

# **Boundary Oak School Managing Racial Incidents Policy**

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## Section A – General Guidance

### 1. Definition

The MacPherson Report's definition of a racist incident, as outlined in the enquiry into the death of the teenager Stephen Lawrence:

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

This is a definition used by the Home Office and is nationally accepted by the DCSF the Police and Boundary Oak School. It includes all groups, and is not confined to race, ethnicity or skin colour.

A racist incident may be perpetrated against individuals on the basis of their race, skin colour, nationality, culture, language or religion.

### 2. Legal Framework

Monitoring, recording and responding to racial incidents in schools is a statutory requirement. The Race Relations (Amendment) Act 2000 places a general, enforceable duty on all schools (and other public bodies) to:

- Eliminate unlawful racial discrimination.
- Promote equality of opportunity.
- Promote good relations between people of different racial groups.
- Make clear in their schools' behaviour policy that racial harassment will not be tolerated and how staff and pupils should deal with it.
- Record details of all racial incidents, ensuring that parents/carers and governors are informed of such incidents and of the action taken to deal with them. (This requires the school to investigate **all** allegations of racial incidents.) The allegation can be made by the victim, perpetrator or any other person

The racial incident reporting procedure is closely linked to school policies and action plans, for example the schools:

- Race equality policy and action plan (now a legal requirement)
- Complaints policy
- Behaviour policy
- Disciplinary and Exclusion policies
- Anti-bullying policy
- Curriculum policy: citizenship
- Other pupil management policies.

It is also be reflected in the school's:

- Behaviour Code and ethos
- Guidance issued to all staff (including auxiliary staff, supply teachers and temporary staff) concerning behavioural expectations and sanctions.
- Induction training programme

## **Section B – Role and Responsibilities**

### **1. Role of the Governing Body**

The School has a strategy for dealing with racial incidents including the recording and reporting of racial incidents to parents/carers, governors and the LA.

### **2. Responsibilities for Boundary Oak**

To provide a safe environment for children to learn in.

To work collaboratively with other agencies to develop safe communities.

To clearly set out its commitment to tackling racism and to oppose any form of racist harassment.

To implement, monitor and review strategies and positive action to tackle racism. This will include:

- Recording and reporting racial incidents.
- Reviewing action taken to deal with incidents.
- Ensuring that a named member of staff is identified to deal with racial incidents and that the process for dealing with racial incidents is published to staff, pupils and parents/carers.
- Establishing a support mechanism for victims and perpetrators.

Have in place a Race Equality Policy, which is implemented and monitored.

## **Section C - Recording and reporting racial incidents**

### **1. Recording and reporting racial incidents**

All information regarding racial incidents, including any subsequent report should be kept in a confidential centrally maintained file held by the senior designated member of staff which in this case is the Headmaster.

All reports made at Boundary Oak relating to racial incidents must include the following information:

- Name of victims and perpetrators
- Status of victims or perpetrators (e.g. pupil/member of staff)
- Ethnicity
- Key Stage
- Whether the victim or perpetrator is an asylum seeker
- Indication if involved in previous incidents
- Date and time
- Type of incident
- Action taken to deal with the incident and details of support offered to victim and perpetrator
- Whether they referred the incident to the Police
- Who conducted the investigation

Staff can include analysing incidents by faith and sexuality in line with duties to eliminate discrimination and harassment based upon sexual orientation and religion or beliefs under the Equality Act 2006.

The central file will form a central part of evidence in the School Inspection framework to demonstrate how the school is managing racial incidents and combating racism.

## **2. Investigating an incident**

- ❑ Record the incident using the 11 points listed above in Section 1.
- ❑ Speak to all parties involved
- ❑ Support the victim and re-affirm to all parties the school's ethos of zero-tolerance to discriminatory behaviour and inclusion of all members of the school community
- ❑ Support the alleged perpetrator (if a pupil or staff member) and re-affirm the school's ethos of zero-tolerance to discriminatory behaviour and inclusion of all members of the school community.
- ❑ Where appropriate advise relevant bodies about the incident as soon as it has happened.
- ❑ Evaluate sharing information with relevant authorities including the Police if deemed necessary.
- ❑ Keep the situation under regular review to ensure that any harassment, abuse or victimisation has stopped and that the victim feels safe.
- ❑ Consider any curriculum implications, including the need for a special assembly or changes to the school's behaviour code or other policies.
- ❑ Consider if there is a child protection issue in this case.
- ❑ Consider advice from the Local Education Officer

Any report or allegation of a potentially racial incident requires an investigation and the completion of a written report. Only through an investigation can an incident be found to have been unsubstantiated.

Speak to all parties involved to assess the context of the incident, particularly if this is a dispute about who said what to whom.

Examine whether a term has the effect of causing offence, hurt or damaging self-image. Where name calling e.g. 'black monkey' has been used to negatively link a pupil with the black and minority ethnic community this is to be treated as a racist incident.

Re-affirm to all parties the school's ethos of zero-tolerance to discriminatory behaviour and inclusion of all members of the school community

Where appropriate advise about the incident as soon as it has happened. This demonstrates the pro-activity of the school and can inform the school about family views regarding discrimination, equality and community cohesion.

