



Racist Incident Reporting in Scotland's Schools

Analysis and Implications for Practice



Coalition for Racial Equality and Rights
May 2018

Who we are

The Coalition for Racial Equality and Rights (CRER) is a Scottish anti-racist organisation which focusses on helping to eliminate racial discrimination and harassment and promote racial justice.

CRER's key mission is to:

- Protect, enhance and promote the rights of Black/minority ethnic communities across all areas of life in Scotland; and
- Strengthen the social, economic and political capital of Black/minority ethnic communities, especially those at greatest risk of disadvantage

CRER takes a rights based approach, promoting relevant international, regional and national human rights and equality conventions and legislation

The Coalition for Racial Equality and Rights offers sincere thanks to all Local Authority staff involved in responding to the Freedom of Information request which provided the main source of data for this briefing.

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CRER is a charity registered in Scotland (SC029007)



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Introduction

The Coalition for Racial Equality and Rights has a long-standing interest in tackling racism in Scotland's schools. In almost two decades since we began our work to promote racial justice in Scotland, it has been consistently clear that experience of racism in the school environment can have devastating consequences for minority ethnic young people. The impact on young people's mental health, wellbeing and sense of belonging and identity cannot be underestimated.

Our first research briefing on racist incident reporting in schools was published in 2012.¹ It identified significant weaknesses in policy, a lack of coherence across Scottish Local Authority areas and insufficiencies in recording and monitoring of racist incidents in schools.

The complex history of racist incident reporting in schools was explored in some detail within our 2012 report. Our findings suggested that the initial impetus provided by the Macpherson Report² had not translated into the effective and sustainable approaches which might have been expected.

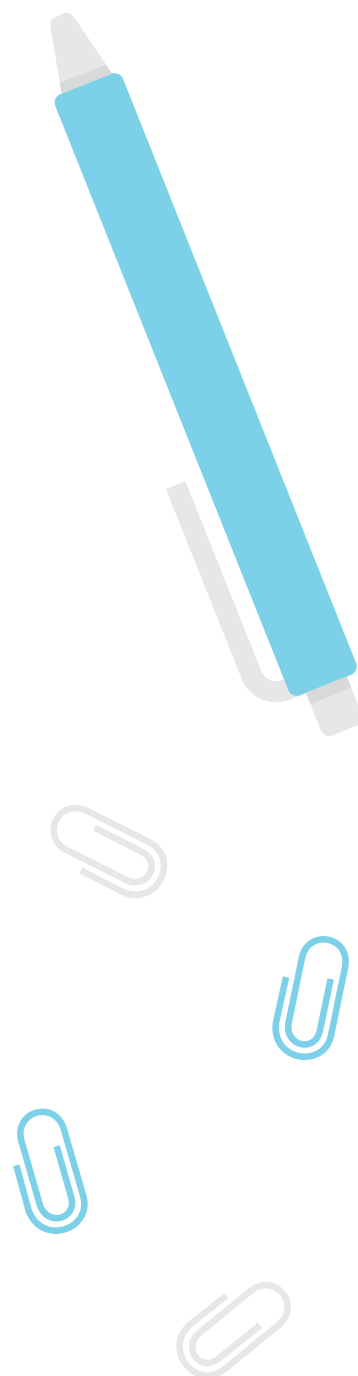
The Scottish Government launched its refreshed national approach to anti-bullying, Respect for All, in November 2017.³ While this did not include a national approach to recording and monitoring of prejudice based bullying incidents, the Scottish Government has convened a short-life working group on this issue in early 2018. At the time of publication, this work is ongoing. Whilst the publication of Respect for All may prompt Local Authorities to review and amend their anti-bullying policies, the future of policy and practice around recording and monitoring will remain unclear until this work is completed and Scottish Government have made a decision on the way forward. Notably, however, not all Local Authority policies were updated following the publication of the first national approach to anti-bullying in 2010. This shows that national approaches without a mandatory or statutory footing cannot be relied upon to create improvements across the board.



This briefing aims to support the development of more effective approaches to recording and responding to racist incidents and prejudice based bullying, and should be a useful resource for Local Authorities seeking to do this in line with Respect for All. It explores the changes in context and practice since 2012, including a focus on prejudice based bullying reporting, which has added to (or in some cases superseded racist incident reporting in most areas of Scotland. It also explores the wide variations in policy and practice across Scotland, and offers recommendations and examples for strengthening approaches.

The primary sources of information used in this analysis are a series of racist incident and/or prejudice based bullying statistics and policies gained through Freedom of Information Requests made to all 32 Scottish Local Authorities by CRER in spring 2017. A copy of the Freedom of Information Request is included at Appendix A.

The first part of this report analyses policies submitted by Local Authorities, with contextual information and recommendations. The second part explores currently available data on racist incidents and prejudice based bullying.



Local Authority Policies

The Freedom of Information request made by CRER to all Scottish Local Authorities in spring 2017 asked Education Departments to provide copies of policies relating to racist incident and prejudice based bullying reporting used by schools in their area over the period August 2011 to June 2016.

Across the 32 Local Authorities, eight could not be assessed. Of these, four Local Authorities currently have no central policy, two submitted policies which were not anti-bullying or racist incident policies, and two failed to comply with the Freedom of Information Request (FOI) In comparison, in our 2012 analysis, two Local Authorities failed to comply with the FOI, but the remaining 30 were suitable for assessment.

Each policy set received was assessed by a researcher using a standard inquiry process. This differed slightly from the process followed in our 2012 report, reflecting the changing context of policy and practice. Many criteria were therefore not directly comparable.

Considering both racist incidents and prejudice based bullying incidents, the researcher examined:

Comparison with 2012 policy sets

- Whether the policies were broadly the same or materially different from those provided in 2012, and (if possible to determine) whether they had improved, stayed the same, or weakened in relation to the other criteria studied

Policy types and timeframes

- Whether the policies were specifically focussed on equality or generic anti-bullying policies, whether they were specifically for schools or for public bodies generally, and the length of the policies
- Dates of commencement and review dates for the policies

Race equality content

- Whether policies contained a specific section on race equality, racist incidents or racist bullying



Prevention

- Information given on preventative practice to challenge prejudice and reduce incidents

Dealing with incidents

- Information given on procedures to be followed in the event of an incident, suggested actions to be taken to resolve an incident and restorative practice

Reporting, recording and monitoring

- Whether schools are explicitly required to record incidents, content of reporting forms and explanation of monitoring practice at school and/or Education Department level

Measures to encourage compliance

- Details provided on staff equality or anti-bullying training requirements
- Information on what should happen if the policy/policies are breached

The researcher also recorded examples of practice which were considered to be particularly good (or particularly poor) and other contextual information as necessary.

Using the information gathered, the researcher assigned each Local Authority a rating for their policy set based on its relevance, quality and clarity in comparison with the criteria above (see table on page 9). The assigned ratings were Very Good, Good, Above Average or Basic. These ratings do not relate to practice, only policy, which raises further difficulties in what is already a subjective interpretation.



The ratings scale is as follows:

Very good

Clear and detailed, practical and implementable, innovative or otherwise outstanding and meeting most of the criteria well

Good

Clear and detailed enough to enable effective recording, some degree of practical information, meeting many of the criteria well

Above average

Adequate information/approach, meeting some of the criteria well

Basic

Meeting some of the criteria but raising concerns in one or more of the following areas:

- Bureaucratic process without sufficient guidance
- Not adequately practical or implementable
- Notably out-of-date or inaccurate in approach, or
- Insufficient information supplied

Not assessed

No policy provided (or policy provided which does not relate to bullying or racist incidents).

