INFORMATION	2
PART B DEVELOPING POLICY AND PRACTICE	11
PART C THE INCIDENT	14
PART D Appendices	21

SUGGESTIONS FOR USE OF THESE GUIDELINES

These guidelines have been developed to support their use as a working document.

PARTS A and B will be useful for developing an understanding of the background to this work and in developing training.

PART A includes information on what is a racist incident and the differences between bullying and a racist incident. These parts can be used in work with parents/carers, students, governors, staff and visitors.

PART B contains information to help understand the thinking behind the guidance in PART C.

PART C contains more practical guidance on dealing with the incident.

PART A

GENERAL INFORMATION

INTRODUCTION

“Racial injustice threatens the very basis of citizenship”.
(The Report of the Commission on the Future of Multi-Ethnic Britain)

The Inquiry into the murder of Stephen Lawrence (Macpherson Report) 1999, highlighted the role of education in tackling racism with the result that schools and The Learning Trust now have a duty to report information on racist incidents.

Racist incidents impact negatively on the work of schools. Children who experience it have their education disrupted; they may be unable to concentrate on lessons because of feelings of fear or anger; the self-confidence of those who experience an incident (even as a witness) may be damaged in ways that may well have a long term negative impact on their ability to fulfil their potential and on their role as members of the community.

The Learning Trust is committed to high achievement for all Hackney pupils and to working in partnership with local agencies to enhance community cohesion. **Racism in any form has no place in our schools.**

With their commitments to equality of opportunity, integration, inclusion, combating bullying in all its forms and creating a safe and secure learning environment for all pupils and students, effective schools recognise the importance of responding appropriately whenever a racist incident occurs.

These guidelines aim to:

- develop knowledge, confidence and skills for teachers, governors and all school staff to deal effectively with racist incidents that occur with their pupils/students, staff or visitors
- support schools and governors to formulate and implement effective strategies for tackling racist incidents and promoting racial equality
- outline the reporting procedures
- support partnership work with Hackney Council, The Learning Trust and the Community Safety Unit.

These guidelines form a framework that can be used by schools to review their own practice. They have been developed using training delivered by the Ethnic Minority Achievement

Service, comments on existing good practice and consultation feedback on the previous reporting procedure.

These guidelines apply to those bodies bound by the General Duty of the Race Relations (Amendment) Act 2000 as set out in the Statutory Code of Practice on the Duty to Promote Race Equality – *Commission for Racial Equality (CRE)*.

These guidelines will be regularly reviewed and updated through The Learning Trust Race Equality Scheme.

EDUCATIONAL, LEGAL AND BUSINESS BACKGROUND

These guidelines reflect the following educational and statutory documents that make clear the role schools and The Learning Trust must take in challenging racism.

THE LEARNING TRUST RACE EQUALITY SCHEME 2004

As a requirement of the Race Relations (Amendment) Act 2000, The Learning Trust has produced a Race Equality Scheme that sets out its work to eliminate unlawful discrimination; promote equality of opportunity and good race relations in all areas of its work.

This work includes training, support to schools and monitoring.

The Scheme states: An effective reporting procedure will provide relevant information for schools and The Learning Trust to tackle unlawful racial discrimination by identifying trends and taking action to improve strategies.

A range of data both qualitative and quantitative data in line with good practice will inform actions taken both by schools and The Learning Trust. The Learning Trust expects all partners to submit monitoring data on the requested dates.

INSPECTING SCHOOLS THE FRAMEWORK FOR INSPECTING SCHOOLS 2003 - OFSTED

The new Ofsted framework specifically considers ‘How well are pupils’ attitudes, values and other personal qualities developed?’ Inspectors evaluate and report on attitudes and behaviour, including the incidence of exclusions, assessing the extent to which:

- pupils are free from bullying, racism and other forms of harassment
- the school promotes good relationships, including racial harmony.

Inspectors also evaluate and report on other aspects of personal development, including spiritual, social and cultural development assessing the extent to which the school actively enables pupils to:

- understand and respect other people’s feelings, values and beliefs
- appreciate their own and others’ cultural traditions.

RACE RELATIONS (AMENDMENT) ACT 2000

This Act places a General Duty on public authorities and schools to:

- eliminate unlawful discrimination; and
- promote equality of opportunity and good relations between people of different racial groups.

Specific duties have been set out to help schools meet the General Duty. These are to:

- publish and maintain a race equality policy. (Guidance from the Commission for Racial Equality states that this policy should include the racist incident reporting procedure.)
- assess and monitor the impact of the school's policies on pupils, staff and parents (including the race equality policy)
- publish the results of monitoring.

This requires the assessing and monitoring duties to be mainstreamed within the schools' target setting and monitoring processes with race equality actions reflected in the school improvement plan.

NATIONAL CURRICULUM 2000 – STATUTORY STATEMENT ON INCLUSION

Schools can use the curriculum to prevent racism and value cultural diversity by responding to pupils' diverse learning needs through the creation of **“effective learning environments in which ...all forms of bullying and harassment, including racial harassment, are challenged.”**

COMMISSION FOR RACIAL EQUALITY (CRE) – ‘LEARNING FOR ALL’ STANDARDS

These Standards have been designed by the CRE to give schools a comprehensive overview of their current performance in relation to race equality issues and to support them in taking clear and systematic steps to improve their performance.

All areas of school life are addressed by these Standards. The Standard for 'Policy, Leadership and Management' requires evidence to show “the school has a policy for dealing with racial harassment which clearly sets out the procedures for handling complaints and incidents.”

