Dealing with Prejudice-Related Incidents: Guidance for Schools

March 2015

Version 1

Foreword from Buckinghamshire County Council

This resource has been developed to support the work of schools in Buckinghamshire to ensure that we are all meeting our Equalities Duty and that our schools are promoting Community Cohesion which is a continuing duty on schools (Education and Inspections Act 2006).

The general duty on all public authorities including schools involves

(i) Eliminating discrimination, harassment and victimisation
(ii) Promoting equality of opportunity
(iii) Fostering good relations between persons with a protected characteristic and those without a protected characteristic
(Equality Act 2010)

In this document schools are given the latest guidance and advice on dealing with discrimination in its many forms. The key message contained within this document is the importance of managing any incident quickly and involving all concerned so that a clear message goes out to the school community including parents about the schools zero tolerance to any form of discriminatory behaviour.

Having mutual understanding and respect as well as countering all forms of discrimination must be seen as a pivotal element to ensuring that schools remain a harmonious and safe environment for all. This document supports the work schools need to do to embed fundamental British values into the curriculum and allows them an opportunity to explore with staff and students alike what those values mean within the context of our schools.

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Deputy Leader and Cabinet Member Education and Skills

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1. Introduction

This guidance has been produced with the aim of supporting schools and other educational establishments in Buckinghamshire to fulfil their legal obligations under the Equality Act 2010, Children Act 1989 and Education Act 2006 and to meet Ofsted requirements with regards to behaviour and safety.

The guidance will:

- Explain how prejudice-related incidents are defined and why this definition is used
- Outline the responsibilities of different parties within the school and wider community when dealing with prejudiced-related incidents
- Explain how and why prejudice-related incidents should be recorded within the school
- Explain how and why to incidents should be reported to Buckinghamshire County Council
- Impart strategies alongside examples of good practice, to enable staff to respond effectively to prejudice-related incidents, including support for targets and perpetrators
- Provide sample policies, letters and agreements to support schools in implementing effective strategies
- Provide starting points to educate pupils about prejudice
- Provide links to further sources of information and support

2. Background

Prejudice-related incidents and identity-based bullying cause very real damage to young people; targeted individuals may become scared, depressed and lacking in self-confidence and this can impact heavily on their progress at school**.** These incidents are not only damaging to the targets of the incidents, but also to the perpetrator who may be carrying around the burden of anger and hatred. Research conducted into the barriers to challenging racism and promoting equality in England's schools conducted in 2011[1], found that 83% of teachers questioned had witnessed racist attitudes or behaviours amongst their pupils, while 31% had witnessed these attitudes amongst teachers. In the same year, Goldsmiths, University of London, carried out research for the Equality and Human Rights Commission (EHRC), which found that two in ten students in the UK didn't feel safe at school; over eight in ten disabled pupils and two in three lesbian, gay or transgender secondary school pupils

[1] Soyei, Sarah (2011) The Barriers to Challenging Racism and Promoting Equality in England's Schools http://www.theredcard.org/uploaded/SRTRC%20BARRIERS.pdf

had been bullied[2]. Leaving these problems unaddressed can have a profound effect on both targets and perpetrators; reducing self-confidence, increasing anxiety, lowering attainment and jeopardising employment prospects. The targets of harassment are twice as likely not to be in education, employment or training at 16.[3]

Effectively tackling prejudice-related incidents will improve the school environment for everyone, increasing attainment and wellbeing for pupils and staff. There are also legal drivers which oblige schools to respond effectively.

3. Legal Duties

3.1 The Equality Act 2010

The Equality Act 2010 brings together all existing equality legislation under one Act. Anyone acting on behalf of the school (an employee or a contractor) is liable for their own behaviour, but the school is also liable unless it can show that it has taken all reasonable steps to stop the individual from carrying out the discriminatory action.

Protected Characteristics

There are 9 protected characteristics that are covered by the Act:

- Race and Ethnicity
- Religion or Belief
- Sexual Orientation
- Sex
- Disability
- Age
- Gender Reassignment
- Pregnancy and Maternity
- Marriage and Civil Partnership

Age and marriage and civil partnership are not protected characteristics with regards to school pupils, although they are relevant for employees.

[2] Equality and Human Rights Commission (2011) Prevention and response to identity-based bullying among local authorities in England, Scotland and Wales www.equalityhumanrights.com/news/2011/march/widespread-bullying-in-schools-is-not-being-tackled-new-report-shows/

[3] Equality and Human Rights Commission (2011) Prevention and response to identity-based bullying among local authorities in England, Scotland and Wales www.equalityhumanrights.com/news/2011/march/widespread-bullying-in-schools-is-not-being-tackled-new-report-shows/

Discrimination by Perception and Discrimination by Association

The law also protects those who are **perceived** to have a protected characteristic (for example, it is illegal to discriminate against someone because you think that they may be gay) and those who are **associated** with people who have a protected characteristic (for example it is illegal to discriminate against someone because their child has a disability).

s149 Public Sector Equality Duty (PSED)

All public bodies, including schools and colleges, are required to have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Fostering good relations involves having due regard, in particular, to the need to tackle prejudice and promote understanding between those who share a protected characteristic and those who do not, so work to reduce prejudice-related bullying between pupils would fall under this remit.

