

BISHOP'S HATFIELD GIRLS' SCHOOL

PROTECTED CHARACTERISTICS & PREJUDICE-RELATED INCIDENT POLICY

Date of last review: Summer 2021

Date of next review: Summer 2023

School Based Policy

Rationale

Bishop's Hatfield Girls' School welcomes its duties under the Equality Act 2010. This policy is consistent with the Code of Practice on the Duty to Promote Equality (2001). The school recognises and values diversity, and seeks to celebrate it. Bishop's Hatfield Girls' School also recognises the need to eliminate any unlawful discrimination.

In the Bishop's Hatfield Girls' School community it is accepted that every person is equally important and that no one has the right to harass, insult, attack, or cause offence to any other person for any reason. All community members are all individuals, but are also members of a community where it is possible to learn from each other and celebrate the culture and beliefs of each person.

The Governing Body is firmly and passionately committed to equal opportunities and to enabling all staff and pupils at the school to develop their potential to the full, irrespective of their race, colour, gender or creed, in accordance with the school's ethos and aims.

The prime purpose of the Protected Characteristics & Prejudice-Related Incident policy is to promote respect for others and harmonious relationships in school and in the wider community, to eliminate unlawful discrimination and to ensure that pupils, staff and parents / carers are not adversely affected in any area of the school's activities on the grounds of age (as appropriate), disability, ethnicity, gender (including issues of transgender, and maternity and pregnancy), religion and belief and sexual identity. (Age and marriage and civil partnership are not protected characteristics with regards to school pupils, although they are relevant to employees). This policy should not be seen in isolation, it supplements and supports other school policies, which should be read alongside this one:

- Equality Policy
- Anti-Bullying Policy
- Relationships and Sex Education Policy
- Disability Equality Policy / Scheme
- Performance Appraisal Policy

Aims of this Policy

- To develop an understanding of, and promotion of, human equality and equal opportunities.
- To promote good relations between members of different groups and communities.
- To enable pupils to take responsibility for their behaviour and relationships with others.
- To take a positive stance in combating Prejudice-Related Incidents incidents:
 - prejudices around disability and special educational needs
 - prejudices around racism and xenophobia, including those that are directed towards religious groups and communities, for example, antisemitism and Islamophobia, and those that are directed against Travellers, migrants, refugees and people seeking asylum
 - prejudices reflecting sexism, homophobia, biphobia and transphobia.
- To establish, in unequivocal terms, what constitutes a prejudice-related incident, and share this with all members of the school community.
- To create a climate where people are able to speak openly about their experiences.
- To agree procedures for dealing with prejudice-related incidents, and ensuring that all members of the school community are fully conversant with them.
- To establish a monitoring procedure to record all incidents and subsequent action.
- To keep a formal record of all prejudice-related incidents and to report on the nature and frequency of any incidents.

Responsibilities

The Headteacher takes responsibility for the full implementation of the policy, and for its monitoring.

The Deputy Headteacher (Inclusion) is responsible to the Headteacher for developing positive equal opportunities and harmony strategies, staff training, and maintaining a record of Prejudice-Related Incidents incidents using CPOMS.

All staff have a responsibility to develop awareness of the policy amongst pupils and to promote harmony and an inclusive ethos.

Definition of 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, 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 the 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.

Dealing with Prejudice-Related Incidents

Guidance for Teachers (Is it a Prejudice-Related Incident?)

Colleagues may be concerned about whether or not they should be recording as prejudice-related incidents, remarks made by pupils in the classroom. The following questions may be helpful in assisting colleagues to decide when to do so.

If the answer to any of the following 3 questions is 'Yes' then you should record it as a prejudice-related incident.

1. Was anyone offended/hurt/upset by the remark?

If anyone is upset by a remark or behaviour in relation to disability, ethnicity, gender (including issues of transgender, and maternity and pregnancy), religion and belief and sexual identity it should be recorded as a prejudice-related incident. Pupils will need to be supported and appropriate action taken to resolve the resulting relationship issues. Unintentionally hurtful remarks also need to be recorded. Individuals need to understand why a remark or action is unacceptable and/or has caused offence.

2. Would a representative of the community concerned have been offended?

You can have a prejudice-related remark without there being a victim present. Intention is not necessary to this criterion. In order to ask questions about groups other than their own, pupils need to learn appropriate ways to do so which will not cause offence. Our intention is not to stop them asking questions or seeking knowledge, but rather to learn the right ways of asking or finding out.

3. Was the way the remark was formulated or delivered derogatory, mocking or negative about the group/individual/character concerned?