Evaluation of the evidence will reflect the extent to which clear procedures are in place to ensure that racist incidents, racial discrimination and racial harassment are dealt with promptly, firmly and consistently.

Supporting evidence includes:

- immediate action is taken to remove racist graffiti from all school property

- all staff are trained to deal effectively with racist incidents, racism, racial harassment, prejudice and stereotyping
- a sensitive and structured system of support is available to victims of racism, racial harassment, prejudice and stereotyping
- 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.

STEPHEN LAWRENCE INQUIRY (MACPHERSON REPORT 1999) RECOMMENDATIONS

Recommendations from the outcomes of this inquiry addressed the role of schools, LEAs and inspection bodies.

Recommendation 68

That Local Education Authorities and school governors have the duty to create and implement strategies in their schools to prevent and address racism. Such strategies include:

- schools record all racist incidents
- all recorded incidents are reported to pupils' parents/carers, school governors and LEAs
- the numbers of racist incidents are published annually, on a school by school basis; and
- the numbers and self defined ethnic identity of "excluded" pupils are published annually on a school by school basis.

Hackney Council has not implemented the third and fourth bullet points.

Recommendation 69

OFSTED inspections should include the examination of such strategies.

Recommendation 70

That in creating strategies under the provisions of the Crime and Disorder Act 1998 or otherwise, Police Services, local government and relevant agencies should specifically consider implementing community and local initiatives aimed at promoting cultural diversity and addressing racism and the need for focussed, consistent support for such initiatives.

These recommendations require governing bodies and LEAs to not only have a role in addressing racist incidents, but also in taking a proactive role in preventing racism.

CIRCULAR 10/99 SOCIAL INCLUSION: PUPIL SUPPORT

This circular sets out good practice in early intervention and prevention to reduce the risk of disaffection as well as addressing the needs of the victim.

Schools should provide a consistent response to bullying of all kinds, as bullying is generally a pattern of behaviour and not an isolated incident with racist bullying often going unreported.

All teaching and non-teaching staff, including lunchtime supervisors, should be alert to signs of bullying and should act promptly and firmly. Pupils may see the failure to respond to incidents or allegations as tolerating bullying. As bullying often occurs during break time, schools will wish to ensure their strategies cover play and break time, and all relevant staff receive appropriate training.

As with bullying, schools' behaviour policies need to cover racial and sexual harassment. Racial harassment does not happen only in schools with large minority ethnic populations. Schools management of this aspect of school discipline should be subject to inspection.

Each school should record all racist incidents including the date, names of perpetrators and victims, the nature of the incident and action taken in response. Parents and governors should be informed of the number and nature of such incidents and the action taken to deal with them. Governing bodies should inform LEAs annually of the pattern and frequency of any incidents.

Pupils who have suffered racial harassment at or outside school may need support.

CRIME AND DISORDER ACT 1998

This requires a co-ordinated response to racist incidents by agencies working at local level. Agencies need to work together in preventing racist incidents as well as in dealing with incidents that have already occurred.

Hackney Council has established the Domestic Violence and Racial Harassment (DVRH) Team to collate data on racist incidents across the borough in all service areas. This information contributes to the Hackney Community Safety Unit's construction of incidence maps.

In order to support this partnership work The Learning Trust liaises with DVRH and will submit monitoring information from schools.

CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994

Racial harassment is specifically covered by this Act, which introduced a new criminal offence of intentional harassment.

Under this Act, a person who uses threatening, abusive or insulting words or behaviour, or who displays any written material which is threatening, abusive or insulting is guilty of an offence if by doing so he or she intends, or is likely to, stir up racial hatred.

The racial harassment procedure must therefore include adults. It is important that procedures are followed due to any legal proceedings that might arise under this Act.

BEST VALUE PERFORMANCE INDICATORS

The Learning Trust reports to Hackney Council on its performance assessed against the following Best Value Indicators:

BV 174 – Racial incidents. This covers any incident regarded as racial by those involved - including staff.

BV 175 Racial incidents that resulted in further action. A detailed investigation by a senior manager counts as 'further action'. Actions should be recorded.

WHAT IS RACISM

Racism consists of **“conduct or words or practices which advantage or disadvantage people because of their colour, culture or ethnic origin. In its more subtle form it is as damaging as in its overt form.”** (*Stephen Lawrence Inquiry (Macpherson Report) 1999*)

Racism takes many forms. On the one hand it can manifest itself as a feeling of superiority towards others because of different skin colour, nationality, ethnic or cultural background. On the other hand, it can arise from a lack of knowledge, fear or insecurity. In its more extreme forms it emerges as racially motivated abuse, direct discrimination and violence.

Racism is complex. It does not exist in a vacuum, but rather is enacted and reinforced through social, cultural, and institutional practices that endorse the hierarchical power of one racial group over another. Media representations/distortions, world events and lack of wealth can cause an irrationally based view that the 'others' are getting more of whatever opportunities, grants or public expenditure are going. Interwoven with issues of gender and class, racism affects groups differently.

The Macpherson Report into the murder of Stephen Lawrence defined the concept of institutional racism distinct from individual racism as:

“the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes or behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness or racist stereotyping which disadvantages minority ethnic people.”

Shifts in the nature, concept and impact of racism require all those involved with promoting a culture in which diversity is valued and equality of opportunity is maintained, to consider their policy and practice.

The 2001 Census records Hackney's population as:

White (59%); Black African (12%); Black Caribbean (10%); Indian (4%).