Specific Duties

In order to demonstrate compliance with the general duties, schools must:

- Publish sufficient information to demonstrate the school's compliance with the general equality duty across its functions; this should be updated every year.

- Prepare and publish equality objectives. Schools should set one or more objective. These must be agreed with governors and reviewed and updated at least every four years.

You need to take the PSED into consideration when making decisions and creating policies, not as an afterthought. The duty cannot be delegated to a third party.

For more information about the Equality Act 2010 and what constitutes due regard, please see here.

3.2 Children Act 1989

The Children Act 1989 imposes statutory responsibilities in relation to promoting pupil wellbeing and pupil safeguarding. A bullying incident should be addressed as a child protection concern when there is 'reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm'

3.3 Education and Inspections Act 2006

Section 89 of the Education and Inspections Act 2006 states that maintained schools must have measures in place to prevent all forms of bullying amongst pupils. These measures should be part of the school's behaviour policy which must be communicated to all pupils, school staff and parents.

4. Ofsted

Ofsted recognises that meeting the PSED contributes greatly to progress and attainment within a school, stating that:

'achievement of these aims means that pupils work – whether it is in class or in the school – in an ethos and atmosphere of dignity and fairness, where they are free to develop themselves, knowing that differences are respected and they are encouraged to become independent learners and take responsibility for their actions and become good citizens.'

When inspecting Behaviour and Safety, Ofsted states that it is looking to see that:

- There are clear procedures for dealing with prejudice-related bullying and incidents, and appropriate staff training that equips staff to identify and deal with this effectively. The different evidence from inspection confirms effectiveness of a school's approach.
- Questionnaires and focused discussion groups show that all pupils feel safe from all kinds of bullying, harassment and oppressive behaviour.
- Pupils and staff are respectful of each other and this includes behaviour that does not disrupt the learning of others.
- Pupils are confident that staff will address all issues of discrimination and prejudice including the use of derogatory language. [4]

[4] Ofsted (2012) Inspecting Equalities - Briefing for Section 5 Inspection

5. What is a Prejudice-Related Incident?

The working definition, which has been adopted by the police and government and should be employed when considering prejudice-related incidents in Buckinghamshire schools, is outlined below:

'A prejudice-related incident is any incident which is perceived to be prejudice-related by the victim or any other person'

Why is this definition used?

This definition was first recommended as a working definition for racist incidents by The Stephen Lawrence Inquiry and has since been extended to cover all incidents related to the protected characteristics set out in The Equality Act 2010.

This is a working definition. It informs people how to respond when they become aware of the incident and ensures that the incident is investigated. Importantly, it ensures that people are listened to. Pupils and staff are more likely to speak up about prejudice if they know that they will be taken seriously. Historically targets have been dismissed or ignored, which can be devastating for them, preventing others from speaking up and allowing incidents to escalate.

It may be that at the end of the investigation it is decided that the incident was not prejudice-related, but you will have all of the information and evidence to back up this decision and will be able to explain the reasoning behind their decision to all parties.

It is important to note that there is no mention of intention, just because someone didn't intend to offend, doesn't change the impact of the action. Intention is important when considering the actions that need to be taken with the perpetrator, but a lack of intent does not prevent it from being a prejudice-related incident.

The definition empowers everyone to act. The onus is not just on the target to speak up. The inclusion of 'or any other person' means that anyone who perceives a prejudice-related incident to have occurred can instigate an investigation. This also ensures that incidents where there is no direct target, such as racist graffiti or casual use of homophobic language, are also picked up.

What concerns are there around the use of this definition?

"The definition seems really broad…" Rather than as a concern, the broadness of the definition should be seen as a safety blanket. It means that no-one has to make a decision on the spot as to whether something is prejudice-related or not, if someone says that they have experienced or witnessed an incident then the procedures are put into action and an investigation is begun.

"Someone could perceive something as prejudice-related, even when it's not and then we have to treat it as such": It may be that someone interprets a situation wrongly, however that person's perception is their reality and it is important that their view is not simply dismissed. It is equally possible that an alternative interpretation made at the time may be incorrect. By making sure that all incidents are investigated, all parties will feel listened to and all decisions will be evidence based.

"I'm worried about pupils claiming that something is racist or homophobic, just to get teachers or others in trouble": The investigation which occurs as a result of the complaint will quickly uncover baseless accusations. If malicious complaints are made, there will be repercussions for the complainant, which will prevent these kinds of accusations from becoming widespread.

Any incident which is perceived to be prejudice-related must be investigated, but the most common prejudice-related incidents take the form of:

- prejudicial language
- ridicule and jokes
- verbal abuse
- physical assault
- graffiti or damage to property
- discriminatory behaviour e.g. refusing to work with a pupil because of their religion
- incitement to behave in a prejudicial manner e.g. wearing racist badges, recruiting to racist organisations, bringing in homophobic literature.
- cyber bullying

When do prejudice-related incidents become hate crimes?

Any criminal offence which is perceived by the victim or any other person as being motivated by prejudice or hate, based on a person's actual or perceived race and ethnicity, religion or belief, sexual orientation, disability or transgender status is considered a hate crime. Courts have a duty to increase the sentence of any offence (for example assault or criminal damage) which is aggravated by prejudice.