Pupils use their current levels of knowledge and experience to articulate their concerns or lack of understanding, so there is an element of age, experience and ability to consider in this criteria. However, a pupil turning up their nose or being rude at something they perceive as strange about people who are 'different' should be recorded regardless of age or ability. Again, intention is not necessary to this criterion, as the outcome or perception for recipients can be negative whether the child had consciously planned it that way or not.

Why are we recording these incidents?

In recording incidents you are not labeling pupils. The records are held centrally by the school and help us to monitor incidents. Contact with parents / carers of those who have given offence would not be necessary in victimless incidents, unless intent was evident or this was repeated behaviour.

The purpose of recording incidents is not just about proving that you have dealt satisfactorily with serious incidents. Other purposes are to enable the school to:

- have records of and thereby monitor trends and patterns of behaviour
- take preventative action
- provide educational responses to behaviour that is of concern
- measure the effectiveness of our procedures in preventing and dealing with incidents.

Recording and Reporting Incidents

What is a Prejudice-Related Incident at School?

Examples of obvious prejudice

- Prejudicial language.
- Prejudicial comments, name-calling and jokes.
- Imitating accents.

- Prejudicial graffiti or any other written insult.
- Bringing prejudicial materials into school such as badges and literature or any attempt to recruit people into racist organisations.
- Threatened and/or physical assault against a person or group because of colour, ethnicity, religion and belief, disability, gender or sexual orientation.
- Isolating people because of colour, ethnicity, religion and belief, disability, gender, sexual orientation.
- Cyberbullying that has clear use of prejudicial language, comments, etc.

Examples of less obvious prejudice

- Unacceptable stereotype views and images.
- A curriculum that doesn't acknowledge diversity and address prejudice, thus perpetuating it.
- Teachers not following up prejudice-related incidents vigorously, thus condoning it.
- Staff not being fully aware of how prejudice and stereotyping may affect the decisions they make.

Why are prejudice-related incidents 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 crossover between prejudice-related incidents and bullying, but they are also distinct: not all incidents of bullying will be prejudice-related incidents and not all prejudice-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 particular 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.

Prevention

Pupils and staff are actively encouraged to report all incidents involving prejudice-related incidents. Bishop's Hatfield Girls' School will actively work towards the prevention of prejudice-related incidents through:

- The utilisation of the Prejudice-Related Incident Policy and the Equality Policy
- The delivery of assemblies
- The inclusion of prejudice-related issues and concerns in the delivery of the Life Skills programme.
- The delivery of a curriculum which recognises the diverse community of Bishop's Hatfield Girls' School.

Success criteria

A continued successful delivery of this policy shows that:

- All incidents of a prejudice-related nature are reported and investigated consistently and thoroughly.
- Members of the school community have a shared perception of what prejudice-related incidents are and the consequences of being involved in a prejudice-related incident.
- Procedures for dealing with prejudice-related incidents are recognised as fair and appropriate by pupils and their parents\carers and other agencies.
- The school is an inclusive environment for all.

Active responses

It is important that there is a response to each prejudice-related incident - this means recording of information and being accountable for all actions.

- Take action immediately to ensure that the alleged victim, perpetrator and any witnesses understand that the action or behaviour is unacceptable.
- As soon as possible both the alleged victim and perpetrator need to be interviewed to establish the facts. It is likely that additional witness statements will be needed.
- Reinforce expectations held in the school.
- Emphasise that the school has procedures and that there will be appropriate follow up.
- Staff must record all actions and ensure that notes are logged on CPOMS
- Where appropriate, parents/carers will be informed of the incident and reminded of the procedures that follow.
- After investigation, action will be taken in line with the Behavior for Learning Policy and our Actions and Consequences. Information will be disseminated through the pastoral structure to the necessary individuals.
- Allegations made against staff involving racism must be passed onto the Deputy Headteacher (Inclusion) or Headteacher for investigation. In extreme cases, external reference may be made, e.g. Community Police.

See Appendix One for Good Practice Guide to Challenging and Responding to Prejudice-Related Incidents.

Support processes

- Treat all claims seriously.
- Make certain that the victim is fully informed of the procedure and the subsequent chain of events.
- Explain the action that will be taken and state the school's position regarding prejudice-related behaviour.
- Talk through the incident. All involved must be interviewed.
- Establish counselling and support as appropriate.

Recording events

All incidents where there is a perception that a prejudice-related incident has occurred must be recorded initially using CPOMS.

Remember that records may be required by other professionals - e.g. social services, police.

Any example of prejudice perpetrated by a member of staff will be treated as a serious disciplinary matter and will be investigated under the school's Disciplinary Policy.