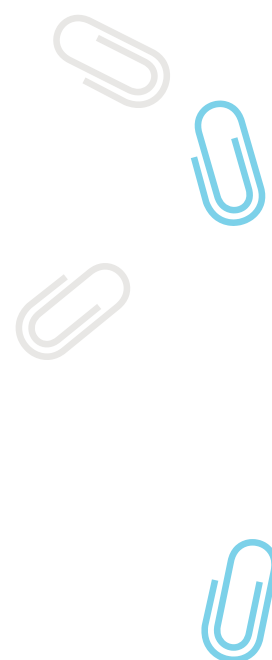
The ratings assigned to Local Authorities are detailed in the table below (with comparison for 2012 where possible). Due to the significant reduction in race equality specific content, the 2017 analysis replaces the 'excellent' category with 'very good'.

Differences between and within individual policy sets were extreme, and so the ratings given here are based on an overall assessment. Many of the policy sets within the lower ratings (basic to above average) excelled in certain areas but were notably inadequate in others. Likewise, many within the good or very good categories had some gaps or weaknesses.



Local Authority	2012 rating	Change	2017 rating
Aberdeen	Basic	↓	Not assessed
Aberdeenshire	Basic	↓	Not assessed
Angus	Excellent		Very good
Argyll & Bute	Basic	↑	Very good
Clackmannanshire	Above average	↑	Good
Dumfries & Galloway	Above average	↓	Not assessed
Dundee	Excellent	↓	Good
East Ayrshire	Above average	↓	Not assessed
East Dunbartonshire	Good	↑	Very good
East Lothian	Basic	↓	Not assessed
East Renfrewshire	Basic	↓	Not assessed
Eilean Siar	Basic	↓	Not assessed
Edinburgh	Excellent	↓	Basic
Falkirk	Good	↓	Above average
Fife	Basic		Basic
Glasgow	Good	↓	Not assessed
Highland	Not assessed	↑	Very good
Inverclyde	Excellent	↓	Basic
Midlothian	Basic		Basic
Moray	Basic		Basic
North Ayrshire	Above average	↑	Very good
North Lanarkshire	Basic	↑	Very good
Orkney	Not assessed	↑	Basic
Perth and Kinross	Basic	↑	Good
Renfrewshire	Good		Good
Scottish Borders	Basic		Basic
Shetland Islands	Basic		Basic
South Ayrshire	Basic		Basic
South Lanarkshire	Basic		Basic
Stirling	Above average	↓	Basic
West Dunbartonshire	Good	↓	Basic
West Lothian	Good		Good

The following sections give more detail on the differences in content and particular areas of strength or weakness throughout the policy sets as a whole, with contextual information and recommendations.



Policy types and timeframes

Type of policy

A distinct shift towards standalone anti-bullying policies can be seen in the submissions received from Local Authorities in 2017. Although the policy sets still varied widely, there was more consistency between these in comparison to the range of documents submitted in 2012, which often had a mix of anti-bullying, racist incident and equality policies. Fewer councils in 2012 had a specific anti-bullying policy, although this content was sometimes built into other policy documents.

The influence of the work of respectme,⁴ Scotland's national anti-bullying agency, can be seen in most of the policies submitted in 2017. From its inception in 2007, respectme has worked with schools and Education Departments to build capacity to challenge bullying.

In some cases, our analysis suggests that councils accessing support and resources from respectme had notably better approaches than others. However, this was not always the case. Many had copied basic definitions and contextual information from respectme publications, but failed to build in sufficient practical information to ensure the policy could be implemented properly and consistently.

One downside of the trend towards generic anti-bullying policies is a comparative lack of focus on equality, and race equality in particular, in the policies submitted in 2017. The 2012 submissions included race equality specific policies from 19 councils and general equality focussed policies from a further six councils, meaning that 25 out of the 30 areas assessed submitted something specifically related to equality. In contrast, only three areas submitted race equality specific policies in 2017, two of which dated back to 2002/2003, with one more submitting a policy related to equality as a whole (four out of a possible 24 councils).

A range of different types of policy commonly submitted in 2012 appear to no longer be widely used to inform approaches to tackling racist or prejudice based bullying. These include:

- Multi-Agency Hate Crime Response Strategies
- Standalone racist incident and prejudice based incident reporting guidance
- Race Equality and Single Equality Schemes (these have been replaced by new publication suites under the Scottish Specific Public Sector Equality Duties, however these new publications do not appear to be perceived as linking to anti-bullying practice as none were submitted in 2017)
- Specific guidance or policies on tackling racism and/or prejudice in schools



In contrast, although several of the previous policies were not specifically designed for schools, the focus on school-focussed policies was increased in 2017. Whilst 20 out of 30 councils submitted documents designed specifically for an education setting in 2012, documents from another five areas had a mix of education and general public sector and the final five were generic documentation for the public sector. All but one of the 24 areas assessed in 2017 submitted policies specifically for use in education (the final policy was a generic race equality policy for the Local Authority overall). However, some of these were designed as basic guidance for schools to develop their own policies rather than providing a standard approach to be followed across the Local Authorities area, which may lead to further inconsistency in policy and practice.

However, one policy provided both a standard approach and information on developing a school-based policy, stating that schools should develop a policy of their own and submit it to the Local Authority for quality assurance. This may be an effective way of providing flexibility and a sense of ownership for schools, whilst ensuring a high standard of policy across the Local Authority area. Although there was an increase in consistency of the type of document submitted (almost all of which were generic anti-bullying policies aimed at schools), the content and length of the policies remained extremely inconsistent. In terms of length, the policy documents ranged from 4 pages to 56 pages. The content of these is explored in further detail throughout the following sections.

Recommendations for policy development:

- Ensure anti-bullying policies have adequate content on prejudice based bullying, focussing on the protected characteristics of the Equality Act 2010
- Consider issuing specific guidance (or linking to external guidance) which provides information on evidence based approaches for tackling racism and prejudice in schools
- If schools are expected to develop their own policies, include a mechanism for quality assurance of school policies



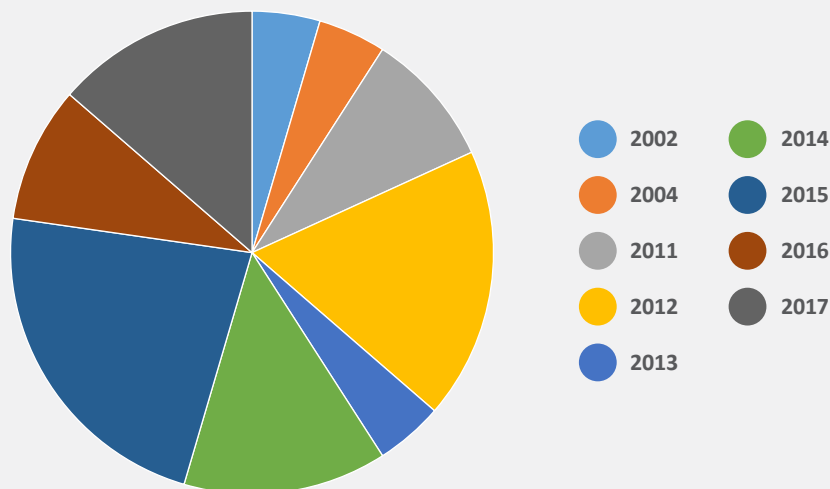
Policy timeframes

Ensuring that policies are up-to-date and remain fit for purpose is important in any area of work; perhaps especially for policies designed to address bullying, as theory and practice on what works develops over time. Current guidance from respectme suggests that policies should be updated every three years.⁵

The policies provided spanned a considerable range of timeframes. Some were extremely out of date, although 13 of the 24 policies assessed had been updated (or written) since 2014, including a large proportion (5) dating from 2015. Some Local Authorities submitted policies which were notably outdated, including two developed in 2002 and 2004. Particularly for older policies, it was not clear whether all of the policies submitted were still in use within schools.

