

**Guidance**

**Dealing with and  
reporting prejudice-  
based incidents and  
hate crimes in schools.**

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Version 1

EMA Network

# 1. Introduction

- 1.1. Milton Keynes City Council values the benefits of having a diverse population. It also recognises the harmful effects of bullying and prejudice in society. These can unfairly limit the life chances of young people and exclude them from full participation in social, economic, political and cultural life. We believe in celebrating diversity, and that eradicating all forms of prejudice and promoting equality for all must be an integral part of all schools' work.
- 1.2. These guidelines will help schools fulfil their duty to eliminate discrimination, harassment and victimisation and their duty to foster good relations. It provides schools with information about how to deal with and report on the frequency and extent of prejudiced based incidents within school.
- 1.3. The definitions of a prejudiced based incident and a hate crime are as follows:
- 1.3.1. **A prejudiced based incident** is any incident which is perceived by the victim, or any other person, to be prejudiced towards an individual, due to one or more of their protected characteristics, which are age, disability, faith, gender identity/reassignment, marriage and civil partnership status, pregnancy and maternity status, race, sex or sexual orientation.
- 1.3.2. **A Hate Crime** is any criminal offence which is perceived by the victim or any other person to be motivated by a hostility or prejudice based on a person's real or perceived:
- Disability
  - Race
  - Religion
  - Gender identity
  - Sexual orientation
- Although this sort of crime is collectively known as 'Hate Crime' the offender doesn't 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.*
- 1.4. The Milton Keynes Equality Council (see section 12) can provide independent advice about whether or not an incident constitutes a hate crime.

## 2. The school's equality duty

- 2.1. These guidelines will enable the school to meet the general duty outlined in Section 149 of the Equality Act. It has three aims requiring public bodies to have due regard to the need to:
- eliminate discrimination, harassment, victimisation and other conduct that is prohibited by or under the Equality Act 2010
  - advance equality of opportunity between persons who share a protected characteristic and persons who do not share it
  - foster good relations between persons who share a protected characteristic and persons who do not share it.

### 3. Prevention of prejudiced based incidents and hate crime

- 3.1. Preventing such incidents is a shared task between the school, pupils, parents/ carers and staff.
- 3.1.1. Every **pupil** should understand the benefits of an inclusive, harassment-free school and that prejudice based behaviours are unacceptable.
- 3.1.2. The **school** should have a policy and action plan for dealing with such incidents, which may be included within the equal opportunities policy. All school policies and practices should have due regard to “fostering good community relations”, which is part of the General Equality Duty. These may include a specific reference that prejudice based behaviours, e.g. including the use of racist or homophobic language, as unacceptable.
- 3.1.3. Every **parent, guardian or carer** should understand and have confidence in the school’s readiness to challenge all forms of prejudiced based incidents and anything which may escalate into hate crime. Explicit references within the school prospectus and other documentation sent to parents can be very helpful in this respect and home-school agreements can assist in maintaining and strengthening good practice.
- 3.1.4. All **staff** should continue to update their professional development with the knowledge and skills necessary for the prevention and handling of prejudice based incidents and for the “fostering of good community relations” within the school’s ethos.

### 4. Recommended procedures

- 4.1. All schools should have a named member of the senior management team responsible for dealing with prejudice based incidents.
- 4.2. It is important that:
- prejudice based incidents and hate crimes are clearly identified as such and the frequency and nature of them is monitored within the school
  - preventative action is taken to reduce the likelihood of such incidents occurring
  - the wider implications of such incidents for the school and local community are recognised
  - full and regular reporting of these incidents is provided to the Governing Body
  - staff are familiar with formal procedures for recording and dealing with prejudice based incidents and hate crimes so they are vigilant regarding these behaviours

- pupils are involved in drawing up and agreeing principles and codes of practice relating to all types of bullying and harassment, and play a part in dealing with prejudice based incidents and hate crimes
- parents are involved in agreeing principles and procedures for dealing with prejudice based incidents and hate crimes
- perpetrators are dealt with effectively
- victims of prejudice based incidents and hate crimes are supported.