However, the figures do not clearly show the minority groups that are of significant size in the borough: those from Orthodox and Hassidic Jewish community and those from Turkish speaking communities. These figures are not reflected in the many schools within Hackney where those from the Black minority ethnic backgrounds (BME) may be the majority and White the minority.

In addition the borough is home to Gypsy Traveller communities who are vulnerable to racism and social exclusion. Although, they are specifically protected by the Race Relation Acts “ **discrimination against Gypsies and Travellers appear to be the last respectable form of racism in Britain**” (*Trevor Phillips, Chair of the CRE October 2004*).

Ethnic monitoring of Gypsy/Roma and Travellers of Irish Heritage began in the January 2003 Pupil Level Annual School Census but many families have opted for the broader categories of Irish, British and Eastern European because they believe that being identified as Gypsy Travellers may act against their children's interests.

Borough-wide the number of Gypsy Travellers is small but in some schools, such as those serving the borough's official sites, they are a significant minority and recognised in school policies. Other families are housed across the borough and many schools have small numbers. Although some schools may have none it is important that all schools have strategies to include Gypsy Travellers in their Race Equality policies.

Recent analysis of schools' monitoring information 2003/04 shows that racist incidents reported by Hackney schools in the most part are not based on the traditional manifestation of racism based on colour between White and Black pupils. The most frequent groups as perpetrators were African, Caribbean, English, Scottish and Welsh and the most frequent groups as victims were African, Caribbean and Indian.

This phenomenon of Black on Black racism can be viewed as a form of xenophobia – fear of strangers, politics or culture. It is more than children being children and different to bullying as it impacts on individuals in ways similar to that of colour based racism. The fact that it is not necessarily colour based should not detract us from addressing this as a form of racial harassment. In the same way Gypsy Travellers may be both the victims and the perpetrators of racist incidents. Failure to appreciate this can result, for example, in schools treating cases where Gypsy Travellers are racist to black pupils as racism, while cases where black pupils are racist to Gypsy Travellers may not be so recognised.

From a very early age, children become aware of physical differences with their peers. Children attach values to these differences in line with judgements prevalent in the home, family, community and society.

Schools cannot change these external influences but their school can be a place where such values are unacceptable and where outcomes of racism lead to discrimination – “**if schools do not take a stand, what hope is there for breaking the vicious cycle of these corrosive forces which exist in society at large**”. (*OFSTED*)

Schools that ignore, or deny the existence of racism, give the wrong message to young people. Failure to address racist incidents could be seen to condone racism. The success of our diverse society depends upon the children of today growing up to be adults who are prepared to speak out against racism.

“Whatever its (racism) subtle disguises and forms, it is deeply divisive, intolerant of differences, a source of much human suffering, and inimical to the common sense of belonging lying at the basis of every stable civilisation. It can have no place in a decent society. “

(The Parekh Report : The Commission of the Future of Multi Ethnic Britain - Runnymede Trust Projects October 2000.)

WHAT IS A RACIST INCIDENT?

A racist incident is a hostile or offensive action against people because of their skin colour, cultural or religious background or ethnic origin. The incident may result in physical harm or generate discomfort, pain, stress, fear or anxiety.

Racist incidents are not always accompanied by an overt expression of racial prejudice or intolerance and racist behaviour may take the form of exclusionary practices such as ignoring, not sharing etc. (Examples of racist behaviour Appendix 1) However, it is important to deal with all types of racist incidents including graffiti and generalised comments which may be seen as 'victimless'. Failure to take appropriate action against racist incidents could leave a school open to a claim of unlawful discrimination.

The under-reporting of racist incidents is a serious problem in dealing with racism. There has been a tendency for institutions to ignore or underplay the importance of racist incidents and racism.

Hackney Council and The Learning Trust have accepted and use the definition of racist incident from Stephen Lawrence Inquiry (Macpherson Report) 1999.

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

This definition does not mean that the incident is accepted as racist because someone says it is, only that it should be investigated objectively as if it were racist.

The use of such a definition enables all possible racist incidents to be recorded and investigated. This allows for people's differing experiences of racism beyond the overt forms, and supports us all in developing an awareness of the complex nature of racism.

IS IT BULLYING OR A RACIST INCIDENT?

Racist violence, harassment and abuse in schools can often be difficult to distinguish from bullying. There are many different types of bullying and harassment. People can be picked on because of their colour, gender, ability/disability, accent, religion, class, sexual

orientation etc. Bullying of any kind cannot be condoned and all bullying should be taken seriously.

It is important to sort out the ways in which racist bullying and name-calling is similar to other kinds of bullying. However it is crucial to see, explain and stress that there are substantial differences.

SIMILARITIES

- Those who are targeted experience great distress. They may become miserable, fearful and depressed and their progress at school may be severely damaged.
- The distress is connected with feelings of being excluded and rejected. The distress is because characteristics are picked out which the person attacked can do nothing about.
- Offenders may develop a false pride in their own strength and superiority.
- When dealing with incidents, staff need to attend to (a) the victims
(b) the offenders or ringleaders responsible for the behaviour and (c) any witnesses.

DIFFERENCES

- Racism has a long history affecting millions of people and is a common feature in wider society. Children and young people do not necessarily grow out of it.
- It is a criminal offence to commit a racially aggravated act.
- Other members of the same group, family or community may feel threatened and intimidated as well, so it is not just the pupil who is attacked who feels unwelcome or marginalized.
- Racist words and behaviour are experienced as an attack on the values, loyalties and commitments central to a person's sense of identity and self worth.
- Racist attacks are committed not only against a community but also in the eyes of offenders themselves on behalf of a community.
- Perpetrators see themselves as representative of, and supported in their racism by, their friends, family and peer groups.

