Dealing with Prejudice-Related Incidents

Local Authority (LA) guidance for educational settings

Foreword

Suffolk County Council believes that all people have the right to a life free from discrimination, prejudice, victimisation, stereotyping, and bullying. In the county's educational settings, members of our learning communities, including children and young people, parents, carers, staff, governors, trustees, and visitors, should be treated with care and respect by each other and act in ways which promote diversity and tolerance. We believe places where education takes place should be safe environments for all members to aspire, grow, and learn together.

The Equality Act 2010 enshrined in law the general duty on all public authorities, including educational settings, to:

- Eliminate discrimination, harassment and victimisation;
- Promote equality of opportunity;
- Foster good relations between all.

We believe that this law is more than just a set of actions to be performed. It enshrines a set of attitudes and behaviours that contribute to a diverse and tolerant society where all are treated with respect.

This revised document (an update to version 5 from 2013) focuses on providing essential guidance for educational settings to take into account when developing policies for and dealing with incidents where inappropriate attitudes and behaviours have led to discrimination, prejudice, victimisation, stereotyping, and/or bullying. For the purposes of this guidance, these are all referred to as prejudice-related incidents (PRIs).

The guidance aims to ensure that educational settings are provided with a clear route through all aspects of dealing with PRIs, that all educational settings know their duties, and can respond consistently, fairly, and proactively. It provides a systematic method for recognising, recording, responding to and reporting PRIs and helps to identify patterns, develop good practice and act as evidence where needed if challenged.

Finally, suffering from prejudice, '*greatly influences what people expect from the future and how they feel about their chances for self-improvement, referred to as their life chances*' (REF 1). In our education settings, there can be no greater objective than to stop prejudice preventing our young people from achieving their ambitions. We must all act together to make sure prejudice is eliminated from our education settings, and our lives, forever.

We would like to take this opportunity to thank our education and learning team for revising this guidance for 2017 and beyond. We hope you find this guidance useful.

Cllr Gordon Jones (Cabinet Member for Children's Services, Education and Skills & **Sue Cook** (Director for health, Wellbeing and Children's Services)

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Introduction

Our vision is that every child, young person and adult in Suffolk can be part of our community free of fear, harassment and intimidation. This should be no different in our educational establishments, which should also share and celebrate positive values of mutual care, responsibility and respect. We want all children and young people to feel protected and supported to achieve that of which they are capable.

There has been some research into the impact of PRIs in England's schools (see research conducted into the barriers to challenging racism and promoting equality (REF 2) and that which was carried out for the Equality and Human Rights Commission (EHRC) (REF 3)). One clear message is that PRIs can impact heavily on the educational progress of our young people. Those who suffer from bullying may become withdrawn, scared, depressed and lacking in self-confidence. Not only do PRIs affect those who suffer them, but also the perpetrator who may be carrying around the burden of anger and hatred. We must do all we can to support and deal with these incidents appropriately, and to educate our young people so they understand and celebrate difference.

Suffolk County Council believe it will be important to ensure the following underlying principals in every one of our educational settings:

- Actively develop a vision, ethos and culture, which values difference and diversity and promotes tolerance;
- Trustees, governors, committee members and senior leaders must develop, implement and monitor robust and effective equality policies that cover all children, young people and adult members of their educational community;
- An inclusive curriculum must be at the heart of the educational delivery of every setting. Learning overtly about equality and diversity should be part of the curriculum content offer for all;
- Ensure that all staff, governors, committee members and trustees are aware of these guidelines and their roles in relation to the statutory responsibilities outlined in the legislation and regulations;
- Provide all staff with clear instructions, training and support to enable them to carry out their role in tackling PRIs;
- All adults need to understand that they are expected to engage with not only with the person responsible but with witnesses, bystanders, audiences and supporters in relation to tackling PRIs;
- Ensure equality and diversity feature prominently in all school development planning and improvement work;
- Keep parents/carers informed of the action the setting is taking to combat PRIs and promote community cohesion;
- All allegations of PRI should be taken seriously and investigated thoroughly. PRIs should be logged on relevant record forms and the actions taken in response to incidents recorded;
- All recorded PRIs must be held on file in the education setting. The recording system should be monitored by a designated member of staff and by trustees/governors and committee members;

- Support the social and emotional well-being of children and young people affected by PRIs (whether victim or perpetrator) and take steps to prevent reoccurrence.

It is important to note that the LA is providing this guide to assist educational settings to meet their obligations under all relevant legislation and regulations. The LA does not expect to be part of the process, unless otherwise specified. Operational leadership in education settings should deal with their duties in relation to their own governance structures. These are outlined in the next section.

Relevant Legislation and Regulations

In this section, important legislation which set the statutory obligations for all educational settings is outlined.

1998 – Human Rights Act

This became law in the UK in the year 2000. Specific articles are important to an understanding of responsibilities with respect to equality and diversity:

- 'No one shall be subjected to torture or to inhuman or degrading treatment or punishment.' (Article 3)
- 'Everyone has the right of respect for his private and family life, his home and his correspondence.' (Article 8) (REF 4)

1989 - Children Act

The 1989 Children Act imposed statutory responsibilities in relation to promoting the well-being and safeguarding of pupils.