Pupils who perpetrate bullying motivated by hate within school or in public places can be taken to court and cautioned, fined, sentenced to a community order or even receive a prison sentence.

6. Why is a Prejudice-Related Incident treated differently to other forms of Bullying?

This document specifically relates to prejudice-related incidents involving the protected characteristics as set out by the Equality Act 2010. There is a cross-over between prejudice-related incidents and bullying, but they are also distinct: not all incidents of bullying will be prejudice-related incidents and not all prejudiced-related incidents will involve bullying.

Whilst all forms of bullying can be incredibly damaging, there are some features of prejudice-related incidents which distinguish them from other incidents, and underpin the reasons why they deserve special attention:

- A prejudice-related incident does not just impact on the individuals involved, but is an attack on someone as a representative of a community or group, which means that the impact of the incident is felt more widely, spreading fear and creating a hostile environment for other pupils and staff who share the same protected characteristic.
- Prejudice-related incidents attack values which are core to someone's identity, impacting on the pupil or staff member's sense of self-worth.
- A one-off prejudice-related incident has the potential to have the same impact as ongoing bullying as it may be part of a wider pattern of prejudicial behaviour experienced by the pupil or staff member in other parts of their life.
- Perpetrators of prejudice-related incidents may be carrying around a sense of their own superiority and/or a fear of others. They may feel that they are entitled to behave in this way and that their behaviour is condoned by wider society. If left unchallenged, they may develop a deep seated intolerance and inability to value diversity.
- Prejudice has an extremely long history of devastating lives and oppressing communities. Throughout society, prejudice leads to discrimination in employment and provision of services, and to hate crimes. It is vital that prejudicial attitudes are tackled at school when young people are developing their value systems and these attitudes can be most easily challenged and eradicated.

7. School Policies and Procedures

It is very good practice for schools to have a robust equality policy which links in with other school policies and guidance. Buckinghamshire County Council has produced a model school equality policy, which is available on the Governor zone of the Bucks Schools website.

Your policy should have explicit mention of your school's approach to prejudice-related incidents and where full guidance of how to identify, record and respond to prejudice-related incidents can be found. Guidance on identifying, recording and responding to prejudice-related incidents should be separate from, but link with, anti-bullying, behaviour and other school policies to allow a holistic approach to dealing with inappropriate behaviour.

All schools are expected have a home-school agreement which is signed by parents/carers and, when they are old enough, the pupils themselves. Your school's values and commitment to promoting equality, eliminating discrimination and fostering good relations should be clearly outlined in this agreement. Then, if an incident occurs, the parents/carers are aware of the school's expectations and that they are expected to work with the school to resolve the issue. A model home-school agreement can be downloaded here: www.equaliteach.co.uk/home-school-agreement

8. Recording Prejudice-Related Incidents

What do we mean by recording prejudice-related incidents?

It is important that you have a robust, centralised system in place to record prejudice-related incidents, which is overseen by a designated member of the senior management team. All staff should receive training which outlines why the school is recording this information, the procedures that they need to follow and why it is important to record every prejudice-related incident that they or their pupils experience or witness. Incidents should be recorded within an agreed timescale, for example, two working days.

You need to keep a record of all the incidents that have occurred and the action taken. The member of staff who oversees the system should be responsible for:

- determining immediate and future action
- ensuring that staff and pupils receive appropriate support
- monitoring prejudice-related incidents
- measuring the effectiveness of recording methods used

Mechanisms for recording prejudice-related incidents should be kept separate from mechanisms for recording behavioural incidents. It is important to differentiate between these as not all prejudice-related incidents should result in punishment for the perpetrator. Behaviour policies can be drawn on if punishment is an effective outcome to the incident, but this won't always be the case. Often, especially if an incident is proven to be unintentional, education for the perpetrator might be a more suitable outcome.

For the recording system to be effective, it is important that the information recorded provides a level of detail which is useful when interrogating the data to inform future strategies. This should include the level of severity of the incident. A scale suggested by INSTED consultancy is outlined below:

1. No offence was intended or taken.
2. Hurt or distress was caused, but the offending behaviour is unlikely to be repeated.
3. Hurt or distress was caused, and the pupil(s) responsible had previously been warned that their behaviour was unacceptable.
4. Substantial hurt or distress was caused, and/or the behaviour was based on substantial hostility and prejudice, and/or the behaviour may be repeated.[5]

Pupil Voice

Teachers and other school staff may not always be aware of prejudicial behaviour in the school as perpetrators often take care not to display this behaviour in front of staff and young people on the receiving end may be afraid to report it for fear of being labelled a grass, being dismissed or making the situation worse.

You can help to mitigate against this by creating a positive ethos where pupils are encouraged to speak up and know that the school will deal with issues effectively. You can also create systems of peer support, so that others can report incidents to staff rather than the target always having to be the one that comes forward.

It is also useful to create opportunities for young people to report incidents anonymously, by creating systems where young people can submit notes about their experiences and including questions about prejudice-related bullying in student surveys.

[5] http://www.insted.co.uk/recording-reporting.pdf

Why it is important to record prejudice-related incidents?

