

### **Rationale**

It is important for schools to address racial harassment because it has damaging effects:

- on the life quality of the victims and those who know them
- on the quality of the education a school provides

### **Background**

As a result of recent legal developments (e.g. The Race Relations Amendment Act) and guidance (e.g. Social Inclusion: Pupil Support DfES Circular 10/99), governing bodies must review existing policies and formulate and implement strategies for tackling racist incidents and promoting racial equality. Failure by a governing body to deal adequately with complaints of racial harassment in school could be seen as discrimination in the provision of facilities for education.

The school is committed ensuring that there are procedures to monitor racial incidents and provide support as necessary.

Responses to racist incidents should be part of a broader whole institution response to racism. A positive anti-racist school ethos and anti-racist curriculum is vital. Responding to racist incidents is crucial, but not sufficient in itself to deal with racism. We need to educate pupils to “challenge discrimination and stereotyping” (Aim 2 of the National Curriculum). The National Curriculum talks explicitly of the need for all teachers to “create effective learning environments in which ... stereotypical views are challenged” as part of their statutory inclusion obligations. This is followed through by OFSTED where inspectors evaluate “pupils’ understanding of the effects of stereotyping, prejudice, sexism, racism and all forms of discrimination” (Evaluating Educational Inclusion: guidance for inspectors and schools, 2000).

Though our school is predominantly made up of white, British citizens as a school this is not the key issue, as promoting race equality is about preparing all pupils to live harmoniously in a modern multi-ethnic society.

Also see Race and Gender Equality Scheme.

### **Aims of the policy:**

- to ensure that all racist incidents are dealt with effectively and consistently
- to promote race equality through our curriculum and to challenge discrimination and stereotyping

### **Definition of a Racist Incident**

The Stephen Lawrence Inquiry Report defined a racist incident for the purposes of reporting and recording, as:

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

The use of this definition ensures that all possible racist incidents are properly investigated and followed through. It does not mean that the incident is recognised as racist because someone says it is, only that it is investigated objectively as it if were.

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

Racial incidents can appear to be petty or trivial to people who never (or rarely) experience them. Though some incidents may not be motivated by clear-cut racist intent, the intention is often less significant than the effect on the person at the receiving end. It is important not to downplay the feelings of victims by emphasising the lack of explicit intent (e.g. “he/she didn’t mean it”) of the perpetrator. Perpetrators must be faced with taking responsibility for the

outcomes of their behaviour. They must be made aware of the hurt they have caused and not be allowed to feel empowered at some else's expense.

The school believes that all forms of racism are unacceptable. It is also important to recognise that racist incidents are not only always accompanied by overt expression of racial prejudice or intolerance and that racist behaviour may also take the forms of ignoring, not allowing to join in, not sharing and other more covert exclusionary practices.

Racial harassment and abuse can often only be obvious to the person experiencing it and while victims should certainly be encouraged to report incidents, staff should not wait for victims to take the initiative. Young people often suffer this kind of abuse in silence, not even daring to tell their families what they are going through, perhaps because of the misguided notion that it is their own fault. Some victims may not want to draw attention to themselves by pursuing the matter because they are scared, so staff need to be vigilant.

Racist incidents can involve any of the following:

- ◆ Verbal abuse, threats and name-calling
- ◆ Racist graffiti
- ◆ Racist comments in the course of discussions
- ◆ Physical intimidation
- ◆ Violent attacks because of colour, ethnicity, nationality or religion
- ◆ Incitement of others to behave in a racist way
- ◆ Refusal to co-operate/work with other pupils because of their colour, ethnicity, nationality or religion
- ◆ Ridicule of cultural differences e.g. food, dress, language, names, appearance
- ◆ Racist jokes (including those circulated on mobile phones and via the internet)
- ◆ Damage caused to a person's property
- ◆ Possession/distribution of racist material
- ◆ Wearing racist badges/insignia

#### **Procedures for Reporting Racists Incidents**

- ◆ All staff will take reported or witnessed incidents seriously and report them to the Deputy Headteacher immediately
- ◆ The Deputy Headteacher will investigate the incident by speaking with all involved parties, including any witnesses and record this on CPOMs
- ◆ The Deputy Headteacher is the designated person for dealing with racist incidents. The Deputy Headteacher should be informed of all incidents, be responsible for their investigation and for the completion of updates to CPOMs and play the lead role in following through, linking in with the school's disciplinary and pastoral structures
- ◆ The Deputy Headteacher, along with the staff member involved in reporting the incident, will record the incident on CPOMS
- ◆ The child's teacher will report racist incidents to the pupils' parents and the Headteacher will report to school governors
- ◆ The Deputy Headteacher will take any other appropriate action (for example, contacting the police)
- ◆ The Deputy Headteacher will ensure that any appropriate support is offered to the victim
- ◆ The School Business Manager will record any racist incidents on the Bolton Metro Electronic Return Form and email it by the required deadline
- ◆ The Headteacher (with the support of the Senior Leadership and Management Team) will determine whether the school needs to implement strategies to prevent racist incidents or review its procedures in order to deal with racist incidents more effectively

- ◆ All staff will sign an agreement which states they have read and understood the Reporting Racist Incident Policy and have had the opportunity to discuss it with Karen Forshaw if they request so
- ◆ Staff explain the importance of reporting racist incidents and how they are dealt with as part of school assemblies and PHSCE lessons.

