



Racial Incident Policy and Procedures

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| Date of next review: | 2022 | Written by: | Rebecca Garratt |
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| Signature: | | | |

RATIONALE

Wyre Forest School is an inclusive school where each and every individual is respected equally, irrespective of race, colour, creed, religion or belief. The Equality Act 2010 protects members of our school community from discrimination and harassment based on protected characteristics. The protected characteristics for school provisions are:

- Disability
- Race
- Gender reassignment
- Pregnancy and maternity
- Religion or belief
- Gender
- Sexual orientation
- Age
- Marriage and Civil Partnership

PURPOSE

This policy outlines clearly the procedures to be followed when dealing with an incident which is perceived to be racist. Wyre Forest School does not tolerate racial harassment under any circumstance and is committed to dealing with racial incidents effectively, sensitively and in a timely manner.

The Race Relations (Amendment) Act 2000 places a general duty on a wide range of public authorities (including schools) to promote race equality. This duty means that, in everything we do, we should have due regard for the need to:

- Eliminate unlawful racial discrimination;
- Promote equality of opportunity; and
- Promote good race relations between people of different racial groups.

It should be noted that, for the purposes of legislation, specific groups are classed as racial groups, i.e. Gypsy/Roma and Irish Travellers.

At Wyre Forest School, we believe that racial discrimination should be challenged in all aspects of school life.

AIMS

This policy aims to:

- Establish what constitutes a racial incident and to share this with the whole school community by publicising this policy;

- Ensure that each and every member of our community is able to speak openly and freely about their experiences;
- Ensure that procedures are in place to deal with any racial incidents and that the whole school community is aware of these procedures;
- Ensure there is a monitoring procedure to record all incidents and subsequent actions;
- Ensure that formal records of all racist incidents are maintained;
- Ensure that nature and frequency of any racist incidents are reported to the Governing Body via the Headteacher's Report and to other authorities as required.

DEFINITION

Wyre Forest School has adopted the following definition of a Racial Incident:

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

(Recommendation 12, Stephen Lawrence Inquiry, Sir William Macpherson, 1999)

A racist incident may be perpetrated against individuals on the basis of their race, colour, nationality, culture, language or religion. Incidents will be investigated and recorded when there has been a perception or allegation that there was an incident even if it is found that they were unsubstantiated. Prohibited behaviours may take many forms and may include (but not limited to):

- Threatened or actual physical assault;
- Verbal abuse and name-calling;
- Expressions of prejudice calculated to offend others or influence the behaviour of others;
- Graffiti or posts on social media websites including *Facebook* and *Twitter*;
- Distributing prejudiced literature;
- Wearing of badges or symbols belonging to known prejudiced organisations;
- Teasing in relation to a protected characteristic;
- Inappropriate humour.

It is important to recognise that:

- Harassment may be one aspect of an incident which also has other dimensions;
- Staff may need to deal with comments from parents or other adults as well as by children;
- Incidents may involve group as well as individual behaviour;
- Such incidents are often part of more complex interactions which may take place both in school and out of school, including the use of social media.

ROLES AND RESPONSIBILITIES

- The Governing Body is responsible for monitoring the policy.
- The Headteacher is responsible for implementing the policy and procedures.
- All members of the school community are responsible for following the procedures.

PROCEDURES

The Headteacher has overall responsibility (which may be delegated to an appointed senior member of staff) for managing racial incidents. S/he should ensure that the school has:

- Made it a requirement to investigate, record and report where there is a perception that a racial incident may have taken place;
- Communicated the school's commitment to tackling racial incidents to all members of the school community, including provision for this procedure to be made available in community languages where appropriate;
- Completed the Racial Incident Monitoring Form (see Appendix A) as soon as possible after an incident has taken place;
- Logged all racial incidents.

MANAGEMENT OF RACIAL INCIDENTS

The Headteacher or the designated member of SLT will:

- Investigate the incident thoroughly;
- Ensure appropriate and sensitive support for the victim and or perpetrator;
- Record the incident on a Racial Incident Monitoring Form (see Appendix A);
- Log the incident;
- 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 (See Safeguarding/Child Protection Policy);
- Consider seeking advice from relevant authorities;
- Remove racist graffiti or slogans immediately or within 24 hours;
- Confiscate racist literature, badges and insignia immediately, giving a clear explanation setting out the reasons why the property has been confiscated. The confiscated property should be handed to the police in criminal proceedings or returned to the student or his/her parents at an early opportunity, as appropriate.

A teacher may not deliberately destroy a confiscated item unless such action is necessary in the immediate interests of safety.

SUPPORT FOR THE VICTIM

The Headteacher or the designated member of SLT will:

- Take appropriate action to offer support to the victim;
- If necessary, meet with the student's parent(s)/guardian/carer to discuss the matter and explain the action taken;
- Reinforce the school's commitment to tackling racist incidents.

SUPPORT FOR THE ALLEGED PERPETRATOR (IF A STUDENT)

All staff have a duty to intervene in and deal with racial incidents.

The following actions should be taken when witnessing a racial incident or in the event that a racial incident is reported:

- An appropriate member of staff should intervene and take immediate action, for example, separating the victim(s) from the perpetrator(s);
- Any racist behaviour should be challenged immediately;
- The perpetrator should be told that his/her behaviour is unacceptable and will not be tolerated;
- Appropriate action should be taken to support, educate and monitor the behaviour of the perpetrator to ensure that the racist behaviour will not be repeated;
- The incident should be reported to the Headteacher and he/she should decide whether any further action needs to be taken, including informing the parent(s)/guardian/carer of the relevant student(s) of any investigation and the outcome;
- The Headteacher should consider the use of a full range of sanctions including the use of fixed term or permanent exclusion;
- Discuss the incident with the alleged perpetrator's parent(s)/guardian/carer (if appropriate) and reinforce the school's commitment to tackling racial incidents;
- The Headteacher should decide if the incident needs to be notified to the police.