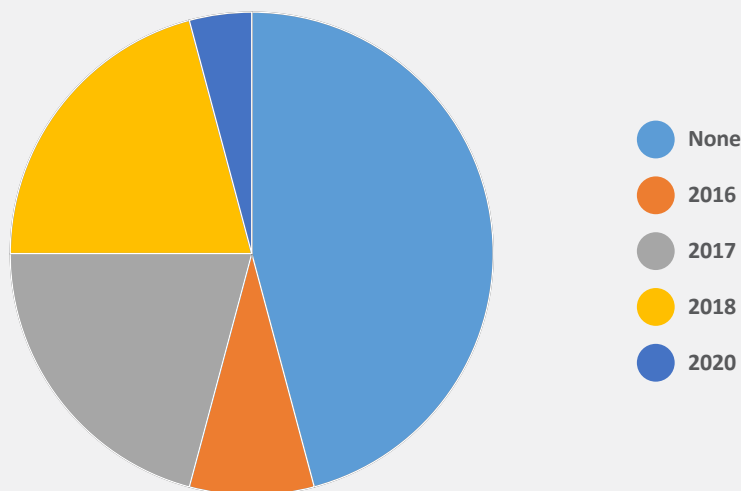


Anti-bullying policies – date of commencement



There was also a wide variation in the dates given for policy review. Almost half of the policies gave no date for review, with only four stating a three-yearly review cycle as recommended by respectme. One stated that it was good practice to review annually, whilst another had a five-yearly review cycle but had not carried this out (amendments planned for 2013 had not been made).

Anti-bullying policies – review dates



Aside from reviews of Local Authority level policy, several of the reports provide suggestions for self-evaluation or review of progress for individual schools.

Recommendations for policy development:

- Ensure policies are reviewed every three years, with involvement from pupils and the other key stakeholders in the Local Authority area
- Set out expectations for schools to review their progress on implementing policies and draw on the results when reviewing the Local Authority policy

Race equality content

The Scottish Parliament Equalities and Human Rights Committee's 2017 inquiry into bullying in schools uncovered serious concerns about inconsistencies in teachers' understanding of (and responses to) prejudice based bullying.⁶ Whilst training, continuing professional development and educational or campaigning resources all have a part to play in addressing this, on a practical level, ensuring that policies have adequate content on the equality implications of bullying is arguably vital.

Current generic approaches to anti-bullying often fail to address the specific context around racist and prejudice based bullying. Research has consistently highlighted the differing context of racist bullying and how this impacts minority ethnic pupils, who often experience this not just as a personal attack, but as something deeper which undermines and degrades their family, their community and their culture.⁷

It's also important to acknowledge the impact of racist incidents which would not meet the definition of bullying,⁸ but nevertheless can cause significant distress for minority ethnic pupils. Racist incidents can also impact the wider school population by creating an environment where racism seems normalised. Regardless of whether racist language or behaviours are being expressed deliberately, if left unchallenged these behaviours can contribute to the 'learned misinformation' which embeds racist attitudes in later life.⁹

One example of information which could usefully be included in policies would be the definition of a racist incident provided by the Macpherson Report.¹⁰ This definition, commonly used by Police and other agencies, states that a racist incident is "...any incident which is perceived to be racist by the victim or any other person." As stated in our 2012 report, this definition places emphasis on the impact of behaviour, accounting for the often subtle and pernicious ways in which racism is manifested, and CRER continues to recommend its use. There is also a need to ensure policies reassure teachers of the purpose of recording a racist motivation for incidents where appropriate. Fear of 'labelling' a young person as racist or of damaging a school's reputation are (in our experience) often cited as reasons to avoid appropriate action; this can be a result of misinformation or ignorance.



Very few of the 24 policy sets examined in our 2017 analysis had any robust content on race equality, racist incidents or racist bullying. Most had some content on prejudice based bullying in general, but failed to adequately reflect the difference in context and the implications for action when bullying behaviour is motivated by prejudice, and racism in particular. A small number of policies contained information on equality which was inaccurate or potentially misleading.

Only two councils' policies had detailed sections covering race equality (with one additional council submitting a general race equality policy with no specific implications for schools or anti-bullying practice). A further seven had short paragraphs simply defining the concept of race, and sometimes briefly how this relates to bullying, strongly based around or copied from existing resources (for example information from respectme, or the 2010 National Approach to Anti-Bullying ¹¹). Four more had short paragraphs which were different from the standardised content. Four mentioned race in some way, without explanation (for example as part of a list of protected characteristics under the Equality Act 2010 ¹²). One of these, dating from 2012, had a heading for a section on race with holding text stating content was yet to be developed. A further seven had no mention of race at all.

An example section on race equality, which CRER would recommend for adequate reflection of these issues within policies, is provided at Appendix B, page 50.

Recommendations for policy development:

- Include brief content on the nature and manifestations of prejudice based bullying for each protected characteristic group
- Include an explanation that prejudice based incidents may not always constitute bullying, with expectations of how these will be addressed and recorded
- Advise that incidents should be regarded as prejudice based if anyone perceives them to be
- Ensure content on equality and/or equality law is accurate and clearly expressed



Prevention

The role of education in creating behaviour and attitude change around racism has been consistently raised by campaigners over the years,¹³ and was a key feature of the findings of the Macpherson Inquiry. The resulting report highlighted the importance of providing anti-racist education within schools, and linked this to the prevention of racist incidents.¹⁴

A majority of the policy sets assessed in 2017 made some mention of preventative approaches to reduce the likelihood of bullying (whether bullying in general, or with a specific focus on prejudice based bullying). However, five policies made no mention at all of preventative approaches (in 2012, four out of the 30 policies assessed lacked content on prevention). A further five of the 2017 policy sets mentioned prevention briefly, for example stating that schools were expected to take preventative approaches. A total of 14 gave some degree of detail on this, by expanding on what preventative approaches involve. Positively, some within this group gave specific examples of approaches which could be used, with one providing a toolkit for assessing bullying prevention work.

Some policies also contained information on how children could be encouraged to challenge bullying behaviours, which can contribute to prevention over time by creating an environment where children and young people understand their peers will not tolerate bullying. More rarely, content was included about engaging parents/carers in preventing bullying.

Recommendations for policy development:

- Set out expectations for schools to undertake preventative work, including examples
- Include information on how schools can empower children and young people to challenge bullying behaviours
- Include information on how schools can engage with parents and carers around prevention



Dealing with incidents

Appropriate responses to racist and prejudice based bullying incidents are perhaps the most important element of practice, as the impact on children and young people can be severe where action is insufficient.

Concerns around this were raised during the Scottish Parliament Equalities and Human Rights Committee's inquiry into bullying in schools, including through submissions from CRER and others.

