

Section 4: Dealing with racist incidents

This section contains:

Equally Safe – Cambridgeshire’s guidance and procedures for dealing with and reporting racist incidents. This includes:

- Examples of how to deal with incidents
- A model policy
- A sample recording form
- Information on how to log on to the Racist Incidents database (RaiD)
- Sample letters for schools to send families if their children have been involved in a racist incident
- Discussion points for staff
- The ‘Open Out’ Scheme: recording and reporting racist incidents in the community

Cambridgeshire Race Equality & Diversity Service



Equally Safe

Guidelines and procedures for dealing with and reporting racist incidents in educational establishments

Principles and Purposes

These guidelines are intended to help schools, other educational establishments and the LEA to fulfil their legal obligations under the Race Relations Act 1976 and the Race Relations (Amendment) Act 2000.

They will:

- ❖ Support educational establishments in meeting the race equality demands of OFSTED inspections
- ❖ Provide schools and other educational establishments with strategies for responding to racism and for developing an anti-racist ethos
- ❖ Provide guidance for formulating race equality policy
- ❖ Enable the countywide collection of data on the frequency and nature of racist incidents so that as an authority we are better equipped to target resources and training
- ❖ Enable the LEA to work with its partners to reduce the frequency of racial attacks and harassment
- ❖ Contribute to the promotion of high standards in education, consistent with the county's Education Development Plan
- ❖ Support educational establishments in meeting the Commission for Racial Equality (CRE) standards for racial equality in education, exemplified in 'Learning for All'
- ❖ Support educational establishments in implementing the CRE Code of Practice for Education

They are consistent with:

- ◆ Cambridgeshire's corporate statement on Equal Opportunities
- ◆ the new generic Equality Standards
- ◆ trade union guidelines

This document updates Cambridgeshire's 1996 guidance, reflecting recent developments in race relations. It is informed by, and includes recommendations from, the following documents:

- ❖ The Stephen Lawrence Inquiry Report (1999)
- ❖ Home Office Code of Practice on reporting and recording racist incidents (2000)
- ❖ The Future of Multi-ethnic Britain - The Parekh Report (2000)
- ❖ Race Relations Amendment Act (2000)

We also made use of Suffolk and Lancashire LEAs' guidance on dealing with racist incidents in drawing up this document.

Developments in education, both at national and county level, demand that we review our policy and practice with reference to race equality. These include:

- ❖ School Inclusion: pupil support (DfEE Circular 10/99).
- ❖ Responses to Bullying: policy and guidance for schools and colleges in Cambridgeshire (1999), reviewed 2003
- ❖ The National Curriculum (2000), with its increased emphasis on inclusion and explicit focus on anti-racism
- ❖ OFSTED Handbook for the Inspection of Schools (2003). The new schedule requires inspectors to monitor how educational establishments promote race equality, address and prevent racism
- ❖ Learning for All: Standards for racial equality in schools (Commission for Racial Equality 2000)
- ❖ CRE Code of Practice on The Duty to Promote Race Equality (2002)
- ❖ Guidance for schools on ethnic monitoring (DfEE draft 2000). One of the aims of the guidance is to emphasise the importance of ethnic monitoring as a key element in understanding and addressing any variance of performance of pupils by ethnic group
- ❖ These guidelines were compiled in 2000-01 by a group of Cambridgeshire school and county council staff, including teachers, education officers, school governors, community education representatives and Home School Liaison Officers. They were reviewed in July 2003.

Legal responsibilities of LEAs and educational establishments

The Race Relations Act 1976

The Race Relations Act 1976 makes it unlawful to discriminate on racial grounds in a number of areas, including education. Racial grounds are grounds of race, colour, nationality (including citizenship) and ethnic or national origin. Racial groups are groups defined by reference to these grounds. Sikhs, Jews and Gypsies have been recognised by the courts as racial groups and are therefore protected against discrimination by the Act.

Section 17 of the Act makes it unlawful for educational establishments to discriminate in terms of admission, access to benefits, facilities or services, exclusion, or by subjecting a pupil to any other detriment. Failure to deal adequately with complaints of racial harassment may mean that an establishment becomes liable under this provision if a pupil suffers as a result. Responsibility under Section 17 falls to LEAs and governors of LEA maintained schools in England and Wales.

Section 71 of the Act imposes a duty on all local authorities '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 discrimination and to promote equality of opportunity and good relations between persons of different racial groups'.

The Race Relations (Amendment) Act 2000

This is the first major reform of the Race Relations Act 1976. It provides wider protection against racial discrimination and places a positive general duty on public authorities to promote race equality. The Act also imposes specific duties on schools and the LEA to ensure the better performance of the general duty. It gives the Commission for Racial Equality (CRE) powers to enforce the specific duties: compliance with these duties will be included in OFSTED inspections. The new Act gives statutory force to the imperative of tackling racism. To support schools and LEAs in complying with the Act, the CRE has produced a statutory Code of Practice for racial equality in education. Its recommendations include the recording and reporting of racist incidents by all schools, irrespective of their ethnic make-up. Further information is available from the CRE.

Protection from Harassment Act 1997

The act makes it an offence to commit more than once acts that 'amount to harassment' of another person. Unlike the Public Order Act 1986, it is not necessary to prove that the perpetrator intended to harass.

Crime and Disorder Act 1998

The Act introduces new racially aggravated offences of assault, grievous bodily harm or criminal damage, parallel to the main existing offences of violence and harassment under the Offences Against the Person Act 1861, the Criminal Damage Act 1971, the Public Order Act 1986 and the Protection from Harassment Act 1997.