DEALING WITH MEMBERS OF STAFF AS ALLEGED PERPETRATORS OR VICTIMS

All members of staff are required to abide by the School's Single Equality Scheme. Substantiated racial discrimination by any member of staff towards students may be considered as misconduct and the perpetrator may be subject to disciplinary action (see

Discipline Policy). In the event of such an allegation being made against a member of staff, the Headteacher or his/her nominee should investigate the allegation in accordance with the relevant Disciplinary Procedures.

All members of staff have the right to use the school's grievance procedure if they suffer discrimination and cannot get satisfactory management support (see Grievance Policy). The Governing Body and Headteacher have a duty of care towards employees, and must ensure that they address any complaints from employees about discrimination by students, parents or colleagues, and provide appropriate support and referrals as necessary.

If the allegations are against the Headteacher or a Governor then the Chair of Governors will investigate.

DEALING WITH MEMBERS OF THE PUBLIC AS ALLEGED PERPETRATORS

Wyre Forest School will not tolerate racist abuse towards any member of its community by members of the public. In cases of racial incidents involving a member of the public the incident must be reported to the Headteacher as soon as possible who will take appropriate action which may involve informing the police.

REPORTING TO THE POLICE

Violent, criminal or other serious racial incidents may be reported to the Police. This applies to all racial incidents brought to the attention of the school, regardless of the relationship of the parties to the school. Any further action will be at the discretion of the Police.

REPORTING INFORMATION TO GOVERNORS

The Governing Body will receive a termly report on any racial incidents in the Headteacher's Report to governors.

APPENDIX A

RACIAL INCIDENT MONITORING FORM

(Please use additional sheets as necessary)

| | | | | | |
|-----------------------------|--|---------------------------|--|-------------|--|
| Incident Reported by | | Position in school | | | |
| Incident Reported to | | Position in school | | | |
| Date | | Date of Incident | | Term | |

SECTION 1 – DETAILS OF THOSE INVOLVED IN THE INCIDENT

Record details of each perpetrator and victim (if more than one). Please attach an additional sheet if necessary.

SECTION 2 – DETAILS OF INCIDENT

Location: _____

Type of Incident

| | |
|--|---|
| Name calling | Threatened assault |
| Verbal abuse | Attack(s) on property |
| Physical abuse | Abuse by electronic means (text, social media) |
| Refusal to cooperate due to religious or cultural differences | Socially isolated |
| Graffiti | Other (please specify) |

Please describe briefly what happened:

SECTION 3 – ACTION TO BE TAKEN TO DEAL WITH THE INCIDENT AND DETAILS OF SUPPORT OFFERED TO VICTIM AND PERPETRATOR

What action(s) was/were taken to deal with the incident?

- Warning to the perpetrator
- Discussion with the victim’s parent(s)/guardian/carer
- Discussion with the perpetrator
- Discussion with the perpetrator’s parent(s)/guardian/carer
- Restorative Justice
- Mediation
- Mentoring
- Counselling
- Curriculum change or addition
- Exclusion
- Referral to Police
- Referral to another body
- Other sanction (please specify)
- Other action (please specify)
- No action

If no action was taken, why was this (e.g. allegations were unsubstantiated)?

What is a 'racial incident'?

A racial incident is formally defined as: "Any incident which is perceived to be racist by the victim or any other person".

If you are in any doubt as to whether to report an incident as racially motivated – you probably should, and it probably is.

The more frequent forms of racist behaviour tend to be:

- Verbal abuse;
- Derogatory name calling, insults and racist jokes/ridicule;
- Racist comments in the course of discussions;
- Physical abuse – threatened or actual;
- Racist graffiti;
- Attacks on property;
- Bringing racist material into school;
- Incitement to others to behave in a racist way.

All staff have a duty of care to recognise and respond to any behaviour that may be interpreted as racially motivated.

What should I do if I witness what I believe to be a racially motivated incident?

1. Intervene – standing by or walking by perpetuates a culture of institutional acceptance.
2. Explain to the individuals/group – why you have intervened.
3. Separate the students involved.
4. Report the incident and the students to the Headteacher. If possible take them there yourself.
5. Write a factual account of the event on the Racial Incident Monitoring Form and hand it as soon as possible to the Headteacher.
6. An investigation will be conducted and conclusion reached. The matter will be dealt with in line with Wyre Forest School Racial Incidents Policy and Procedures.
7. The member of SLT/Headteacher investigating the allegation will complete the Racial Incident Monitoring Form and pass to the Deputy Head (Racial Incident Monitoring Officer) for Racial Incident File and Log.

What is the 'Racial Incidents in School' Central Log?

The school is legally bound to keep a record of all racially motivated incidents. The Central Log is a file of all racial incidents. Incidents are recorded on the Racial Incident Monitoring Form (Appendix A) and acted upon. The school makes an official return

annually to report the number, nature and actions taken with regards to each incident on the Central Log. This is made to both the Governing Body. Trends, analysis, impact and action are a central part of this annual report. Ofsted also ask for evidence of this information as part of their safeguarding/behaviour analysis of the school.

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| <p>How should I structure my written account? Be factual and concise. Include names, times, details and actual events. Do not include hearsay or supposition. The Headteacher will take written statements from all persons identified initially by you, or subsequently by the students.</p> | <p>What should I do if a student reports a racially motivated incident but I did not actually witness it? Follow the guidance outlined above and ensure that the matter is reported immediately to the Headteacher.</p> |
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Staff Training

With the launch of the new policy it will become part of the statutory safeguarding training at the start of each new academic year.