In our submission, we detailed some common issues arising in cases of racist bullying:¹⁵

- Schools' initial lack of willingness to engage with complaints about racist incidents (they may acknowledge the incident at a basic level, but will often contest the assertion that racism is involved, even where this is blatant)
- Hostility or dismissiveness towards young people and their parents/carers where they choose to make a formal complaint about a racist incident, or about the school's failure to deal with an incident
- Attempts to minimise or justify racist behaviour
- Reluctance to follow good practice in restorative approaches which confront the issue of racism
- Where the Education Authority is approached, further attempts to minimise or justify racist behaviour

Obviously, this does not represent the experience of every child, young person or parent who complains about racism at school. However, the fact that these common themes still emerge suggests that considerable work is needed to ensure schools and Education Authorities can confidently tackle racist incidents and bullying.

In our 2017 policy analysis, there was very little consistency across the policies as to how bullying incidents should be dealt with. The analysis examined whether specific procedures were provided, any advice on action to be taken and whether restorative practices were recommended.



In terms of procedures, less than half (10) of the policies set out a specific procedure for teachers to follow. A further four gave partial information around procedures, for example suggestions of procedural actions which could be taken. Two stated that schools should develop their own procedures, with no further guidance on this, and eight made no mention of procedures at all.

Some policies provided useful lists or flowcharts to set out the procedure which teachers should follow. An example of this approach is shown at Appendix C, page 51.

Less than half (9) of the policies gave any significant level of information on actions or suggested actions to be taken in resolving incidents. Five had a brief mention of potential actions, and 10 contained no information on actions. This is highly concerning, as consistent approaches to resolve incidents are needed to ensure both appropriate support for the person experiencing bullying, and ensuring that the behaviour itself is adequately challenged. It also represents a weakening in policy since 2012, when 21 policies made some mention of action to be taken.

A few of the policies contained sections with detail on engaging with parents/carers of children involved in incidents; in one case, this included a pro-forma letter for teachers to use with appropriate wording. Information in this area may be useful for schools on a practical level, increasing the likelihood that parents/carers can be involved in a productive way.

Over time, recommended methods for dealing with bullying incidents have moved increasingly towards restorative practice rather than punitive measures. In light of this, our analysis looked at the extent to which policies promoted the use of restorative practice. Eleven of the policies gave details or examples around using restorative practice, whilst four mentioned restorative practice or concepts of a similar nature without giving detail. Seven contained no information on restorative practice.

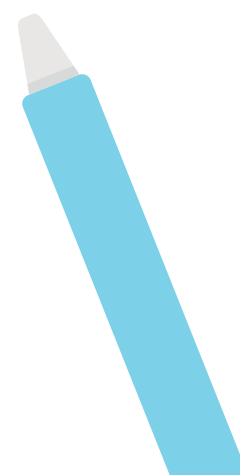


While punitive measures will often be ineffective (especially in challenging the underlying attitudes behind bullying, and racist or prejudice based bullying in particular), there is arguably a need to retain these approaches for use where restorative practice fails or is inappropriate. This was reflected in a very small number of policies, although some policies explicitly stated that punitive measures should not be used. No reference was made in these policies to exceptions in the case of very severe or repetitive incidents.

Few policies gave details of action to be taken regarding serious incidents of a criminal nature (which would include hate crime incidents, or made links to safeguarding and child protection policy). Positively however, one policy included a process for ensuring such cases could be passed on to the relevant agency. Under this policy, all incidents with a prejudice based motivation should be immediately reported to the Education Department where a decision will be made about potential referral to the police, with an option to seek a multi-agency meeting if needed.

Recommendations for policy development:

- Include clear procedures for teachers to use in addressing incidents
- Give examples of appropriate actions which could be taken to resolve incidents
- Balance content on restorative practice with acknowledgement that, where this is ineffective or inappropriate, punitive measures may be necessary
- Include information on how serious incidents should be dealt with, for example where child protection issues or criminal behaviour is involved



Reporting, recording and monitoring

Reporting, recording and monitoring of racist incidents and prejudice based bullying at school level has numerous benefits. As well as providing a means of effectively tracking and addressing unacceptable behaviour, it should enable schools to identify how well their efforts to challenge prejudice are working. When submitted to Education Authorities, the resulting data should also inform work around their legal duty to eliminate discrimination and harassment.¹⁶

Just as importantly, if robust data could be collated and published at national level, this would help to monitor social change in attitudes and behaviours amongst young people. The need for robust data and consistent approaches to local and national monitoring has also been highlighted in other arenas, including the UN Committee on the Elimination of Racial Discrimination (CERD) Concluding Observations for the UK in 2016¹⁷ and the Report of the Independent Advisory Group on Hate Crime, Prejudice and Community Cohesion.

At the time of publication, respectme recommend local level monitoring of data, however there is no mechanism for national collation. The work of the Scottish Government's short life working group on recording and monitoring of bullying incidents in schools (previously mentioned in the introduction to this briefing) may help to resolve this issue.¹⁸

As our analysis of data on racist and prejudice based incidents (page 28 shows, practice on reporting, recording and monitoring of incidents is extremely patchy across Scotland. However, if prejudice based bullying is to be tackled effectively, it's necessary to have a baseline from which to measure progress. Without this, it is impossible to track change over time and monitor the effectiveness of activities designed to tackle bullying, racism and prejudice.

All of the policies submitted in 2017 had some statement about recording bullying incidents, but how this should be done was highly varied and sometimes unclear. This contrasts with 2012, where only 20 of the 30 policy sets mentioned recording. In our 2017 analysis, a total of 17 policies explained how recording should be done, usually including a standardised form for schools to use. Eight of the 17 Local Authority areas setting out a process for recording explicitly required the use of SEEMiS, the Education Management Information System for Scotland, with several using the Bullying and Equalities Module to record information on prejudice based bullying and others using the Pastoral Notes section. Some areas had more than one way to record, with one area in particular using pastoral notes as standard, SEEMiS Bullying and Equalities Module for prejudice based bullying incidents, and a separate racist incident form.



The remaining seven areas had only a brief mention that recording should be undertaken. Four of these recommended that schools should develop their own approach to this, meaning there is unlikely to be consistency across the Local Authority area, and three did not specify how recording should be conducted. The content of forms differs substantially. Some are very basic and intended for one-time use, whilst others are more suitable for use in managing and resolving incidents over a longer term with options to record actions and review progress over time.

Information collected through recording forms included:

Administrative information

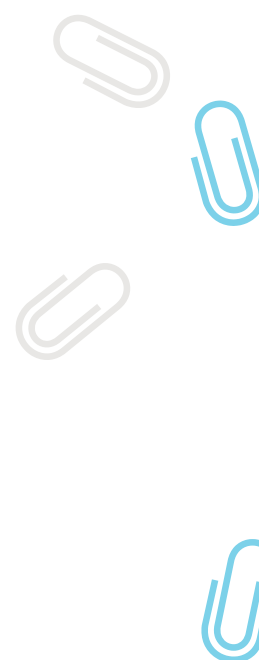
- As standard, almost all forms record the name of the school
- Some also record the date the incident was reported and/or the name of the person reporting the incident and who they reported it to
- In some cases, forms include the name of staff dealing with the incident and/or name of the school's anti-bullying co-ordinator

Pupil information

- Almost all forms record the name and school details (class, etc.) for the person experiencing and person/people displaying bullying behaviour. One form does not include details for the person displaying the behaviour, and one collects initials only, which makes tracking multiple incidents difficult
- Some forms require information about the ethnicity or disability status of those involved, with one asking about gender (although none required all three)
- A few forms also record the names of bystanders or witnesses

