

Racial Incident Reporting Procedure for St Nicholas School

1. Definition of a racial incident

St Nicholas School has adopted the following definition of a Racial incident:

‘A racist incident is any incident which is perceived to be racist by the victim or any other person’ (Recommendation 12 of the Stephen Lawrence Inquiry)

‘A racist incident may be perpetrated against individuals on the basis of their race, colour, nationality, culture, language or religion’.

Like the Police, the LEA and other public authorities, St Nicholas School has a commitment to investigate any incident believed to be racist. It should be noted that the definition includes all groups and is not confined to a person’s race or skin colour. As such, it requires effective listening supported by impartial investigation procedures that allow both the victim and the alleged perpetrator to be given a fair hearing.

2 Roles and Responsibilities

- The Governing Body is responsible for monitoring the Single Equality Scheme.
- The Headteacher is responsible for implementing the Single Equality Scheme and procedures.
- All members of the school community are responsible for following the procedures
- The LEA will advise schools on the management of racial incidents and the findings from its monitoring.

3. Recording the Racial Incident Investigation

The Headteacher has overall responsibility (which may be delegated to an appointed senior member of staff) For managing racial incidents. He should ensure that the school has:

- Investigated and recorded where there is a perception that a racial incident may have taken place.
- Communicated the school’s commitment to tackling racial incidents to all members of the school community, including provision for this procedure to be made available in community languages where appropriate.
- Completed the Racial Incident Monitoring Form as soon as possible after an incident has taken place.

The Racial Incident Monitoring Form should be kept in a confidential central file for internal monitoring purposes. It should be not send to the LEA. These forms will be kept for 25 years.

There will be a central record of all racial incidents.

4. Management of Racial incidents

a) Considerations of Racial Incidents

- Investigate the incident thoroughly
- Record the incident on a Racial Incident Monitoring Form in any instance where the victim or perpetrator is a pupil
- Keep the situation under regular review to ensure that any harassment, abuse or victimisation has stopped and that the victim feels safe
- Consider any curriculum implications, including the need for a special assembly or changes to the school's behaviour code or other policies
- Support for the victim
- Support for the alleged Perpetrator
- Consider if there is a child protection issue in this case
- Consider seeking advice from the Local Education Officer

b) Support for the Victim

- Take appropriate action to offer support to the victim
- Meet with the pupil's parents)/guardian/carer to discuss the matter and explain the action taken. An interpreter/translator may be needed at the meetings.
- Reinforce the school's commitment to tackling racist incidents.

c) Support for the alleged Perpetrator if a (pupil)

- An appropriate member of staff should intervene and take immediate action, for example, separating the victim(s) from the perpetrator(s).
- Any racist behaviour should be challenged immediately. The perpetrator should be told that his/her behaviour is unacceptable and will not be tolerated.
- Appropriate action should be taken to support, educate and monitor the behaviour of the perpetrator to ensure that the racist behaviour will not be repeated.
- The incident should be reported to the Headteacher who will decide whether any further action needs to be taken, including notifying the police and informing the parent(s)/guardian/carer of the relevant pupil(s) of any investigation and the outcome.
- The Headteacher will consider the use of a full range of sanctions including the use of fixed term or permanent exclusion.
- The incident will be discussed with the alleged perpetrator's parent(s)/guardian/carer (if appropriate) and reinforce the school's commitment to tackling racial incidents.

d) Dealing with Members of Staff as alleged Perpetrators or Victims

All members of staff are required to abide by the School's Equal Opportunities, and Race Equality Policy. Substantiated racial discrimination by any member of staff towards pupils 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 should investigate the allegation in accordance with the relevant Disciplinary Procedures. All members of staff have the right to use the school's grievance procedure if they suffer discrimination and cannot get satisfactory management support.

The governing Body and Headteacher have a duty of care towards employees, and must ensure that they address any complaints from employees about discrimination by pupils, parents or colleagues, and provide appropriate support and referrals as necessary.

e) Dealing with Members of the Public as alleged Perpetrators

Racially motivated conduct by members of public requires an immediate response. The following procedure is to be followed in cases of racial incidents involving a member of the public:

- The incident to be reported to the Headteacher as soon as possible
- The police to be informed of incidents involving violent, threatening or abusive behaviour

5. Managing the impact of racial incidents in the school and the community

- Racist graffiti or slogans should be reported and removed immediately or within 24 hours
- Racist literature, badges and insignia should be confiscated immediately, giving a clear explanation setting out the reasons why the property has been confiscated. The confiscated property should be handed to the police in criminal proceedings or returned to the pupil or his/her parents at an early opportunity, as appropriate. A teacher may not deliberately destroy a confiscated item unless such action 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 to discuss what has happened. Support and advice may also need to be sought from the Local Education Officer, the Police, the local Racial Equality council, a Victim Support group or another appropriate agency.

6. Reporting to the Police

Violent, criminal or other serious racial incidents may be reported to Kent Police. This applies to a racial incidents brought to the attention of the school regardless of

the relationship of the parties to the school. Kent Police have the discretion to decide to pursue action based on incidents.

Violent, criminal or serious incidents should also be reported to the LEA through the Local Education Officer.

7. Reporting information to parents, governors and the LEA

The governing body will:

- Receive a termly report on any racial incidents in the Headteacher's report to governors
- Report annually in the Governors Annual Report to Parents on racial incidents during that preceding year. This report should include the number of incidents investigated and an overview of actions taken, including changes of practice and policy.

The school will report annually to the LEA on racial incidents during the preceding year. The LEA will send a data collection form to the school for this purpose and ensure that schools, together with senior LEA offices, are informed of the outcomes of this monitoring, so that any trends or concerns can inform school planning and curriculum development.

Monitoring and Review

These procedures will be reviewed in line with any statutory requirements on an annual basis by the Headteacher.

EQUALITY, SAFEGUARDING AND EQUAL OPPORTUNITIES STATEMENT

St Nicholas School, in all policies and procedures, will promote equality of opportunity for students and staff from all social, cultural and economic backgrounds and ensure freedom from discrimination on the basis of membership of any group, including gender, sexual orientation, family circumstances, ethnic or national origin, disability (physical or mental), religious or political beliefs.

St Nicholas School aims to:

- Provide equal opportunity for all
- To foster good relations, and create effective partnership with all sections of the community
- To take no action which discriminates unlawfully in service delivery, commissioning and employment
- To provide an environment free from fear and discrimination, where diversity, respect and dignity are valued.

All aspects of Safeguarding will be embedded into the life of the school and be adhered to and be the responsibility of all staff.

LINKS TO OTHER POLICIES

Safeguarding
E-Safety and Acceptable Use of Internet and Equipment statements
Anti-Bullying
PSHEEC
Community Cohesion.
Staff Code of conduct
Whistleblowing
Race Equality/Action plans
Single Equality Scheme

Daniel Lewis
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