## **5. Identifying prejudiced based incidents and hate crime**

### **5.1. Incidents may include:**

- threatened or actual physical assault
- derogatory name calling, insults, for example racist jokes or homophobic language
- hate graffiti (e.g. on school furniture, walls or books)
- provocative behaviour e.g. wearing of badges or symbols belonging to known right wing, or extremist organisations
- distributing literature that may be offensive in relation to a protected characteristic
- verbal abuse
- inciting hatred or bullying against pupils who share a protected characteristic
- prejudiced or hostile comments in the course of discussions within lessons
- teasing in relation to any protected characteristic e.g. sexuality, language, religion or cultural background
- refusal to co-operate with others because of their protected characteristic, whether real or perceived
- expressions of prejudice calculated to offend or influence the behaviour of others
- attempts to recruit other pupils to organisations and groups that sanction violence, terrorism or hatred.

### **5.2. It is important to recognise that:**

- such incidents are often part of more complex interactions which may take place in school - for example, an argument about friendship may lead to a prejudiced based incident or a hate crime
- teachers may need to deal with prejudiced or hostile comments made by parents or other adults as well as by pupils
- incidents may involve group as well as individual behaviour
- prejudice based incidents and hate crimes are not always explicit – for example, a pupil may be called ‘smelly’ and behind such insults may lie a hate element
- prejudiced behaviour can occur without any one belonging to the targeted characteristic being present – for example, telling disabilist jokes
- acts or expressions may include negative body language – for example, the refusal to sit next to, or work with a homosexual pupil
- harassment is not based on whether or not the perpetrator intended to harass, or understands the prejudiced content of what s/he has done, but rather the effects of the incident.

## 6. Dealing with perpetrators

### 6.1. Incidents involving pupils

6.2. Schools may feel it appropriate to develop a checklist as part of their policy to ensure internal consistency in the use of sanctions in relation to incidents involving pupils. It is recognised that staff members will use their professional judgement in dealing with specific incidents, but individual practice should be based on school policy.

6.3. Responses may include sanctions, withdrawal of privileges, counselling and the involvement of other professionals, e.g. police or council officers, or organisations such as Milton Keynes Equality Council. A list of sources of support and advice, both general and specific, is provided in Section 12.

6.4. The following table provides some ideas for appropriate actions that could be taken in response to different types of incidents.

Type of incidents	Suggested actions	Possible Hate Crime?
(a) Physical assault	<ul style="list-style-type: none"> <li>Report to the class/subject teacher, Head of Year or Headteacher as appropriate</li> <li>Record on the Prejudiced Based Incident Reporting Form</li> <li>Provide a full report to the named person/Headteacher</li> <li>Inform parents/carers</li> <li>Take necessary action to prevent recurrence</li> </ul>	Yes
(b) Derogatory name calling	<ul style="list-style-type: none"> <li>Never ignore any derogatory name calling, insults and prejudiced forms of verbal abuse in school</li> <li>Explain fully to the perpetrator that verbal prejudice abuse will not be accepted</li> <li>Refer offenders to the named person/Headteacher as appropriate</li> <li>Record on the Prejudiced Based Incident Reporting Form</li> <li>Inform parents/carers</li> <li>Request agencies for intervene to provide training/strategies depending on the nature of the incident (see section 12)</li> </ul>	Yes
(c) Hate graffiti	<ul style="list-style-type: none"> <li>Report all prejudiced and offensive graffiti in the school to the named person/Headteacher</li> <li>Take action to remove graffiti immediately</li> <li>Check regularly and take steps to remove and discourage the re-appearance of graffiti</li> </ul>	Yes