Racially aggravated offences carry significantly higher penalties. An offence is racially aggravated if:

- ❖ At the time it is committed, or just before or after, the offender demonstrates hostility towards the victim based on the victim's membership of a racial group
- ❖ The offence is motivated by hostility based on membership of a racial group

❖

('Membership' includes presumed membership and association with people from a particular group.)

The Act also requires courts in England and Wales to pass higher sentences for any offence where evidence of racial aggravation has been presented.

It places a new duty on local authorities and the police to work in partnership with others at local level to develop a crime and disorder reduction strategy. In Cambridgeshire, the prevention of racial attacks and harassment is part of this strategy. A partnership involving the police, county and district councils, voluntary agencies and racial equality council is working to improve the reporting of incidents and information from this initiative has informed these guidelines for the education sector.

Other Equality Legislation to be considered includes:

- ❖ Sex Discrimination Act (1975)
- ❖ Disability Discrimination Act (DDA) 1995
- ❖ The Human Rights Act (1998)
- ❖ The Special Educational Needs and Disability Act (SENDA) 2001 (DDA Part 4)

Definitions of Terms

‘Race’ and ‘racial’: These words are still widely used, for example ‘race relations’ and ‘racial equality’, despite being left over from a historical belief that humans could be hierarchically categorised into distinct ‘racial groups’ on the basis of their appearance, and that each so-called ‘race’ had distinctive cultural and intellectual capabilities. It is now generally accepted that there is no *biological* substance to the notion of ‘race’, but it is a category which continues to be *ascribed* to a group of people, eg. ‘the Black race’. Social scientists therefore tend to use the term in quotation marks, to indicate its status as a *social* construct.

Racism: The Stephen Lawrence Inquiry Report defines racism as: ‘..conduct or words 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 more overt form.’

This definition is consistent with the Race Relations Act 1976 and the Race Relations (Amendment) Act 2000. Using this definition, all people may be victims of racism, but some groups of people (for example Black people, Asians, Gypsies and asylum seekers) are much more likely to suffer racism. Racism is sometimes used to refer to the power relationship between White and Black people. The basis of this viewpoint is that most of the social, economic and political decisions are made by White people and that these decisions may systematically disadvantage Black people. ‘Black’ is used politically in this context to unite people who are not white or who are likely to be subjected to racism (for example Jewish people).

Personal racism is exemplified in its overt form (‘street racism’), in name-calling, abuse, harassment and violence. Covert personal racism can be more insidious and more difficult to tackle and is manifested for example, in people’s patronising attitudes, stereotypical expectations and exclusive behaviour.

Institutional racism consists of 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 and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness, and racist stereotyping which disadvantage minority ethnic people.

Racial harassment: Verbal or physical violence which includes attacks on property as well as on the person, which is suffered by individuals or groups because of their colour, race, nationality and ethnic or national origins, and where the victim believes that the perpetrator was acting on racial grounds and/or there is evidence of racism.

Racist incident: The Home Office has advised all agencies to adopt the definition recommended in the Stephen Lawrence Inquiry Report:

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

The purpose of this definition is to ensure that investigations take full account of the possibility of a racist dimension to the incident. It provides an essential starting point for educational establishments in addressing the wide range of behaviours which could be racially motivated. It should be emphasised within an institution that failure to record or take action even where an incident appears to be relatively minor, could be regarded as condoning racism and may lead to more serious incidents in future.

It is worth noting that a racist incident does not necessarily have a victim.

Policies should therefore cover offensive but apparently 'victimless' action such as racist comments, gestures or racist graffiti. Recording and reporting incidents is equally important in all establishments, irrespective of their ethnic and cultural make-up.

Discrimination: Acting on a prejudice, resulting in the unfair treatment of an individual or group of people. The Race Relations Act 1976 states that ‘a person discriminates against another...if...on racial grounds he treats that other less favourably than he treats or would treat other persons.’ Direct discrimination occurs when someone is treated less favourably because they are, or are perceived to be, a member of a particular ethnic or ‘racial’ group. The CRE exemplifies indirect discrimination (which is also unlawful), as follows: ‘...when a condition or requirement is applied to everyone but is such that a smaller proportion of a particular racial group can comply with it than others; it constitutes a detriment to those who cannot comply; it cannot be justified.’

Sources:

- The Commission for Racial Equality
- The Stephen Lawrence Inquiry Report
- 'Learning for All' standards for racial equality in schools
- Code of Practice on Reporting and Recording Racist Incidents
- The Future of Multi-ethnic Britain (the Parekh Report)

Challenging racism and preventing racist incidents

Racist behaviour has far-reaching implications and the scope of the revised definition of a racist incident is very broad. It is therefore vital that underlying attitudes and values are confronted and addressed as well as actual incidents. The gravity of racist behaviour and the difference between racially motivated bullying and bullying where there is no racial motivation should be made explicit to all members of the establishment. The former's wider attack on parents, family, community and cultural traditions was emphasised in the **Swann Report** (1985):

'We believe the essential difference between racial name-calling and other forms of name-calling is that whereas the latter may be related only to the individual characteristics of a child, the former is a reference not only to the child but also by extension to their family and indeed more broadly their ethnic community as a whole.'

It is also important to stress that we recognise that a young person who is bullied or called names without racial motivation will still be upset. The gravity attributed to racial bullying should not belittle the hurt that non-racist bullying can cause individual victims.

Successful anti-racist practice depends upon an institutional ethos which engenders a sense of belonging in all its members.

If institutions are to promote race equality and counter racism, **all** its members need to learn about their rights and responsibilities for life in a multicultural society. They need the knowledge and skills to appreciate differences, including those of race, culture, language and religion, to challenge prejudice and injustice and to resolve conflict. All policies and practices should aim to promote racial equality and harmony, and this aim should be embedded in the curriculum and shared by all members of the establishment. Further information to assist teachers in promoting race equality through the curriculum can be found in the National Curriculum Handbook, particularly in the section dealing with Inclusion (see Section 5 for further reading on promoting race equality through the curriculum).