To identify patterns: You need to be able to identify any patterns to prejudice-related incidents. Are particular pupils being targeted? Are particular pupils often the perpetrators? Are there any year groups particularly affected? Are incidents of a specific nature? Identifying trends will enable schools to better tailor programmes of education and carry out more preventative rather than reactive work.

To identify training needs:
Understanding the nature and frequency of prejudice-related incidents allows training needs for staff and pupils to be identified and targeted training to be delivered.

To monitor the success of strategies:
Monitoring prejudice-related incidents will be a good indicator of how successful strategies to prevent or reduce prejudice have been. If the number of prejudice-related incidents increases after a programme of work, this is not necessarily a negative thing - often reported incidents will increase as awareness of prejudice has improved and pupils are more confident in speaking out about incidents they experience or witness.

To ensure accountability: Thoroughly recording incidents and all of the actions taken in response, will ensure that staff members and the school are accountable for their actions and will protect staff members and the school if further action is taken.

To provide a safe environment for staff and pupils: Recording prejudice-related incidents demonstrates to both staff and pupils that the school has a positive ethos, where all pupils are valued and prejudice and discrimination are not accepted.

Ofsted also looks to see that schools are recording incidents effectively. In 'inspecting equalities', Ofsted states that inspectors should be looking to see that ‘there are clear procedures for dealing with prejudice-related bullying and incidents, and appropriate staff training that equips staff to identify and deal with this effectively’.

What concerns are there surrounding the recording of prejudice-related incidents?

'I wouldn't want anyone being labelled as prejudiced...'

30,000 PUPILS BRANDED AS BIGOTS

Teachers log 'racist' and 'homophobic' jibes in playground squabbles, even at nursery

EXCLUSIVE

Daily Mail, January 18

The idea that recording prejudice-related incidents will label or brand pupils as prejudiced, can act as a deterrent against recording incidents. The purpose of recording incidents is not to label pupils, but instead to ensure that prejudicial attitudes and behaviours are dealt with effectively, so that all young people and staff members can work in a positive and safe environment without the fear of experiencing prejudice. When dealing with an incident, it is important to focus on the perpetrator's behaviour rather than the perpetrator themselves.

'It was only a one off incident...'

It is very difficult to tell whether an incident is a 'one off' or a repeated incident if there is no recording being done. This is especially true of schools where young people are taught by a number of different teachers, some of whom might be recording incidents, some of whom might not. Allowing perceived 'one off' incidents to go unrecorded, not only fails the perpetrator, who might carry the burden of prejudice, and the target of the incident, but also fails to provide a positive and safe environment for all staff and pupils.

'They didn't intend for it to be prejudicial...'

As mentioned previously, a lack of intention behind an incident should not prohibit someone from recording the incident. The legal definition of a prejudice-related incident makes no mention of the perpetrator's intention and whether it was intended or not, it should be recorded within the school. Recording an incident that is perceived to be unintentional does not mean that the perpetrator will be punished.

It is also important to recognise that intention behind an incident might be difficult to establish immediately without making assumptions about the incident and bringing in our own biases.

'But I'll be recording incidents all the time if I pick up on everything...'

This concern highlights the importance of ensuring that both pupils and staff have received training and education so that they understand acceptable and unacceptable behaviour and what will happen when prejudice-related incidents take place. Once this is in place, and regularly updated and proven successful, the numbers of incidents may first increase, as young people and staff become increasingly aware of prejudice and the recording

procedures around this. However there is more likely to be a decrease as they see the effects of the recording system and understand that incidents will be dealt with seriously.

9. Reporting Prejudice-Related Incidents

What do we mean by reporting prejudice-related incidents?

Buckinghamshire County Council has an online reporting system for prejudice-related incidents, which is hosted here: http://www.antwebsystems.co.uk/sys/bcc/

There is a comprehensive user guide for the online reporting of incidents, available on Schools Web.

Schools can use this system to record incidents as they occur, or to submit an annual report to the authority. There is currently no statutory duty placed on schools to report incidents to their local authority, but it is considered good practice by the Equality and Human Rights Commission (EHRC)[6] for local authorities to be collecting this data from schools and this is something Buckinghamshire County Council does for all prejudice-related incidents.

Why is it important to report prejudice-related incidents?

Reporting incidents to the authority allows the Council to build up a picture of what is happening across the county and implement a joined up approach to support schools to deal effectively with incidents. The council utilises the data it receives from schools to set benchmarks and support service delivery. This can inform the allocation of resources, training and support to help schools to tackle this issue.

What concerns are there surrounding the reporting of prejudice-related incidents?

'I'm worried that the school will get a bad reputation if we return high numbers of prejudice-related incidents'

Whilst this worry often deters schools from reporting incidents to the Local Authority, schools that do not report to the Local Authority or that report a nil return (that no prejudice-related incidents have taken place in the school) are often of more concern. A nil return is rarely an accurate reflection of the reality of a school - schools do not exist in a vacuum away from the rest of society and it is unrealistic to expect that no prejudice-related incidents will ever be experienced or witnessed. A nil return may also be suggestive that pupils and staff are not confident in the reporting systems or that the nature and

6 http://www.equalityhumanrights.com/sites/default/files/documents/research/64_identity_based_bullying.pdf

seriousness of the incident has not been recognised. Schools which are transparent about their recording and reporting procedures instil confidence in both the Local Authority, and current and prospective parents that this is an issue that the school takes seriously.