A bullying incident should be addressed as a child protection concern under Section 47 of this Act if there is '*reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm*' (REF 5).

2006 - Education and Inspections Act

Section 89 of the 2006 Education and Inspections Act states that '*The headteacher of a relevant school must determine measures to be taken with a view to encouraging good behaviour and respect for others on the part of pupils and, in particular, preventing all forms of bullying among pupils*' (sub-section 1b) (REF 6)

These measures should be part of a school's Behaviour Policy. Section 89 of the Act goes on to say that the measures (outlined in the Behaviour Policy) must be communicated to all pupils, school staff and parents/carers (sub-section 6a and 6b) (REF 6).

Section 90 of this Act gave teachers the power to discipline children and young people even when they are not at school or in the charge of a member of staff.

2010 – Equality Act

The Equality Act 2010 brought together all equality legislation under one Act.

There are nine 'protected characteristics' that are covered by the Act:

- Age
- Disability
- Gender reassignment

- Marriage and civil partnership
- Pregnancy and maternity
- Race and ethnicity
- Religion or belief
- Sexual orientation
- Gender

'Marriage and civil partnership' and 'age' are not protected characteristics with regards to pupils at school, although they are relevant for employees in our education settings.

Anyone acting on behalf of a 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.

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).

Whilst this document specifically relates to PRIs against the protected characteristics as set out by the Equality Act 2010, Suffolk County Council believes that the principles can be extended to other forms of bullying, exclusion or marginalisation, such as when related to physical appearance such as obesity, colour of hair or wearing of glasses, or because of other prejudices relating to their home life, for example in relation to issues of care, parental occupation, poverty and social class.

2011 – Education Act

Wider search powers were included in this Act gave teachers stronger powers to tackle cyber-bullying by providing a specific power to search for and, if necessary, delete inappropriate images (or files) on electronic devices, including mobile phones.

2015 – Ofsted's Common Inspection Framework (CIF)

The CIF states clearly that inspectors will make judgements on:

- *Inspectors will assess the extent to which the school or provider complies with relevant legal duties as set out in the Equality Act 2010 and the Human Rights Act 1998, promotes equality of opportunity and takes positive steps to prevent any form of discrimination, either direct or indirect, against those with protected characteristics in all aspects of their work.* (section 15, page 7); (REF 7)
- the effectiveness of leadership and management in an education setting, by evaluating the extent to which they '*actively promote equality and diversity, tackle bullying and discrimination…*' (section 28, page 13); (REF 7)
- the effectiveness of teaching, learning and assessment in an education setting, by evaluating the extent to which '*equality of opportunity and recognition of diversity are promoted through teaching and learning*' (section 30, page 13). (REF 7)

2016 – Ofsted's School Inspection Handbook

The new Ofsted framework includes statements related to the inspection of bullying and PRI:

- '*During informal conversations with pupils, inspectors must ask them about their experiences of learning and behaviour in the school, including the prevention of bullying and how the school deals with discrimination and prejudiced behaviour, if they happen*' (section 81, pages 23-4). (REF 16)
- In the outstanding grade descriptor for Effectiveness of Leadership and Management it states: '*Leaders promote equality of opportunity and diversity exceptionally well, for pupils and staff, so that the ethos and culture of the whole school prevents any form of direct or indirect discriminatory behaviour. Leaders, staff and pupils do not tolerate prejudiced behaviour*' (page 42). There is a related statement in the good grade descriptor which states: '*Leaders promote equality of opportunity and diversity, resulting in a positive school culture. Staff and pupils work together to prevent any form of direct or indirect* discriminatory behaviour. *Leaders, staff and pupils do not tolerate prejudiced behaviour*' (page 42/3). In the inadequate grade descriptor, it states: '*Leaders and governors, through their words, actions or influence, directly and/or indirectly, undermine or fail to promote equality of opportunity. They do not prevent discriminatory behaviour and prejudiced actions and views*' (page 43); (REF 16)
- In the outstanding grade descriptor for Personal Development, Behaviour and Welfare it states: '*Pupils work hard with the school to prevent all forms of bullying, including online bullying and prejudice-based bullying*' (page 51). There is a related statement in the good grade descriptor, which states: '*Teachers and other adults promote clear messages about the impact of bullying and prejudiced behaviour on pupils' well-being. Pupils work well with the school to tackle and prevent the rare occurrences of bullying*' (page 52). In the inadequate grade descriptor, it states: '*Incidents of bullying or prejudiced and discriminatory behaviour, both direct and indirect, are frequent'* (page 53). (REF 16)

2017 Statutory Framework for the Early Years Foundation stage

The EYFS seeks to provide:

- **equality of opportunity** and anti-discriminatory practice, ensuring that every child is included and supported

2017 Ofsted Early Years Inspection Handbook

Effectiveness of leadership and management

- actively promote equality and diversity, tackle poor behaviour towards others, including bullying and discrimination, and narrow any gaps in outcomes between different groups of children.