The governing body should make explicit their expectations of how staff, children and young people should treat each other, and it is essential that parents/carers understand, have confidence in and support the establishment's commitment to challenging racism. Explicit references within documentation sent home can be helpful in this respect, and in developing policy and practice, establishments should consult and involve parents/carers as much as possible.

Staff development policies should reflect the importance of acquiring the knowledge and skills necessary for the prevention and handling of racist incidents and for the promotion of an anti-racist ethos. It is also extremely important that governors, new staff and support staff such as dinner supervisors receive equal opportunities training. Training on these issues is available for staff and governors from Cambridgeshire Race Equality and Diversity Service (CREDS). See appendix 4 for a checklist on challenging racism and discussion points for staff.

Identifying racist incidents and behaviour

Detailed below is an initial categorisation of types of racist behaviour, followed by guidance on appropriate responses. This list corresponds with the examples outlined in the accompanying model policy (see appendix 1):

- a) derogatory name-calling, insults, racist jokes and language
- b) verbal abuse and threats
- c) physical assaults
- d) ridicule based on differences of colour, race, ethnicity, nationality, culture, religion or language
- e) refusal to co-operate with others because of any of the above differences
- f) stereotyping on the basis of colour, race, ethnicity etc.
- g) racist comments
- h) racist graffiti
- i) written abuse
- j) damage to property
- k) incitement of others to act in a racist manner
- l) provocative behaviour such as wearing racist badges or insignia
- m) bringing racist materials such as leaflets, magazines or computer software onto the premises
- n) attempting to recruit other young people to racist organisations and groups

Dealing with racist incidents

1. Incidents involving young people

Institutions may develop a checklist as part of their policy to ensure internal consistency in the use of sanctions in relation to incidents involving young people. It is recognised that teachers and staff will use their professional judgement in dealing with specific incidents but individual practice should be based on policy. The following examples may be helpful:

CATEGORIES	ACTIONS
<p>a) Derogatory name-calling, Insults, racist jokes and Language</p> <p>b) Verbal abuse and threats</p> <p>g) Racist comments</p>	<p>1. Members of staff must not ignore any form of verbal racist abuse in the establishment</p> <p>2. Explain fully to the perpetrator that verbal racist abuse is offensive and unacceptable</p> <p>3. Full report to the headteacher or centre manager</p> <p>4. Individuals who are persistently abusive must be dealt with in line with both the racial harassment and behaviour policies (where the 2 are separate)</p> <p>Parents/carers should be informed</p> <p>5. Offer support to all those involved, including perpetrators</p> <p>6. Record as a racist incident</p> <p>7. Log on RaiD</p>

CATEGORIES	ACTIONS
c) Physical assaults	<ol style="list-style-type: none"> 1. Report to the class teacher, youth worker, tutor, subject teacher, head of year, headteacher or centre manager as appropriate. In certain circumstances, establishments may need the support of the police. 2. Full report to the headteacher or centre manager. Consider exclusion. 3. Parents/carers should be informed 4. Take necessary action to prevent recurrence 5. Offer support to the victim(s) and perpetrator(s) 6. Record as a racist incident 7. Log on RAiD

CATEGORIES	ACTIONS
d) Ridicule based on differences of colour, race, ethnicity, nationality, culture, religion or language	<ol style="list-style-type: none"> 1. Members of staff must not ignore any form of ridicule 2. Explain fully to the perpetrator that Racist behaviour is offensive and unacceptable 3. Youngsters who persist in making fun of individuals or groups in these ways must be referred to the appropriate person, eg. head of year, headteacher or centre manager Parents/carers should be informed 4. Offer support to all those involved, including perpetrators 5. Log on RaiD

CATEGORIES	ACTIONS
<p>e) Refusal to co-operate with another based on differences of colour, race, ethnicity, nationality, culture, religion or language</p>	<ol style="list-style-type: none"> 1. Every young person has the right to be included in school activities and the school should not exclude any pupil on racial, ethnic or cultural grounds 2. Youngsters persistently refusing to co-operate must be referred to the appropriate person in authority, eg. head of year, headteacher or centre manager 3. Parents/carers should be informed 4. Offer support to all those involved, including perpetrators 5. Record as a racist incident 6. Log on RAiD

CATEGORIES	ACTIONS
<p>k) Incitement of others to act in a racist manner</p>	<ol style="list-style-type: none"> 1. Educational centres need to be vigilant in identifying potential inter-group tensions that might have a racial context. In every case, consideration should be given to involving the police who can support the school 2. Refer those involved to the head of year, headteacher or centre manager as appropriate 3. Parents/carers should be informed 4. Offer support to all those involved including perpetrators 5. Record as a racist incident 6. Log on RAiD

2. Incidents involving staff

An allegation of racist behaviour against any member of staff should be investigated thoroughly before any formal disciplinary procedures are instigated.

Whether the victim of alleged racist behaviour is a young person or member of staff, the headteacher or manager should initially investigate under the establishment's discipline policy and procedures before taking informal or formal action. It should still be recorded as a racist incident. If the matter cannot be resolved satisfactorily at this stage, the complainant should submit a formal written report.

Investigation into a formal complaint may show the need for a disciplinary hearing, in line with the normal disciplinary procedure for misconduct/gross misconduct. The school or centre's disciplinary procedure should be read in conjunction with the county model policy for dealing with harassment in employment. The latter is available from the school or centre's Personnel Management provider.

