



Whitstable Junior School

Racial Incident Reporting Policy

Governors' Committee Responsible: Strategy Committee

Policy Originator: Headteacher

Status: Non-Statutory

Review Period: 3 years

Date approved: January 2019

Next review date: January 2022

Signed: _____ Chair of Governors

Signed: _____ Headteacher

Racial Incident Policy Procedure

Introduction

The recommendations of the Macpherson Report concerning the circumstance surrounding the tragic death of Stephen Lawrence have identified a number of areas for action by LEAs and school governors. In particular, that local education authorities and school governors have a duty to create and implement strategies in their schools to prevent and address racism. These strategies include:

- that school record all racist incidents
- that all recorded incidents are reported to the pupils' parents/guardians, school governors and LEAs.

The Dfes has considered the recommendations of the Macpherson Report and has advised that they will make it clear in "School Inclusion: Pupil Support" guidance that all racist incidents are to be recorded and that all parents and governors are informed of the nature of the incident and the action taken to deal with it. Governing bodies will be expected to inform local education authorities, on an annual basis, of the pattern and frequency of any such incidents.

This Policy Procedure is intended to help us meet the duties that have been set out above, and sets out a procedure to help us deal with racial incidents and a report form for recording the details of racial incidents is also included.

We will need to have obtained details about each pupil's ethnicity at the admission stage. This information can be collected by using the Equal Opportunities Monitoring form (Form PR3 (c)) set out at appendix I. The appendix also includes some typical questions and answers to help answer any queries from parents.

Current Legislation

Section 71 of the Race Relations Act 1976 places a duty on every local authority to make "appropriate arrangements" with a view to securing that their various functions are carried out with due regard to the need to eliminate unlawful racial discrimination and to promote equality of opportunity and good race relations between persons of different racial groups.

The LEA recognises the measures which education providers have taken towards combating racism and racial harassment. This document is intended to reflect the commitments of the school and the LEA to support the Council's Equal Opportunities Policy, which clearly outlines the Council's opposition to all forms of racism.

The LEA recognises that in order to tackle racism in educational establishments, it should:

- Seek to ensure that education providers create an environment which accords respect for individuals, and in which young people of different ethnic and cultural backgrounds are able to develop their potential to the full.
- Produce a clear statement of opposition to any form of racism or racist behaviour which expresses the right of every child and young person to the best possible education. It should also indicate unacceptable racist practices or behaviour, and the procedures, including sanctions, to deal with any transgressions.

- Set up a reporting and monitoring system for schools to use for all incidents which may arise.
- Explain the way in which they intend to develop practices which tackle racism and create educational opportunities for all irrespective of race, colour or ethnic origin.

Definition of racial incident

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

Procedure for dealing with racial incidents

Whitstable Junior School has adopted the model procedure produced by the LEA, which is set out below. If an incident involves employees of the LEA, then department’s employee’s or the grievance or disciplinary procedure may be applicable. The following steps may be taken in dealing with racial incidents:

Support the victim

The following procedure will be followed if a pupil is the victim of a racial incident:

- to investigate the incident and to take appropriate action to offer support to the victim
- it may be necessary to meet with the pupil’s parents/guardian to discuss the matter and explain the action taken. The service of an interpreter/translator may be needed at the meetings
- to record the incident on a Behaviour Management Form.

Dealing with the perpetrator

Dealing with pupils as perpetrators.

The following procedure will be followed if a pupil is believed to be behaving in a racially discriminatory way:

- an appropriate member of staff will intervene and take immediate action, for example, separating the victim from the perpetrator
- any racist behaviour will be challenged immediately and openly. The perpetrator to be told that his/her behaviour is unacceptable and will not be tolerated
- the incident will be reported to a member of the SMT and a Behaviour Management Form completed. He/she should decide whether any further action needs to be taken, including informing the parents/guardian of the relevant pupils

Dealing with members of staff as perpetrators

All members of staff are required to abide by the school’s equal opportunities policy. Substantiated racial discrimination by any member of staff towards a pupil may be considered as misconduct and the perpetrator may be subject to disciplinary action. In the event of such an allegation being made against a member of staff, the Headteacher or his/her nominee to investigate the allegation in accordance with the relevant disciplinary procedures.