<b>(d)</b> <b>Wearing hate badges or insignia</b>	<ul style="list-style-type: none"> <li>• Do not permit wearing of hate badges or insignia</li> <li>• Refer perpetrators to the named person/Headteacher as appropriate</li> <li>• Record on the Prejudiced Based Incident Reporting Form</li> <li>• Inform parents/carers</li> </ul>	Yes
<b>(e)</b> <b>Bringing hate materials into school</b>	<ul style="list-style-type: none"> <li>• Remove all forms of hate literature, such as leaflets, comics materials or magazines</li> <li>• Refer pupils to the named person/Headteacher as appropriate</li> <li>• Inform parents/carers</li> </ul>	Yes, may fall under incitement legislation
<b>(f)</b> <b>Prejudiced based comments during lessons</b>	<ul style="list-style-type: none"> <li>• Challenge comments/statements</li> <li>• Speak to the young person after the lesson to ensure they understand what they said was unacceptable and why</li> <li>• Record hate incidents occurring in each lesson as a separate incident as outlined in the school's policy</li> <li>• Inform parents/carers</li> </ul>	Yes, may fall under incitement legislation
<b>(g)</b> <b>Attempts to recruit to organisations or groups</b>	<ul style="list-style-type: none"> <li>• Report immediately to the named person/Headteacher</li> <li>• Recruiter should be interviewed</li> <li>• Record on the Prejudiced Based Incident Reporting Form</li> <li>• Inform parents/carers</li> </ul>	Yes, may fall under incitement legislation
<b>(h)</b> <b>Ridicule of an individual for cultural or other differences e.g. food, music, dress, appearance, etc</b>	<ul style="list-style-type: none"> <li>• Never ignore any attempt to ridicule an individual within school</li> <li>• Explain fully to the perpetrator that verbal prejudice abuse will not be accepted</li> <li>• Refer offenders to the named person/Headteacher as appropriate</li> <li>• Record on the Prejudiced Based Incident Reporting Form</li> <li>• Inform parents/carers</li> </ul>	Yes
<b>(i)</b> <b>Refusal to cooperate with others because of a protected characteristic e.g. race, disability, sexuality</b>	<ul style="list-style-type: none"> <li>• Explain that pupils should work collaboratively. Every pupil should have the right to be included in school activities</li> <li>• Refer perpetrators to the named person/Headteacher as appropriate</li> <li>• Record on the Prejudiced Based Incident Reporting Form</li> <li>• Inform parents/carers</li> </ul>	No
<b>Schools may request support and advice from Milton Keynes City Council and other agencies for specific incidents. See section 12 for list of contacts</b>		

## **6.5. Dealing with members of staff**

6.6. The council makes it clear that prejudiced behaviour from any member of staff of an educational establishment towards any pupil, parent or another member of staff will not be tolerated and, if it occurs, disciplinary action will be taken.

## **6.7. Volunteers and visitors in school**

6.8. Schools should bring the school's policies to the attention of volunteers who work in the school on a regular basis. This will include a school's Single Equality Scheme.

## **6.9. Incidents outside school**

6.10. There may be occasions when prejudiced based incidents or hate crimes that have occurred outside school, or involve outside perpetrators, are brought to the attention of the Headteacher. These incidents should be reported to the police and/or Anti Hate Crime Group who may wish to take action under hate crime legislation. Opportunity should also be taken to condemn such incidents publicly.

# **7. Governors' role in responding to prejudice-based incidents and hate crime**

7.1. The Governing Body has, in partnership with the Headteacher, responsibility for the overall management of the school. The focus of its work is to raise standards of achievement, establish high expectations of all pupils and promote effective teaching and learning. These aims can only be achieved in a safe and secure environment where all pupils feel free from harassment of any kind.

7.1.1. Governors have a key role in establishing the ethos of the school

7.1.2. Governors should receive a termly report from the Headteacher on the schools performance in dealing with prejudice based incidents and hate crimes

7.1.3. Prejudice based incidents and hate crime can lead to pupils being permanently excluded. In these cases governors are responsible for deciding whether the exclusion made by the Headteacher should be upheld.

7.1.4. Governors have a duty to ensure the school publishes sufficient information to show it has had due regard to considering the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
- advance equality of opportunity between people from different groups
- foster good relations between people from different groups.

- 7.2.** Having due regard means consciously thinking about these three aims and will require the school to monitor prejudice based incidents and analyse the results in order to:
- get a full picture of the frequency and nature of prejudice based incidents and hate crimes
  - measure the effectiveness of the methods used by the school to respond to prejudice based incidents and hate crime
  - use the analysis as a baseline to change and develop the school's practice for preventing and addressing prejudice based incidents and hate crimes.

## **8. Monitoring prejudice-based incidents and hate crime**

- 8.1.** Schools should record details of the incident, the person(s) concerned and actions taken. A suggested format for a Prejudiced Based Incident Reporting Form is provided in Appendix 1.