Information about the incident

- Almost all forms record the date, time and location of the incident, as well as the type of behaviour involved
- 'Location' is often a multiple choice question and generally covers locations within school, although some include additional options to record incidents happening online or outwith school premises
- 'Type of behaviour' (or alternatively 'nature of incident') is almost always a multiple choice question featuring options such as damage to property, isolation, physical, verbal and written. However, some forms include specific options derived from previous racist incident reporting processes, for example racist graffiti, recruiting for racist organisations, discriminatory insignia or discriminatory literature



Motivation and influencing factors

- Most forms include a multiple choice question covering protected characteristics and, in some cases, other characteristics (such as weight or socio-economic status)
- One form asks a question based on the Macpherson definition of a racist incident (see page 14), asking whether anyone believes the incident to have been motivated by prejudice against one or more protected characteristics with a tick box for each one
- Some forms include questions designed to help link the incident with any relevant previous incidents, for example 'number of previous concerns recorded' or 'is this incident part of a pattern?'
- Two forms did not record anything related to prejudice based bullying



Investigation process

- Almost all forms contain sections to record how the incident was investigated, some with more detailed options such as recording interview notes
- One form includes a question on whether the incident was bullying (this form allows recording of non-bullying incidents), and another on whether the incident was prejudice based bullying
- Two forms had either an open question or a ratings scale to record the investigators' opinion of the level of impact on the person experiencing bullying
- A number of forms contained sections to record information about parental/carer involvement, one of which had a specific question on parents' response to the incident and another which included a tick box to confirm the person experiencing bullying had given consent for the school to contact their parents



Actions

- Almost all forms include sections to record the action taken to resolve the incident; this mostly involved open questions, but in some cases multiple choice options were given
- Some forms differentiate between action to support the person experiencing bullying and action to address the bullying behaviour
- One also records wider restorative action taken to involve the whole class or whole school
- A few forms set out an action plan template
- One records action taken depending on whether there was no racism, unintentional racism or intentional racism; this raises the potential for subjectivity as it will be based on the views of the person investigating, however, realistically this subjective judgement will usually be made in order to identify the appropriate response

Conclusions

- A few forms include an open or multiple choice question to conclude, for example asking if the incident is still under consideration, resolved, not resolved or being addressed
- Several forms record the views of young people involved, for example did they feel their concerns were listened to and were they happy with how the incident had been resolved

Follow-up

- Some forms provide options to set out plans for review and monitoring
- In some cases, follow-up options included seeking support or advice from Education Services, a tick box showing the incident had been reported to Education Services or an action box for Education Services to complete if action on their part was required



Few of the policies explained in any detail how the data collected should be used, although many explicitly required schools to pass data to the Education Department for central collation. Eight policies set out suggestions or requirements for how schools themselves could use data for monitoring and/or review purposes, with another eight making a brief mention of the need for schools to monitor data and a further eight not specifying what schools should do internally with the data they collect. Information about how data would be used for monitoring at Education Department level was more commonly featured, with 12 policies clearly explaining this. A brief mention of monitoring at this level was made in four policies, whilst seven had no mention of how data would be centrally monitored by the Education Department.

One of the policies analysed had a positive approach to encouraging accurate data to be recorded and submitted, stating that a rise in incident levels would be regarded as evidence that the policy was working effectively. CRER would support this, as our analysis of incident data (pages 28 to 45) raises concerns about under-reporting and inconsistent recording.

Recommendations for policy development:

- Include a robust recording system which includes prejudice based bullying/prejudice based incidents and enables management and recording of incidents from initial report to resolution and review
- Explain how recording processes can be used by schools to monitor trends and identify preventative or restorative actions for the wider school
- Set out expectations for schools to report incident levels to the Local Authority, including information on how the Local Authority will monitor compliance with this
- Include assurances that a rise in incident reporting could be regarded as demonstrating effective implementation of the policy



Measures to encourage compliance

Throughout both this and our 2012 publication, concerns arise about the effectiveness of policy content. However, what happens in practice is even more important. Policies are generally light on content about how compliance is encouraged or ensured, however some do include provisions which could be helpful in this regard. Our 2017 analysis looked at two measures which could help encourage effective compliance with the policies; training opportunities and statements on policy breaches.

Appropriate training is one way to ensure teachers are able to properly embed policies. Most of the training provisions mentioned in 2017 were generic anti-bullying training, however some policies mentioned equality or anti-racist training with an anti-bullying component.

In total, ten policies gave some detail on the training which would be made available as part of continuing professional development for teachers. A further seven made a brief mention that training would be available, and the remaining seven did not mention training. In 2012, ten policies gave specific information about training, twelve made a brief mention of this and eight did not mention training.



One authority in particular had a detailed approach to training and continuing professional development to support its policy, with an expectation that all teachers should undertake a training course which includes elements on addressing bullying and recording practices, with refresher courses every three years and an induction session on bullying for new teachers. Further training opportunities were listed, including a specific course on prejudice based bullying. We also examined whether policies contained a statement on what would happen if the policy was breached. Only one of the 24 policy sets assessed mentioned this, and the statement was within a specific race equality policy rather than the accompanying anti-bullying policy. This contrasts with our 2012 analysis, where seven Local Authorities set out potential consequences in the event of a breach of policy.

It could be argued that a statement on penalties for policy breaches could be counterproductive or excessively bureaucratic. However, for the policy to be taken seriously, it could be helpful to have some level of information on potential outcomes if things go wrong. For example, details of the complaints policy students or parents/carers can follow in the event of disagreement with aspects of the investigation, actions or support provided could be useful as an encouraging factor (as well as improving the accountability and transparency of practice).

In 2012, we also noted an example where a Local Authority policy stated that nil returns of incident recording data from schools would not be regarded as credible; this could encourage better recording practice. A different area had similar provisions in 2017, going slightly further in stating that repeated nil returns would be queried by the Education Authority.

Recommendations for policy development:

- Provide appropriate training opportunities for all teachers and include details of this within the policy
- Give examples of additional options for relevant training and CPD
- Include information on potential consequences of breaching the policy
- Set out a complaints process for pupils and parents/carers to use if they are dissatisfied with how schools have dealt with incidents



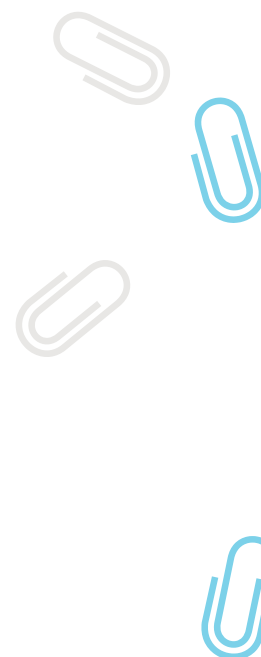
Policies and data analysis

Comparison of racist incident levels with the policy rating given on page 9 shows that, looking at the number of incidents per 100 pupils and 100 BME pupils in each area,¹⁹ there are few correlations between the strength of the policies and the number of recorded incidents. This is perhaps unsurprising given the complex range of policy and practice involved. Although the few areas recording higher numbers of incidents were rated as good or very good and many in the basic category showed low incident numbers, two Local Authorities with policies rated as very good do not hold incident data centrally.

The quality of policies also does not seem to be significantly linked to the relative number of BME pupils in Local Authority areas. Angus, with only 7% BME population in its schools, was rated as very good in our policy analysis; meanwhile Edinburgh (26%) was rated as basic despite the relatively high BME population.

