



Torbay Council
Education Services Directorate
Guidelines for Challenging and Dealing with Racial Harassment

1. Introduction

These guidelines are intended to:

- to support schools' behaviour policies
- give practical assistance and advice to schools when challenging and dealing with racist incidents and
- assist schools' in fulfilling their duties under the Race Relations (Amendment) Act 2000.

In an area like Torbay, there is a tendency to deny the existence of racism or to see it as a low priority for action. However, this fails to recognise the number of ethnic minority and foreign visitors who come to Torbay and that many of the young people will upon completion of their schooling move to areas where there are significant ethnic minority populations. It can also be argued that there is particular need for vigilance where there are isolated populations because ethnic minority families can feel more isolated than those in a larger ethnic minority community.

The relatively small number of black and minority ethnic people within the South West is no excuse for failing to challenge racial discrimination or to respect racial diversity. Torbay Council welcomes the diversity of tradition, belief and culture within its communities. It recognises that education has a fundamental role to play in ensuring equality of opportunity, eliminating racism, promoting and valuing racial diversity and providing young people with the tools and skills to live effectively in a multiracial society.

The Council believes that a single racist incident is one incident too many and that all learners should learn in a safe and supportive environment. Racist behaviour severely affects all children's ability to learn effectively and the effect of harassment can remain with a person throughout their life.

Racism has a divisive and destructive effect on society as a whole. It disables the full potential of society and leads to institutionalised injustice and inequality.

Paragraph 4.32 of DfEE Circular 10/99, Social Inclusion: Pupil Support makes it clear 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 are expected to inform the LEA annually of the pattern and frequency of any incidents.

The Race Relations (Amendment) Act 2000 places a positive duty on the public sector including schools to promote racial equality. The Education Service has a key role to play in this through the curriculum that it delivers and the way in which it responds to incidents as they arise. There is a duty on all schools, regardless of ethnic mix, to have strategies that prevent and address racism and a duty on Ofsted, through the inspection system, to monitor how effectively schools and local authorities are implementing these strategies.

2. What is racist behaviour?

The Commission for Racial Equality defines racist behaviour as:

"any hostile or offensive act by a person of one racial group or ethnic origin against a person of another racial group or ethnic origin, or any incitement to commit such an act in:

- such a manner that it interferes with the peace and comfort of the aggrieved person
- that the person aggrieved fears for their safety
- that the quality of life of the person aggrieved is reduced.”

Racist behaviour is particularly damaging to those groups and individuals towards whom it is directed and to society in general. It can take place in any school, regardless of the number of pupils from different ethnic backgrounds on the roll. Schools have a duty to promote good relations and mutual respect and tolerance between different racial groups and this guidance seeks to support them in the way they challenge and deal with racial harassment.

3. Racist incidents

The Stephen Lawrence Inquiry (MacPherson) Report defined a “racist incident” as

“any incident that is perceived to be racist by the victim or any other person”

Governing Bodies are recommended to adopt this definition which has been accepted by the Council.

The following are examples of racist incidents, which may involve pupils, students, teachers and support staff. If they occur they should be dealt with and recorded.

- Disrespect and non co-operation
- Ridicule of an individual's cultural differences, e.g. food, music, dress and language.
- Showing ignorance of a pupil's cultural practices, in a way which makes the pupil feel uncomfortable, belittled or harassed
- Refusal to co-operate with other people because of their ethnic origin
- Verbal Harassment
- Derogatory name calling, insults and racist 'jokes'
- Racist comments in the course of discussions
- Verbal abuse and threats
- Physical harassment
- Violent attacks or physical intimidation of children and adults of different ethnic backgrounds
- Other Incidents
- Damage caused to a person's property which is racially motivated
- Provocative behaviour such as wearing racist badges or insignia
- Racist graffiti
- Bringing racist materials such as leaflets, comics or magazines into the school
- Attempts to recruit other pupils and students into racist organisations
- Incitement of others to behave in a racist way

4. Challenging and dealing with racist incidents

Racist incidents may involve pupils, staff, parents or the wider community. All schools need to establish appropriate procedures which are well publicised and followed through when an incident occurs. It is important that these procedures clearly indicated a named person to whom any incident should be reported. The role of this person needs to be clearly defined so that there can be no misunderstanding as to whether it includes support to the victim.

Good practice would suggest that a Head of Year or a member of the senior management team should undertake any investigation.

The circumstances of an incident and the parties involved will determine whether the school's behaviour, grievance or disciplinary policy is the most appropriate procedure to be invoked. It may be appropriate to invoke more than one procedure.