## **9. Analysing prejudice-based incidents and hate crime**

- 9.1.** Crucial to eliminating incidents will be the school's understanding of the number and nature of incidents that occur. The school should consider whether:
- the number of incidents, especially a null result, reflect the nature of community relations in the school
  - there is any trend in the nature of prejudice based incidents and hate crime i.e. are incidents predominantly homophobic, disabilist or racial
  - statistics provide evidence that policies and practices are working by the scale and number of incidents, and by the prevalence of repeat incidents
  - they can be confident that pupils feel at ease to report incidents.

## **10. Community tension**

- 10.1.** Behaviour that can be seen as possibly reflecting community tension within the school as a whole should be monitored e.g. where small groups of pupils form isolated groups within the playground or the classroom.
- 10.2.** Schools should continue to develop healthy relationships with their local communities. In order for a school to fully understand and enable pupils to achieve to their highest potential, they need to be aware of community issues.
- 10.3.** Schools should continue to involve and draw on the expertise of community members in the



school curriculum and related activities. Schools should consider how they contribute towards integrating people into the community.

## 11. Victim support

- 11.1.** All schools should attach importance to comforting and supporting victims of prejudice based incidents and hate crime. Schools should endeavour to explain to the victim the actions taken in dealing with the perpetrator and express the attitude of the school towards such behaviour.
- 11.2.** The school should allow the pupils or adults the opportunity to express their own concerns and feelings and provide further support and counselling where necessary.
- 11.3.** In serious cases, the Headteacher should meet the parents of the victim to explain the action taken and to discuss the matter with them.

## 12. Sources of help, advice and information

### 12.1.

Equality area or specific protected characteristic	Organisation	Contact details
<b>General:</b> relating to all protected characteristics	<b>Milton Keynes City Council</b>	<b>Corporate Equality and Diversity Manager</b> Civic Offices Milton Keynes Email: <a href="mailto:equalities@milton-keynes.gov.uk">equalities@milton-keynes.gov.uk</a>
<b>General:</b> relating to all protected characteristics particularly where a hate crime or potential hate crime is involved	<b>Thames Valley Police</b>	<b>Thames Valley Police</b> Community and Diversity Officer: <a href="mailto:neelam.shiraz@thamesvalley.police.uk">neelam.shiraz@thamesvalley.police.uk</a>  True Vision is a national police scheme to help victims of hate crime report the incident and get the help and advice they need. Wherever you are in the UK, if you've witnessed or been the victim of hate crime you can report it using the <a href="#">True Vision</a> online or downloadable form. Visit <a href="http://report-it.org.uk">report-it.org.uk</a> to find out more. Thames Valley Police have further information on how to <a href="#">report a hate crime</a> .
<b>General:</b> relating to all protected characteristics	<b>Victim Support</b>	<a href="http://www.victimsupport.org.uk">www.victimsupport.org.uk</a>

<b>Disability</b>	<b>Milton Keynes City Council</b>	<p>SEND local offer  <a href="http://mksendlocaloffer.co.uk">Milton Keynes City Council (mksendlocaloffer.co.uk)</a>  <a href="mailto:SENDSupport@milton-keynes.gov.uk">SENDSupport@milton-keynes.gov.uk</a></p> <p>SEND independent Advisory Service  <a href="http://SENDInformationAdviceandSupportService MKSENDIASContact@mksendias.org.uk">SEND Information, Advice &amp; Support Service   MK SENDIAS Contact@mksendias.org.uk</a></p> <p><b>Independent Advice and Support Services</b> (for parents of children with disabilities or special educational needs)  <a href="http://InformationAdviceandSupportServicesNetwork MiltonKeynesCityCouncil(milton-keynes.gov.uk)">Information Advice and Support Services Network   Milton Keynes City Council (milton-keynes.gov.uk)</a></p>
<b>Faith or religion</b>	<b>Milton Keynes City Council</b>	<p>Ethnic Minority Achievement Network  <a href="http://EthnicMinorityAchievement MiltonKeynesCityCouncil(milton-keynes.gov.uk)">Ethnic Minority Achievement   Milton Keynes City Council (milton-keynes.gov.uk)</a>            Email: <a href="mailto:ema@milton-keynes.gov.uk">ema@milton-keynes.gov.uk</a></p>
<b>Gender identity/ reassignment (see also under sexual orientation for advice on resources)</b>	<b>Q:alliance</b>	<p>Q:alliance <a href="http://www.qalliance.org.uk">www.qalliance.org.uk</a> Acorn House            381 Midsummer Boulevard Milton Keynes            MK9 3HP            Email: <a href="mailto:info@qalliance.org.uk">info@qalliance.org.uk</a></p>
<b>Race (racist incidents)</b>	<b>Milton Keynes City Council</b>	<p>Ethnic Minority Achievement Network  <a href="http://EthnicMinorityAchievement MiltonKeynesCityCouncil(milton-keynes.gov.uk)">Ethnic Minority Achievement   Milton Keynes City Council (milton-keynes.gov.uk)</a>            Email: <a href="mailto:ema@milton-keynes.gov.uk">ema@milton-keynes.gov.uk</a></p>
<b>Sexual orientation (homophobic incidents)</b>	<b>Q:alliance</b>	<b>Q:alliance</b> <a href="http://www.qalliance.org.uk">www.qalliance.org.uk</a> Email: <a href="mailto:info@qalliance.org.uk">info@qalliance.org.uk</a>
	<b>School's Out (LGBT curriculum toolkit)</b>	<a href="http://www.schools-out.org.uk">www.schools-out.org.uk</a>
	<b>Stonewall education resources</b>	<a href="http://Schools&amp;colleges Stonewall">Schools &amp; colleges   Stonewall</a>

