

Recording, reporting and responding to racism, homophobia, biphobia, transphobia, disability discrimination and hate crime in Northumberland schools.

Updated June 2016



Principles and Context

Northumberland County Council seeks to provide a safe, secure and supportive environment. We support schools to create environments where:

- Children and young people can achieve their potential, because they feel safe
- Children and young people feel free and safe to be themselves whatever their family circumstances, culture, ethnicity, sexual orientation, gender identity or disability.

Northumberland County Council supports all schools to ensure that they comply with the Equality Act 2010.

This means that our schools and settings are proactive in discharging the Public Sector Equality Duty (PSED). This legal duty requires that schools

- Tackle discrimination
- Promote equality of opportunity and
- Foster good relations.

Context from Issue 18 of the quarterly [‘Know Northumberland’ Bulletin](#) (January 2016)

Population

- Northumberland is home to 316,000 people and covers an area of 5,013 km², of which 96.7% is classed as rural
- 49.1% of the population live in rural areas compared to the North East (18.8%) and England (18.9%)
- The number of people aged 65+ is set to increase by 60% by 2035 (North East 53% and England 60% (2012 based population projections)
- The county is sparsely populated with 63 people per km² (North East 304 and England 411 (2013)
- 51% of the population live in the 3% of urban land based mainly in the South East of the county.

Ethnicity

- According to the 2011 Census, in Northumberland 311,100 residents (98.4%) were White compared to 95.3% in the North East and 85.4% in England
- In Northumberland there were 5,000 residents classed as Non-White, and the greatest number of these was Asian or Asian British (0.7%) compared to North East which has a proportion of 2.9%
- The percentage of the Northumberland population classed as White in the 2001 Census was 99.05%.

Crime

- Crime rates (per 1,000 population) are low in Northumberland (39.5) compared to the North East (60.3) and England (64.5) (Sep 15 Crime Survey England and Wales).

Language and ethnicity in schools

The January 2016 census contains records for 46,145 children in Northumberland schools:

- 43,507 of these pupils were defined as White British, or White English (94 %) 2168 pupils are ascribed as minority ethnic (5%)
- 1.6% (739) of pupils speak English as an Additional Language across all of Northumberland's schools
- 70% of schools in the county have at least one pupil whose first language is not English. At least 51 community languages are spoken by children attending Northumberland schools. The most commonly spoken languages are Polish, Panjabi and Mandarin.

Objectives

Effective equalities practice in schools should acknowledge and set specific and measurable objectives to address:

- Increasing numbers of migrant families living and working in Northumberland
- Islamophobia and right-wing extremism, particularly following major incidents such as the Paris bombings in November 2015.
- Prejudice and discrimination towards economic migrants, refugees, asylum seekers and Gypsy Roma Traveller communities exist in the county
- The threat posed by Islamist extremists who seek to recruit and radicalise
- Increasing numbers of transgender, gender variant and gender nonconforming pupils
- Northumberland County Council's commitment to resettle Syrian refugees from Autumn 2016
- Safeguarding and promoting the welfare of children is everyone's responsibility. Everyone who comes into contact with children and their families and carers has a role to play in safeguarding children. In order to fulfil this responsibility effectively, all professionals should make sure their approach is child-centred. This means that they should consider, at all times, what is in the best interests of the child ([Keeping Children Safe in Education. Statutory Guidance for Schools. From September 2016](#)).

The Role of the Local Authority in supporting schools

The Education and Skills service supports schools by:

- Collating and reporting annually on the number of racist incidents submitted by those schools who submit Form 1 as incidents occur and Form 2 annually after discussing the racist incident total for the year with governors

- Brokering further support from partner organisations such as Northumbria Police or Show Racism the Red Card and Stonewall and to help schools to recognise when hate crime may be a precursor to radicalisation and extremism
- Assisting schools to develop relevant curriculum resources and content relating to, for example; values, PSHE, emotional health and wellbeing, SMSC and the Character Curriculum
- Supporting schools to be compliant with the requirements of the Public Sector Equality Duty by offering training and packages of support to enable effective compliance
- Reporting to the LSCB on current priorities to address affecting children and young people in Northumberland. This includes issues affecting lesbian, gay, bisexual and transgender (LGBT) and disabled children and young people, children with disabilities, issues arising from heritage languages, religious diversity, diverse parenting circumstances and ethnicity
- Inform schools about legal and Ofsted requirements.

Requirements

- The only type of discriminatory incident which is reported by schools to the Local Authority is a racist incident
- All other forms of discrimination should be recorded and responded to in accordance with the school's own behaviour and anti-bullying policies
- The format and procedures for recording a racist incident are for each Local Authority to decide. In Northumberland schools are requested to record all racist incidents as they occur (Form 1), and submit an annual overall report to their Local Authority (Form 2). Links to these documents are on the final page of this guide.
- Schools must ensure that when a child is permanently excluded for a racist incident, that this is recorded on the local exclusions form and recorded on the racist incident form
- Headteachers should ensure that governors are aware of incidents of prejudice, discrimination and hate crime

- It should be clear to all staff and pupils how an incident is to be reported. All staff should be aware that challenging harassment and discrimination is vital to safeguarding the wellbeing of all pupils in school
- The recording of incidents must comply with the Freedom of Information Act 2000 and Data Protection Act 1988.

Explanations

Bystanders and upstanders

Bystanders provide a perspective, which can help ‘unravel’ a situation. Some schools find that recording the names of the bystanders at the time of dealing with an incident can help promote proactive and positive actions amongst peers when they see bullying happen. A focus on the roles of bystanders and upstanders in dealing with discrimination and prejudice can have a very positive impact on outcomes and help eliminate future incidents.