Grade descriptor for outstanding effectiveness of leadership and management
- The promotion of equality, diversity and British values is at the heart of the setting's work. It is demonstrated through all its practices, preventing including tackling any instances of discrimination and being alert to potential risks from radicalisation and extremism.

Grade descriptor for good effectiveness of leadership and management
- Leaders and managers actively promote equality, diversity and British values through all policies and practice. They tackle instances of discrimination effectively.

Grade descriptor for inadequate effectiveness of leadership and management
- Leaders fail to recognise and/or tackle instances of discrimination. Equality, diversity and British values are not actively promoted in practice

Quality of teaching, learning and assessment

- equality of opportunity and recognition of diversity are promoted through teaching and learning

Grade descriptor for inadequate teaching, learning and assessment:
- Practitioners do not promote equality and diversity or extend children's understanding of communities beyond their immediate environment.

2016 – Keeping Children Safe in Education

This document outlines statutory guidance on safeguarding in educational settings. As well as the general importance to safeguard children and young people, in relation to PRIs the document states that: '*All staff should be aware that safeguarding issues can manifest themselves via peer on peer abuse. This is most likely to include, but may not be limited to, bullying (including cyberbullying), gender based violence/sexual assaults and sexting. Staff should be clear as to the school or college's policy and procedures with regards to peer on peer abuse*' (page 12). (REF 8)

The document also makes clear that educational settings have a duty to '*ensure their child protection policy reflects the fact that additional barriers can exist when recognising abuse and neglect*' with children and young people with special educational needs and disabilities (SEND), including '*the potential for [SEND] children … being disproportionally impacted by behaviours such as bullying, without outwardly showing any signs*' (page 21). (REF 8)

Working Definitions

Generic definitions

'***Diversity*** *means difference which can be many and varied in the dimensions of race, ethnicity, gender, sexual orientation, socio-economic status, age, physical abilities, national origin, culture, marital status, family structure, health, values, religious beliefs, political beliefs, or other ideologies.*' (REF 17)

Our definition of a **prejudice-related incident** (PRI) is derived from the definition of a racist incident from The Stephen Lawrence Inquiry Report (REF 9): '…*any incident which is perceived to be [prejudice-related] by the victim or any other person*' (section 45.17). This definition empowers everyone to act. It also does not include an intention – a lack of intent does not stop an action from constituting a PRI.

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 or written abuse;
- physical assault;
- graffiti or damage to property;
- discriminatory behaviour e.g. refusing to work with a young person because of their religion;
- incitement to behave in a prejudicial manner e.g. wearing racist badges, recruiting to racist organisations, bringing in homophobic literature;
- extortion, intimidation or coercion;
- cyberbullying.

There is no legal definition of **bullying**, but the DfE (REF 10) state that it is behaviour that is:
- *repeated*
- *intended to hurt someone either physically or emotionally*
- *often aimed at certain groups, e.g. because of race, religion, gender or sexual orientation*

It takes many forms and can include:
- *physical assault*
- *teasing*
- *making threats*
- *name calling*
- *cyberbullying - bullying via mobile phone or online (e.g. email, social networks and instant messenger)*

Bullying because of a protected characteristic is sometimes referred to as 'identity based bullying'.

Hate crime is defined by the Crown Prosecution Service (REF 11) as '*Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability and any crime motivated by hostility or prejudice against a person who is transgender or perceived to be transgender.*'

It is important to note in this definition that an offender does not have to go as far as being motivated by 'hate', they only have to exhibit 'hostility'. This can include name calling, physical abuse or damage to property.

These definitions are now accepted and used by public bodies, including Suffolk County Council and Suffolk Police as well as national organisations such as the Home Office and the Department for Education (DfE). There are two important points to stress about using these definitions:

- They are for the purposes of initial recording. Just because an incident is alleged or perceived to be prejudiced does not mean that it necessarily is. But it does mean that it must be recorded and that an investigation must be carried out;
- Whether or not the offender intended their behaviour to be prejudiced is irrelevant. Of course, when it comes to dealing with an incident, the offender's intentions are an important consideration, but at the stage of initial recording and investigating, the offender's attitudes, motivation and awareness are not the main issue.

Educational settings should always advise the police of any criminal activity; this includes prejudice-related incidents that are classified as crimes. Information about serious and/or persistent incidents or perpetrators must be passed on to the police as this may provide useful intelligence.

The **victim** is someone or something that has been hurt, damaged, or has suffered because of the actions of someone or something else. (REF 12)

A **perpetrator** is a person who is responsible for committing offences or crimes against another person or group.

The words victim and perpetrator have been used throughout this guidance as recognisable terms. Other terms may be used when discussing incidents with children, young people and their parents or carers. Terminology should always be age appropriate.

Cyberbullying is bullying that happens across electronic devices.

'**Equality** *is about making sure people are treated fairly and given fair chances. Equality is not about treating everyone in the same way, but it recognises that their needs are met in different ways.*' (REF 17)

Definitions under the Equality Act 2010

Direct discrimination is where someone is treated less favourably than another person because of a characteristic protected under the Equality Act 2010.

