

# Viking Academy Trust



## Racial Incident Policy

The VIKING ACADEMY TRUST 'Racial Incident Policy' has been written after consultation with all stakeholders and follows DfE guidance. This policy runs alongside the Equal Opportunities Policy and together with the Race Equality Policy and Racial Incident Form, forms the Racial Equality Scheme.

**Approved by the Trust: Term 4 2017**

**Reviewed biennial: Term 4**

**Last review date: Term 1 2018**

**Signed:**

**Chair of Trust**

# Racial Incident Policy

## The Viking Academy Trust

### Schools in the Viking Academy Trust (VAT)

Chilton Primary School  
Ramsgate Arts Primary School  
Upton Junior School

This 'Racial Incident' Policy is for all aforementioned schools.

*"We cannot accomplish all that we need to do without working together."*

#### Racial Incident Policy

##### Monitoring and Reporting Procedures

This policy should be read in conjunction with the Viking Academy Trust's *Race Equality Policy*.

**Definition of a Racial Incident** — Recommendation 12 of the Stephen Lawrence Inquiry — *"A racist incident is any incident which is perceived to be racist by the victim or any other person"*.

In short an incident should be recorded if any form of racism played part in the incident. Incidents should be recorded when there has been a perception or allegation that there was an incident even if it is found that the (alleged) perpetrator has no case to answer to. This is an investigation process which needs to be completed and the attached forms filled in.

##### Procedure for Dealing with Racial Incidents.

If an incident involves employees of the LA, then the Local Management Procedures on Harassment, Grievance or Discipline may be applicable.

The following steps are to be taken in dealing with racial incidents which involve pupils.

##### 1. Support the Victim

The following procedure is to be followed if a pupil is the victim of a racial

incident:

- Support the victim. Investigate the incident and take appropriate action.
- If necessary meet with the pupil's parents or carers to discuss the matter and explain the action taken. The service of an interpreter/translator may be needed at the meetings.
- Record the incident on a Racial Incident Monitoring Form (see sample attached).

## **2. Dealing with the Perpetrator**

### **2.1. Dealing with Pupils as Perpetrators**

The following procedure is to be followed if a pupil is believed to be behaving in a racially discriminatory way:

- The Head of School/Deputy Headteacher/Senior Leadership Team should intervene and take immediate action, for example, separating the victim from the perpetrator.
- Any racist behaviour should be challenged immediately and openly. The perpetrator to be told that his or her behaviour is unacceptable and will not be tolerated.
- The incidents should be reported to the Executive Headteacher & Head of School via the Racial Incident Log (Key Survey Electronic Form: Racial Incident Form. See appendix 1) and they will decide whether any further action needs to be taken, including informing the parents or carers of the relevant pupils.
- The Racial Incident Monitoring Form should be completed as soon as possible (Key Survey Electronic form).

### **2.2. Dealing with a Member of Staff as Perpetrators.**

All members of staff are required to abide by the School's Equal Opportunities Policy. Substantial racial discrimination by any member of staff towards a pupil 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 Executive Headteacher, Head of School or Deputy Headteacher will investigate the allegation in accordance with the relevant Disciplinary Procedures.

### **2.3. Dealing with a Member of the Public as Perpetrator**

Racially motivated conduct by members of the public needs an

immediate response. The following procedure is to be followed in cases of racially discriminatory conduct by a member of the public:

- The incident to be reported to the Head and logged in the Racist Incident (Key Survey form).
- The police to be informed if the incident is of a magnitude that warrants such action (i.e. damage or threat of damage to person or property).
- The Racial Incident Monitoring Form to be completed; the pupil's parents or carers and Chairman of the LAB should be informed of the incident as appropriate.

### **Dealing with the Impact on the School and Community**

- Racist graffiti or slogans should be removed as soon as possible and reported and logged via the Racial Incident Form (Key survey).
- Racist literature, badges and insignia should be confiscated. A clear explanation setting out the reasons why the property has been confiscated should be given.

The confiscated property may be handed to the police in criminal proceedings or returned to the pupil or his/her parents at an early opportunity. It is not open to a teacher to deliberately destroy a confiscated item unless it is necessary on 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 as well to discuss what has happened.
- It may be appropriate to develop a training programme to help pupils as well as teachers to deal with racial incidents. The school using worship, PSHE and circle time to reiterate tolerance of all.