Supporting the victims

It is vital that the educational establishment creates a climate in which victims of racist incidents feel able to report them. All staff and young people should also be encouraged to report any incident they witness and all such reports should be followed up. Staff dealing with incidents should be sensitive to the issue of retaliation on the part of the victim, which may be a reaction to a series of relatively minor incidents which have not been reported or dealt with appropriately.

Schools and education centres should involve parents or carers when offering support to victims and it may be appropriate to involve other agencies such as the Race Equality and Diversity Service, Cambridge Racist Incidents Support Project (CRISP) or the Education Welfare Service. They should also make an interpreter available for victims and parents if necessary. Contact addresses are included in appendix 4.

Where the victim of a racist incident is a member of staff, support is available through their professional associations and/or through the LEA staff counselling scheme (01223 717659 for further information), in addition to support from colleagues.

When dealing with racist incidents, staff should:

- listen attentively
- remain calm and reassuring
- accept the victim's language and terminology
- remember that to report an incident may need considerable courage
- acknowledge the feelings of the victim(s)
- confirm they were right to make the disclosure
- show they understand the difficulty in discussing the matter

- offer immediate support: reassure the victim that the matter will be treated seriously and that a full investigation will take place
- ascertain whether or not the incident is part of a pattern – ask if the person has been the victim of racism on previous occasions
- report: indicate that the information needs to be shared with others in authority in order to stop further harassment. If the victim is adamant that they do not want any further action, the incident should, nevertheless, be recorded. The circumstances of the victim, eg. age, self-confidence in dealing with the situation for themselves, will be a guiding factor for staff when deciding on a course of action. In certain cases, the victim's identity will need to be protected and the situation must be handled sensitively.

Working with the perpetrators

All members of the establishment, including parents/carers, should be familiar with and understand the range of racist incidents outlined above and the sanctions each may incur. All racist behaviour should be treated as a serious matter and should never go unchallenged. It is crucially important that the member of staff who first encounters the incident shows firm disapproval and takes positive action to deal with the situation. A failure to respond could be seen as condoning racist behaviour and could discourage young people and parents from reporting incidents and sharing concerns with staff.

Responses to incidents should be prompt, appropriate and consistent (see suggested actions in these guidelines). Disciplinary action should be in line with the institution's Behaviour Policy and staff dealing with the incident should check if the perpetrator has a record of previous similar behaviour. Perpetrators' future behaviour should also be monitored.

Headteachers and managers should emphasise that the aim of policy and procedures for dealing with racist incidents is to prevent such incidents from occurring and not to get people into trouble.

It should be recognised that both victims and perpetrators will often need pastoral support. It is important, in working with perpetrators of racist incidents, to separate the behaviour from the person. Wherever possible, staff should try to use positive strategies to encourage the perpetrator to overcome her/his prejudices and to desist from similar behaviour in future. Institutions should use activities, curriculum work and whole-school initiatives to address and change racist attitudes.

Incidents outside the school or centre

When racist incidents which occur outside the school or educational establishment are brought to the attention of the headteacher or manager, they should be reported to the police, who may take action under Sections 4 and 5 of the Public Order Act.

Such incidents should also be discussed with the young people they affect and the establishment should take the opportunity to condemn racist behaviour.

Racial tension

Staff should be sensitive to and monitor all signs of racial tension, even where there is no identifiable incident, eg. small, isolated groups within the larger group. Headteachers or managers are encouraged to seek advisory support in developing strategies to reduce racial tension through the curriculum, programme of activities or the organisation of the institution. This offers the opportunity for sharing good practice, increasing consistency between institutions in dealing with racist incidents and offers the possibility of joint in-service training.

It is important to note that the need to respond to racist attitudes is not confined to institutions with significant numbers of minority ethnic young people. Racial intolerance needs to be addressed in all educational institutions.

Procedures for recording, reporting and monitoring racist incidents

Responsibilities

The Commission for Racial Equality recommends that all schools should designate a named teacher or member of staff with overall responsibility for dealing with racist incidents. This responsibility should be given to a senior member of staff, but all members of staff should be familiar with procedures and should share responsibility for ensuring procedures are followed.

Institutions should also have a trained governor with responsibility for equality. They should work with the named member of staff to monitor the nature and number of reported racist incidents and should present full and regular reports to the governing body. While details of individual incidents (names etc) will be held at school or centre level, in line with the institution's behaviour policy and procedures, racist incidents should also be logged on the LEA database on a regular basis (see Appendix 2 for details). The DfEE circular 10/99 'School Inclusion: pupil support', section 4.32 states that: 'All schools' behaviour policies must make clear that racial harassment will not be tolerated and say how staff and pupils should deal with it. **The school should record all racist incidents, and parents and governors should be informed 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.'**

School procedures

It is essential that records are kept of racist incidents to enable individual establishments and the LEA to identify any patterns of behaviour whereby individuals or groups can be shown to be regular victims or perpetrators of racial harassment. All incidents which are perceived to be racist should be recorded, however minor they may appear at the time.

Procedures for recording and reporting racist incidents

- An incident which is perceived to be racist by any witness, including the victim(s), is recorded on a **Racist Incident Report Form (RIRF)** – see Appendix 2. The first section of this form should be completed either by the member of staff who initially deals with the incident or, depending on the age of the young people involved, it could be completed by any young person(s) involved.
- The form is passed to the member of staff with responsibility for recording and reporting racist incidents. (S)he completes the second part of the form and keeps it (in a secure place). This information may be reviewed by OFSTED.