(From DfES anti bullying conferences May – June 2004 Bullying and racist incidents, Paper 4 Concepts and distinctions).

It is important not to ignore specific racial aspects of bullying which focus on such categories as skin colour, culture, nationality and ethnicity. It is important that if these aspects apply the incidents are not just treated as general bullying. The specific triggers must be acknowledged and appropriately dealt with.

WHAT ARE THE PRINCIPLES OF AN EFFECTIVE APPROACH TO DEALING WITH RACIST INCIDENTS?

There might be lots of reasons why there are racial problems in a school and teachers should not jump to conclusions. A pupil may have racist beliefs. Equally, they might be angry or frustrated at the way things are handled or retaliating to taunts not dealt with by the school. This is not to justify a racist response but to remind us that how racist incidents are dealt with requires the building of relationships and communication with and between pupils and staff. An effective approach must include more than procedural steps.

How do we know if we have a problem with racism?

Although important in itself it is more than a question of pupil behaviour.

A Secondary Head Teacher in a school where aggravation and aggression between white and Asian pupils were deep-seated, realised his school had begun to crack the problem when “...It (was) no longer cool to be racist. During class it (was) the pupils who show(ed) disapproval at the first sign of abuse.” (*October 29 2004 TES Friday Forum Behaviour*)

Role of the curriculum in preventing racial harassment

The curriculum has a key role to play in preventing and discouraging racism and racial harassment, challenging stereotypes and misinformation by recognising

- the history and culture of different communities and their contributions to British history; and
- that one of the key issues about two groups who are deeply alienated is that the more they get to know each other, the less myths and misconceptions will arise.

The curriculum also offers opportunities for pupils to work together for mutual benefits as well as for the exploration of key concepts such as colour racism, cultural racism, institutional and individual racism and of the measures and campaigns to build racial justice and challenge stereotypical views.

Curriculum planning should take account of the ethnicity, background and general needs of all pupils and draw upon experiences that help everyone to recognise the value and opportunities that diversity brings to our country.

The work which schools do to tackle bullying can also be effective in reducing racist incidents. Children can learn skills such as assertiveness, empathising, knowledge about rights and responsibilities and values such as openness and respecting difference.

Comments from Ofsted reports on schools' effective work in this area highlight the general ethos of the school (displays, assemblies and curriculum) reflecting and affirming diversity of language, culture, religion and appearance.

Responses to racist incidents should be part of a broader whole institution response to racism and behaviour.

Racist incidents are an educational concern for all – not just those who might experience racism. A well-written behaviour policy or race equality policy will be ineffective without the building of relationships to constantly reinforce issues of respect with and between staff and pupils. A get-tough policy without building relationships will only lead to other groups of pupils feeling victimised.

A named member of staff with a role in taking a lead on reporting should be identified and known to all. However, having a named person does not mean there will only be one person responsible for implementing the procedure. All staff, teaching and non-teaching should see dealing with racist incidents as part of their professional duties.

A positive anti-racist school ethos and curriculum is vital.

Responding to racist incidents is crucial, but not sufficient in itself to deal with racism. Awareness must be raised of the role a culturally diverse curriculum can play in preparing the learner to live and work in a multi cultural society. The broader aspects of anti-racist practice are reflected in the National Curriculum 2000 Inclusion statement.

It must be made clear to pupils, students, staff, parents/carers and visitors that racist incidents are unacceptable. Schools should encourage everyone to report racist incidents whenever and wherever they see them or are involved in them.

All reports of racist incidents should be investigated.

Undoubtedly, this is a sensitive area. Many might feel safer in not discussing or addressing issues that arise from racial harassment. However, the greater danger lies in ignoring incidents, giving pupils the impression that adults condone racist behaviour. Ignoring racist incidents means that pupils who are attacked feel unsupported as might their friends and families and that the perpetrators feel affirmed and approved of. Pupils and parents/carers need to trust the school to deal with racist incidents properly.

Actions taken within the procedure should focus on positive behaviour.

In responding to racist incidents, concentrating on behaviour and not the person is important in dealing with experiences that often involve feelings of inferiority, powerlessness and fear. Sometimes people may feel they have been wrongfully accused or may feel hurt or embarrassed.

Actions need to be positive yet sensitive. A focus on behaviour will also move the ethos away from 'blame' and so reduce the temptation to victimise the individual who made the complaint. The school's position on racism should be highlighted with all parties involved.

Consider the needs of the victim

Racial incidents can appear trivial. Though some incidents may not be motivated by clear-cut racist intent, the intention is often less significant than the effect on the person on the receiving end.

Regular whole staff discussion and training.

All staff need regular training to deal effectively with racist incidents, racism, racial harassment, prejudice and stereotyping. Not knowing what to say, fear of being seen as racist or saying the wrong thing can often hold staff back from actively tackling racism with the result that they say and do nothing leaving issues hidden 'behind doors'.

Pupils/students and staff need the opportunity for discussion, without fear of 'blame,' to develop ownership of the policy and procedures.

Staff induction should cover the school's policy and procedures. With current levels of staff recruitment and retention schools will need to be creative in finding ways for regular training. Embedding an equalities element within teaching and learning is one way to ensure regular discussions through INSET.

Transparency and consistency

The school's race equality policy should include the procedure for dealing with incidents and handling complaints. The *Framework for a Race Equality Policy for Schools (CRE)* outlines what an effective policy should contain.

