

# The Learning Village Academy Trust

## Racial Incidents Policy and Procedures



<b>Adopted</b>	September 2020			
<b>Renewal</b>	September 2022			

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### **1: Introduction**

The Learning Village Academies are inclusive settings where each individual is respected equally, irrespective of race, colour, creed, religion or belief. The Equality Act 2010 protects members of our academy community from discrimination and harassment based on protected characteristics. The protected characteristics for academy provisions are:

- Disability
- Race
- Gender reassignment
- Pregnancy and maternity
- Religion or belief
- Gender
- Sexual orientation
- Age
- Marriage and Civil Partnership

### **2: Purpose**

This policy outlines clearly the procedures to be followed when dealing with an incident which is perceived to be racist. The academies do not tolerate racial harassment under any circumstance and is committed to dealing with racial incidents effectively, sensitively and in a timely manner. The Race Relations (Amendment) Act 2000 places a general duty on a wide range of public authorities (including schools) to promote race equality. This duty means that, in everything we do, we should have due regard for the need to:

- Eliminate unlawful racial discrimination;
- Promote equality of opportunity; and
- Promote good race relations between people of different racial groups.

We believe that racial discrimination should be challenged in all aspects of academy life.

### **3: Aims**

This policy aims to:

- Establish what constitutes a racial incident and to share this with the whole academy community
- Ensure that each and every member of our community is able to speak openly and freely about their experiences;
- Ensure that procedures are in place to deal with any racial incidents and that the whole academy community is aware of these procedures
- Ensure there is a monitoring procedure to record all incidents and subsequent actions
- Ensure that formal records of all racist incidents are maintained
- Ensure that nature and frequency of any racist incidents are reported to the trustees

### **4: Definition**

The Learning Village Academy Trust 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, Stephen Lawrence Inquiry, Sir William Macpherson, 1999)

A racist incident may be perpetrated against individuals on the basis of their race, colour, nationality, culture, language or religion. Incidents will be investigated and recorded when there has been a perception or allegation that there was an incident even if it is found that they were unsubstantiated.

Prohibited behaviours may take many forms and may include (but not limited to):

- Threatened or actual physical assault
- Verbal abuse and name-calling
- Expressions of prejudice calculated to offend others or influence the behaviour of others
- Graffiti or posts on social media websites including Facebook and Twitter
- Distributing prejudiced literature
- Wearing of badges or symbols belonging to known prejudiced organisations
- Teasing in relation to a protected characteristic
- Inappropriate humour

It is important to recognise that:

- Harassment may be one aspect of an incident which also has other dimensions;
- Staff may need to deal with comments from parents or other adults as well as by children;
- Incidents may involve group as well as individual behaviour;
- Such incidents are often part of more complex interactions which may take place both in the academies and out of the academies, including the use of social media.

## **5: Roles and Responsibilities**

- The Trust Board is responsible for monitoring the policy
- The Headteacher is responsible for implementing the policy and procedures
- All members of the academy community are responsible for following the procedures

## **6: Procedures**

The Headteacher has overall responsibility (which may be delegated to an appointed member of the leadership team for managing racial incidents). They should ensure that the academy has:

- Made it a requirement to investigate, record and report where there is a perception that a racial incident may have taken place
- Completed the Racial Incident Monitoring Form (see Appendix A) as soon as possible after an incident has taken place
- Logged all racial incidents

## **7: Management of Racial Incidents**

The Headteacher or the designated member of the leadership team will:

- Investigate the incident thoroughly
- Ensure appropriate and sensitive support for the victim and or perpetrator
- Record the incident on a Racial Incident Monitoring Form (see Appendix A)
- Log the incident using the academy specific method (My Concern or filing system)
- 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 academy's behaviour policy or other policies
- Consider if there is a child protection issue in this case
- Consider seeking advice from relevant authorities;
- Remove racist graffiti or slogans immediately or within 24 hours;
- Confiscate racist literature, badges and insignia 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's parent/carer when appropriate. A teacher may not deliberately destroy a confiscated item unless such action is necessary in the immediate interests of safety.