- The school or educational establishment deals with the people involved in the incident in line with their behaviour policy and following guidelines in this document.
- If an incident is considered to be serious, the establishment may wish to request support from the LEA in dealing with it – see Section 6 for contacts.
- Parents of any victim(s) and perpetrators are informed of the incident and any action taken (see appendix 3 for sample letters). They have access to the information on the RIRF concerning their child, but not to the information concerning any other child or person involved.
- The named member of staff and Equality (or any other identified) governor, monitor incidents on a regular basis and report back to the governing body on the number and nature of reported racist incidents.
- Serious or persistent offences should be reported as soon as possible to the governing body. However, it is important that information given to governors does not prejudice their ability to act impartially and appropriately in any subsequent disciplinary action or appeal.
- The member of staff with responsibility for recording incidents logs incidents on the LEA Racist Incidents Database (RaiD) as they occur, and will also be requested to log any outstanding incidents twice a year, so that the LEA can analyse the data.
- This information should be included in the Headteacher's annual report to governors.
- In addition, the inclusion of information on racist incidents in the Governors' Annual Report to Parents would demonstrate to the community the school's commitment to the creation of an anti-racist learning environment.

LEA monitoring: Racist Incidents Database (RaiD)

All schools are asked to make a statistical return to the LEA by logging on to RaiD. The purpose of this is for the LEA to collect cumulative information on the nature and extent of racist incidents in schools. The information submitted to the LEA will be analysed and used to identify training needs, to contribute to multi-agency monitoring and to assist in the development of appropriate policies.

The analysis will inform a general report for schools, where the names of individual schools will be kept confidential. Feedback will also be given to individual schools to assist in their development planning.

Details on how to log on to RaiD are included in Appendix 2.

Ethnic monitoring

We recommend that the responsibility for recording the ethnicity of youngsters involved in racist incidents or behaviour rest with the member of staff responsible for recording and reporting such incidents, rather than the person who initially deals with the incident. This is because not all staff will be familiar with the ethnic origins or backgrounds of all the institution's young people. By giving responsibility to the named member of staff, the initial recording procedure will be more straightforward, so all staff should feel confident and able to record incidents.

Further copies of these guidelines are available on the Cambridgeshire County Council intranet. Paper copies can be obtained from Cambridgeshire Race Equality and Diversity Service (see section 6 for contact numbers and addresses.)

July 2003

Guidelines and procedures for dealing with and reporting racist incidents in educational establishments

APPENDICES

Appendix 1:

Framework for Policy on Bullying and Racism

LEA Model Policy for Recording and Reporting Racist Incidents

Appendix 2:

Racist Incident Report Form (RIRF)

Logging on to the Racist Incidents Database (RaiD)

Appendix 3:

Questions and Answers about RAiD

Model letters for parents/carers

Appendix 4:

Reviewing policy and procedure: self-evaluation tools

Bibliography

Appendix 5:

The 'Open Out' Scheme: recording and reporting racist incidents in the community

APPENDIX 1

Framework for Policy on Bullying and Racism

Statement and Aims

- Statement about your establishment's view on bullying and racism – linked to ethos
- What do you want to achieve through this policy? (eg feeling of confidence and safety throughout the establishment, consistency of approach, effective communication within school and between home and institution)
- What will a successful policy look like in operation?
- Process undertaken to develop policy (including any surveys used)

Definitions and Examples

- What is bullying?
- What is a racist incident/racial harassment?
- What are the effects/consequences?

Response

- Ensuring consistency – involvement of all appropriate people – who does that include?
- What range of actions/sanctions/consequences can be applied?
- Which actions are appropriate in which situations?
- Any particular strategies in use – eg 'No Blame' approach, counselling

Reporting

- When/to whom/how do young people report bullying incidents?
- Setting up manageable reporting/recording systems
- Lines of communication/responsibility
- What do we write down/where and why do we keep records?
- Official recording needs – eg racist incident monitoring forms
- When/how do we inform/involve parents/carers?

Prevention

- Ethos/attitudes/expectations/relationships fostered in establishment to help prevent bullying/racism thriving
- Addressing bullying/racism through curriculum – PSHE/citizenship, drama – content and process of curriculum (eg pupil grouping, communication skills)
- Physical environment/organisation (including playground/playground activities)

Implications for Staff/Parents/Pupils/Governors

- INSET/training needs – teaching and support staff (including lunch time supervisors)
- Role of Governors
- Involvement of pupils – eg through school council
- Partnership with parents/carers – informing/involving them in policy (eg parents evening, parent leaflet) also partnership over response to cases
- Making any documentation accessible to all readers (style and content)

Monitoring and Review

- Responsibilities – staff, governors
- Mechanisms for checking effectiveness (eg repeating surveys)
- Timescales for implementation/review

Adapted from Cambridgeshire LEA's document 'Responses to Bullying'

APPENDIX 1

Model Policy for Reporting and Recording Racist Incidents

1. Introduction and aim

The aim of this policy is to provide guidelines for (name of educational establishment) to establish effective procedures for the reporting and recording of racist incidents.

It will ensure that action is taken to support the victims of racism and to deal with perpetrators appropriately. The policy has been informed by the following documents:

- Learning for All: Standards for racial equality in schools (CRE, 2000)
- Home Office Code of Practice on reporting and recording racist incidents in response to recommendation 15 of the Stephen Lawrence Inquiry Report (April 2000)
- School Inclusion: Pupil Support (DfEE, 1999)

We all have a responsibility to challenge racism in our institution. Action will only be successful if it forms part of a wider policy which is embedded within all our practices.

2. Definitions

Our definition of a racist incident is that of recommendation 12 of the Report of the Stephen Lawrence Inquiry:

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

Our definition of racial harassment is that of the CRE:

“..verbal or physical violence which includes attacks on property as well as on the person, which is suffered by individuals or groups because of their colour, race, nationality and ethnic or national origins, and where the victim believes that the perpetrator was acting on racial grounds and/or there is evidence of racism.”