While some investigations will be very simple, others may require witness statements or other supporting documentation. In such instances, a file of investigations may be kept along with the central file of written reports in a separate confidential file, but may not be stored with the pupil records of the pupils involved. This is to protect confidentiality of all involved.

Where witness statements are requested as part of police investigations, the police will use their own recording systems.

The Headmaster has a role in listening to and supporting the victim. The school community can be a place that promotes mutual respect and understanding, leading or contributing to the resolution of conflict in the wider community.

For incidents of a persistent and/or serious nature the Headmaster is advised to copy reports or parts of it to the relevant authorities. These will be able to support and advise in this situation. This also summarises and monitors the investigation process, outcome and actions taken.

### **3. Response to incidents outside the school premises involving the members of the school**

When incidents occur outside the school premises involving violence, assault, verbal abuse or other criminal behaviour are reported to the Headmaster, the Headmaster should notify Hampshire Police and encourage the victim to report the incident directly to a police officer. In some events the victim / informant is too afraid to report the incident and a third party can report the incident. Third

party refers to a victim using another agency other than the school or the police to report an incident. Third party reporting ensures that the police can investigate such incidents and if appropriate, take steps to prosecute the perpetrator(s). See Useful Contacts in the Child protection Policy for third party reporting agencies.

#### **4. Reporting to Police**

The Headmaster should inform the police via Youth Crime Reduction Officers or Community Liaison Officers of violent or criminal acts in the school or the wider community. This applies to all racial incidents brought to the attention of the school, regardless of the relationship of the parties to the school. The Police strongly suggests that schools relay information about patterns and specific incidents to the Youth Crime Reduction Officers or Community Liaison Officers, so that they can correlate other incidents involving the victim's family outside of the school. The Police have the discretion to decide to pursue action based on incidents; they aim to identify and assess the impact of incidents.

Violent, criminal or serious incidents should also be reported to the LA through the Local Education Officer.

#### **5. Records Maintenance**

Records relating to racial incidents will be treated as highly confidential and is held securely in a central file in the Headmaster's Study. A record of any racial incidents should be referred to in the individual child's file by a one-line entry recording the Racial Incident Page number. This maintains confidentiality and eases completion of future forms if necessary. In the instance of parents/carers/guardians requesting to see files, data can then be extracted, withholding identifying details of other parties.

The central file may be required to provide evidence as part of the ISI school inspection process to show how schools are managing racial incidents and combating racism. This file will also enable schools to learn from particular incidents, highlight trends and monitor progress.

Any summary of incidents or monitoring report by the school which will be shared with governors, leadership team, staff or the wider school community must not disclose the identity of any individuals involved in racial incidents.

The central file must be retained for 25 years due to the nature of the information held.

## **Section D – Informing the school**

### **1. Providing Information to Pupils**

The school should ensure that all pupils:

- Understand that the school is opposed to any form of bullying or harassment including racism or racial harassment.
- Know how the Racial Incident Procedure works, and are encouraged to use it without fear of victimisation.
- Understand that all racially motivated incidents are recorded and reported (and that serious incidents are reported to the police).
- Know what sanctions and support is available.

## **Section E – Types of Incidents**

### **1. Examples of racially motivated Incidents**

- Name calling, threats, insults, jokes, innuendo.
- Verbal abuse and threats.
- Derogatory comments or racist remarks in the course of discussion.
- Racist graffiti.
- Provocative behaviour such as wearing racist badges or insignia.
- Racist comments in the course of discussion.
- Ridicule of an individual's religious or cultural differences, e.g. food, music, dress, religion, language etc.
- Bringing racist materials such as leaflets, comics or magazines onto school premises.
- Attempts to recruit others for racist groups or organisations.
- Physical assault.
- Use of weapons.
- Damage caused to a person's property.
- Refusal to co-operate with others because of their ethnicity, religion or language.
- Written derogatory comments
- Incitement of others to behave in racist manner

## **2. Racist name calling**

Racist name calling is different from insulting someone because of his or her size, physical appearance or wearing glasses. However, racist name calling can sometimes be seen to be the same as other name calling such as calling someone 'fat', 'spotty' or 'four eyes'. Name calling that relates to appearance is specifically intended to hurt the individual. It is acknowledged that for some pupils this type of name calling can be hurtful. Racist name-calling differs from other name calling because

- It is based on a belief that a pupil's race, skin colour or ethnic origin negatively impacts upon their community value, rights and life opportunities.
- It brings the victim's family, heritage and background into the insult in a way that calling someone fat does not.

The effect of racist name calling is that a member of a certain race or ethnic group can be vulnerable to unfair treatment because they are not seen to be as good as other races or ethnicities.

The age of the name caller may influence their awareness of the power of racist language to exclude and offend, but does not prevent the recording of an incident as racist where racially derogative words or phrases are used.

## **3. Racist bullying**

DCSF guidance distinguishes racist incidents from racist bullying by the following

'Most bullying involves a series of incidents over time. In the case of racist bullying, however, a single one-off incident may have precisely the same impact as a series of incidents over time. This is because it may be experienced by the person at the receiving end as part of a general pattern of racist hostility. It can in consequence be every bit as intimidating, rejecting and hurtful as a series of events over time'

Where the racist behaviour involves a repeated recipient or victim and perpetrator this could be an indication that racist bullying is occurring.

*The Headmaster should be informed of any irregularities within this policy immediately.*

Stephen Symonds  
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