Associative discrimination is direct discrimination against someone because they are associated with another person who possesses a protected characteristic.

Discrimination by perception is direct discrimination against someone because others think that they possess a particular protected characteristic. They do not necessarily have to possess the characteristic, just be perceived to.

Indirect discrimination can occur when you have a rule or policy that applies to everyone but disadvantages a person with a particular protected characteristic.

Victimisation occurs when someone is treated badly because they have made or supported a complaint or grievance under this legislation.

> The legal duties to eliminate harassment and foster good relations make it clear that educational settings must address prejudice-related incidents based on a protected characteristic, such as racism or homophobic bullying. The expectation in law is not only for educational settings to respond when an incident occurs but to also take steps to try and prevent those incidents from occurring or escalating. Settings can only do this if they have a sense of what is happening in their environment, combined with effective procedures that staff understand and support, as well as leadership that creates a culture of trust and respect.

Classifications of PRI against specific groups

Biphobia is dislike or prejudice of people who identify as bisexual.

A **disabilist** incident is one motivated by prejudice against pupils or adults who have a 'physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day-to-day activities'.

Homophobic bullying '*is behaviour or language which makes a young person feel unwelcome or marginalised because of their actual or perceived sexual orientation*' (REF 13). People suffer from homophobic bullying because, they are:
  ▪ lesbian, gay or bisexual (LGB);
  ▪ thought to be lesbian, gay or bisexual;
  ▪ known not to be lesbian, gay or bisexual but are called that as a form of bullying;
  ▪ different in some way from a prevailing stereotype of how a boy or girl should look or behave;
  ▪ have friends, family members, parents or carers who are lesbian, gay or bisexual.

Pregnancy and maternity related incidents. Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked

to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

'*A **racist incident** is any incident which is perceived to be racist by the victim or any other person.*' **Institutional racism** is a collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour, which amounts to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantages minority ethnic people. (REF 9)

Incidents against members of a religion include those against people in major faiths such as Christianity, Islam and Judaism as well as those with a lack of religious belief. Sometimes religious based incidents are reported as racist, for example incidents directed at Muslims or Sikhs of Asian origin, because the child is perceived as different not only by their religious clothing but also their skin colour or family heritage. As with racism, religious based bullying and incidents can have similar impacts on a victim's sense of identity and belonging.

Sexism and sexual bullying affects both genders. Boys may be victims as well as girls, and both sexes may be victims of their own gender. Sexual bullying may be characterised by:

- name-calling, comments;
- overt 'looks' about appearance;
- attractiveness and emerging puberty;
- uninvited touching;
- innuendos and propositions;
- pornographic imagery or graffiti.

Transphobic bullying '*is behaviour or language that makes a child or young person feel unwelcome or marginalised because of their perceived or actual gender identity.*' (REF 14)

Responding to Prejudice Related Incidents

It is important to note that the LA is providing this guide to assist our educational settings to meet their obligations under all relevant legislation and regulations. The LA does not expect to be part of the process, unless otherwise specified. Operational leadership in education settings should deal with their duties in relation to their own governance structures.

Bearing that in mind, educational settings need to consider four issues when responding to PRIs:

- Challenging those responsible;
- Supporting the victim and perpetrator;
- Reporting what has happened to the right people;
- Monitor and take steps to avoid repetition.
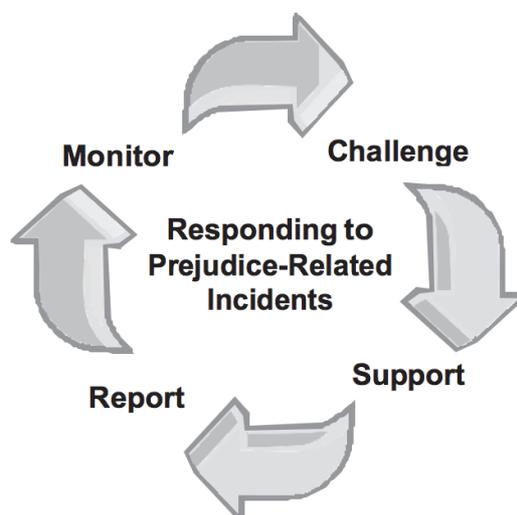
Challenge, support, report, and monitor should be a cyclical process that is regularly discussed so that all staff, children and young people are aware that:

- prejudice of any sort will be challenged;
- support is available for all involved – victims, perpetrators, families, staff and governors/trustees;
- any incident will be reported, recorded, responded to and monitored.

The 4Rs approach should be implemented when responding to PRIs:

1. **Recognise** – identify that an incident has occurred;
2. Take **responsibility** – for responding according to the setting's policy;
3. **Record** – complete report forms and logs according to the setting's policy;
4. **Report** – share information about the incident with relevant people and any outside agencies.