3. Examples

A racist incident may include:

- derogatory name-calling, insults, racist jokes and language
- verbal abuse and threats
- physical assaults
- ridicule based on differences of colour, race, ethnicity, nationality, culture, religion or language
- refusal to co-operate with others because of any of the above differences
- stereotyping on the basis of colour, race, ethnicity etc.
- racist comments
- racist graffiti
- written abuse
- damage to property
- incitement of others to act in a racist manner

- provocative behaviour such as wearing racist badges or insignia
- bringing racist materials such as leaflets, magazines or computer software onto the premise
- recruiting other young people to racist organizations or groups

Even if the victim of an incident does not complain, it should be treated as a racist incident if another person perceives it as such. For example, a teacher or youth worker overhears a child calling a Traveller child a 'gyppo'. The adult records this as a racist incident, even though the abused child does not complain to him or her.

4. Dealing with Racist Incidents

No incident that is, or appears to be racially motivated, should go unchallenged and every member of staff has a responsibility for responding to the situation.

They should make explicit that any racist behaviour is unacceptable and contravenes the institution's policy, culture and ethos.

If the member of staff is unable to resolve the matter, it should be referred to (institution to determine, in line with behaviour policy).

The action to be taken will depend on whether the perpetrator is known and whether he/she is a young person, a member of staff or an outside perpetrator.

Where the perpetrator is a young person or pupil, staff should explain why racist behaviour is unacceptable. Any disciplinary action taken, including temporary or permanent exclusion, will be in line with the institution's behaviour policy.

The parents or carers of all perpetrators and victims will be informed of the incident and action taken.

Racial harassment or any form of racist behaviour from any member of staff towards any pupil, young person, parent or another member of staff will not be tolerated, and will be dealt with as a serious breach of the institution's disciplinary procedures. We recognise that appropriate training and other support will be necessary for all staff. When members of staff are found to have committed misconduct involving racial harassment they will face disciplinary sanctions up to and including dismissal.

Where there is an outside perpetrator, staff should attempt to discuss the matter with them and if necessary refer them to school or centre policy and/or the headteacher or manager.

5. Recording and Reporting Incidents

In line with the recommendations of the documents cited in 1.2, (name of institution) records all racist incidents. This includes the following details:

- date
- names of perpetrators and victims
- the ethnicity of all individuals involved
- nature of incident
- action taken in response
- name of the person reporting the incident

(Here institutions should include specific details of recording procedures, e.g. where forms and record book are kept.)

All incidents which involve a member of a minority ethnic group will be monitored to ensure that potentially racist incidents are not overlooked.

Although some incidents may seem minor, it is still important to log them as repeat incidents often mean that earlier reports assume greater importance.

Parents/carers and governors are informed of the number and nature of racist incidents and the action taken to deal with them.

The pattern and frequency of racist incidents are analysed in order to inform future planning.

Details of the pattern and frequency of racist incidents are held at institutional level and are regularly reported to the LEA via RaiD.

We will advise the police of any racist incidents that may be categorised as crimes.

6. Support for the Victim

When dealing with racist incidents involving pupils or young people, staff should:

Listen attentively

- indicate they are pleased that the young person has been able to tell them
- remain calm and reassuring
- accept their language and terminology
- remember that to confide in a member of staff may need considerable courage

Acknowledge

- acknowledge the feelings of the young person
- confirm they were right to make the disclosure
- show they understand the difficulty in discussing the matter
- establish whether the incident is part of a pattern
- reassure while explaining the need to take the matter further

Report

Indicate that the information needs to be shared with others in authority in order to stop further harassment. If the victim is adamant that they do not want any further action, the incident should, nevertheless, be recorded. The circumstances of the victim, eg. Age, self-confidence in dealing with the situation for themselves, will be a guiding factor for staff when deciding on a course of action. In certain cases, the victim's identity will need to be protected and the situation must be handled sensitively.

Support

Recognise that victims will need immediate support and must be reassured that the matter will be treated seriously and that a full investigation will take place.

Ensure that parents/carers are aware of the incident and kept informed of the progress of any investigation. It may be necessary to either provide support or encourage parents/carers to seek support for themselves and other members of the family.

We recognise that members of staff can also experience racial harassment from pupils/young people, from other staff, from parents/carers, or members of the public. We will support them in the same way as we would pupils/young people.

7. Whole-school or institutional issues

Racism has an impact on the whole (school) community and on the wider community it serves. Visual evidences will be dealt with immediately (graffiti removed, racist literature/badges/insignia confiscated etc.)

There is regular and ongoing training and discussion of the issues and a sharing of the school's/establishment's response amongst all staff, governors, pupils/young people and the local community. This common approach will include communication with parents/carers and community members and liaison with outside agencies.

We will ensure that all those connected with the establishment are aware of the policy and procedures and have access to any related documentation.

8. Monitoring and review

A named senior member of staff has overall responsibility for monitoring the recording and reporting of racist incidents. In collaboration with the designated Equality governor, they will analyse report forms and log incidents on the LEA database on a regular basis. This analysis will inform annual reports to parents and governors and the LEA (individual establishments to specify timescale).

This policy will be reviewed annually by (relevant groups, could include school council).

APPENDIX 2

Perpetrator's name.....	
Year Group/Age	<input type="checkbox"/>
Outside Person(s) inc. Parents/Carers	<input type="checkbox"/>
Teaching Staff	<input type="checkbox"/>
Support Staff	<input type="checkbox"/>
Unknown	<input type="checkbox"/>

Logging on to the Racist Incidents Database (RaID)

The process for reporting racist incidents is available via the internet. The website address for the Racist Incident Database (RaID) is:
<http://elhict.co.uk/raid>.