Recommendations for policy development:

- Ensure policies are well-publicised and their use promoted to, and within, individual schools
- Develop mechanisms for identifying whether schools are implementing the policy in practice



Analysing Racist Incident Data

Background

CRER has collected information on the reporting of racist incidents that have been happening in Scottish schools since 2001. We have also been collecting data on the number of incidents across all Local Authority areas since 2007. Tables 1 and 2 (page 29) show how prejudice based bullying has been recorded over the past 17 years, and the number of incidents that have been collected centrally over the past nine years.

Seven of the 32 Local Authorities who were asked for information relating to the number of racist incidents that had been recorded across the education authority did not return any information on the number of incidents. This was either because this information was not collected centrally, or because the Local Authority claimed that locating this information would supersede the £600 financial limit on responses.

Five of the Local Authorities which provided information did not include information from the year 2015/16. This was because this information was not yet available for the most recent year, or because the information was only provided on the number of prejudiced-based bullying incidents and was not disaggregated to reveal the number of racist incidents within this total. The data from these Local Authorities was therefore not comparable with those who complied fully with the information request.

The data provided in this section covers the 20 Local Authorities who provided data in a comparable format.

Importantly, it should be noted that the varying quality of reporting procedures and how these may be interpreted in practice across Scotland's 32 Local Authority areas make analysis extremely challenging. The data given throughout this section must therefore be interpreted with caution.

Incident recording over time

The data in Table 1 (page 29) shows that across both our 2012 and 2017 Freedom of Information Requests, we have never received a full set of comparable data from all 32 Local Authorities. The highest number of returns were submitted for the year 2010 (as part of our 2012 research) when 29 Local Authorities submitted data on the number of racist incident recorded. Reluctance to provide data on racist and prejudice based incidents was also noted by researchers compiling information on behalf of the Equality and Human Rights Commission in 2015, who requested data from all Local Authorities but received submissions from only 14 areas.²⁰



Table 1: Local Authorities Providing Information on Racist Incidents, 2001 – 2016

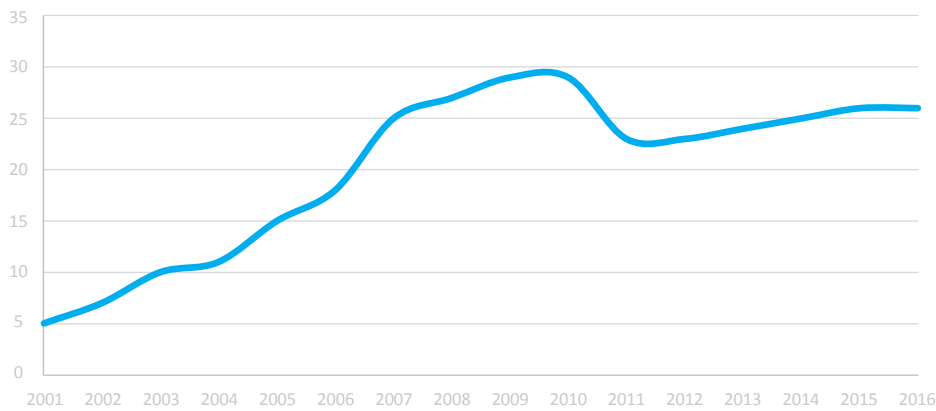
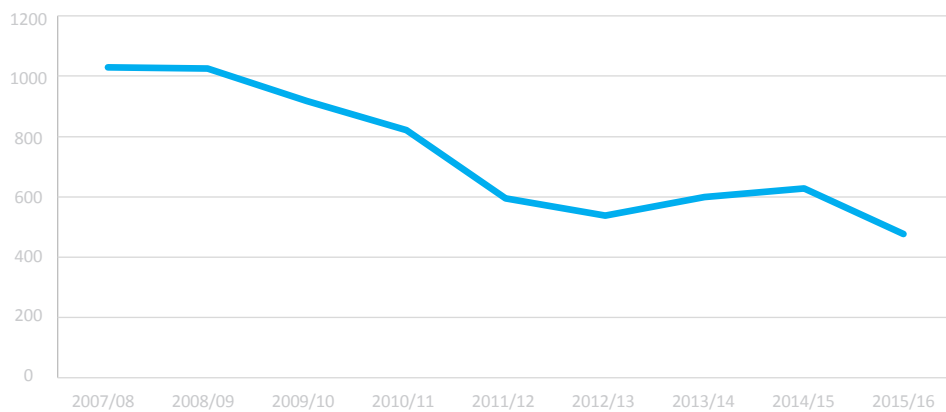


Table 2 (below) shows the total number of incidents that were recorded across all Local Authority areas across the nine year period covered by our research. Despite the flux in the number of organisations that have returned data, there has been a general downward trend in the number of incidents recorded. In 2007 when only 25 organisations provided data, just over 1,000 incidents were recorded; yet by 2010, when 29 organisations provided data, this had fallen to just under 600.

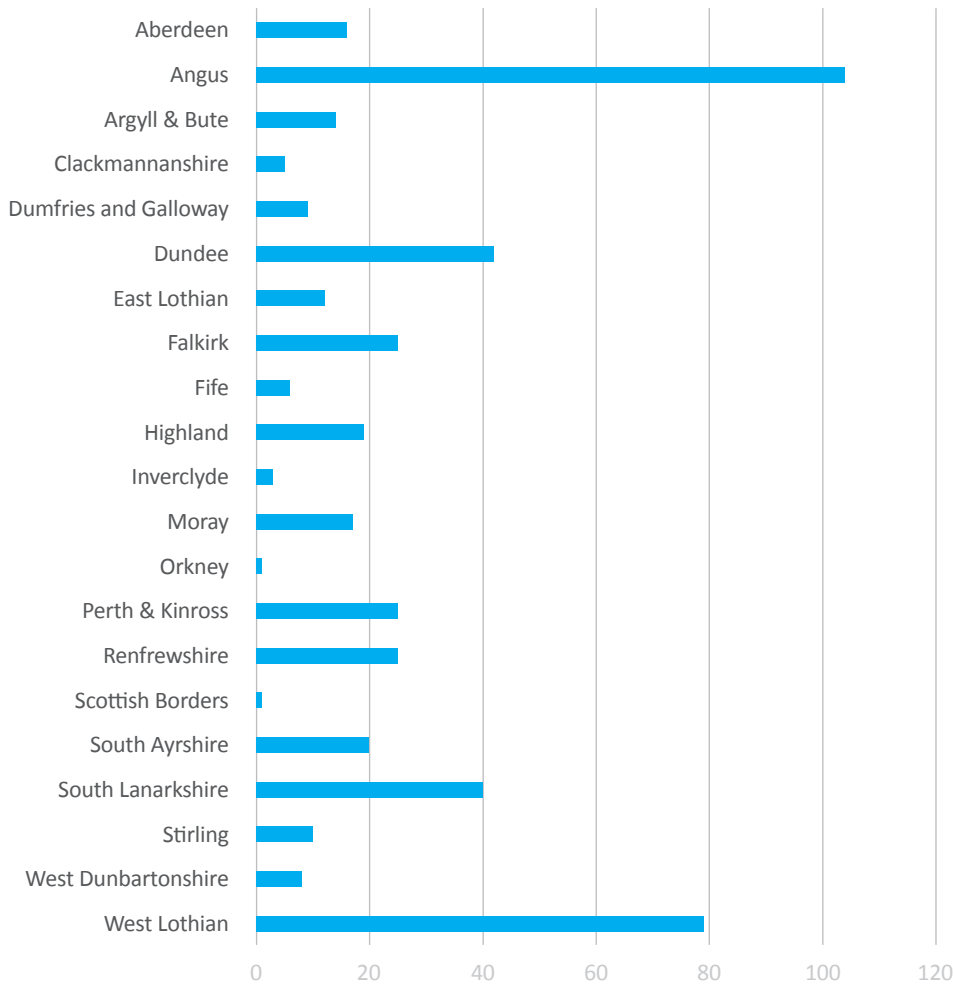
Table 2: Number of Racist Incidents Reported in Scotland's Schools, 2007/08 – 2015/16



Racist incident data in 2015/16

Table 3 (below) shows the most recent racist incident data collected in 2015/16. Whilst Shetland did record racist incidents within their schools, the number was suppressed and therefore has not been included in the graph below. East Dunbartonshire, East Renfrewshire and Edinburgh City Council do record incidents centrally, but did not provide data for 2015/16.