How an individual incident is dealt with will depend on the context, who is involved, the age of any children involved and the seriousness of the situation. All incidents need to be acknowledged and talked through even with young children. The following is a suggested approach for dealing with specific incidents:

- acknowledge the incident, expressing disapproval;
- give support to the victim, apologise for the incident;
- identify the racist behaviour;
- where the perpetrator is a pupil or a member of staff, counsel the them while maintaining pastoral support;
- explain to those responsible as well as any onlookers what is unacceptable about the incident;
- consider appropriate action. Where action is taken in accordance with the school's procedures, good practice suggests that there should be a stepped approach with a tariff of sanctions which is known. In what is likely to be a highly charged emotional situation, it is important that all who are involved know what action will be taken.
- the school's procedure for recording the incident is followed;
- where an incident involves pupils, contact their parents reporting the incident, explaining the action taken and how this relates to the school's behaviour policy; and
- consider whether the incident should be reported to the police

The police should be advised of any criminal activity and this includes racist incidents that are categorised as crimes. In the case of serious and/or persistent incidents or perpetrators, schools are recommended to pass the information to the police.

It should be recognised that sometimes a person may be wrongfully accused of racial harassment. In these circumstances it is important to recognise and deal with the hurt that this will have caused

For incidents solely involving members of staff the school's grievance procedure should be invoked. Subsequently, it may be appropriate to inform the police and take disciplinary action against the perpetrator. The Council has a policy for the "Prevention of Harassment and Bullying to Protect the Dignity of people at Work" and governing bodies, if they have not already done so, are recommended to adopt a similar policy.

Where the perpetrator is a parent or a member of the wider community, the incident should be reported to the police.

Headteachers, in exercising their responsibility for the day to day management of the school, are able to determine who should have access to the school premises and site. If the perpetrator trespasses on the school site they should be asked to leave. A refusal to leave or re-entering the school site after being required to leave may give rise to a criminal offence under section 547 of the Education Act 1996. In such circumstances headteachers are advised to seek the urgent support of the Police. Advice on dealing with trespass was provided in section 3 of the Department for Education and Skills publication "School Security Dealing with Troublemakers."

Taking such steps can only be effective if there is a sound understanding of the purpose of the procedure. It is important that all staff:

- treat racist incidents seriously and consistently;
- are aware of their and senior staff roles and responsibilities so that the implementation of the school policy is effective;
- have opportunities to discuss individual incidents, the steps taken and the position and policy of the school towards racist incidents.

Pupils should be given the opportunity to discuss racism and racist incidents in appropriate curriculum time to ensure that they are sensitive to its causes and effects.

It is important that schools, in their curriculum reviews, make efforts to ensure that racism is challenged and not inadvertently reinforced. Both the curriculum and the school environment should reflect a positive attitude towards people from all backgrounds.

At regular intervals schools should review and monitor their policies and practices in preventing and dealing with racist incidents.

5. Dealing with off-site incidents

Incidents involving members of the school community may occur off-site or outside schools hours. Such incidents should not be ignored as they can affect the reputation of the school. In these circumstances, the headteacher will wish to take appropriate action. A decision needs to be made as to whether it would be appropriate or productive to directly approach or contact the perpetrators. In making this decision the headteacher needs to decide whether the perpetrators are likely to be influenced by reasoned argument or accept the headteacher's right to be concerned about activities taking place off the school site.

On balance headteachers are not advised to intervene in an ongoing incident but to immediately report the matter to the Police with a request that they attend and monitor the situation.

Other action might take the form of writing to the perpetrators stating that their behaviour is totally unacceptable and/or reporting the incident to the police.

It is important to alert parents, pupils, staff and governors to any incident, remind them of the school's ethos and its policy for challenging and dealing with racist incidents and inform them of the action taken. Incidents should also be reported to:

- the Strategic Director of Education Services
- your colleagues in other local schools
- the Devon and Exeter Racial Equality Council (telephone number 01392 422566) and
- the Diversity Officer, Devon and Cornwall Police (telephone number 841459) and the "Safer Communities Torbay" team (telephone number 841440).

6. Role of Governors

The Governing Body needs to ensure that:

- race equality is an integral part of the ethos of the school
- they create and implement strategies which prevent and address racism;
- there is a school policy on race equality;
- the impact of this policy on pupils, staff and parents is effectively monitored with emphasis on the levels of attainment of Black and ethnic minority pupils.
- well publicised procedures are in place to deal with any incident of racial harassment;
- they receive regular monitor reports on the impact of the policy and incidents of racial harassment.

7. Recording and Monitoring

Racist incidents have been under-reported in the past and treated as routine disciplinary issues or trivialised due to uncertainty and concern about the possible repercussions. It is important that seemingly minor incidents are recorded. If a more serious incident occurs later on, an accurate record of a previous incident would allow the subsequent incident not to be dealt with in isolation.

Effective monitoring will enable the school to gain a full picture of the nature and frequency of abuse and to measure the effectiveness of any strategies put in place to prevent its occurrence.

Schools should therefore:

- keep a record of all racist incidents and the action taken;
- where an incident is serious, inform parents of its nature and the action taken;
- provide information to the Governing Body on a regular basis;
- report incidents to the LEA at the end of each school year.

Appendix A offers a suggested detailed record sheet which schools are recommended to adopt.