Challenge Steps to take	
Immediate:	- Challenge incidents sensitively; - Explain why the prejudice-related behaviour is unacceptable. Remind all involved of the school's vision/ ethos/culture; - Outline what will happen as result of the prejudice-related behaviour; - Through careful questioning, seek to understand the motive behind the incidents and take action to address any concerns about well-being; - Use the setting's incident procedure for more serious incidents; - Make arrangements to talk to the parents/carers; - Involve the Police if the incident involves criminal activity.
Whole setting:	- Promote strong inclusive values, positive ethos and a common sense of identity. Display the setting's vision, aims and acceptable behaviour posters prominently around the site, along with report forms, a secure box and a named person responsible for monitoring incidents; - Promote British values around the setting; - Include procedures for dealing with prejudice-related incidents in the setting's Behaviour Policy or equivalent; - For incidents outside of school refer to the Behaviour and Discipline in Schools Guidance for Headteachers and School Staff, DfE, paragraphs 19, 20 and 21 (REF 15); - Ensure the setting's Behaviour Policy addresses different kinds of prejudice-related behaviour, such as cyber-bullying, homophobic, racist, sexual and disability bullying; - Consultation/review with stakeholders about the policy should be held annually; - Policies should be consistently reinforced by the leadership and staff of the setting; - Use assemblies, circle time and key group time to address aspects of bullying and PRI; - Address bullying, diversity and prejudice through the curriculum. For example, personal, social, health education (PSHE), mathematics, science, religious education (RE), English and other curriculum areas; - Help children and young people develop positive values and understand the effects of prejudice-related bullying on people, and how to protect themselves. Help them to know what to do should they suffer a PRI; - Provide access to equality and diversity training for all staff including training about how to challenge prejudice and respond to PRIs; - Take part in initiatives and local/national events which can provide a means of engaging in the subject of such as Anti-Bullying Week, diversity and respect include Black

	History Month, Learning Disability Week, Deaf Awareness Week, International Women's Day, Holocaust Memorial Day, Gay Pride, etc.

Support Steps to take	
Immediate:	- Comfort and reassure victim and discuss different ways in which they can be supported; - Notify the victim(s), perpetrator(s) and witness(s), parents/carers* and keep them updated on the progress of the support; - Find out what sort of support is required. This may include assigning them a 'buddy' or using restorative justice approaches as appropriate; - Encourage victim, perpetrator and affected witnesses to attend the support system set up in the setting; - Ensure that a review date is set for all involved to check whether the incidents have stopped; - Monitor the well-being of all involved; *Gain permission from Lesbian, Gay, Bisexual, Transgender (LGBT) pupils to notify parents/carers*
Whole setting:	- Appoint a member of staff to coordinate the support; - Make sure the children and/or young people know to whom they can go to for support when they need it; - Provide age appropriate information, support and/or counselling for others involved; - Train staff in restorative approaches to rebuild relationships and help perpetrators address their prejudices and attitudes towards their target(s); - Develop an internal setting directory of support systems for children and young people, parents/carers, staff, governors and trustees; - Use outside agencies or organisations to support the setting; - Set up a peer support group.

Report Steps to take	
Immediate:	- All reported incidents should be recorded on the setting's incident report form; - Train the children and young people on how to complete a self-report form; - Make sure that all the appropriate staff are aware of the incident; - Report to any outside agencies that might need to know about the incident; - After completion of the relevant form details should be entered directly on to the setting's monitoring log.

Whole setting:	- All settings should have a trained, named member of the senior leadership team who is responsible for dealing with PRIs; - Produce clear guidelines for everyone in the setting about the procedures that should be followed in the case of a PRI, such as reporting expectations and procedures; - Make sure copies of the setting's relevant PRI reporting forms (and any self-report forms) are available and easily accessible; - Set up a central spreadsheet or database for reporting and monitoring purposes; - Include information in the setting's self-evaluation process and publish summary information publicly; - Include strategies for addressing PRIs in the setting's Development/Improvement Plans or strategic documentation; - For state funded schools an incident that resulted in an exclusion should be reported on the school census

Monitor Steps to take	
Immediate:	- Ensure PRIs are clearly identified as such and note the frequency of the incidents - Investigate the wider implications of PRIs for the setting and local community as appropriate; - Ensure that staff are clear about the formal procedures for recording and dealing with PRIs.
Whole setting:	- Identify a named member of the senior team and governing body/trust board and committee members who will be responsible for monitoring PRIs; - Complete an analysis of all reported incidents. The nature of the incidents should be monitored regularly and follow up action evaluated for its effectiveness. Any patterns in the types or frequency of the PRIs should be noted for addressing; - Create an action plan identifying preventative action that will be taken to reduce the likelihood of incidents reoccurring. Share this action plan with staff and governing body/trust board and committee members; - Recognise the wider implications of such incidents for the setting and local community and consider whether external support is required; - Full and regular reporting of these incidents is provided to members of the setting's governance structure; - Ensure setting staff are familiar with the formal procedures for recording and dealing with PRI so they are vigilant regarding these behaviours.

Appendix 1 contains a flowchart showing the process of dealing with PRIs.

