



# ST PATRICK'S CATHOLIC PRIMARY AND NURSERY SCHOOL A VOLUNTARY ACADEMY

## RACIAL INCIDENTS POLICY

Last Review date MARCH 2015

### Section 1: Guiding principles

St Patrick's Catholic Voluntary Academy is committed to creating a positive climate that will enable everyone to work free from intimidation and harassment and to achieve their full potential. Therefore:

- it will use all the powers and resources at its disposal to eliminate racial incidents;
- it will ensure that any complaint of racial harassment is promptly investigated and that everyone is aware of his/her responsibility and the procedures to challenge and report it when it occurs;
- it will work with parents, communities and other agencies to ensure that it is clearly understood that racial harassment is unacceptable.
- aims to provide an atmosphere where everyone is valued and any discrimination is always challenged.

### Section 2: Racism and racial discrimination

Race is a term that is commonly used when identifying groups of people who share a common origin or heritage. The Race Relations Act 1976 (including its amendment in 2000) defines racism as follows:

- *Direct racial discrimination* occurs when a person is treated less favourably than another on racial grounds. The comparison must be with a person whose relevant circumstances are more or less the same. It is not necessary to prove that there was an intention to discriminate; what is relevant is that the outcome was discriminatory.
- *Indirect racial discrimination* occurs when
  - a person is subject to a requirement or condition that is applied equally to everyone, but which in practice disproportionately fewer people from their racial group can comply with
  - the requirement or condition cannot be justified on non-racial grounds
  - it is a detriment to the person because they cannot comply with it.

- *Victimisation* occurs when a person is treated less favourably than another because they have complained of racial discrimination, given evidence or otherwise assisted another person's complaint of racial discrimination, or because it is known that they intended to do so.

### **Section 3: A definition of racial harassment incidents**

The term "racial harassment incident" is used here to describe all those unwanted actions by a person or a group of people directed at people of different ethnic origin which cause humiliation, offence or distress or interfere with their performance or create an unpleasant working environment and are motivated by racial considerations. As such they may:

- comprise of remarks or actions associated with a person's race, nationality (including citizenship) or ethnic or national origin;
- inappropriately emphasise a person's race, nationality (including citizenship), ethnic or national origin over his/her other role such as a pupil, member of staff or parent/carer.

A behaviour that is motivated by racial discrimination will be taken more seriously than if the motive is absent.

For the purposes of these procedures it includes:

- any incident in which it appears to the person reporting or investigating that the complaint involved an element of racial motivation;
- any incident that includes an allegation of racial motivation made by any person.

Racial incidents can involve:

- physical assault or the threat of physical assault where race appears to be the motivating force;
- name calling, insults and jokes;
- graffiti;
- provocative behaviour such as the wearing or displaying of racist badges or insignia on the person or on clothing;
- bringing racist materials such as leaflets, comics or magazines on to the premises;
- verbal abuse and threats;
- incitement of others to behave in a racist way;
- racist comments;
- attempts to recruit pupils, students or staff to racist organisations and groups;
- ridicules of cultural preferences e.g. food, music, dress, faith;
- discriminatory working practices: refusing to work with or co-operate with others because of their ethnic origins / ignoring or paying undue attention to others because of their ethnic origin.

The school staff is defined as anyone who is working at the school whether employed or on a voluntary basis.

## **Section 4: Procedures for dealing with racial incidents**

### 4a: Recording Incidents

All incidents as defined in section 3 will be recorded. Incidents will be recorded in the Racial Incidents Log held in the Staff workroom filing cabinet. An Incident Report Form will be completed.

The person reporting or recording an incident will provide details including:

- date, time and place of incident;
- type of incident;
- person(s) involved;
- actions (including sanctions) taken.

### 4b: Monitoring

The governing body will review patterns and trends of racist incidents at appropriate intervals. The outcomes of this analysis will be discussed annually at a full governing body meeting where, if needed, agreed action will be planned to address any emerging concerns.

Incidents that are particularly serious, i.e. those involving violence, the threat of violence or incitement to racial hatred will be brought to the attention of the pupils and personnel sub-committee of the governing body. Individual names will not be reported to the governing body in the light of their responsibilities for staff and pupils as incidents may result in formal disciplinary action.