- To use the system for the first time you need to get a login ID and password from the Cambridgeshire Race Equality and Diversity Service (CREDS). To obtain this you should email:
diane.hodgetts@cambridgeshire.gov.uk
Once your school has been allocated a login ID, you can start recording incidents on the database.
- When you first log in, you will be asked to provide some additional information to ensure the school is identified correctly and that CREDS has a suitable contact person at the school. Once these details are present, you can use the system to log incidents at your school.
- There is full on-line help provided as part of the system, but if you should run into difficulties the ICT Service Helpline will be able to assist, contactable on 01480 376650 or email ict.helpline@cambridgeshire.gov.uk
- An online “Suggestions Box” is also provided so that schools can contribute their own ideas for improving the system – we have used some of the points made to compile the ‘Questions and Answers about RaID’ in Appendix 3.
- The database will be downloaded twice a year – in January and July.
- Many schools are logging incidents as they occur. Submitting entries in this way eliminates the extra work incurred by having to submit six month’s worth of incidents all at once to meet a deadline. Therefore, we are asking you to log incidents as they occur.
- An email to remind schools of the need to complete entries on the database will be sent out before each download date.
- Once we have analysed the data we will compile a report for schools and use the analysis to:
 - Offer appropriate support to schools
 - Disseminate good practice
 - Inform professional development

For the report on all incidents to give to Governors etc the excel dump is the best way – this can be done by: a) clicking on ‘Search incidents’, b) click on ‘Excel dump’, c) highlight entire incident table and click on edit – copy d) open a blank worksheet in excel, click on edit – paste, e) click on file – print

We will be discussing with ICT the possibility of adding a print icon on the ‘add incident’ page.

APPENDIX 3

Questions and Answers

Q1. There is not always an actual 'victim', since racist comments may be directed against a race rather than an individual. It would therefore be helpful if the fields could be deleted (ie the gender field) when necessary. Also, the action taken field only allows one field to be selected, when many actions may have been taken as a result of an incident.

Ans. We will be adding a N/A (not applicable) option to the victim/perpetrator gender to accommodate racist incidents directed against a race rather than an individual.

Action Taken menu is set to only one category to enable us to analyse the information you supply. When more than one action is taken it is always best to enter the ultimate action taken i.e. when a discussion with parents is followed up by written follow up with parents/carers then the later should be recorded (any additional information you may wish to record can be entered in the resolution note.

Q2. *After submitting an incident it would be useful if there was a print option so the incident (with ref number) could be printed for school copy and to give to Governors as part of their monitoring role.*

Ans. **At present there are 2 ways of printing incidents**

- 2 **Once you have completed your entry in 'add incident' then you can click on file – print which will print your entry on screen (this needs to be done before you click on the submit button)**
- 3 **For the report on all incidents to give to Governors etc the excel dump is the best way – this can be done by:**
- 4 **a) clicking on 'Search incidents'
b) click on 'Excel dump'
c) highlight entire incident table and click on edit – copy
d) open a blank worksheet in excel and click on edit – paste
e) click on file - print**

We will be discussing with ICT the possibility of adding a print icon on the 'add incident' page.

Q3. *The options only allow for one perpetrator and victim per incident, whereas the situation is often more complicated than that, perhaps involving children of several ethnic origins. Also, staff will often take more than one action – discussion with the children involved is essential, but the situation is again often more complicated than the form allows.*

Ans. To include options for more than one victim/perpetrator would be a major overhaul of the system and although this is something we will bare in mind for the following year this option needs to be examined fully. To add an option for more than one pupil would then require a second screen offering options for you to record the gender/ethnicity year group and ‘action taken’ for each victim/perpetrator. At the moment the least complicated way of dealing with this situation is to record details from one of the pupils and note the remainder in the ‘resolution note’.

Q4. *Would like to select more than one action in the box at the end of the form eg. Talk with parents and talk with child. Also, option to state ‘recorded on individual child’s records’.*

Ans. Please refer to the answer to question 1.

Q5. *I still find the format too restrictive. I cannot choose more than one option on action taken. The reported incident often involves more than one victim/perpetrator and this is not shown on the current format.*

Ans. Unfortunately, in order to be able to analyse data it is necessary to have standard answers so that comparisons can be made – if all entries were entered differently it would be impossible to organise the information into meaningful reports/guidelines. Any other detail can always be noted in the ‘resolution note’ box.

Q6. *When it becomes necessary to write to parents/carers of victims and perpetrators it would be helpful to have some guidelines from the LEA*

Ans. Because this seems to be a frequent request we have produced three model letters to cover written contact with parents/carers. These have been attached to this appendix and will also be posted on the database next term.

Model Letters

Letter 1 Perpetrator/parent

First incident

CONFIDENTIAL

Dear (Parent/carer)

Re: **(name and date of birth of pupil)**

I am writing to inform you thathas been involved in an incident which has racist connotations/overtones/implications. The incident involved..... **(type of incident)**..... (brief details).

We take such incidents very seriously in school and this is clearly stated in our aim/values/behaviour policy/home/school agreement.

As a result**(name of pupil)** will be expected to remain in school.....

We trust that you will be able to support this action and continue to promote**(name of pupil)**..... appropriate behaviour.

Yours sincerely,

Headteacher **(or deputy headteacher, acting in headteacher's absence)**

✂.....
Reply slip

I confirm I have received the above letter and agree to the school's action.

Signed.....

I would/would not like to make an appointment to discuss the incident with you.

Letter 2 – Victim/parent

CONFIDENTIAL

Dear **(Parent/carer)**

Re: **(name and date of birth of pupil)**

It has been brought to my attention today that ...**(pupil's name)**..... has been subject to a racist incident.

We have spoken with her/him and gained as much detail as possible, ensured of our support and explained the actions we will be taking. The year/house head will offer personal support and monitor the situation.

The school has a clear policy and procedures for dealing with these kinds of incidents and you are welcome to see copies if you so wish.