Education Services Directorate

Detailed Record Sheet for Incidents of Racist Harassment

Please send a copy of completed forms to the Education Welfare Service,
Education Services Directorate, Oldway, Paignton TQ3 2TE or email to
education.welfare@torbay.gov.uk

Victim(s)	Ethnic Origin(s)	Year Group(s)
Perpetrator(s)	Ethnic Origin(s)	Year Group(s)
Date, time and location of incident:		
Type of incident: <i>(tick as appropriate)</i>		
Disrespect and non co-operation		
Ridicule of an individual's cultural differences, e.g. food, music, dress and language.		
Showing ignorance of a pupil's cultural practices, in a way which makes the pupil feel uncomfortable, belittled or harassed		
Refusal to co-operate with other people because of their ethnic origin		
Verbal Harassment		
Derogatory name calling, insults and racist 'jokes'		
Racist comments in the course of discussions		
Verbal abuse and threats		
Physical harassment		
Violent attacks or physical intimidation of children and adults of different ethnic backgrounds		
Other Incidents		
Damage caused to a person's property which is racially motivated		
Provocative behaviour such as wearing racist badges or insignia		
Racist graffiti		
Bringing racist materials such as leaflets, comics or magazines into the school		
Attempts to recruit other pupils and students into racist organisations		
Incitement of others to behave in a racist way		

Witness(es)		Pupil/Adult	Year Group(s)
Action taken/to be taken: <i>(tick as appropriate)</i>	Discussion with victim(s)		
	Interview with perpetrator(s)		
	Information to class/form teacher		
	Referral to Head of Year/senior member of staff		
	Letter to victims parents		
	Letter to perpetrators parents		
	Meeting with parents		
	Headteacher involvement		
	Fixed term exclusion		
	Permanent exclusion		
	Police advised		
	Other – see note below		
Brief note of the incident (including a record of all discussions/interviews/ meetings and details of effect on the victim, medical treatment required, counselling undertaken etc.)			
Signed Position		School	Date

Contacts

Black Networking Group, PO Box 358, Exeter EX4 3YN
email bngroup@btconnect.com or email rrep@nacab.org.uk

Citizens Advice Bureaux
Brixham (Town Hall, New Road) 01803 854286
Paignton (29 Palace Avenue) 01803 521726
Torquay (11 Castle Road) 01803 297799

Commission for Racial Equality,
Elliot House, 10-12 Allington Street, London SW1E 5EH 020 7828 7022
CRE website <http://www.cre.gov.uk>

The duty to promote race equality – a guide for schools (CRE)
http://www.cre.gov.uk/duty/duty_pack.html

Devon and Cornwall Police Authority: Force Enquiry Centre 0990 700 400 (in the case of an emergency dial 999)

Devon & Exeter Racial Equality Council: Wat Tyler House, King William Street, Exeter EX4 6PD
tel & fax 01392 422566 email derec@talk21.com

English as an Additional Language Service, Devon County Council, Redworth House, Ashburton Road, Totnes TQ9 5JZ. Contact Loraine Davis

Institute for Race Relations, 2-6 Leeke Street, London WC1X 9HS
<http://www.irr.org.uk/>

National Civil Rights Movement in Devon and Cornwall:
Advice and support 07940 514270 24 hour emergency helpline 0800 374618

The Runnymede Trust, Suite 106, The London Fruit & Wool Exchange, Brushfield Street, London E1 6EP
Tel: 020 7377 9222 Fax: 020 7377 6622
<http://www.runnymedetrust.org/> (this website also links to other educational resources)

The Samaritans: 0345 909090

The Victim Support Line: 0845 3030900

Publications

National Curriculum booklets

DfES - Removing the Barriers Raising Achievement Levels for Minority Ethnic Pupils (Ref: DfES 0001/2002)

Centre for Studies on Inclusive Education – Index for Inclusion, Developing Learning and Participation in Schools (ISBN 1-87200-182-3)

Commission for Racial Equality - Learning for All, Standards for Racial Equality in Schools (ISBN 1-85442-223-5)

DfES (July 1999) Social Inclusion : Pupil Support Circular 10/99

Ofsted - Evaluating Educational Inclusion

The Runnymede Trust – The Future of Ethnic Britain
(ISBN 1-86197-227-X)

Video

“Colourblind” available from Devon Learning Resources

Web based resources

National Curriculum online <http://www.nc.uk.net/home.html>

The Qualification and Curriculum Authority (QCA) <http://www.qca.org.uk/>

Respect for all: valuing diversity and challenging racism through the curriculum

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

DfES Schemes of Work <http://www.standards.dfes.gov.uk/schemes/>

Ethnic Minority Achievement (this site also has links and publications)

<http://www.standards.dfes.gov.uk/ethnicminorities/>

Teachernet <http://www.teachernet.gov.uk/>

Science Across the World

This international education programme of [GlaxoSmithKline](#) in partnership with [The Association for Science Education](#), provides a forum for students aged 10 to 16 years, to exchange facts and opinions with students in other countries. <http://www.ase.org.uk/sworld.html>

ASE Policy Statement : Race, Equality and Science Teaching

<http://www.ase.org.uk/policy/restf.html>