Responding to PRIs involving adults in the setting:

Person involved	Suggested action
Member of staff	Any prejudice-related behaviour from any member of staff in an educational setting towards any children or young people, parent/carer or another member of staff will not be tolerated and, if it occurs, disciplinary action should be taken by the setting. The setting has an obligation to provide or offer support for its staff following any form of incident.
Governors/trustees	All settings should have a Code of Conduct to which all members of their governance structure must subscribe. This code should outline procedures/protocols to be followed in the event of a PRI occurring. All settings should also have a complaints procedure which should be known to and readily accessible by all members of the setting and its community.
Volunteers and visitors	Settings should bring their policies to the attention of volunteers who work in the setting on a regular basis. These should include the setting's Equality Policy. Anyone on the setting's premises must abide by these policies and follow the setting's procedures and codes of conduct.
Incidents outside the setting	There may be occasions when PRIs that have occurred outside the setting or have involved outside perpetrators or recipients, are brought to the attention of the headteacher or other relevant leader. These incidents should be reported to Suffolk Police who may wish to take action under the Public Order Act 1986. Opportunity should also be taken to publicly condemn such incidents.
Parents and carers	Settings should ensure that their parents/carers are well informed, consulted and have a clear understanding of their responsibilities with regards to the setting's policies. Anyone on the setting's premises must abide by these policies and follow the setting's procedures and codes of conduct. Restorative approaches can be used to mediate incidents.

Responsibilities Relating to Prejudice Related Incidents

Governance

Governors/trustees and committee members have a key role in establishing the ethos of a setting or group of settings.

The governing body/trust board and committee members must approve the Behaviour and Discipline Policy. They should receive a regular report from the headteacher or leader of the setting on the effectiveness of that policy, including details of any PRIs and actions taken by the setting(s) in relation to PRIs. It is the governing body/trust board and committee members responsibility to ensure that the pattern of behaviour over time is analysed, appropriate actions planned, implemented and then evaluated for their effectiveness.

Every governing body/trust board and committee members should have a parental complaints procedure in place. Governors need to ensure that all parents/carers are aware of the procedure and how to use it. PRIs can lead to children and young people being permanently excluded. In these cases governors/trustees are responsible for deciding whether the exclusion made by the headteacher or relevant setting leader should be upheld. Since March 2004, schools have been required to record reasons for permanent exclusions including PRIs.

Settings should ensure that, where a child is permanently excluded for a PRI, that it is appropriately recorded on internal logs and on LA exclusions monitoring forms.

Governors/trustees have a statutory duty under the Equalities Act 2010 to ensure the setting publishes sufficient information on and has due regard for the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- highlight good practice and promote it in their setting and wider community;
- advance equality of opportunity between children, young people and adults from different groups;
- foster good relations between children, young people and adults from different groups;
- provide leadership and drive for the development and regular review of the setting's policies;
- ensure the leadership and the accountability of the setting's leaders and staff for the communication and implementation of the procedures and policy.

Leadership

The leadership of the setting must be proactive in eliminating discrimination and promoting a positive ethos in the setting through determining objectives and formulating policies, which translate these aims into practice. The setting's Behaviour and Discipline Policy should incorporate approaches to eliminating discrimination, bullying and victimisation.

In relation to PRIs, settings should:

- promote children and young people's spiritual, moral, social and cultural development and prepare all them for the opportunities, responsibilities and experiences of life;
- have measures in place to encourage good behaviour and respect for others;
- prevent all forms of bullying;
- ensure equality of opportunity;
- promote positive relationships between people from different backgrounds;
- promote community cohesion;
- ensure that all staff are trained to carry out their duties and undertake regular training updates;
- consult children, young people, staff and stakeholders in the development and review of policies;
- evaluate the extent to which learners feel safe and adopt safe practices;
- put in place systems for handling and recording PRIs.

All staff

All members of staff in an educational setting should:

- ensure the implementation of policies/procedures as it applies to staff and children and young people;
- provide consistent response to all incidents;
- behave with respect and fairness to all governors/trustees, colleagues, children and young people and parents/carers;
- contribute to consultations and reviews;
- maintain knowledge of the setting's policies and procedures.

Ultimately it is everyone's responsibility to make sure that PRIs are dealt with in the appropriate manner.

Useful Contacts

This list is illustrative of the kinds of organisations available locally and nationally to assist with prejudice-related matters.

Accord Coalition
http://accordcoalition.org.uk/

Anti-Bullying Alliance
http://www.anti-bullyingalliance.org.uk

Bullying Intervention Group
http://www.bullyinginterventiongroup.co.uk

Council for Disabled Children
https://councilfordisabledchildren.org.uk

East of England Faiths Agency (EEFA)
http://www.eefa.net/index.htm

Educate and Celebrate
http://www.educateandcelebrate.org/about-us/

EQualities Award
http://www.equalitiesaward.co.uk

Forum Against Islamaphobia and Racism (FAIR)
http://www.fairuk.org/intro.htm

Gender Identity and Research Education Society (GIRES)
http://www.gires.org.uk

Ipswich and Suffolk Council for Racial Equality (ISCRE)
http://www.iscre.org.uk/about-us/