The policy must apply to pupils, parents, staff, visitors, contractors and governors with the respective roles and responsibilities clearly defined to ensure that the whole school community knows what the procedures are and that procedures are consistently applied.

Procedures for dealing with racist incidents should also be included in the school's behaviour policy.

The procedure is regularly monitored

Ethnic monitoring should be used as a routine and rigorous part of school self-evaluation and management. It can highlight the role of racism in pupil under-achievement. Guidance from the CRE is that an effective race equality policy is implemented through an action plan that is embedded within the school improvement plan. Record pupil ethnicity in line with Hackney Approved ethnicity codes (Appendix 2c).

Pupil/parent voice to share concerns

How schools and LEAs listen to young people and consult with the community has become increasingly important. When talking with parents it is important that it is seen as a dialogue.

Parents may have misconceptions about the influence of 'others' on their child's behaviour and convey this to their children. All parents, staff and pupils need to be given the chance to explain their concerns and be involved in reviewing the school's policy on tackling racism. Many schools have already established mechanisms that could be used to find out if racism is a problem e.g. School Council, Youth Parliament, Parent Groups, Survey.

To contribute effectively, parents will need to know:

- about the school's policy and procedures on racism and racist incidents
- what to do if their child has been subject to racial harassment.

PART C

THE INCIDENT

How you deal with an incident will depend upon the seriousness of the situation, the age and understanding of the children involved and the context. Early intervention is essential.

In primary schools most incidents stem from name-calling between pupils that escalates into racist language. Approximately 90% of incidents reported by Hackney schools during the period 2003/04 were recorded as verbal abuse. Very young children may not understand the terms they use, but recognise their power to provoke or upset. It would be wrong to underestimate the damage that name-calling can do, especially if it is persistent.

HOW SHOULD WE INVESTIGATE A RACIST INCIDENT?

Ensure that:

- ❖ racist statements/language are always challenged by staff
- ❖ racist graffiti is removed immediately
- ❖ physical assault is never tolerated
- ❖ all incidents are acknowledged, investigated and talked through, whatever the age of the children.

The investigation has 3 main parts:

- reporting
- information gathering
- follow through

Reporting

It is important to be objective and report the facts. Whether or not the offender intended their behaviour to be racist is irrelevant at the initial reporting stage. Of course when it comes to dealing with the incident, the offender's intentions are an important consideration. But at the stage of the initial reporting the offender's attitudes, motivation and awareness are not the main issue.

All schools should have a named person responsible for completing paperwork and taking a lead on reporting. However, it is essential for all staff to be responsible for dealing with racist incidents.

The **information gathering stage** is an opportunity to gather as much information as possible to:

- judge whether the incident is racist or not
- ascertain whether the incident is an isolated event or part of a pattern of behaviour
- assess motivation

The **follow through** is an opportunity to resolve the situation. Perpetrators must be faced with taking responsibility for their outcomes of their behaviour. They must be made aware of the hurt they have caused and not be allowed to feel empowered at someone else's expense.

It is important not to downplay the feeling of victims by emphasising the lack of explicit intent (e.g. he/she didn't mean it) of the perpetrator. It is important to make it clearly understood how hurtful such language is and why it should not be used.

This stage also includes work with the rest of the school and training.

THE INVESTIGATION

Report:

Challenge all racist behaviour immediately and sensitively.

Fill in an Individual Racist Incident Reporting Form or school's own reporting form.

(Appendix 2a)

Inform parents of the victim that an investigation is being carried out. (Appendix 2b)

Notify the named person responsible for reporting racist incidents.

If appropriate, involve a senior member of staff as soon as possible.

Information gathering:

Find a quiet place for the conversation away from a pupil 'audience' and interruptions.

Talk through the incident with those involved. Listen to pupils actively, giving full attention.

Listen to all parties.

Remain calm and objective – be aware of personal prejudices.

Ascertain whether the incident is racist, an isolated event, part of a pattern of racist behaviour directed against a pupil, student or family in school or in the wider community or a reaction of anger/frustration against taunts.

Reinforce the school's position and rules on racist incidents and the school's definition of a racist incident.

Record the incident.

Follow through with those involved

Be able to explain your reasons for deciding whether or not an incident is racist.

Address the underlying issue making sure race issues are covered. Address the perpetrator's racist behaviour and correct racist statements. Ensure that all involved understand why the behaviour was considered wrong and the consequences.

Reinforce the school's position and rules on racism.

Give all parties the opportunity to be involved in resolving the situation.

Give full support to the victim.

Complete the Individual Racist Incident Reporting Form.

Inform relevant teacher/Tutor and 'named person'.

Inform the parents/carers of both perpetrators and victims and offer the opportunity for further discussion with them.

General follow through with whole school

Follow through to reinforce the school's position on reporting incidents via Assembly, Circle Time, curriculum or external agencies.

Consider ways to encourage pupils to learn the positive benefits of working together i.e. group activities, projects, assignments.

Discuss racist incidents and how staff and pupils should respond.

A zero tolerance on the use of racist language is an effective first step in creating a culture of respect.

Work with agencies to promote good race relations.

The 'named person' presents monitoring returns to staff to ensure regular discussion and development of good practice.

Schools need to report summary information on racist incidents to their Governing Body, parents/carers and The Learning Trust. Please use the Hackney Approved Ethnicity codes as set out in Appendix 2c.

This information must be provided even if a 'nil return' i.e. no racist incidents were recorded for that period.