Dealing with members of the public as perpetrators

Racially motivated conduct by members of public needs an immediate response. The following procedure should be followed in cases of racially discriminatory conduct by a member of the public:

- the incident to be reported to the Headteacher as soon as possible
- the police to be informed if the incident is of a magnitude that warrants such action (e.g. damage or threat of damage to person or property)
- the racial incident recorded and the pupil's parents/guardian and chair of the governing body should be informed of the incident as appropriate.

Dealing with the impact on the school and the community

- racist graffiti or slogans should be reported and removed as soon as possible
- racist literature, badges and insignia should be confiscated. A clear explanation setting out the reasons why the property has been confiscated should be given. The confiscated property may be handed to the police in criminal proceedings or returned to the pupil or his/her parents at an early opportunity. It is not open to a teacher to deliberately destroy a confiscated item unless it is necessary in the immediate interests of safety
- if the incident has caused damage or is seen as a threat of damage to a person or property, it may be appropriate to call a special meeting either with staff only or with pupils as well to discuss what has happened
- it may be appropriate to develop a training programme to help pupils as well as teachers to deal with racial incidents.

Incidents involving violence or criminal behaviour

For incidents of a serious nature involving violence or criminal behaviour, it may be necessary to inform the police, irrespective of the "status" of the perpetrator, i.e., pupil, staff, or the members of the public. The district schools officer should be informed immediately to facilitate consultation and the possible procuring of advice including legal advice. This is necessary in order to ensure the director or a senior colleague is able to give the fullest advice and where appropriate, inform leading members of the Council, relevant community groups and liaise with the police.

Legal procedures dealing with children under 16

Juveniles must not be interviewed at their place of education or asked to provide or sign a written statement in the absence of an appropriate adult except in exceptional circumstances and only where the Headteacher or his/her nominee agrees. Every effort should be made to notify the parents/guardian that the police want to interview the juvenile and to ensure their presence at the interview. Where waiting for the appropriate adult would cause unreasonable delay, and unless the interviewee is suspected of an offence against the school or the staff, the Headteacher or his/her nominee can act as the appropriate adult for the purposes of the interview.

An interview is the questioning of a person regarding his/her involvement or suspected involvement in a criminal offence or offences. While a juvenile is being interviewed, the appropriate adult can be:

- a parent or guardian (or, if the child is in care, the care authority or voluntary organisation)
- a social worker
- failing either one of the above, another responsible adult aged 18 or over who is not a police officer or employed by the police. The role of the adult is to advise the juvenile and to observe whether or not the interview is being conducted properly.

A juvenile should not be arrested at his/her place of education unless this is unavoidable. In this case the Headteacher or his/her nominee must be informed.

Monitoring of racial incidents

It is necessary to monitor racial incidents in order to:

- obtain a full picture of the level and nature of racial incidents
- measure the effectiveness of the department's anti-racist policies and the procedures used to deal with racial incidents
- prioritise and focus resources to deal to deal with racial incidents at grass-root level
- work with other agencies to combat racial incidents in the community.

Procedure for schools

- the Behaviour Management form should be completed as soon as possible after an incident has taken place
- the Behaviour Management form should be kept to the school office for entering onto the computer system and then filed for internal monitoring purposes
- the Headteacher should ensure that the commitments to tackling racial incidents and any anti-racist guidelines or equal opportunities statements are well publicised, and that parents and community groups are aware of them. Copies of the policy statement/procedure should be translated into minority languages where appropriate
- in-service training from an anti-racist perspective should be developed to enable staff to combat racial incidents in their day-to-day work. Advice and support to organise training are available from the LEA.

Conclusion

The School and the LEA recognises its responsibility to devise effective strategies to ensure successful implementation of the anti-racist policy. In this context, the LEA seeks the active participation and co-operation of all Head teachers and their governing bodies in introducing the system of recording and analysing racial incidents described in these guidelines.

The LEA will treat all information received in strict confidence and will not at any time identify schools. If appropriate, it will share information on an anonymous basis in order to improve policy and practice.