### **2.4. Incidents Involving Violence or Criminal Behaviour**

For incidents of a serious nature involving violence or criminal

behaviour, it will be necessary to inform the police, irrespective of the 'status' of the perpetrator, i.e. pupil, staff or members of the public. The Executive Headteacher

should be informed immediately to facilitate consultation and the possible procuring of advice including legal advice. This is necessary in order to ensure a senior colleague is able to give the fullest advice and where appropriate, inform leading members of the Council, relevant community groups and liaise with the police.

## **2.5. Legal Procedures Dealing with Children Under 16**

Juveniles must not be interviewed at their place of education or asked to provide or sign a written statement in the absence of an appropriate adult except in exceptional circumstances and only where the EHT / Head of School agrees. Every effort should be made to notify the parents or carers that the Police want to interview the juvenile and to ensure their presence at the interview. Where waiting for the appropriate adult would cause unreasonable delay, and unless the interviewee is suspected of an offence against the school or the staff, the EHT / Head of School can act as the appropriate adult for the purposes of the interview.

An interview is the questioning of a person regarding his or her involvement or suspected involvement in a criminal offence or offences. While a juvenile is being interviewed, the appropriate adult can be

- a parent or carers (or, if the child is in care, the care authority or voluntary organisation)
- a social worker
- failing the above, another responsible adult aged 18 or over who is not a police officer or employed by the police. The role of the adult is to advise the juvenile and to observe whether or not the interview is being conducted properly.

A juvenile should not be arrested at his or her place of education unless this is unavoidable. In this case the EHT / Head of School must be informed.

## **3. Monitoring of Racial Incidents**

### **3.1. Rationale**

It is necessary to monitor racial incidents in order to:

- Obtain a full picture of the level and nature of racial incidents.
- Measure the effectiveness of the LA Anti-Racist Policies and the procedures used to deal with racial incidents.

- Prioritise and focus resources to deal with racial incidents at grass-root level.
- Work with other agencies to combat racial incidents in the community.

### **3.2. Procedures for Schools**

- The Executive Headteacher has overall responsibility of dealing with such incidents and this role is widely publicised as is the requirement to investigate, record and report where there is a perception that an incident has taken place.
- The Racial Incident Monitoring Form (Key Survey appendix 1) should be completed as soon as possible after an incident has taken place.
- The Racial Incident Monitoring form should be kept in a central file in each educational establishment for internal monitoring purposes (It is kept electronically and can be accessed by all staff across the Viking Academy Trust). It should not be sent to the LA. There is no specific guidance on how long to keep a record. We follow the DfE advice and keep records for between three and five years. Advice from KCC (Insurance Services) is the best way to defend cases of failure to educate is to keep children's records up to the age of 25.
  - o The Executive Headteacher should ensure that the commitment to tackling racial incidents and any anti-racist guidelines or equal opportunities statements are well published, and the parents and community groups are aware of them. (Copies of the policy statement/procedure should be translated into minority languages where appropriate)

### **4. Reporting Information to Parents, Local Advisory Body / Board of Trustees, the LA and DfE**

Parents and local governors should be informed of the nature of the incident and the action taken to deal with it. Viking Academy Trust's Local Advisory Bodies (LABs) will be expected to inform the LA of the pattern and frequency of any such incidents. The school will report on an annual basis any incident regarded as racist and the effects of the school's policy in dealing with such incidents in the school SEF and at LAB meetings.

The LA will collect collated information from schools periodically usually on an annual basis.

This policy runs alongside our Equal Opportunities Policy and together with the

Race Equality Policy and Racial Incident Form, forms the Racial Equality Scheme.

It will be reviewed annually and whenever there is new legislation.

**Appendix 1: VAT Racial Incident Form**

<http://app.keysurvey.co.uk/f/1121030/10cd/>

(Key Survey: accessed via Sharepoint)

**Viking Academy Trust**

Is the victim: An Asylum Seeker, Refugee

Yes

No

Record contact details if appropriate:

Have there been previous incidents involving the same victim (if known)?