Table 3: Overall Number of Racist Incidents in Primary, Secondary and Special Schools 2015/16



The disparity within this graph demonstrates that there was considerable variation in the number of incidents reported. As mentioned above, twelve of the 32 Local Authorities did not submit comparable data. This was either because the data itself wasn't held centrally, or because information that was given didn't include incidents for the most recent school year (as expressed in our Freedom of Information Request).



For those which did submit data, there was no consistency in the number of incidents recorded for 2015/16. Angus Council reported 104 incidents, yet the Scottish Borders only reported one racist incident in their schools. Much of this difference may be a result of inconsistent record keeping of individual schools and cannot be regarded as an indication of the actual level of racist incidents experienced within the Scottish school system

Table 4 (below) provides the equivalent data for prejudice based bullying incidents, where available. Again, the variation in incident levels was severe, and the same caveats apply in terms of interpreting the data. For comparison, the proportion of data provided for racist incidents and prejudice based bullying as shown in tables 3 and 4 is contrasted for each Local Authority at table 5.

Table 4: Overall Number of Prejudice Based Bullying incidents in Primary, Secondary and Special Schools 2015/16

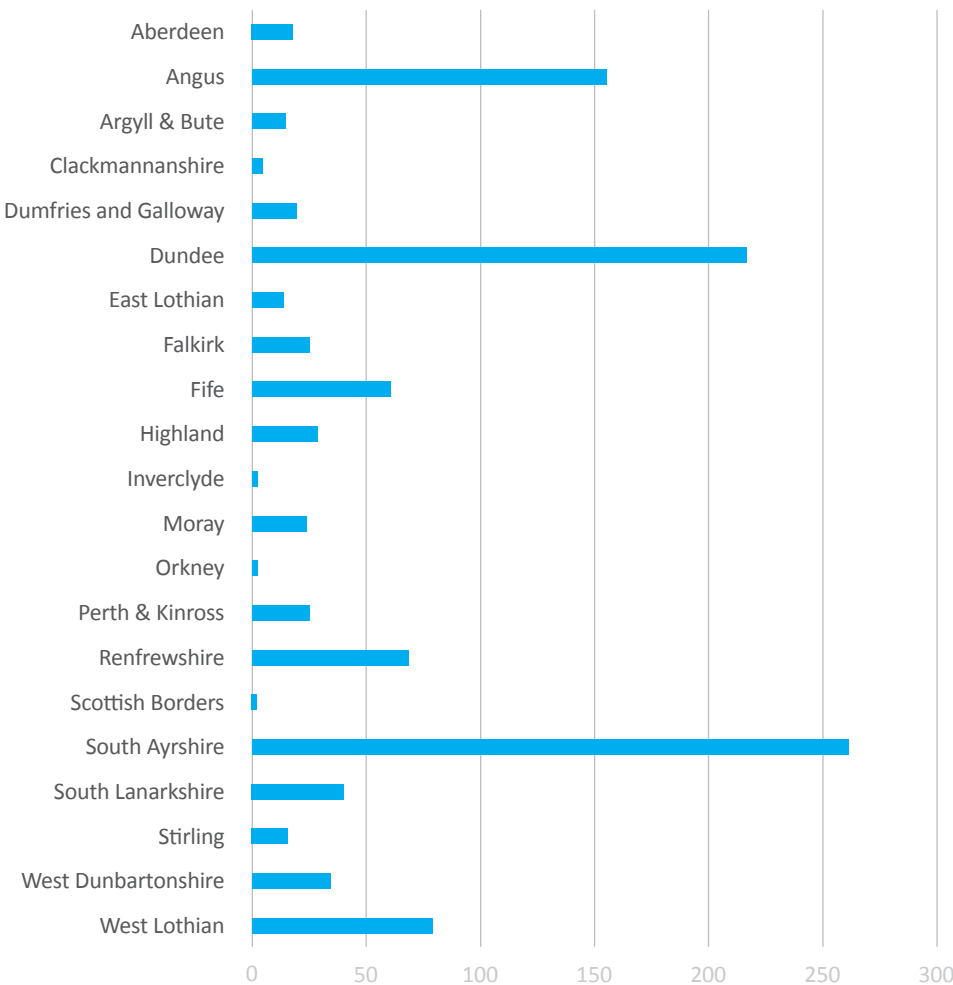
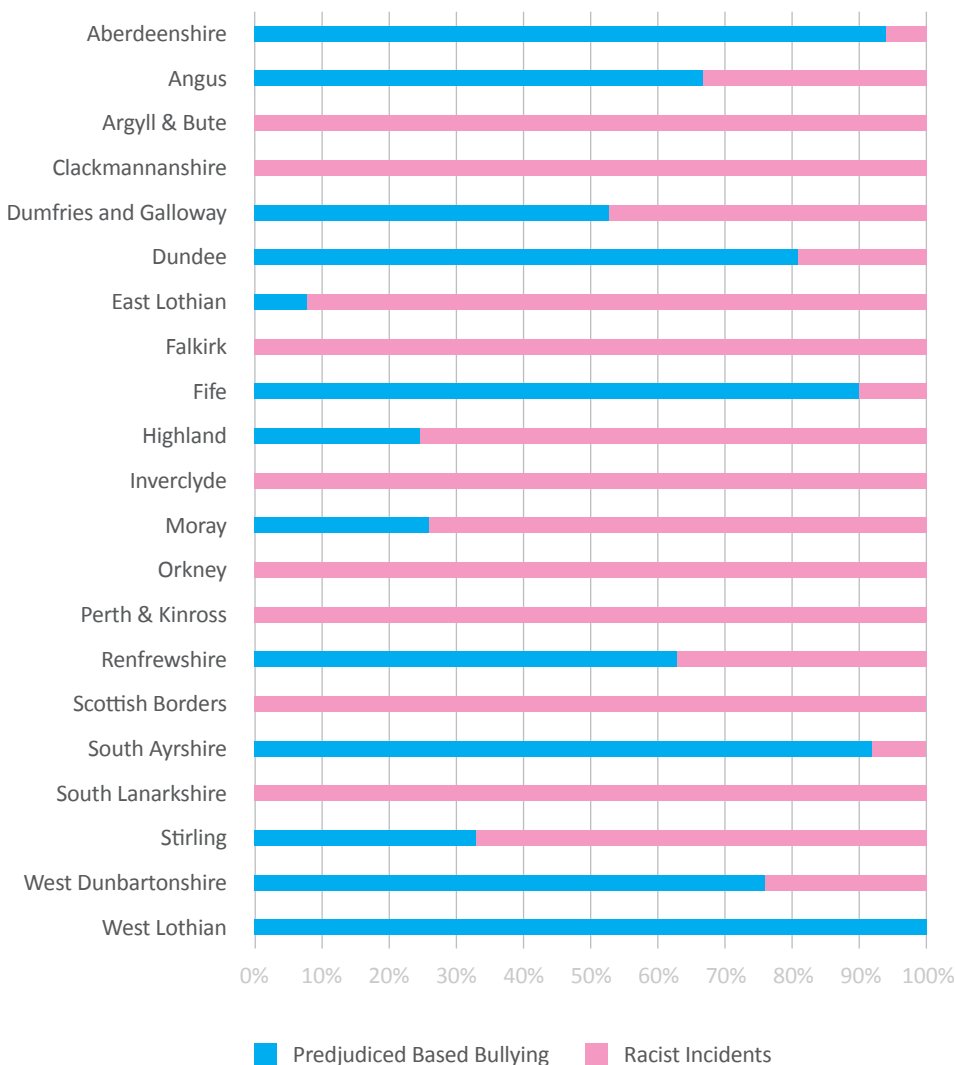