Scope (disability)
https://www.scope.org.uk

Stand up to Racism
http://www.standuptoracism.org.uk

Stonewall Education
https://www.stonewall.org.uk/get-involved/education

Stop Hate UK
https://www.stophateuk.org

Suffolk LGBT+ Network
http://www.suffolklgbtnetwork.org.uk/index.php

Suffolk Refugee Support
http://suffolkrefugee.org.uk

Translation and Interpretation Provider (TIP)
http://translation-tip.co.uk/2.html

This is not intended to be an exhaustive list of resources. Many more useful websites can be found on the links page of the True Vision website: http://www.report-it.org.uk/organisations_that_can_help

Appendices

Appendix 1 – Dealing with a PRI: A Step-By-Step guide
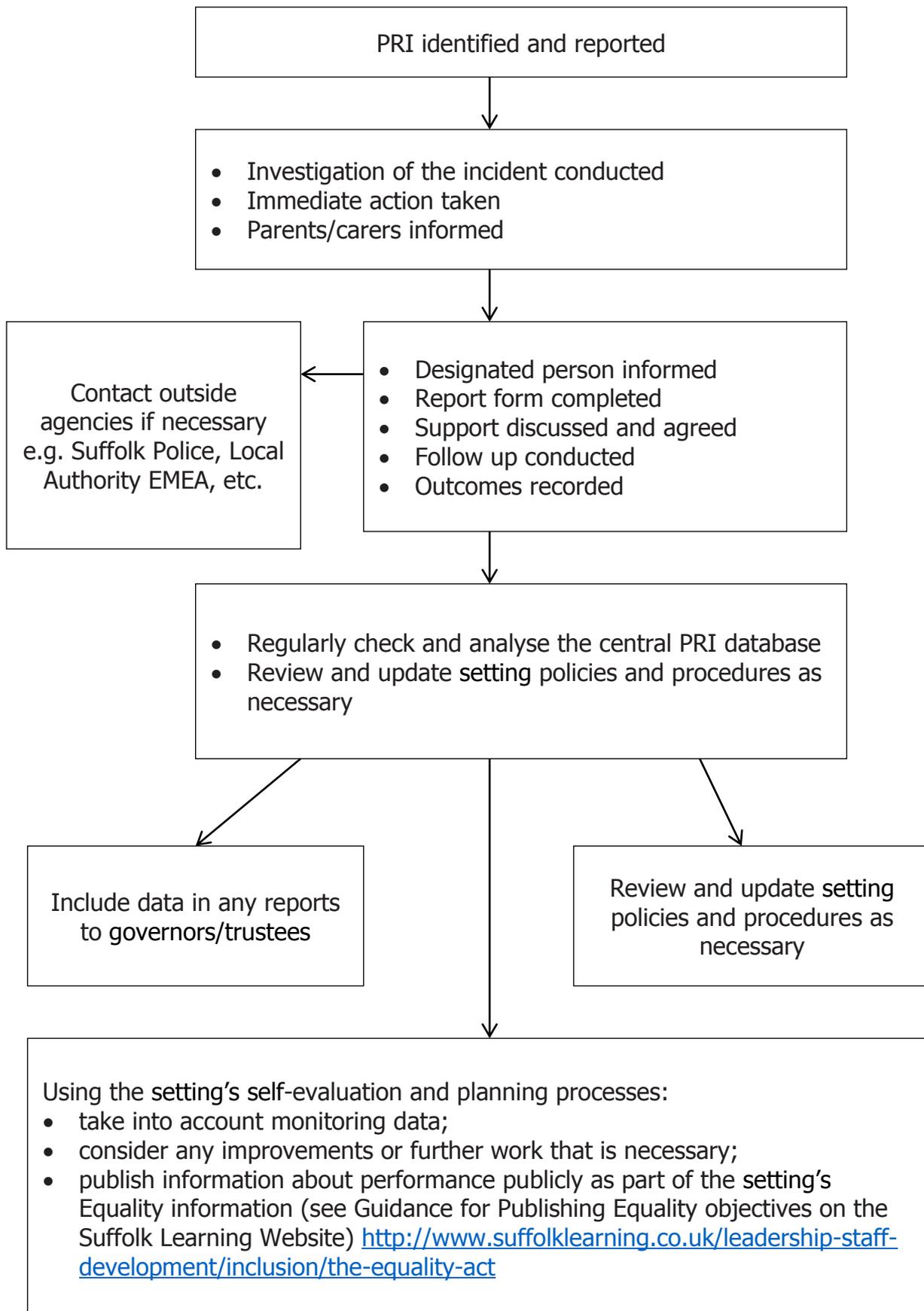Appendix 2 – Example of a PRI report form (adult)
Appendix 3 – Example of a self-report form (child/young person)
Appendix 4 – Model template letter to parents/carers of the victim of a PRI
Appendix 5 – Model template letter to parents/carers of the perpetrator of a PRI