Serious incidents should be reported to Governors by the Headteacher - e.g. physical violence, repeated harassment, and links with external support groups. The Headteacher will also inform Hertfordshire County Council and Community Police as appropriate.

Liaison with Parents / Carers

The school will continue to ensure close liaison with families of all pupils.

Parents/carers will also:

1. Be made aware of the Prejudice-Related Incident Policy as their child enters the school, and will be expected to uphold the ethos of the school.
2. Be informed of any prejudice-related incident involving their child and will be expected to work with the school to resolve the incident.

Staff Training

The school is committed to ensuring that all staff understand the importance of the policy, and the necessity to deal with each and every incident.

Regular staff training will be provided to ensure that the procedures are followed in reporting allegations of prejudice-related incidents.

Professional development activities are open to all staff - both teaching and support and attendance/involvement is annually monitored.

Teaching and Learning about Equality

The school is committed to including active teaching and learning about equality in its daily life. This is reflected in the relationships and attitudes of staff and pupils, the formal curriculum, and the monitoring of equality of opportunity.

The teaching about equality is covered as an integral part of the school's activities in the following ways:

- Departmental schemes of work
- The Life Skills programme
- Assemblies
- Extra-curricular activities

In all teaching and learning activities a full range of styles is employed to ensure that no pupil is excluded from learning.

Uniform requirements are reviewed routinely to ensure that there is no cultural or religious discrimination or conflict.

All pupils will learn about the basic beliefs, ceremonies, and festivals of the world religions.

All pupils will receive relationship and sex education.

Staff and pupils are allowed to observe religious days and festivals. Staff are allowed unpaid leave of absence for specific religious celebrations and pupils have absences authorised in line with the school's Attendance Policy.

In publications and when groups of pupils represent the school we shall aim to ensure that the diverse mix of the school is shown.

Monitoring and Review

The effectiveness of this policy will be reviewed bi-annually by the Deputy Headteacher with responsibility for Inclusion within the school's policy review schedule.

The school's Pay Policy and Performance Appraisal Policy are annually reviewed and equality of opportunity is implicit throughout their implementation.

The progress, attainment, behaviour and exclusions of pupils of minority ethnic backgrounds will be monitored separately as we do for majority ethnic pupils and pupils with SEND.

Attendance statistics will be monitored by ethnic background, and action taken where intervention is required.

The Governors will monitor the above statistics and information.

Appendix One:

Good Practice Guide to Challenging and Responding to Prejudice-Related Incidents.

All prejudiced language should be challenged and how that challenge is made will depend on the circumstances of the incident, the severity of the incident, who it involves, where it takes place and the intention behind the comment. The following can be adapted for use in challenging all forms of prejudice.

Immediate Action: Suggested statements

- Stop the lesson to discuss the statement - this will make sure that any witnesses will understand that using language in this way/this behaviour is not acceptable.
- "The school policy says that we are all responsible for making this a safe place for everyone. That kind of language makes people feel unsafe. Therefore it is unacceptable."
- "In our school we treat everyone with respect and when you use language like that it is disrespectful."
- "It's really important that at this school people feel able to express their gender however they feel comfortable so we try to avoid gender stereotypes."
- "In our school we want to recognise every pupil's strengths and we don't want people to feel limited by expectations that relate to their gender, ethnicity or religion."

Longer Term Action:

- Conduct a thorough investigation into the incident in line with school policy.
- As soon as possible both the alleged victim and perpetrator need to be interviewed to establish the facts. It is likely that additional witness statements will be needed.
- Reinforce expectations held in the school and the use of unacceptable terminology.
- Emphasise that the school has procedures and that there will be appropriate follow up.
- Parents/carers will be informed of the incident and reminded of the procedures that follow.
- Staff must record all actions and ensure that notes are logged on CPOMS.
- After investigation, action will be taken in line with the Behaviour for Learning Policy, the Protected Characteristics & Prejudice-Related Incident Policy and in line with Actions and Consequences. Information will be disseminated through the pastoral structure to the necessary individuals.
- Undertake education with pupils, exploring acceptable and unacceptable terminology and the reasons why some terms are unacceptable.
- Allegations made against staff involving racism must be passed onto the Deputy Headteacher or Headteacher for investigation. In extreme cases, external reference may be made, e.g. Community Police.

Action to Avoid:

- Ignoring or dismissing the incident - Not recording it because it is assumed to be unintentional.
- Calling the perpetrator homophobic/racist/sexist.
- 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.

Questions when speaking to the perpetrator.

Use reasoning and enquiry questions to get the perpetrator to question the evidence that they are basing their ideas on. Asking questions to enable the perpetrator to question the basis of their own points of view, rather than have you question it for them, is an effective way of challenging an attitude.