**12.2.** [Department for Education guidance](#) provides advice for Headteachers, staff and Governing Bodies on preventing and tackling bullying.

**12.3.** The Department for Education [website](#) also has links to a range of associated resources that may be useful for schools in relation to prejudice based incidents.

## Appendix 1: Suggested format for prejudice based incident/hate crime reporting form

School..... Date of Incident.....

<b>Perpetrator</b>	Pupil/staff/outside person/s, including parents (Please state) ..... Ethnicity..... Gender..... Age or year group.....
<b>Victim</b>	Pupil/staff/outside person/s, including parents (Please state) ..... Ethnicity..... Gender..... Age or year group.....
<b>Victimless Incident</b> (Please tick)	Yes <input type="checkbox"/> No <input type="checkbox"/> Tick if incident was intentional <input type="checkbox"/>

**Protected characteristic targeted (circle):** age, disability, faith, gender identity/reassignment, marriage and civil partnership status, pregnancy and maternity status, race, sex sexual orientation.

**Nature of incident** (Please tick)

**Hate crime**

**Prejudice based incident**

Physical assault	Name calling	Hategraffiti
Offensive badges	Hate literature	Incitement of others
Refusal to co-operate	E-safety: mobile phones or social networks	Other .....

**Brief description of the incident**

**Who is dealing with?** .....

**Parent advised:**

**Action Taken/Victim Support**

**Name**..... **Position**..... **Signature**.....

**Date**.....

**Appendix 2: Monitoring of prejudiced based incidents and hate crimes (Termly Report) Academic**

Year: \_\_\_\_\_ Term: \_\_\_\_\_ School: \_\_\_\_\_

Headteacher/Member of the Senior Management Team: Signature: \_\_\_\_\_

	Victim				Nature of incident																
	Number of hate crimes		Number of prejudice based incidents		Physical assault		Name calling		Hate graffiti		Offensive badges		Hate literature		Incitement of others		Refusal to co-operate		E-safety: mobile phones/social networks		
	Pupil	Adult	Pupil	Adult	Pupil	Adult	Pupil	Adult	Pupil	Adult	Pupil	Adult	Pupil	Adult	Pupil	Adult	Pupil	Adult	Pupil	Adult	
Age																					
Disability																					
Faith																					
Gender/sex																					
Gender identity/reassignment																					
Marriage and civil partnership status																					
Pregnancy and maternity																					
Race																					
Sexual orientation																					

	Victim				Perpetrator			
	Hate crimes*		Prejudice based incidents*		Hate crimes*		Prejudice based	
	Pupil	Adult	Pupil	Adult	Pupil	Adult	Pupil	Adult
Faith related incidents								
Race related incidents								

\* For faith and race based crimes/incidents please add the number of instances per ethnic background of victims and perpetrators, using ethnicity codes listed overleaf

Did any of these incidents occur outside school premises? (tick)      Yes       No

If yes, please state how many:

Please retain a copy of the report for your records.