Yes

No

**\*Ethnic Categories**  
e.g. If someone is White British, the ethnic code would be A1.

| (a) White                      | (b) Mixed                     | (c) Asian or Asian British |
|--------------------------------|-------------------------------|----------------------------|
| 1. British                     | 1. White and Black Caribbean  | 1. Indian                  |
| 2. Irish                       | 2. White and Black African    | 2. Pakistani               |
| 3. Gypsy                       | 3. White and Asian            | 3. Bangladeshi             |
| 4. Traveller of Irish Heritage | 4. Any other mixed background | 4. Other Asian Background  |
| 5. Any other white background  |                               |                            |

(d) Black or Black British

(e) Chinese

(f) Any other ethnic group

1. Caribbean

2. African

3. Any other black background

**c. A pupil from another school**

Yes

No

**d. Other (e.g. visitor, parent, contractor)**

Yes

No

If B, C or D  
What is the ethnicity\* of the victim?

**Appendix 1 con't: VAT Racial Incident Form (Key Survey)**

## Section 2 - Details of the Perpetrators

### Record details of each perpetrator (if more than one)

Perpetrator 1

Name:

Pupil in the school?

If yes please give UPN

| Yes                   | No                    | UPN                  |
|-----------------------|-----------------------|----------------------|
| <input type="radio"/> | <input type="radio"/> | <input type="text"/> |

Member of Staff or Governor?

Yes

No

Pupil from another school?

Yes

No

Other? (please specify)

Indicate if involved in previous incidents?

Yes

No

Please complete the below if not a pupil in school

Ethnicity\*:

Asylum Seeker or Refugee:

Yes

No

## Appendix 1 con't: VAT Racial Incident Form (Key Survey)

|   |  |                      |    |                |                       |                       |                      |
|---|--|----------------------|----|----------------|-----------------------|-----------------------|----------------------|
| <p><b>Section 3 - Date and Type of Incident</b></p> <p>When did the incident take place:<br/>Date:<br/><input type="text"/></p> <p>Approximate Time:<br/><input type="text"/></p> <p>Location (if not in school):<br/><input type="text"/></p> <p>What type of incident occurred?<br/>Verbal Abuse<br/><input type="radio"/> Yes<br/><input type="radio"/> No</p> <p>Graffiti<br/><input type="radio"/> Yes<br/><input type="radio"/> No</p> <p>Attacks on Property<br/><input type="radio"/> Yes<br/><input type="radio"/> No</p> <p>Physical Abuse<br/><input type="radio"/> Yes<br/><input type="radio"/> No</p> <p>Threatened Assault<br/><input type="radio"/> Yes<br/><input type="radio"/> No</p> <p>Other (please specify below under what happened)<br/>What happened (in brief)?<br/><input type="text"/></p> | <p><b>Section 4 - Action Taken to Deal with the Incident</b></p> <p>Following investigation of the incident was further action undertaken?<br/><input type="radio"/> Yes<br/><input type="radio"/> No</p> <p>If so, what was this?<br/>Warning the perpetrator<br/><input type="radio"/> Yes<br/><input type="radio"/> No</p> <p>Referral to Police or other body<br/><input type="radio"/> Yes<br/><input type="radio"/> No</p> <p>Detention<br/><input type="radio"/> Yes<br/><input type="radio"/> No</p> <p>Exclusion fixed term<br/>If fixed term, please specify how many days<br/><table border="1"><tr><td>Yes</td><td>No</td><td>How many days?</td></tr><tr><td><input type="radio"/></td><td><input type="radio"/></td><td><input type="text"/></td></tr></table></p> <p>Exclusion permanent<br/><input type="radio"/> Yes<br/><input type="radio"/> No</p> <p>Other sanction (please specify)<br/><input type="text"/></p> <p>Other action (please specify)<br/><input type="text"/></p> <p>If no action was taken, why was this (e.g. therefore no case to answer to)?<br/><input type="text"/></p> | Yes                  | No | How many days? | <input type="radio"/> | <input type="radio"/> | <input type="text"/> |
| Yes   | No   | How many days?       |    |                |                       |                       |                      |
| <input type="radio"/>   | <input type="radio"/>  | <input type="text"/> |    |                |                       |                       |                      |

## Appendix 1 con't: VAT Racial Incident Form (Key Survey)

**Section 5 - Action Taken to Support the Victim**

What action was taken to support the victim (in brief)?

**Section 6 - Involvement of the Police**

If the police were involved, was this through:  
Liaison with the local Youth Crime Reduction Officer:

Yes  
 No

Referral to the local Police Station:

Yes  
 No

If appropriate, please record additional details e.g. date of referral, Police Officer involved, charge made by Police etc.

**Section 7 - Completion of Record**

Name of person reporting the incident:

Position in School:

Name and position in school of person dealing with incident if different to the above:

Date of Record: