

**St. Andrew's Primary School**

**Prejudice Related Incidents Policy**



**Headteacher: Mrs N. James**  
**Chair of Governors: Mr J Waine**

**Date: January 2024**  
**Date for review: January 2026**

## **Contents**

1. Protected Characteristics
2. Aims and Objectives
3. Roles and Responsibilities
4. Definitions
5. Understanding Bullying and Prejudice Related Incidents
6. Recording Prejudice Related Incidents
7. Creating an Anti-Prejudice Culture
8. Responding to Prejudice Related Incidents
9. Other Related Policies and Documents
10. Legal Framework
11. Complaints

## **Protected Characteristics**

The Equality Act 2010 replaced previous anti-discrimination laws with a single Act. For school pupils this covers seven 'Protected Characteristics':

- Disability
- Gender Reassignment (Gender Identity)
- Pregnancy and Maternity
- Race (Ethnicity)
- Religion or Belief
- Sex (Gender)
- Sexual Orientation

For school staff and adults in the school community, this also includes Age, and Marriage and Civil Partnership.

## **Aims and Objectives**

At St Andrew's Primary School we aim to tackle discrimination and promote equality of opportunity and good relations across all aspects of school life.

We do not discriminate against pupils on the grounds of their gender, disability, race, religion or belief, sexual orientation, gender reassignment, pregnancy or maternity, these can be called the Protected Characteristics, in line with requirements in the Equality Act 2010 and covers both direct and indirect discrimination.

This policy aims:

- To promote the principles of fairness and justice for all through the education that we provide in our School.
- To ensure that all pupils have equal access to the full range of educational opportunities provided by the School.
- To constantly strive to remove any forms of indirect discrimination that may form barriers to learning.
- To challenge stereotyping and prejudice whenever it occurs.
- To celebrate the cultural diversity of our community.
- To ensure staff, parents and pupils understand the procedures for recognising, reporting and monitoring prejudicial incidents.
- To ensure staff, parents, pupils and Governors understand the complexities of bullying and prejudice related incidents.

## **Roles and responsibilities**

### **The governing board will:**

- Be responsible for ensuring the school complies with the appropriate equality legislation and regulations.
- Take all reasonable steps to ensure pupils and potential pupils will not be discriminated against, harassed or victimised in relation to:
  - Admissions
  - The way the school provides an education for pupils
  - How pupils are provided with access to benefits, facilities and services
  - The exclusion of a pupil or subjecting them to any other detriment.
- Ensure all policies are developed and implemented with appropriate equality impact assessments informing future plans in collaboration with the headteacher.

### **The Senior Management team, under the guidance of the Head teacher will:**

- Implement this policy, ensuring that all staff and pupils apply its guidelines fairly in all situations.
- Conduct regular training sessions to ensure all members of staff are aware of their responsibilities, as well as to develop their skills and knowledge.
- Review and amend this policy, taking into account new legislation and government guidance, and previously reported incidents, in order to improve procedures.
- Ensure that appropriate counselling is made available for pupils who require immediate interventions, parental assistance and personal counselling.

### **Staff will:**

- Be alert to the possible harassment of pupils, both inside and outside of the school, and to deal with incidents of harassment/discrimination as the highest priority.
- Carry out their statutory duties relating to equal opportunities, inclusivity and pertaining to their specific roles.
- Have due regard to the sensitivities of all pupils, and not provide material that may cause offence.

### **Parents will:**

- Follow the school's parent conduct policy.
- Set a good example to their children in terms of not encouraging prejudice discrimination.
- Speak to school staff about any concerns they have about prejudice incidents.

**Pupils will:**

- Follow the school's three rules:
  - Everyone has the right to be respected
  - Everyone has the right to be safe
  - Everyone has the right to learn

**Definitions**

Bullying may be defined as deliberately hurtful behaviour, usually repeated over a period of time, where it is difficult for those bullied to defend themselves. Bullying may or may not be because of a protected characteristic.

Prejudice related incidents are one-off incidents relating to a protected characteristic, which may or may not be directed at an individual. They may or may not be carried out with the intention to harm or cause offence.

**Understanding Bullying and Prejudice Related Bullying**

We have a separate Anti-Bullying Policy which clearly explains our aims and procedures regarding bullying and a separate Online Safety Policy which clearly explains procedures for online Bullying.

Bullying (including prejudice-related bullying) can take many forms including;

- name-calling,
- threatening,
- humiliation,
- playing tricks and pranks,
- spitting,
- hitting,
- pushing and jostling,
- 'accidentally' bumping into someone,
- damaging or taking belongings,
- malicious text messages,
- e-communications and photographs,
- leaving people out of groups or games or social occasions,
- spreading hurtful and untrue rumours.
- incitement to behave in a prejudicial manner e.g. wearing racist badges, recruiting to racist organisations, bringing in homophobic literature
- graffiti or damage to property
- discriminatory behaviour e.g. refusing to work with a pupil because of their religion

Several of these behaviours plainly involve the use of words. Several, however, may be non-verbal, involving body language, gesture and facial expression. Non-verbal behaviours can be just as hurtful and intimidating as those which involve abusive language and all must be recorded.