We encourage pupils to report all such incidents and always record them and the actions which follow.

If you have any questions or concerns please contact me on
.....

Yours sincerely

Headteacher **(or deputy headteacher, acting in headteacher's absence)**

Letter 3 – Perpetrator/parent/repeat

CONFIDENTIAL

Dear **(Parent/carer)**

Re: **(name and date of birth of pupil)**

I am writing to inform you thathas been involved in an incident which has racist connotations/overtones/implications. The incident involved..... **(type of incident)**.....

Unfortunately, this is not the first time thathas been involved in such an incident and he/she has been warned about his/her unacceptable behaviour on several occasions. We wrote to you before about a previous incident.

Consequently, we would like you to arrange an appointment with**(Headteacher)**..... to visit the school with ... **(name of pupil)** to discuss this further.

Yours sincerely

Headteacher **(or deputy headteacher, acting in headteacher's absence)**

APPENDIX 4

Reviewing policy and procedure: self-evaluation

Countering racism – a checklist

Schools may find it helpful to review their current policy and practice in the context of the following questions:

- Is there a 'whole school' culture which promotes race equality and the need to counter racism? How is this manifested?
- What efforts are made to ensure young people and parents from minority ethnic groups feel valued in the establishment?
- Are there opportunities within the curriculum or programme of activities to explore issues of similarity and difference within the context of race?
- Do all young people have opportunities to learn about the heritage and culture of Black and minority ethnic groups and their contributions to this country and the wider world?
- Are young people encouraged to talk about and understand racism and how prejudice and discrimination can be countered?
- Are young people aware of the school's commitment to combating racial harassment?
- Are young people aware of the reporting procedure and how to use it?
- Are parents aware of the school's commitment to combating racial harassment? How is information about the policy and procedures shared with parents?
- Is a member of the senior management team responsible for monitoring racist incidents in order to ensure that policy and procedure are being effectively implemented?
- Do staff understand and accept that any act of racial discrimination or harassment on their part is a matter of professional misconduct?
- Are all staff on the alert for young people who may be suffering in silence (for example, the isolated Black or Traveller young person?)
- Do all staff challenge parents and other adults if they express racist views on the premises?
- Are staff on the alert for harassment which takes place off the premises (for example, on journeys to and from the school)?
- Does the school monitor the number and nature of racist incidents in order to evaluate its effectiveness in promoting race equality and preventing racist incidents?

Reviewing policy and procedure: self-evaluation

Discussion points for staff

- Can you define 'racism', a 'racist incident' and racial harassment?
- What examples of racial harassment have you been aware of or encountered?
- How effectively were they handled?
- Why is racial harassment unacceptable? How would you explain this to:
 - (a) a pupil or young person;
 - (b) a colleague;
 - (c) a governor;
 - (d) a parent;
 - (e) a member of the local community?
- In dealing with a racist incident, how would you respond to:
 - (a) the victim;
 - (b) the perpetrator?
- What follow-up action can be taken?
- When and how should parents be involved? Who is responsible for this in your school?
- How adequate are your school's procedures for dealing with and recording such incidents?
- Are your policies and procedures the subject of discussion with colleagues in other local schools?
- How can the school reach out further to young people and parents from minority ethnic groups to make them feel involved and valued?
- What further advice/support/training is required for all or individual members of staff?
- What opportunities are there within the curriculum to examine issues of similarity and difference in the context of racism, prejudice and discrimination?
- Are the attitudes, behaviour and procedures in the school free from institutional racism as defined by the Stephen Lawrence Inquiry Report?
- Are you aware of any outside organizations or agencies which can provide information, advice and support on issues of race outside the school?

Bibliography

In compiling Equally Safe, Cambridgeshire LEA made use of the following documents and publications:

Dealing with Racist Incidents in Schools
LEA advice and guidance (Suffolk County Council)

Guidelines and Procedures for Dealing with and
Reporting Racist Incidents in Schools (Lancashire LEA)

Our thanks to the above LEAs.

Commission on the Future of Multi-Ethnic Britain, *The Future of Multi-Ethnic Britain (The Parekh Report)*, Profile Books, 2000

CRE, *Learning for All: Standards for racial equality in schools*, 2000

Macpherson W O, *The Stephen Lawrence Inquiry Report*, The Stationery Office, 1999 (available online – <http://www.officialdocuments.co.uk/>)

The Runnymede Trust, *Equality Assurance in Schools: Quality, Identity, Society*, Trentham Books/The Runnymede Trust, 1993

These Guidelines 'Equally Safe' and forms are available on the County Council Intranet - see Section 2 for details. For general enquiries or requests for support, please see Section 6 for contacts.

APPENDIX 5

The 'Open Out' Scheme

Open Out is a third party reporting scheme designed to encourage people to report racist and homophobic incidents.

Reporting centres have been established throughout the county including libraries, schools, community centres etc. Reporting packs are available from the centres and include a reporting form, explanation of the scheme and pre paid envelope. Staff at the centres are trained in how the scheme works and will offer assistance in making the report if required. Reports are then forwarded to the Open Out Team.

Within Southern Division of Cambridgeshire Constabulary, the Open Out Team consists of Cambridgeshire Police Minorities Liaison Officer, Cambridge City Council Racial Harassment Officer and Cambridge Racial Incidents Support Project. Everyone who makes a report is contacted by a member of the team to discuss how the matter will be dealt with. Reports can also be made anonymously. Southern divisions scheme covers Cambridge and Ely and similar schemes operate in Central and Northern divisions for Huntingdon, Fenland and Peterborough. Incidents can still be reported directly to the Police but Open Out offers an alternative.

Further information about the scheme and a list of reporting centres can be obtained from any member of the Open Out Team.