10. Guidelines for Dealing with Prejudice-Related Incidents

The following guidelines are designed to aid staff members' deal with prejudice-related incidents which occur between pupils, between staff, and between staff and pupils. More specific guidelines looking at different types of prejudice-related incidents are outlined later in this document.

Immediate Action:

- Treat the issue seriously - remember that someone's perception is their reality at the time and incidents should not be dismissed and ignored.

- Respond immediately - acknowledge that the incident has happened, express disapproval at the prejudice-related behaviour and offer support to the target of the incident.

- Reinforce the school's position on discrimination and prejudice.

- Focus on the perpetrator's behaviour, rather than the person, making sure that they know that the behaviour is not acceptable.

- Ensure that witnesses know what behaviour is not acceptable and the reasons why.

Investigation:

- Inform relevant members of the senior management team and inform parents/carers if necessary.

- Ensure that both perpetrator and target have a fair hearing and are given the opportunity separately to fully explain the incident, ensuring privacy for discussion, and using a calm and non-confrontational approach.

- Address underlying issues, for example, an incident may not be prejudice-related in origin, instead it might be a dispute over resources in which prejudice-related abuse has been used; in which case the original issue should be resolved as well as the unacceptable behaviour that made it a prejudice-related incident.

- Approach witnesses for written statements to inform the investigation.

- Bring both parties together to give them a chance to be involved in resolving the situation.

- Ensure that all parties understand what is being done to address the incident and the reasons behind this.

- Ensure the prejudice is dealt with - this requires an ability to explain why the incident was prejudice-related if the investigation proves it to be. If the incident is proven not to be prejudice-related, ensure that the reasons why are explained to all parties involved.

- Ensure that actions taken are in line with the relevant policies in place at the school.

Longer Term Response:

- Agree follow up meetings with the perpetrator and target after an agreed time period, for example, one or two weeks, to inform them of further actions taken and provide opportunities for additional support if required.

- Provide relevant training/programmes of education on prejudice and discrimination.

- Give the perpetrator the opportunity to take responsibility for their actions and to take action to try to repair the harm that they have caused

- Work with other agencies and the community to foster good relations within the school.

- Share incident monitoring reports with staff to ensure relevant discussion and development of good practice.

- Reinforce the school's position on equality and diversity

- Targets and parents have a right to refer cases to the police and all parties have a right to appeal to the Governing Body.

11. Effectively Challenging Prejudicial Behaviours

When responding to a prejudice-related incident, the aim should be to secure the best possible outcome for everyone involved. Therefore, interventions should be restorative and seek to create attitudinal and behavioural change, with the goal of preventing future incidents from occurring.

Challenge the discriminatory behaviour, rather than the person

Labelling someone as, for example, 'a racist' or 'a homophobe' has the potential to inflame the situation and is not an effective or accurate approach. It is important that the focus is on the behaviour that has been displayed and that all involved know that it is this behaviour which is unacceptable and needs to change.

Make sure that you explain why the behaviour is unacceptable

If the pupil is just told that the behaviour is wrong and/or punished for it without understanding the reason why, it can just breed a sense of injustice and a feeling of not being understood.

Engage with the underlying anxieties that the perpetrator may have which are being expressed through this unacceptable behaviour

Perpetrators of prejudice-related incidents may have low self-esteem and/or concerns about loss of identity and belonging. They may have picked up fears from the media, or from family and peers. Let the perpetrator know that you understand why they might be feeling this way and try to address their underlying issues. Just dismissing their concerns or giving intellectual arguments as to why they are wrong has the potential to create bitterness, a feeling that they have not been listened to and to reinforce their prejudice and fear.

Use reasoning and enquiry questions to get the perpetrator to question their attitude/behaviour

Examples of reasoning questions:

What are your reasons for saying that?
Do you have any evidence?
Why do you think that is the case?
How do you know?

Examples of enquiry questions:

Can you give an example/counter-example?

If you say that, does it follow that…?

Is that always that case or only sometimes?
What are the exceptions?
Are you saying exactly what you were saying before?

Speak with witnesses as well as the perpetrator(s)

It is important that all witnesses understand the reasons why the behaviour was unacceptable, so they understand why the perpetrator is being sanctioned and don't believe that the perpetrator has been treated unfairly. Perpetrators of prejudice-related incidents are often acting as a group or believe that they are acting on behalf of, and have the support of, a group, so it is important not to just focus on those obviously directly involved in the incident and further work to educate and create understanding should involve witnesses and the wider school community where possible.

Put educational programmes in place to deal with the underlying attitudes

Education rather than punishment is the most effective way of creating behavioural change and reducing the number of prejudice-related incidents in the school. Sometimes teachers can feel trepidation about undertaking this work for fear of opening a can of worms or introducing ideas of prejudice where they did not previously exist. However, young people are usually bursting with questions about these issues and want to have an opportunity to speak about diversity and inclusion. If these questions are left unanswered, young people often come up with their own, inaccurate conclusions and can harbour prejudicial attitudes affecting themselves and others around them. Each of the case studies below provides links to robust resources which can be used to work with young people on issues of prejudice.