Not all prejudice-related incidents necessarily involve bullying. For example, if two pupils have an argument in the playground, and if in the heat of the moment, one uses a derogatory term about the other's cultural or ethnic background, this would be recorded as a racist incident; it would probably not, however, be thought of as an example of bullying. Or if a pupil uses inappropriate language or expresses prejudice during a classroom discussion, this might be recorded as a prejudice-related incident, but would not be thought of as an example of bullying.

The Stephen Lawrence Inquiry report was very clear about how a *racist* incident should be defined, stating that: “**A racist incident is any incident which is perceived to be racist by the victim or any other person**”. It would therefore be beneficial to utilise that definition for other types of incident: ‘**A prejudice-related incident is any incident which is perceived to be prejudiced by the victim or any other person**’. It is this perception by the victim or bystander that something was disablist, homophobic, racist, sexist, transphobic, xenophobic etc that makes it a prejudice-related incident. Similarly, in the case of any prejudice-related incident, it is always important to not only focus on what has been done, either intentionally or unintentionally, but to also focus on the *impact* that the incident has had, and the impression that it has made, on an individual or group. Careful unpacking, ensuring that all perspectives are taken into account in a safe and supportive environment, is the most helpful and positive way to resolve such incidents.

At **St Andrew's Primary School**, we define a prejudice-related incident as any incident which is perceived by the victim, or any other person, to be prejudiced towards an individual due to one or more of the protected characteristics of the Equality Act 2010. We recognise the following protected characteristics, as outlined in the Equality Act 2010:

1. Race
2. Age
3. Disability
4. Sex
5. Religion/Faith
6. Transgender
7. Sexual Orientation
8. Pregnancy/Maternity
9. Marriage or civil partnership

## **Recording Prejudice Related Incidents**

- St Andrew's Primary School uses CPOMs to record incidents. This will also be used to log any prejudice related incidents.
- Staff must record the incident accurately, using the exact words being used, naming the alleged perpetrator and initialling the alleged target. Staff must state what actions were taken e.g. a discussion about how their action or comment was inappropriate, restorative approach discussion with the target, further investigation into bullying accusation, meeting with a senior lead to seek advice, PSHE lesson around the issue, invited outside agency to come and talk to children etc.
- Staff must tag the correct category: Prejudice related Incident > then which protected characteristic.

### **Examples of when a log should be made**

1. If an incident occurs and the victim is only perceived to have that protected characteristic (e.g. "you're gay" and the victim is not) then this must still be recorded.
2. If an issue arises for a person who is associated with someone with that characteristic. For example, a pupil whose relatives are practising Pagans may be targeted by others who do not understand Pagan traditions..." your Gran's a witch". This should be recorded.
3. If a child uses words without an understanding of their meaning but the impact on the target can still be harmful. One young person may not understand the meaning of a word and use it as a form of insult because they have heard it being used in that way by others, but another of equivalent age may be very familiar with the meaning because of their family background. These incidents should both still be recorded.
4. 'A prejudice-related incident is any incident which is perceived to be prejudiced by the victim or any other person'. This should be recorded.

Incidents will be regularly monitored to identify any patterns and learn from them, so that wider action can be taken to reduce the likelihood of them happening in future. This data will be reported to Governors within the HT report on a termly basis.

If a member of staff is accused of prejudicial discrimination the school will follow the following policy guidelines:

- Low Level concerns
- Staff Conduct Policy
- Disciplinary Policy

## **Creating an Anti-Prejudice Culture**

Insults can surface fleetingly in lessons or during breaktime activities: comments such as “you’re just a girl” addressed to either gender, “that’s so gay” or “you mong”. Such comments can be seen as part of growing up, and may seem unremarkable or irrelevant, but if left unchallenged they contribute to an adverse culture in the school in which prejudice is more likely to occur.

**This needs to be challenged and prevented as far as possible by building a culture of respect and empathy. We do this in a number of ways:**

- Our staff have been trained by the Local Authority about Equality and Diversity and are aware of the protected characteristics.
- Our Equality Policy sets 3 objectives to improve equality and diversity, these are reviewed every 4 years with Governors of the Children’s and Standards committee.
- Books in the school library and in classrooms challenge stereotypes and examine the impact on those with protected characteristics, who face discrimination or prejudice.
- Our PSHE and RSE curriculum teaches children about kindness and tolerance and respectful relationships.
- Our assemblies teach children about equality and teaches children about difference, examining different cultures, faiths and beliefs as well as celebrating festivals and rituals throughout the year.
- Pupils are taught what a prejudice related incident looks like and what they should do if they experience or witness it.
- Our school’s core values encourage respect, compassion and integrity, needed to be ensure children are kind to all.
- We ensure all pupils have equal access to breakfast clubs, after school clubs, sports festivals etc
- Pupils have a voice about equality within the Everyone’s Equal and School Council action groups, which meet half termly.
- Welcome outside agencies to give expert guidance to pupils on sensitive matters such as hate crime and racism.



- We have a non-gender specific uniform policy.

### **Responding: What staff should do if they become aware of an alleged prejudice-related incident?**

- Ensure an appropriate and speedy response, depending on the circumstances around awareness of the alleged incident (whether reported, or witnessed first-hand).
- Be mindful to avoid premature judgements on, or responses to, what was witnessed/is being reported. However, if a pupil has been at the receiving-end of the alleged incident, they will need to have a clear message at this point demonstrating concern, support, availability to listen, and an intention to make every effort to investigate what has happened and address it.
- As soon as possible, find an appropriate space and gather information about what has happened from all parties.
- Once accounts have been gathered, ask the pupil who has experienced the alleged incident what they would like to happen moving forwards. It is important to have the pupil's support on the direction in which events proceed from this point, as they need to feel confidence in the way in which the incident is being responded to.
- If both parties are being spoken to together, it may still be appropriate to ask them both what they think should happen from this point. However, it is important to ensure that the pupil who has experienced the alleged incident is in a situation where they feel confident enough to speak candidly about what they think should happen.
- Record the details of the alleged incident on a prejudice related incident on CPOMS.
- Ensure that perpetrators are not just subjected to consequences, but have a clear understanding of *why* their words/actions were unacceptable. Any consequences should be delivered within the framework of the school's behaviour policy and should consider learning from the incident. Ensure that individual circumstances such as Special Educational Needs are taken into consideration when deciding upon consequences.
- Ensure that relevant and appropriate members of school staff/governing body are informed, and involved as and where necessary both in any action taken, and in following through.

- If appropriate, ensure that parents/carers of all parties involved are informed. Discussions with the pupil who has experienced the alleged incident may help any decision here, i.e. – based on what they would like to happen. The parents/carers of either party may wish to meet with the relevant members of staff to discuss the alleged incident, its investigation, and the outcomes. Confidentiality should be considered where necessary.
  
- At any stage during the course of a school response, it may be decided that it would be beneficial to contact the local authority for advice, guidance or signposting (contact details at the end of this document).
  
- In more serious cases, the police may need to be involved, as a prejudice-related incident may need to be reported to the police as a potential hate incident or a potential hate crime. Police and the Crown Prosecution Service classify hate incidents as any incident which is perceived by the victim, or any other person, to be prejudiced towards an individual, due to disability, race, religion, transgender identity or sexual orientation. (N.B. this list is shorter than the list of protected characteristics). If a crime may have been committed the category of a potential hate crime may apply. As the age of criminal responsibility in England is 10 years old, this category is unlikely to apply if the perpetrator is under 10. Criminal offences might include behaviour such as: malicious communications, assault, public order offences, criminal damage, harassment or sexual assault.

**This Policy is also related to the following policies and documents:**

1. Anti Bullying Policy
2. Behaviour Policy
3. Equality Policy
4. Equality Guidance document
5. PSHE Curriculum and policy
6. RSHE policy
7. SEND Policy
8. Data protection policy
9. Complaints Policy
10. Safeguarding and Child Protection Policy
11. Curriculum Policy
12. Uniform policy

**Legal framework**

This policy has due regard to statutory legislation, including, but not limited to, the following:

- Human Rights Act 1998

- The Equality Act 2010
- Data Protection Act 2018
- Children and Families Act 2014

This policy has due regard to statutory guidance, including, but not limited to, the following:

- DfE (2014) 'The Equality Act and schools'
- DfE (2018) 'Promoting the education of looked after children and previously looked after children'
- DfE (2014) 'Equality Act 2010: advice for schools'
- DfE (2018) 'Mental health and wellbeing provision in schools'

### **Complaints:**

If you believe that you or your child has received less favourable treatment on any of the unlawful grounds listed above, or if you feel that this policy has been breached in any way to yours or your child's detriment, you are encouraged to raise the matter through the School's formal Complaints Procedure, by firstly, raising a concern with the Headteacher or deputy head, in her absence. Should the issue not be resolved then a formal complaint must be submitted following the complaints procedure. For a copy of the School's Complaints Policy, please see the school website or ask the school office for a copy.

Allegations regarding potential breaches of this policy will be treated in confidence and investigated in accordance with the complaints procedure.

*If you have any queries about anything raised in this document, or to access support, advice and guidance, including staff and governor training, assemblies and classroom sessions, please contact:*

**Equalities Education at [EqualitiesEducation@durham.gov.uk](mailto:EqualitiesEducation@durham.gov.uk) .**