HOW SHOULD WE SUPPORT VICTIMS?

Racial harassment and abuse are often not obvious to others and victims often suffer abuse in silence. Staff will need to be encouraged to be proactive and at the same time sensitive to a pupil's needs. Peer group support is effective in that it is a way of supporting the ethos of group responsibility and at the same time offers the victim an opportunity to regain a sense of 'power' within the group.

Ensure that you:

- ❖ acknowledge the incident
- ❖ contact the parents, explaining how any action taken relates to your school policy
- ❖ enable victims to make contact with an approved outside agency if appropriate (e.g. Anti Bullying campaigns).

SANCTIONS

Having established that a pupil/student was responsible for the racist behaviour, the appropriate sanction needs to be considered.

Sanctions should be agreed within each school, be known to staff, governors, pupils, students, parents/carers and should be in line with the behaviour policy.

It is important that everyone is clear and knows what sanctions will apply to different racist incidents or persistent offenders.

Ensure that:

- ❖ in considering the sanction, important factors are addressed i.e.
 - the seriousness of the incident
 - if there is a repeated pattern of behaviour.
 - what support should be put in place to avoid exclusion for racist behaviour
- ❖ sanctions are applied consistently
- ❖ parents are informed as to the actions taken.

For low-level incidents it will be sufficient to issue the perpetrators with an immediate verbal reprimand and for perpetrators to formally apologise to victims.

More serious incidents may require exclusion or Police intervention.

REPORTING INCIDENTS

A school's population does not exist in a vacuum from the rest of society, nor is it unchanging. It would be unrealistic in any school to expect that no racist comments will ever be made. A nil return from a school might reflect a school's good practice. On the other hand, it might reflect the situation that pupils are not confident about reporting incidents to staff, or that staff have not understood the nature or seriousness of racist incidents.

It will not be automatically viewed as a concern if a school reports a lot of incidents on its return. However, as successful strategies are developed to prevent incidents, the numbers of incidents should decrease in that school. If monitoring shows this not to be the case, then the school must develop more effective strategies.

Information for The Learning Trust should be submitted termly on the Racist Incidents Monitoring Return Form. (Appendix 2c)

Ensure that you:

- ❖ inform the Governing Body of the number of incidents and actions taken to deal with them as part of the Head Teacher's report
- ❖ provide The Learning Trust with a summary report of incidents using the Racist Incidents Monitoring Return Form each term
- ❖ provide information to parents annually on the number and nature of such incidents and the action taken to deal with them
- ❖ do not use names in any reports as further proceedings may result in connection with the incident. Confidentiality must be maintained with information being handled in accordance with the Data Protection Act 1998.

HOW CAN WE ENCOURAGE PUPILS TO REPORT INCIDENTS?

The most effective way to ensure racist incidents are reported are to:

- develop an anti-racist ethos across the school
- adopt the definition of racist incident as defined in the Stephen Lawrence Inquiry (Macpherson Report) 1999
- carry out actions to instil confidence in the school community that racism will be tackled by the school
- encourage staff to be vigilant and proactive with respect to pupil behaviour.

CASES THAT OCCUR OUTSIDE THE SCHOOL

Racist incidents may occur outside of school premises or on a school visit.

Public bodies are required to comply with the General Duty under the Race Relations (Amendment) Act 2000 and may well have in place a procedure for reporting racist incidents. If an incident occurs during a visit, then the organisation should be informed. If an incident occurs with another school, they too should be informed so that they can implement their procedures.

HOW CAN WE USE THE CURRICULUM?

Pupils need to be able to:

- ask appropriate questions about difference without being unkind or insensitive
- talk about racist and other similar incidents
- develop the skills to counter racist (and other forms of bullying) and to take appropriate action against bullying.
- see the difference between accepting themselves and being proud of what they are and feeling superior to and diminishing others in order to bolster their self-image
- develop empathy.

Pupils can role-play mediating disputes, making clear that racist remarks and behaviour are unacceptable. They can learn how to support each other in being assertive, as distinct from aggressive or submissive when incidents occur.

Examples of curriculum and initiatives are:

Citizenship Curriculum (KS4 Unit 3 – Challenging racism and discrimination) Peace Week

Refugee Week

Kick Racism Out Of Football

Black History Month

www.qca.org.uk/ca/inclusion/respect_for_all/

National Literacy Strategy

INCIDENTS INVOLVING ADULTS

This procedure will also apply if the incident involves:

- an adult (visitor, contractor) using racially abusive language/behaviour in a conversation or meeting
- a pupil and a staff member. (The disciplinary procedure could be initiated after the investigation.)

If the incident is between members of staff, then the incident should be reported through the Staff Grievance procedure.

Parents/carers might confide in a member of staff about a racist incident that occurred not involving pupils. In this case, a **Confidential Initial Report Form** should be completed with one copy returned immediately to The Learning Trust and one to the Community Safety Unit (see Appendix 4 for address). A copy can be downloaded from the Learning Live website @ www.learninglive.co.uk through the 'equalities' link.

Alternatively, they should be immediately referred to:

Hackney Domestic Violence and Racial Harassment Team

Freephone number 0800 056 0905

9 am – 5 pm Monday to Friday

Hackney & City of London Victim Support

Tel no: 020 8533 5332

Mon – Fri 9.39 – 5 pm

WHAT IS THE ROLE OF THE GOVERNING BODY?