## **8: Support for the Victim**

The Headteacher or the designated member of the leadership team will:

- Take appropriate action to offer support to the victim
- Share the incident with the pupil's parent(s)/guardian/carer to discuss the matter and explain the action taken
- Reinforce the academy's commitment to tackling racist incidents.

## **9: Support for the perpetrator**

All staff have a duty to intervene in and deal with racial incidents. The following actions should be taken when witnessing a racial incident or in the event that a racial incident is reported:

- Any racist behaviour should be challenged immediately
- The perpetrator should be told that his/her behaviour is/was 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 and he/she should decide whether any further action needs to be taken, including informing the parent(s)/guardian/carer of the relevant student(s) of any investigation and the outcome
- At the discretion of the Headteacher an appropriate sanctions should be given including the use of fixed term or permanent exclusion
- A member of the leadership team to discuss the incident with the alleged perpetrator's parent(s)/guardian/carer and reinforce the academy's commitment to tackling racial incidents
- The Headteacher should decide if the incident needs to be notified to the police.

## **10: Dealing with members of staff as the perpetrator or victim**

All members of staff are required to abide by the academy's inclusive ethos. 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 academy's grievance procedure if they suffer discrimination and cannot get satisfactory management support (see Grievance Policy). The Trust Board and Headteacher have a duty of care towards employees, and must ensure that they address any complaints from employees about discrimination by students, parents or colleagues, and provide appropriate support and referrals as necessary. If the allegations are against the Headteacher or a Trustee then the Chair of Trustees will investigate.

## **11: Dealing with members of the public as alleged perpetrators**

The Learning Village Academy Trust will not tolerate racist abuse towards any member of its community by members of the public. In cases of racial incidents involving a member of the public, the incident must be reported to the Headteacher as soon as possible who will take appropriate action which may involve informing the police.

## **12: Reporting to the police**

Violent, criminal or other serious racial incidents may be reported to the Police. This applies to all racial incidents brought to the attention of the academy, regardless of the relationship of the parties to the academy. Any further action will be at the discretion of the Police.

### **13: Reporting to Trustees**

The Trust Board will receive details regarding any racial incidents in the Headteacher's Report to trustees on a termly basis.

The Chair of Trustees (or Vice Chair in his/her absence) will be notified of any exclusions made due to a racist incident and will report this to the trustees.



Appendix A  
**Racial Incident Monitoring Form**

<b>Incident reported by:</b>		<b>Position in the academy:</b>	
<b>Incident reported to:</b>		<b>Position in the academy:</b>	
<b>Date of incident:</b>			
<b>Name of perpetrator</b>		<b>Name of victim</b>	
<b>Age of perpetrator (If known)</b>		<b>Age of victim (if known)</b>	

**Type of incident**

<b>Name calling</b>	
<b>Verbal abuse</b>	
<b>Threatened assault</b>	
<b>Graffiti</b>	
<b>Refusal to cooperate due to religious or cultural differences</b>	
<b>Other (Please state):</b>	

Following the investigation, was the perpetrator knowingly racist?

<b>YES</b>	
<b>NO</b>	

**Details of the incident**

**Action/s taken by the academy to deal with the incident:**

*(Please tick those applicable)*

	<b>Warning to the perpetrator</b>
	<b>Discussion with the victim's parents/carers</b>
	<b>Discussion with the perpetrator's parents/carer</b>
	<b>Education around racial language or actions completed by a member of the leadership team</b>
	<b>Curriculum change or addition</b>
	<b>Exclusion. Number of days _____</b>
	<b>Referral to the police</b>
	<b>Appropriate sanction given at the discretion of the Headteacher</b>
	<b>Other (please specify).....</b>

**If no action was taken why was this?**

*Additional details regarding the actions taken:*

Signed by: \_\_\_\_\_

Position in the academy: \_\_\_\_\_