12. Roles and Responsibilities

Buckinghamshire County Council	Ensuring that maintained schools comply with equality legislation. Overseeing pupil safeguarding. Providing training and support for schools with regards to equality and safeguarding issues. Collecting data about prejudice-related incidents and providing support and using this data to set benchmarks and support service delivery
Governors	Ensuring that schools comply with equality legislation: there should be a dedicated member of the board who leads on equalities Setting and monitoring progress towards equality objectives in partnership with the senior management team.
Senior Management Team	Ensuring that there are effective policies, procedures, recording and reporting systems in place. Providing training and ensuring that all staff, pupils and parents are aware of their responsibilities. Ensuring that all prejudice-related incidents are dealt with effectively: there should be a dedicated member of the senior management team with responsibility for dealing with prejudice-related incidents. Reporting to the Governing Body and Buckinghamshire County Council. Setting and monitoring equality objectives in partnership with the board of governors.
Teachers	Challenging prejudicial attitudes and behaviours, complying with school policies, promoting equality through the curriculum, modelling good practice, and reporting incidents when they occur.
Support Staff, including teaching assistants, lunchtime supervisors, kitchen staff, reception staff, IT technicians, site managers.	Challenging prejudicial attitudes and behaviours, complying with school policies, modelling good practice, and reporting incidents when they occur.

Pupils	Signing up to the schools values (where appropriate), taking responsibility for their own behaviour, supporting the targets of prejudice, and reporting incidents to staff.
Parents/Carers	Signing up to the schools values and understanding the behaviour expected from their child. Working with the school to ensure the best possible outcomes should their child be involved in an incident.
Partner Agencies	External organisations can support the school through the provision of training for staff and students and providing support for targets and perpetrators. Police Community Support Officers and School Liaison Officers can work holistically with the school to help reduce anti-social behaviour and hate crime. They can also support all parties should an incident be considered a hate crime and pursued through the courts.

13. Dealing with Prejudice-Related Incidents: Case Studies

The case studies below have been chosen based on evidence from internal questionnaires completed by teachers, which have suggested that incidences like these occur regularly in schools and dealing with them is of great concern to staff. The types of prejudice-related incidents explored in the case studies are by no means exhaustive, but they will provide staff members with an understanding of how to approach, and effectively respond to, many different types of incidents.

Incidents Involving Staff

These case studies focus on prejudice-related incidents where the perpetrator is a pupil. If the perpetrator is a member of staff, the school's disciplinary policy should be invoked. The incident should still be recorded as a prejudice related incident.

Prejudicial Language

'That's so gay!'

A pupil's comment when they find out the deadline for a piece of work

Immediate Action:

Stop the lesson to discuss the statement, making sure that all pupils involved in the lesson are part of the discussion - this will make sure that any witnesses will understand that using the word gay in this way is not acceptable.

Respond calmly and explain to the group that this is unacceptable and offensive, regardless of the fact that there was no direct target in the incident.

Explain to the pupils that you recognise that the word gay might be used in this way regularly, and that there might not be homophobic intentions behind its use, but that words have a long history and are often used as weapons against people and can be very hurtful.

Using the word in a derogatory word to mean that something is negative or bad implies that being gay is a negative thing, creating an unsafe environment for LGB people within the school.

Focus on the perpetrator's behaviour, rather than the person.

Longer Term Action:

Conduct a thorough investigation into the incident in line with the general guidelines outlined earlier in this guide.

Throughout the investigation and any subsequent follow-up reinforce the school's position on homophobia and the use unacceptable terminology.

Undertake anti-homophobia education with pupils, exploring acceptable and unacceptable terminology and the reasons why some terms are unacceptable.

Actions to Avoid:

Ignoring or dismissing the incident.

Calling the perpetrator homophobic.

Punishing the perpetrator without investigating the intentions behind the incident, without explaining the action you have taken or without providing education around homophobia and terminology.

Not recording it because it is assumed to be unintentional.

Further Reading:

- Stonewall's 'Gay! Get Over It!' A guide for students to tackle homophobic language amongst their peers: http://www.stonewall.org.uk/at_school/education_for_all/quick_links/education_resources/secondary_school_resources/9307.asp
- Stonewall's 'Tackling Homophobic Language' A guide for teachers to understand the use of and challenge homophobic language: http://www.stonewall.org.uk/at_school/education_for_all/quick_links/education_resources/secondary_school_resources/9310.asp
- School's Out: www.schools-out.org.uk

Verbal Abuse

'You can't tell me what to do...I don't take orders from you lot...why don't you get back to your own country?'

A pupil refuses to comply with a Muslim teacher. Later it transpires that pupils have written similar derogatory comments on work completed prior to the lesson.

Immediate Action:

Remove the perpetrator from the classroom, giving them time to calm down.

Explain to the group that the perpetrator's behaviour is unacceptable and offensive.

Support and affirm the target of the incident - this may mean allowing the teacher some time away from the classroom and providing cover for lessons.