The Governing Body has a role in this work looking for patterns and good practice. The EMA Governor can take a lead in ensuring that governors are kept informed through the Head teacher's Report on the number of incidents and actions taken. Appendix 3 contains some questions that can be used in analysing the information.

WHAT HAPPENS TO THE INFORMATION SENT TO THE LEARNING TRUST?

The Learning Trust requires this information to inform its strategies for all schools. The Learning Trust expects **all** schools to return the information when requested. Information from as many schools as possible will have a positive impact on the development of effective strategies to promote race equality. Strategies include training, guidance documents, partnership work with Hackney Community Safety Unit and policy development.

The Learning Trust reports to the London Borough of Hackney as part of the Best Value Performance Indicators 174 and 175.

Information is reported in ways to ensure individual schools cannot be identified.

HOW THE LEARNING TRUST WILL SUPPORT SCHOOLS

The Learning Trust will use the Professional Development Programme to provide:

- training for head teachers, teachers and governors to ensure that the implications of this document are fully understood
- training on the use of the curriculum (formal and informal) to value cultural diversity and challenge racism
- training to ensure racist incidents are always taken seriously and dealt with consistently
- offer advice and support to schools when racist incidents occur or allegations of racism arise
- produce and distribute to schools a report on racist incidents across the borough to share best practice without identifying schools individually.

(Appendix 1)

EXAMPLES OF RACIST BEHAVIOUR

Verbal abuse –

- offensive jokes
- inciting
- vicious/threatening language
- name calling
- ridiculing differences
- insults

Graffiti

Abusive letters

Refusal to cooperate with people because of their cultural or ethnic origin

Physical assault

Possession or distribution of material of a racist nature

Damage to property

Theft

Racist comments during lessons or breaks

Ridicule of an individual's cultural or ethnic background

Incitement of others to behave in a racist manner

(Appendix 2a)

Individual Racist Report Form

(Complete 1 sheet for each incident)

If adults are involved - do not investigate. Complete a Confidential Initial Report Form.

If the incident is a grievance between staff – use the Staff Grievance Procedure.

Date of incident:

Date of initial action:

Reported by:	Dealt by	School	
Name of perpetrators(s)	Name of victim(s)	Location	
Total number: M: F:	Total number: M: F:	Lessons <input type="checkbox"/>	Break <input type="checkbox"/>
Class/Year group:	Class/Year group:	On route <input type="checkbox"/>	Other <input type="checkbox"/>
Ethnicity:	Ethnicity	<input type="checkbox"/>	<input type="checkbox"/>

Type of incident (please tick) e.g. Verbal abuse – comments which are: offensive jokes; inciting; vicious/threatening; name calling; ridiculing differences

Verbal abuse	Refusal to co-operate with another pupil or adult	Abuse of personal property	Violence	Graffiti	Other (please specify)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Tick, if after investigation the incident was determined to not be racial.

Type of action taken with <u>each</u> perpetrator(s)		Type of action taken with <u>each</u> victim(s)	
Immediate discussion		Reassurance by staff/staff support	
Member of SMT involved		Encourage peer group support	
Parent involved		Parental involvement	
Exclusion		Other agency involved (please specify)	
Other agency involved (please specify)			

Nature of incident and how it came to light _____

Action taken with perpetrator(s) _____

Support provided to the victim(s) _____

Outcome/recurrent/further action _____

Any additional comments (include if repeat perpetrator/victim) _____

(Appendix 2b)

MODEL LETTER TO PARENTS/GUARDIAN OF AN INCIDENT

Dear

Allegation of Bullying/Racism

Your son/daughter has reported on (date) that he/she was subjected to a bullying/racist incident. We do not tolerate any form of bullying/racism and as part of our school policy, this allegation is being investigated thoroughly.

I will provide you with further information within 5 working days. However, you are welcome to contact me if you wish to discuss this matter further.

Please sign and return the tear-off slip to confirm that you have received this letter.

Thank you for your assistance in this matter.

.....

Allegation of bullying/racism

Child's name

I understand that I will hear from you about this matter.

Name of parent/carer

Class

Signature

Date

(Appendix 2c)

Racist Incidents Monitoring Return Form

The purpose of this form is to gather information centrally on the numbers of racist incidents that occur in Hackney schools. The information will be used to write a report for the Learning Trust. **Individual schools will not be named or identified.** Please complete and return to the Technology and Learning Centre. The figures collated below should relate to the period _____ to _____.

1. **School Name**

2. **Total number of racist incidents**

3. Types of action taken with the perpetrator (see Notes Page)

	Incident 1	Incident 2	Incident 3	Incident 4	Incident 5	Incident 6	Incident 7
A							
B							
C							
D							
E (please specify)							

4. Types of action taken with the victims (see Notes Page)

	Incident 1	Incident 2	Incident 3	Incident 4	Incident 5	Incident 6	Incident 7
F							
G							
H							
I (please specify)							
J							

5. Number of incidents involving adults?

Staff Parents/Carers Visitors

How these incidents were followed up? Record each incident.

Contact with The Learning Trust Legal Department

Contact with Police Through the grievance procedure

6. Please list the numbers of victims and perpetrators by ethnic code. Add 'E' to denote the ethnicity of any child excluded. (See Notes page)

Code	Number of perpetrators	Number of victims	Code	Number of perpetrators	Number of victims
01			14		
02			15		
03			16		
04			17		
05			18		
06			19		
07			20		
08			21		
09			22		
10			30		
11			99		
12			00		
13					

7. Types of incidents

	Incident 1	Incident 2	Incident 3	Incident 4	Incident 5	Incident 6
Verbal abuse						
Refusal of co-operate with another pupil or adult						
Abuse of personal property.						
Violence						
Graffiti						
Other (please specify)						

8.