### 4c: Supporting victims

The school is aware of the barriers that exist to making a complaint of racial harassment and wishes to encourage all involved with the school to feel confident that they can raise matters of concern.

All staff must be aware of the priority attached to responding promptly to complaints of racial harassment and to supporting victims. No incidents should occur without the school's commitment to race equality being made clear to the victim.

Any complaints of harassment should be made directly to or be referred to the head teacher or designated teacher who will take responsibility for ensuring that there is an appropriate response.

Where no formal complaint is made but a member of staff is aware that harassment is taking place, the matter should be referred to the head teacher or designated teacher who will be responsible for making an appropriate response.

Where the member of staff witnesses an incident she/he must make absolutely clear the school's attitude to race equality and offer support to the victim.

Any one who makes a complaint has the right:

- to support from someone of their own choosing;
- to interpretation facilities where necessary or where requested;

- to information on the action that has been taken and other sources of assistance that are available.

Parents /carers will be informed and involved. The school will ensure that parents' wishes and needs are taken seriously. In all serious cases, the head teacher will send a letter to the parents/carers of all victims and perpetrators explaining the action taken and the reasons for taking it.

When all the previous stages have been exhausted and it is felt that the response or action taken is unsatisfactory, the matter may be referred to the pupil and personnel sub-committee of the governing body.

If the perpetrator of the racial harassment is a member of staff the incident will always be referred to the pupil and personnel sub-committee of the governing body as soon as possible.

#### 4d: Dealing with perpetrators

These general procedures will be followed when dealing with perpetrators:

- The incident will not be ignored or go unchallenged. There will be a clear explanation that the conduct is unacceptable within the school's disciplinary code.
- If the incident is serious the perpetrator will be referred to the designated member of staff. A serious incident is one that involves violence, the threat of violence or incitement to racial hatred.
- Sanctions/ counselling appropriate to the seriousness of the incident will be provided.
- Graffiti will be removed promptly. Racist materials, badges and insignia are illegal and will be removed.
- The head teacher will be informed if the incident is serious and the parents / carers of the perpetrator will be informed.
- Where a decision is taken to exclude a pupil, the matter will be dealt with in accordance with the exclusions procedures.

In cases involving volunteers, parents / carers or other adults:

- The incident should be reported to the head teacher.
- The procedure for making a formal complaint will be made known to the complainant(s).
- The head teacher will investigate the case and take appropriate action

In cases involving a member of staff the matter will be handled in accordance with the school's disciplinary procedures and will therefore be referred to the governing body.

The Race Relations Amendment Act 2000 covers most incidents involving outside perpetrators that are likely to take place on site. Perpetrators will therefore be reported to the police.

For offences that take place off site the following procedures should be followed.

Where pupils are on a supervised activity:

- the protection of children is the first priority and staff should seek to secure that;
- incidents that involve physical assault should be reported to the police as soon as practical and their assistance sought;

- aggressive or provocative action should be avoided. On no account should children be encouraged to be assertive;
- perpetrators should be clearly warned that their behaviour is unacceptable and is likely to be reported to the police;
- a full report must be made to the head teacher as soon as possible;
- the parents/carers of children involved in the incident will be informed about the incident and the action taken;
- the head teacher will inform the governors about the incident.

## **Section 5: Following up an incident and dealing with its impact on the school community**

Extra vigilance should be applied following serious incidents. In particular there should be alertness to:

- patterns of absence;
- outbreaks of graffiti;
- the presence of racist literature, badges and insignia.

There should be increased alertness when pupils are arriving or leaving and when they are moving between buildings and lessons and at break times. Every opportunity should be taken to remind the pupils of the school's code of practice. Rumours should be promptly challenged.

Staff must be aware of the need to avoid being drawn into situations that are likely to lead to unproductive confrontations. It is important that formal discussion opportunities are set up so that proper debate can take place on the issues.

Feedback will be sought from the victims and their parents/carers as well as from members of the community in order to assess the impact of the incident and to evaluate the appropriateness / effectiveness of the school's action.

## **Section 6: Review**

This policy will be reviewed by the Headteacher on an annual basis.