Focus on the perpetrator's behaviour, rather than the person, making sure that they know that their behaviour will not be tolerated.

Longer Term Action:

Conduct a thorough investigation into the incident in line with the general guidelines outlined earlier in this guide. Explore restorative justice approaches. Investigate the similar comments on the pupils' work, and why, if the teacher had seen these, they had not reported them.

Arrange for longer term support and counselling for the target and longer term preventative work with the perpetrator if necessary. Explore intervention strategies, such as mentoring and support from external agencies.

Explore where these attitudes originated from, and how widespread they are within the school. Undertake anti-racism education or specific education about Islamophobia and immigration with pupils.

Throughout the investigation and any subsequent follow-up reinforce the school's position on racism and Islamophobia.

Actions to Avoid:

Ignoring the needs of the target.

Calling the perpetrator racist/Islamophobic.

Punishing the perpetrator without investigating the intentions behind the incident and without explaining the action you have taken.

Punishing the perpetrator without educating them as to why their comments are wrong.

Further Reading:

OSCE Guidelines for Educators on Countering Intolerance and Discrimination against Muslims: http://www.osce.org/odihr/84495

Show Racism the Red Card's No Place for Hate Guide - An educational resource for countering contemporary racism and educating about the dangers of the far right: http://www.theredcard.org/shop/

Discriminatory Behaviour

'No way, I'm not working with him'

Class teacher meets objection from a pupil who does not want to work with a pupil in a wheelchair.

Immediate Action:

Respond calmly, asking the pupil exactly what was meant by the comment.

Reinforce the classroom rules and explain to the young person that they are not following the rules by refusing to work with another pupil.

Implement the school's behaviour policy.

Provide support for the target.

Ensure anyone who may have overheard the comment understands that it was inappropriate.

Longer Term Action:

Conduct a thorough investigation into the incident in line with the general guidelines outlined earlier in this guide.

Throughout the investigation and any subsequent follow-up reinforce the school's position on disability-related prejudice.

Provide on-going support for the target if required.

Explore any underlying issues or causes for the comment - it could be that there have been previous arguments or animosity between the two pupils which could explain why the one young person does not want to work with the other young person.

Explore whether this is a wider issue which involves other pupils who are not mixing in the school. Implement methods to ensure that pupils are constantly mixing and fostering good relations with each other.

Facilitate lessons around difference, ensuring that all pupils understand that everyone is different and that difference is a good thing.

Actions to Avoid:

Ignoring or dismissing the comment.

Ignoring any underlying issues.

Calling the pupil prejudiced or disabilist.

Punishing the pupil without explanation or education.

Treating it as less serious or not recording it because it is assumed to be unintentional.

Further Reading:

Bucks CC/ EqualiTeach's All Inclusive: Tackling disability-related bullying in primary schools: http://www.equaliteach.co.uk/all-inclusive/

Achievement for All: http://www.afa3as.org.uk/

Incitement to behave in a prejudicial manner:

On non-uniform day, two boys come in wearing Britain First hoodies

Immediate Action:

Speak to the pupils privately and explain that the school aims to create an inclusive ethos where everybody feels safe and that for many people Britain First is representative of frightening and divisive ideals and therefore the hoodies are not permitted to be worn in school.

Initiate a discussion with the pupils to try and find out if they fully understand who Britain First is and what it stands for. Ensure a non-judgemental approach and fully explain the reasons for not allowing the hoodies (the uniform policy guidelines from the Department of Education might be useful here: https://www.gov.uk/government/publications/school-uniform)

Be careful to avoid saying that Britain First is racist or accusing the pupils of being racist but explain that there is a great deal of evidence to demonstrate that there are people within Britain First who have extreme racist ideas which are frightening and offensive to many people.

Pupils may use Human Rights as a defence for wearing the hoodies. Although they have the right to freedom of expression, this right is limited if it takes away other people's right to freedom and safety, and permitting Britain First hoodies in school has the potential to unsettle, scare, offend and upset pupils and staff, especially those who are Muslim. Pupils may also try to draw comparisons to Muslim pupils being allowed to wear certain items because of their religion: be confident in your explanations of the difference between these two circumstances.

Longer Term

Conduct a thorough investigation into the incident in line with the general guidelines outlined earlier in this guide.

Throughout the investigation and any subsequent follow-up reinforce the school's position on racism and Islamophobia.

Explore where these attitudes originated from, and how widespread they are within the school. Undertake anti-racism education or specific education about Islamophobia and immigration with pupils.

Carry out targeted work with the pupils around Islamophobia and racism.

Share information with, and access support from, local police and community support officers.

Review the school's uniform policy and adapt if necessary to include rules regarding inappropriate and offensive items of clothing, symbols and logos.

Review home-school agreement to ensure that parents/carers are aware of uniform policies and have confirmed their understanding that inappropriate items of clothing, symbols and logos are prohibited in school.

Actions to Avoid:

Ignoring the incident.

Demanding the pupils remove the hoodies without explanation.

Calling the pupils racist or Islamophobic.

Punishing the pupils without establishing the intention behind wearing the hoodies and explaining the reasons why wearing the hoodies is unacceptable.