<p>Number of incidents recorded more than 1 perpetrator:</p> <p>Number of repeat perpetrators:</p> <p>Number of incidents reported but not racial:</p> <p>Any comments/training requests: (continues on separate sheet)</p>

NOTES PAGE

IF YOU NEED FURTHER ADVICE ON COMPLETING THE MONITORING FORM, PLEASE CONTACT YOUR LINK ADVISER OR MEMBER OF THE ETHNIC MINORITY ACHIEVEMENT SERVICE.

3. Types of action taken

Types of action with the perpetrator	
A	= Immediate discussion
B	= Member of SMT involved
C	= Parent Involved
D	= Fixed-term exclusion
E	= Other agency(ies) involved (please specify)

Types of action with victim	
F	= Reassurance by staff / staff support
G	= Encourage peer group support
H	= Parental involvement
I	= Other agency(ies) involved (please specify)

It is important that you record 1 tick for each action with each perpetrator/victim.

If there is more than 4 perpetrators/victims involved in an incident then record as a 'group'.

- 5.** Incidents involving staff and pupils, or visitors and pupils should be recorded on this form. Incidents involving staff against staff should be recorded in line with the Grievance Procedure.

6. Ethnic Codes

These categories are reflected in the Hackney Approved Ethnicity codes.

Code	Description
01	English
02	Scottish
03	Welsh
04	Irish
05	Traveller of Irish Heritage
06	Albanian
07	Greek/Greek Cypriot
08	Turkish
09	Turkish Cypriot
10	White Eastern European
11	White Western European
12	White Other
13	Gypsy Roma
14	White and Black Caribbean
15	White and Black Asian
16	White and Asian
17	Any Other Asian Background
18	Indian
19	Pakistani
20	Bangladeshi

Code	Description
21	Any Other Asian Background
22	Caribbean
23	Angolan
24	Congolese
25	Ghanaian
26	Nigerian
27	Sierra Leonian
28	Somali
29	Sudanese
30	Other Black African
31	Any Other Black Background
32	Chinese
33	Afghan
34	Kurdish
35	Latin/South/Central American
36	Vietnamese
37	Orthodox Jewish
38	Any Other Ethnic Group
39	
40	Information not available

(Appendix 3)

GUIDANCE ON EVALUATING RACIST INCIDENTS RETURNS

The following questions may be useful for staff and governors in analysing the racist incident monitoring information.

1. Are there more or less incidents reported than last year/previously?
 2. Are there any patterns re:
ages/years/classes involved
ethnic groups involved perpetrators or victims)
refugees/asylum seekers
gender
non-pupils' involvement
repeat perpetrators
groups of pupils involved
types of incidents
numbers/percentages of incident found to be non-racist
location
responses to reported incidents
number of incidents reported to police.
 3. Are there any concerns around links between racist incidents and pupil performance at individual/group or school level?
 4. What has been the effect of previous suggestions for improving practice of the past year (if applicable)?
 5. What is your evaluation of this information? What actions are you putting in place to address the evaluation?
- Are there changes in the patterns from last/previous years/s
What factors seem to be involved?
6. What support needs arise from this evaluation?
 7. Other comments. Include concerns of racism occurring within the local area.

GLOSSARY

Race is

Race is a term used to describe a class of people distinguished by their skin colour and physical characteristics. There is no scientific basis for the C19th belief that people can be divided into different groups.

Racism is...

Racism is the belief that some "races" are superior to others. This is mostly based on the false idea that different physical characteristics (like the colour of someone's skin) or ethnic background makes some people better than others.

Discrimination is ...

Discrimination occurs when someone is treated less favourably on grounds of their colour, race, nationality or national or ethnic origin.

Prejudice is ...

Prejudice means "pre-judging" someone – knowing nothing about them but jumping to conclusions because of some characteristic, like their appearance or their accent or even their gender.

(Appendix 4)

RESOURCES/BOOKLIST

Statutory Code of Practice on the Duty to Promote Race Equality – Commission for Racial Equality May 2002

CRE Framework for a race equality policy for schools – downloadable publication from www.cre.gov.uk/pubs/download.html

Learning For All: Standards for Racial Equality in Schools CRE – www.cre.gov.uk/gdpract/ed.html

Britkid WWW.BRITKID.ORG

A joint project between Comic Relief and University College Chichester, this is a website about identity, racism, and growing up in Britain. It explores issues around race, racism, prejudice, stereotypes, friendship and support through the experiences of nine young British characters. Britkid is designed for citizenship, PSHE and RE work, but it can easily be used in other subject areas too.

Show Racism the Red Card

Show Racism the Red Card is an anti-racist charity that was established in January 1996 with the aim of using Professional footballers as anti-racist role models. Although racism is on the decline in professional football, it is unfortunately on the increase in British and indeed European society. The aim of the campaign is to combat racism through anti-racist education and professional footballers are showing the way in terms of making a stand and fighting racism

'**Aiming High: Raising The Achievement of Gypsy Traveller Children**' - contains useful background guidance for schools in developing positive strategies for the inclusion of Gypsy Traveller pupils.

www.childline.org.uk/Challengingracism.asp - includes activities and information sheets.

Further information on the Confidential Initial Report Form can be obtained from

Community Safety Co-ordinator

London Borough of Hackney

Maurice Bishop House

17 Reading Lane

London E8 1HH

020 8356 2207