<b>MILTON KEYNES CITY COUNCIL ETHNICITY CODES: FOR SCHOOL USE</b>			
<b>WHITE</b>		<b>CODE</b>	<b>FURTHER COMMENTS</b>
	◆ English	WENG	
	◆ Scottish	WSCO	
	◆ Welsh	WWEL	
	◆ Other White British	WOWB	
	◆ Irish	WIRI	
	◆ Traveller of Irish Heritage	WIRT	
	◆ Gypsy / Roma	WROM	This should not be used to include children with a travelling or nomadic lifestyle i.e. Fairground or circus children. It is intended to include children of a Gypsy or Roma background, irrespective of whether they are nomadic, semi-nomadic or living in houses etc.
	◆ Italian	WITA	
	◆ White Western European	WWEU	To include: French, German, Spanish, Portuguese
	◆ White Eastern European	WEEU	To include: Albanian, Bosnian-Herzegovinian, Croatian, Greek/Greek Cypriot, Kosovan, , Serbian, Turkish/Turkish Cypriot, Russian, Latvian, Ukrainian, Polish, Bulgarian, Czech, Slovak, Lithuanian and Slovak,
	◆ Any Other White background	WOTW	To include: USA, Canada, Australia, South African, Zimbabwean and New Zealand.
<b>MIXED OR DUAL BACKGROUND</b>		<b>CODE</b>	<b>FURTHER COMMENTS</b>
	◆ White and Black Caribbean	MWBC	
	◆ White and Black African	MWBA	
	◆ White and Pakistani	MWAP	
	◆ White and Indian	MWAI	
	◆ Any other mixed background	MOTH	To include Asian and any other ethnic group, Asian and Black, Asian and Chinese, Black and any other group, Black and Chinese, Chinese and any other group, White and any other group, White and Chinese, White and Japanese and any other mixed background.
<b>ASIAN OR ASIAN BRITISH</b>		<b>CODE</b>	<b>FURTHER COMMENTS</b>
	◆ Indian	AIND	
	◆ Pakistani	APKN	To include Mirpuri Pakistani and Kashmiri Pakistani.
	◆ Bangladeshi	ABAN	
	◆ Any Other Asian Background	AOTH	Including East and South African Asians, Kashmiri respondents not wishing to be classified under Asian Pakistani category, Nepali, Sinhalese, Sri Lankan Tamil, other Tamils and any other Asian.

**MILTON KEYNES CITY COUNCIL ETHNICITY CODES: FOR SCHOOL USE  
(continued)**

<b>BLACK OR BLACK BRITISH</b>		<b>CODE</b>	<b>FURTHER COMMENTS</b>
◆	Black Caribbean Background	BCRB	Including Antigua and Barbuda, Bahamas, Barbados, Dominica, Grenada, Guyana, Jamaica, St Kitts and Nevis, St Lucia, St Vincent & Grenadines, Trinidad and Tobago.
◆	Ghanaian	BGHA	
◆	Nigerian	BNGN	
◆	Sierra Leonean	BSLN	
◆	Somali	BSOM	
◆	Other Black African	BAOF	To include Angolan, Congolese, Sudanese, Egyptian, Black South African, Zimbabwean, Ethiopian, Rwandan and Ugandan origin
◆	Any Other Black Background	BOTH	To include Black European, Black North American and Canadian.
<b>OTHER GROUPS</b>		<b>CODE</b>	<b>FURTHER COMMENTS</b>
◆	Chinese	CHNE	To include Hong Kong, Malaysian, Singaporean, Taiwanese and other Chinese.
◆	Japanese	OJPN	
◆	Any Other Ethnic Group	OOEG	Including Afghan, Arabian, Palestinian, Kuwaiti, Jordanian, Saudi Arabian, Egyptian, Filipino, Iranian, Iraqi, Korean, Kurdish, Latin/South/Central America, Cuba and Belize. Lebanese, Libyan, Malaysian, Moroccan. Polynesian – to include Fijian, Tongan, Samoan and Tahitian, Thai, Vietnamese and Yemeni.
◆	REFUSED	REFU	
◆	NOT YET OBTAINED	NOBT	