Appendices 4 and 5 should be as the 2013 version

Appendix 1 – Dealing with a PRI: A step-by-step guide

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┌──────────────────────────────────────────────────────────┐
│                 PRI identified and reported                │
└──────────────────────────────────────────────────────────┘
                            │
                            ▼
┌──────────────────────────────────────────────────────────┐
│   • Investigation of the incident conducted               │
│   • Immediate action taken                                 │
│   • Parents/carers informed                                │
└──────────────────────────────────────────────────────────┘
                            │
                            ▼
┌────────────────────┐   ┌──────────────────────────────────┐
│  Contact outside   │◄──│   • Designated person informed    │
│ agencies if        │   │   • Report form completed         │
│ necessary          │   │   • Support discussed and agreed  │
│ e.g. Suffolk       │   │   • Follow up conducted           │
│ Police, Local      │   │   • Outcomes recorded             │
│ Authority EMEA,    │   │                                   │
│ etc.               │   │                                   │
└────────────────────┘   └──────────────────────────────────┘
                            │
                            ▼
┌──────────────────────────────────────────────────────────┐
│   • Regularly check and analyse the central PRI database  │
│   • Review and update setting policies and procedures as  │
│     necessary                                              │
└──────────────────────────────────────────────────────────┘
                  │                          │
                  ▼                          ▼
┌────────────────────────┐   ┌────────────────────────────┐
│ Include data in any    │   │ Review and update setting  │
│ reports to             │   │ policies and procedures as │
│ governors/trustees     │   │ necessary                  │
└────────────────────────┘   └────────────────────────────┘
                  │
                  ▼
```

Using the setting's self-evaluation and planning processes:
- take into account monitoring data;
- consider any improvements or further work that is necessary;
- publish information about performance publicly as part of the setting's Equality information (see Guidance for Publishing Equality objectives on the Suffolk Learning Website) http://www.suffolklearning.co.uk/leadership-staff-development/inclusion/the-equality-act

Appendix 2 – Example of a PRI report form (staff)

Setting: _____

Incident reported by:	Role:
Date of incident: _____ Time of incident: _____	
Location of incident: _____	

FOCUS – *tick the relevant description and record details in later section*		✔
Appearance	Hair colour, body shape, clothing etc.	
SEND/Medical condition	Real or perceived disability, special needs, able, gifted or talented or health conditions or association with someone in those categories and related derogatory language	
Ethnicity/Race	Ethnic origin, skin colour, nationality, culture, language, real or perceived (racism)	
Gender Identity	Transgender, perceived to be transgender or someone who does not fit with gender norms or stereotypes or who has a transgender family member. Language / stereotyped perceptions of gender	
Religion/Belief	Beliefs, faith, lack of faith real or perceived	
Home Circumstances	Class background, low income, free school meals, young carer, looked after	
Sex	Based on sexist attitudes that when expressed demean, intimidate or harm another person because of their sex or gender	
Sexual Orientation	Related to sexual orientation or perceived orientation of target or target's family and/or homophobic/biphobic abuse and language used	
Other	Please describe:	

BEHAVIOUR INVOLVED - *tick the relevant description and record details in later section*		✔
Cyberbullying	Internet, mobile phones, smartphones, social media	
Damage to property	Damage, interference, withholding, demanding or stealing of personal possessions, money and loaned or allocated equipment/resources, graffiti, extortion	
Indirect / social	Not being spoken to or being excluded, or left out of activities, gossiping, spreading rumours, dirty or intimidating looks, gestures	

Physical abuse (against staff)	Pushing, kicking, hitting, pinching, tripping, spitting or any other form of violence or physical force	
Physical abuse (against child/young person)		
Possession/distribution of offensive materials	Disseminating inappropriate materials	
Sexual abuse/harassment (against staff)	Suggestive sexual comments or innuendo including offensive comments about sexual reputation or using sexual language that is designed to subordinate, humiliate or intimidate, groping/inappropriate touching	
Sexual abuse/harassment (against child/young person)		
Verbal abuse (against staff)	Using language in a derogatory or offensive manner, such as name-calling, sarcasm, personal threats, nasty comments or 'jokes' or persistent teasing and taunting	
Verbal abuse (against child/young person)		
Other	Please describe:	

WHERE DID THE PRI TAKE PLACE? – *tick **all** that apply*					✔
Transport		Corridor		Street	
Canteen		Park		Taxi	
Classroom		Playground		Toilets	
Cloakroom/locker		Other (please describe)			

BRIEF DESCRIPTION OF PRI

IMMEDIATE ACTION TAKEN

FOLLOW UP PLAN

Form completed by:	Role:

Signed: _____ Date: _____

Please give this form to the person designated in your setting to deal with PRIs

Appendix 3 – Example of a self-report form

This is a simple report form that children/young people can complete independently and put in a sealed 'solution box' on display somewhere in your setting. This should be confidential.

Name:
_____
Year / class / group: _____
Date:
_____

What happened?	
Where did it happen?	
When did it happen?	
How did it make you feel?	

What would you like done about it?	

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(12)	Cambridge Dictionary - definition of 'victim' http://dictionary.cambridge.org/dictionary/english/victim
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(15)	Ofsted (August 2016) School Inspection Handbook https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/553942/School_inspection_handbook-section_5.pdf
(16)	ISCRE – About Us http://www.iscre.org.uk/about-us/
(17)	Statutory Framework for the Early Years Foundation Stage, 2017 https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2
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