- What did you say?
- What do you think that word/s means?
- What makes you think that?
- Why did you say that?
- Do you realise that what you said is racist/disablist/sexist/homo/bi/transphobic?
- That word/s is an insulting term, do you know why?
- I think that's a negative social stereotype. Do you know what a stereotype is?
- Can you think of why some people might be upset when they hear this type of language at school?
- If someone were to disagree with your point of view, what would they say to counter your argument?
- I suggest you find out more about [] before making judgements, come to me at [] and I will give you some resources.

Good Practice

Provide the perpetrator with an alternative viewpoint. Providing an alternative viewpoint gives the perpetrator an opportunity to think about their point of view from a different perspective, which may begin to weaken their attachment to their previous point of view and alter their perspective. You do not need to be an expert in the topic under discussion, instead you can effectively challenge by asking more generic questions such as "Have you considered what affect your opinions might have on the targets of your comment?" and "If someone were to disagree with your point of view, what would they say to counter your argument?"

Empathise with how the perpetrator is feeling. It is important to understand and 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, instead of understanding why a person may feel concerned, has the potential to create bitterness, a feeling that they have not been listened to and to reinforce their prejudice and fear.

Ensure that the target of a prejudice-related incident is provided with support. Those targeted during prejudice-related incidents can often feel lots of different emotions - upset, attacked, angry, intimidated or ashamed, to name just a few. It is important that targets are given support to deal with these feelings after the incident has happened and that ongoing support is provided for the student if

they feel they would benefit from this.

Make sure that all witnesses know that the behaviour was unacceptable and the reasons why. Young people who are engaged in negative behaviour often operate as a group rather than as individuals. Therefore, it is vital to engage not only with those most obviously responsible but also with witnesses, who may have encouraged and supported the behaviour. The role of witnesses should also be considered in the subsequent investigation.

When unsure how to deal with a situation, take it to your line manager. It is good practice to report all incidents to your line manager; the incident will need to be recorded and it is important that there is an awareness of what is going on at all levels of the school. Your manager will also be able to support you and might have had previous experiences of incidents on which to draw.

Proceed with Caution

Provide the perpetrator with the opportunity to take responsibility for their actions and make amends. Ensuring that the perpetrator takes active responsibility for their actions means that they are not able to blame others for the subsequent repercussions, and understand that these have happened as a result of their behaviour. By encouraging the perpetrator to make amends, you are considering the needs of the target and helping to repair the student community. However, this should not be a tick box activity conducted in the heat of the moment straight after an incident has occurred, but something that the perpetrator has the opportunity to reflect upon and a thoughtful and considered response when emotions have calmed down.

Inappropriate responses

Dismissing a pupil's claim that another pupil has been racist because you believe that it wasn't intentional. It is important to recognise that the intention behind an incident does not reduce the impact that an incident has on someone. All incidents should be treated seriously, recorded on the school's prejudice-related incident recording system and investigated by the Senior Leadership Team thoroughly. During the investigation of the incident, it will be discovered if the incident was intentional or not. If it is discovered that the incident was not intentional, then the perpetrator may just need some education as to why their behaviour is unacceptable. If it is found that it was intentional, then it might be appropriate to issue an appropriate sanction as well as education to the perpetrator.

You tell the person that they are racist/homophobic/sexist. Telling someone that they are racist has the potential to inflame the situation, causing them to become angrier and/or defensive as well as hardening their original attitude or opinion. It could also breed the person's resentment towards you, which could cause a breakdown in the relationship between you both.

You tell someone that their behaviour is unacceptable, without offering any explanation of why. Simply telling someone that their opinion is unacceptable without offering any explanation of the reasons why will not change that person's opinion, instead it may cause them to become angry and defensive and breed resentment towards you. In addition, whilst the student may decide not to voice this opinion or similar ones again as it has been deemed unacceptable by others, they may still harbour the opinion internally, which could consciously or subconsciously affect their attitudes and

behaviours towards other students and members of staff and lead to further incidents arising.

You dismiss a complaint that a comment is racist because your Black/Asian/Gay/Lesbian/Female colleague/pupil says that the language used is fine. It is important to remember that one person cannot speak on behalf of all people, and just because someone is from a protected group this does not mean that they fully understand the history of homophobic/racist/sexist language and the impact that this language can have on someone's feelings of inclusivity and safety. If someone perceives a prejudice-related incident to have occurred, it is important to take it seriously and make sure that the incident is investigated. Whilst language is constantly evolving, there is a UK consensus on acceptable and unacceptable words for use in a workplace/school environment.