### **Monitoring, evaluation and review**

The school will review this policy at least every two years and assess its implementation and effectiveness. The policy will be promoted and implemented throughout the school.

## **Appendix 1**

### **Racist Incidents Involving Young Children**

Dealing with racist incidents involving young children is an issue that needs careful consideration and thoughtful handling. Incidents involving young children do happen and teachers need to respond to them positively and work to prevent their occurrence. Good practice has been developed over the last few years. Some general guidance for good practice is outlined below as a framework for schools to develop their own practice in the area.

Research shows that young children are aware of physical differences related to ethnicity and they attach values to these differences in line with the judgements prevalent in the home, family, community and society. Children may use derogatory racist terms and behave in ways which are racist, i.e. refusing to sit next to or refusing to play with other children because of their ethnicity.

It may well be that what appears to a victim and others including their parents, to be racist incidents may not have an explicit racist intention. But perpetrators must be faced with taking responsibility for the 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.

Name-calling and the use of racist labels should be recorded and followed through. Action needs to be positive, but also sensitive.

All school staff need to enable children to:

- be able to talk about differences sensitively
- ask appropriate questions about differences without being unkind and insensitive
- explore equality issues – using Persona Dolls is an invaluable Early Years/KS1 strategy [see “Combating discrimination: persona dolls in action” . B. Brown, Trentham, 2001: 1858562392]
- talk about racist, and other similar, incidents
- develop the skills to counter racist (and other) teasing and to take appropriate action against abuse, excluding behaviour and taunting
- 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
- teachers to consider any racist incidences which have occurred and any follow up action required (work alongside the Headteacher / Deputy Headteacher to do so) and complete the required proforma to document this

## Appendix 2

### The Law

#### i. Race Relations Act (1976).

The Race Relations Act 1976 states that: "... it shall be the duty of every local authority to make appropriate arrangements with a view to securing that their various functions are carried out with due regard to the need:

- to eliminate unlawful racial discrimination; and
- to promote equality of opportunity, and good relations between person of different racial groups".

The 1976 Act makes it unlawful to discriminate against a person, directly or indirectly, in the field of education and makes it unlawful for any educational establishment to discriminate:

- A) "in the way it affords its pupils or students access to any benefits facilities or services" and
- B) "by excluding them from the establishment or subjecting them to any other detriment".

It is unlawful for the Education Authority to discriminate in carrying out any of its functions as defined in the Education Acts and there is a general duty for the Education Authority to provide all their services without unlawful discrimination.

#### ii. Race Relations (Amendment) Act (2000)

This strengthens the 1976 Act by:

- Extending protection against racial discrimination
- Placing a new enforceable positive duty on public authorities

The Act provides wider protection against racial discrimination. Public authorities, including schools, will be expected to incorporate racial equality considerations into everything they do.

**A Code of Practice** has been issued by the Commission for Racial Equality to help schools and public bodies by providing practical guidance on implementing their specific duties with regard to their general duty to promote race equality.

Although the Race Relations Acts do not specifically deal with racist incidents and harassment per se, case law in relation to indirect discrimination recognises racial harassment as a form of indirect discrimination. Failure by a governing body to deal adequately with complaints of racial harassment in school can, therefore, be interpreted as discrimination in the provision of facilities for education.

#### iii. The Criminal Justice and Public Order Act (1994)

Racial harassment is, however, specifically covered by this Act, which introduced a new criminal offence of intentional harassment. The offence covers all forms of harassment, including racial harassment. The act defines harassment as the use of "threatening, abusive or insulting words or behaviour; or disorderly behaviour; or displays of writing, signs or other visible representation which is threatening, abusive or insulting".

The act covers: threatening to destroy or damage property: possession with intent: public order offences; riot; violent disorder; affray; fear or provocation of violence; harassment alarm or distress harassment with intent and specific offences relating to racial hatred.

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 to stir up racial hatred.

- is likely to stir up racial hatred
- The same criteria are applied to a person who publishes or distributes written material, which is threatening, abusive, or insulting. The same criteria are also applied to a person who has such material in his or her possession and who intends it to be displayed, published, distributed, or used for television or radio.