Disability discrimination

It’s against the law for a school or other education provider to treat disabled students unfavourably. This includes:

- ‘direct discrimination’, e.g. refusing admission to a student because of disability
- ‘indirect discrimination’, eg only providing application forms in one format that may not be accessible
- ‘discrimination arising from a disability’, eg a disabled pupil is prevented from going outside at break time because it takes too long to get there
- ‘harassment’, eg a teacher shouts at a disabled student for not paying attention when the student’s disability stops them from easily concentrating
- victimisation, eg suspending a disabled student because they’ve complained about harassment.

Homophobic, Biphobic and Transphobic Incidents

A homophobic, biphobic or transphobic hate incident is defined as. *"Any incident which is perceived by the victim or any other person, to be motivated by a hostility or prejudice based on a person's sexual orientation or gender identity."*

Ofsted may ask to see how a school has dealt with bullying, discrimination and language reflecting hostility towards sexual orientation and gender identity.

Discrimination might also include a school refusing to acknowledge a young person’s right to be openly gay, bisexual or lesbian, or stating that it would be impossible or impractical for a young person to come to school in the gender which corresponds to

their identity (eg a child assigned male gender at birth attending school and living as a girl).

It is important for schools to be clear that sexual orientation (who you like) is not confused and conflated with gender identity (who you are).

Racism

Racism includes all practices, procedures, actions or behaviours that discriminate against or disadvantage people because of their race, colour, nationality or ethnic group.

For the purposes of tackling racism in schools it is strongly recommended that schools adopt the following definition first used in the recommendations that followed the murder of Stephen Lawrence:

'Any incident which is perceived to be racist by the victim or any other person'

When recording a racist incident it is important to remember that the ethnicity of the target (previously referred to as 'the victim') is not of any significance in defining whether or not the incident is a racist incident. It is also irrelevant whether or not the perpetrator intended their behaviour or language to be racist.

Radicalisation and extremism

Schools have a duty to prevent vulnerable young people from being drawn into radicalisation and extremism. One of the early signs of this vulnerability can be the expression of extremist views about religion, ethnicity, nationality or same sex relationships. If you feel that you would like further support to explore or address this aspect of an incident you report, please make a note on the form, or contact Gill.Finch@northumberland.gov.uk. If your concern is urgent, please contact the police directly by calling 101, Extension 63854 or email specialbranch@northumbria.pnn.police.uk.

Religious hate crime

The definition from the [Crown Prosecution Service](#) is:

'any incident which is perceived to be religious by the victim or any other person.'

Racist or religious offences are committed against people because they belong, or are perceived to belong, to certain racial or religious groups. It includes being perceived (even incorrectly) to belong to a religious group.

Racial group - means any group of people who are defined by reference to their race, colour, nationality (including citizenship) or ethnic or national origin. For example, this term could include travellers, refugees or asylum seekers.

Religious group - means any group of people defined by reference to their religious belief or lack of religious belief. For example, this would include Muslims, Hindus and Christians, and different sects within those religions. It would also include people with no religious belief at all.

Subject

We prefer and use the word 'subject' to victim. Calling somebody a victim implies that they were, and perhaps still are, helpless. In using subject instead of victim we can help everyone involved (especially the person who has been subjected to racism, inadvertently or purposefully) move on from the incident. Incidents should be taken seriously and resolved without any lasting feeling of victimisation.

The Local Authority procedure for recording racist incidents in Northumberland

Procedure	Commentary
Racist incident occurs...	
School follows procedure	Guided by the school's own behaviour and anti-bullying policies
Details recorded by school	Using form 1 (see Appendix 1)
Reported to Local Authority	Email Form 1 to Gill.Finch@northumberland.gov.uk And send a copy of exclusions form if appropriate within 5 days of the incident
Report to other agencies or the police	At the school's discretion or because there may be links to radicalisation or extremism
Local Authority response	You may be offered further support (the incident may be part of a wider pattern of discriminatory behaviour)
Local Authority prepares and submits the annual data summary for governing body to approve	Form 2 will be sent in the autumn term by Lisa Headington to be signed by the Chair of Governors and returned by 31st December following the academic year being reported
Local Authority publishes an annual report	An annual report is produced in the spring of each year. The data is presented in a way that maintains confidentiality

Resources

[Diversity in Diction. Equality in Action](#) A helpful guide to language from the TUC

[Getting Started Toolkit \(Primary\)](#) A new Stonewall guide to help schools challenge HBT bullying. The toolkits include a template a school can use to record any kind of bullying and prejudice related incident in school, as well as scripts which build staff confidence to challenge homophobic, biphobic and transphobic bullying.

[Getting Started Toolkit \(Secondary\)](#) A new Stonewall guide to help schools challenge HBT bullying. The toolkits include a template a school can use to record any kind of bullying and prejudice related incident in school, as well as scripts which build staff confidence to challenge homophobic, biphobic and transphobic bullying.

[An introduction to supporting LGBT Young People](#) new from Stonewall

[Show Racism the Red Card](#) Can deliver free anti-racist education workshops in schools

[CPS Hate Crime Schools Project](#) Three teaching resources to help young people to understand the sentencing implications of involvement in race, disability and LGBT hate crimes or incidents

[Bystanders and Bullying](#) A resource from the Anti-Bullying Alliance exploring the role of the bystander and roles played by helpful and unhelpful bystanders.

[Form 1](#) This is the form to use to report a racist incident within 5 days of one occurring. This link will work if you have a Google account.

[Form 2](#) This is the form you will receive completed by Lisa Headington in the autumn term with your total number of racist incidents from the previous academic year. It should be validated by the governing body and returned to Lisa by the end of December. You don't need to complete this form yourself. Lisa completes it with the data held centrally about the incidents your school has submitted. We compile an annual report based on these returns.