Caution: This is an extremely sensitive issue and needs to be handled with the utmost sensitivity and understanding.
Many young people who have become involved with far right groups have a belief that there are separate rules for different groups of people, in particular that Muslim people are treated with more privilege; this needs to be negated and young people need to be made very aware of the reasons and the legitimacy behind the decision to prohibit Britain First clothing in school.
Clearly outline the school's policies and the requirements under equality legislation to ensure pupils don't feel a sense of injustice.

There may be similar situations where certain symbols associated with Britain First or other far right groups may be worn, drawn or displayed by pupils. This should also be taken extremely seriously - use these guidelines and adopt a similar approach to dealing with the incident.

Further Reading:

Hope not Hate - provides news and analysis and campaigns against the far right in the UK: www.hopenothate.org.uk

Insted Consultancy - information and analysis on Islamophobia in education: www.insted.co.uk

Ridicule and Jokes

'You can't join in, girls can't play football properly, boys are much better'

A boy's comment when two girls attempt to join a football match during break time.

Immediate Action:

Question the boy about why he feels this way about girls playing football and where he has got his ideas from. Ask the girls how they feel about the comments.

Explain that the school is an inclusive and positive environment for all pupils and that separating and excluding people because of sex is not in-keeping with this ethos. Reinforce the school's rules and explain that these rules are not being followed by excluding people from playing games.

Explain that if the boys and girls continue to exclude the girls, when they want to join in, measures will be taken, for example, the football will be confiscated and no-one will play football during break times.

Provide support for the targets.

Ensure anyone who may have overheard the comment understands that it was inappropriate.

Longer Term Action:

Explore any underlying issues or causes for the comment - it could be that there have been previous arguments or animosity between the two groups which could explain why the boys do not want to play with the girls.

Explore whether this is a wider issue which involves other pupils who are not mixing in the school. This could be carried out by observing pupils' behaviour during other break and lunch times. Implement methods to ensure that pupils are constantly mixing and fostering good relations with each other.

Explore where these attitudes originated from, and how widespread they are within the school. Undertake education about stereotyping and gender equality with pupils.

Action to Avoid:

Ignoring or dismissing the incident.

Suggesting that the girls should play their own game of football separately.

Calling the perpetrator sexist.

Punishing the perpetrator without explaining why this has been administered and without providing education around gender stereotyping.

Further Reading:

National Union of Teachers - information and activities to teach about gender stereotyping: https://www.teachers.org.uk/node/12981

The Girls' Network: http://thegirlsnetwork.org.uk/

Prejudicial Language

'You stupid Gypo'

A White British pupil to a White British pupil, shouted during a rounders match when a pupil misses the ball.

Immediate Action:

Stop the match immediately to discuss the statement, making sure that all pupils involved in the match are part of the discussion - this will make sure that any witnesses will understand that using the word Gypo in this way is not acceptable.

This is a serious incident regardless of whether the target is from a Gypsy, Roma or Traveller (GRT) background or not. Additionally, many GRT pupils do not disclose their ethnicity to the school, so there may be GRT pupils who have heard this comment within the group.

Focus on the perpetrator's behaviour, rather than the person.

Provide support for the target.

Longer Term Action:

Conduct a thorough investigation into the incident.

Throughout the investigation and any subsequent follow-up reinforce the school's position on racism and the use unacceptable terminology.

Undertake education about GRT groups with pupils, explore acceptable and unacceptable terminology and the reasons why some terms are unacceptable.

Actions to Avoid:

Ignoring or dismissing the incident.

Leaving discussions about the term until the end of the match, when it might be forgotten.

Taking the perpetrator to one side to avoid making a scene: it is important that witnesses also learn from the incident.

Calling the perpetrator racist.

Punishing the perpetrator without investigating the intentions behind the incident, without explaining the action you have taken or without providing education around GRT groups and terminology.

Not recording it because it is assumed to be unintentional.

Further Reading:

- Show Racism the Red Card's 'Out of Site' education pack: http://www.srtrc.org/uploaded/Out%20of%20Site%20FINAL.pdf

If prejudice-related graffiti appears in or around the school make sure that it is photographed and then removed immediately

14. Further sources of information and support

- Achievement for All: www.afa3as.org.uk
- Amnesty International: www.amnesty.org.uk
- Anti-Bullying Alliance: www.anti-bullyingalliance.org.uk
- Association of Teachers and Lecturers (ATL): www.atl.org.uk
- BritKid: www.britkid.org
- Childline: www.childline.org.uk
- Equality and Human Rights Commission: www.equalityhumanrights.com
- EqualiTeach: www.equaliteach.co.uk
- Holocaust Memorial Day Trust: www.hmd.org.uk
- INSTED Consultancy: www.insted.org.uk
- Kidscape: www.kidscape.org.uk
- NASUWT: www.nasuwt.org.uk
- National Union of Teachers (NUT): www.teachers.org.uk
- OFSTED: www.ofsted.gov.uk
- Refugee Week: www.refugeeweek.org.uk
- Schools Out: www.schools-out.org.uk
- Show Racism the Red Card: www.theredcard.org
- Stonewall: www.stonewall.org.uk
- TES: www.tes.co.uk
- Whizz-kidz: www.whizz-kidz.org.uk

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