Table 5 (below) shows the proportion of incidents which were recorded as racist, or as prejudice based bullying, across the Local Authority areas. This demonstrates that whilst some areas are beginning to record a larger proportion of prejudice based bullying, others are still more focussed on recording racist incidents. Some areas provided only racist incident or only prejudice based bullying figures, however in some of these cases, the response made it clear that in reality there would be a proportion within that total which would fit into the category they had not provided figures for. It is likely that, in practice, all of the areas reporting only one category will have recorded incidents which may have been better placed in the other one.

Table 5: Racist Incidents as a Percentage of the Total Number of Prejudice Based Bullying Records 2015/16



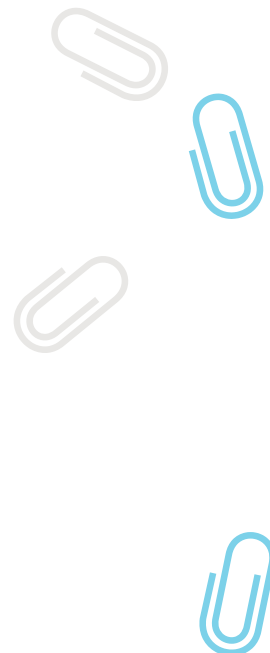
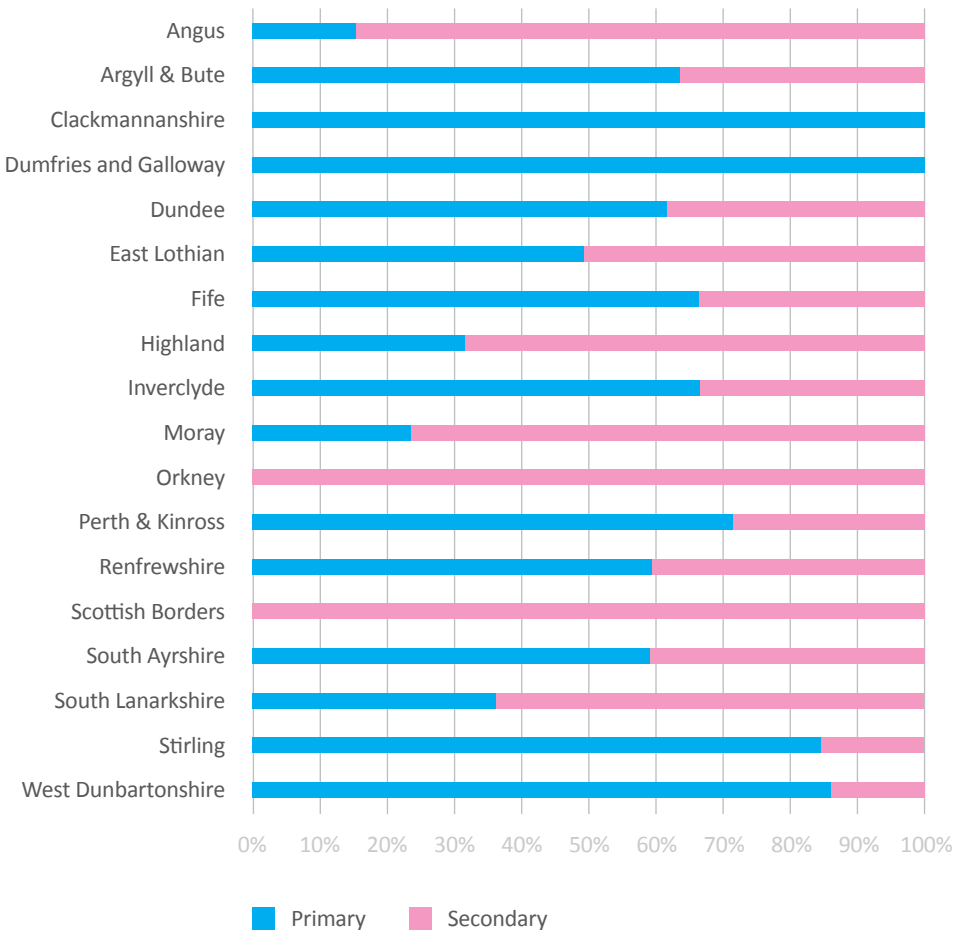
It is discouraging to note that the number of Local Authorities recording racist and prejudice based bullying incidents centrally has decreased since our last report. In 2012, CRER issued the same FOI request to all 32 Local Authorities asking for data from 2007 through to 2012, and received information stating that at least one incident had been recorded in 29 Local Authority areas. However, only 20 Local Authorities returned information in our 2017 request.

Racist incidents in Primary and Secondary Schools

Our analysis includes a breakdown of the number of racist incidents recorded in both Primary and Secondary Schools. We also asked all Local Authorities to provide details of the number of incidents recorded within Special Schools, however due to the low numbers and the small number of Local Authorities that held records, this has not been included.

Table 6 (below) highlights the percentage of racist incidents recorded across all Local Authorities broken down by Primary and Secondary School.

Table 6: The Percentage of Racist Incidents Recorded in Primary and Secondary Schools



From the figures above, there is no consistent trend of higher or lower reporting of racist incidents between Primary or Secondary Schools. One Local Authority only reported incidents in Primary Schools, and another only reported incidents in Secondary Schools. Again, CRER sees this as an indicator of the inconsistency of reporting, and the larger percentages may well demonstrate more robust reporting within schools in the relevant areas.

Number of incidents per 100 pupils

It could be expected that external factors such as population level would also have an impact on the number of incidents per Local Authority area. The 2011 Census shows that the majority of the population is clustered in cities and across the central belt of Scotland. This means that the number of pupils in each Local Authority will differ considerably. According to the Scottish Government's Pupil Census, Glasgow City Council had just over 67,000 pupils, yet Shetland had only 3,200.

For this reason, our analysis breaks down the number of racist incidents in Primary and Secondary Schools by per 100 pupils and then by 100 BME pupils (all pupils who did not identify with one of the White British identity categories in the Scottish Government Pupil Census) as seen in Tables 7 and 8.

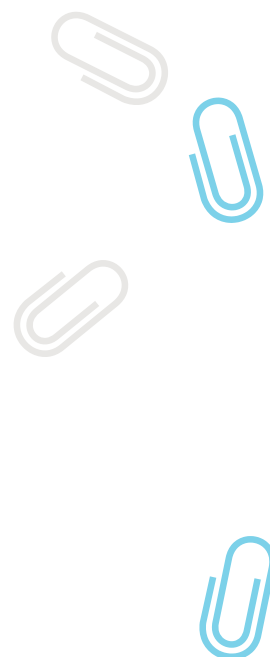
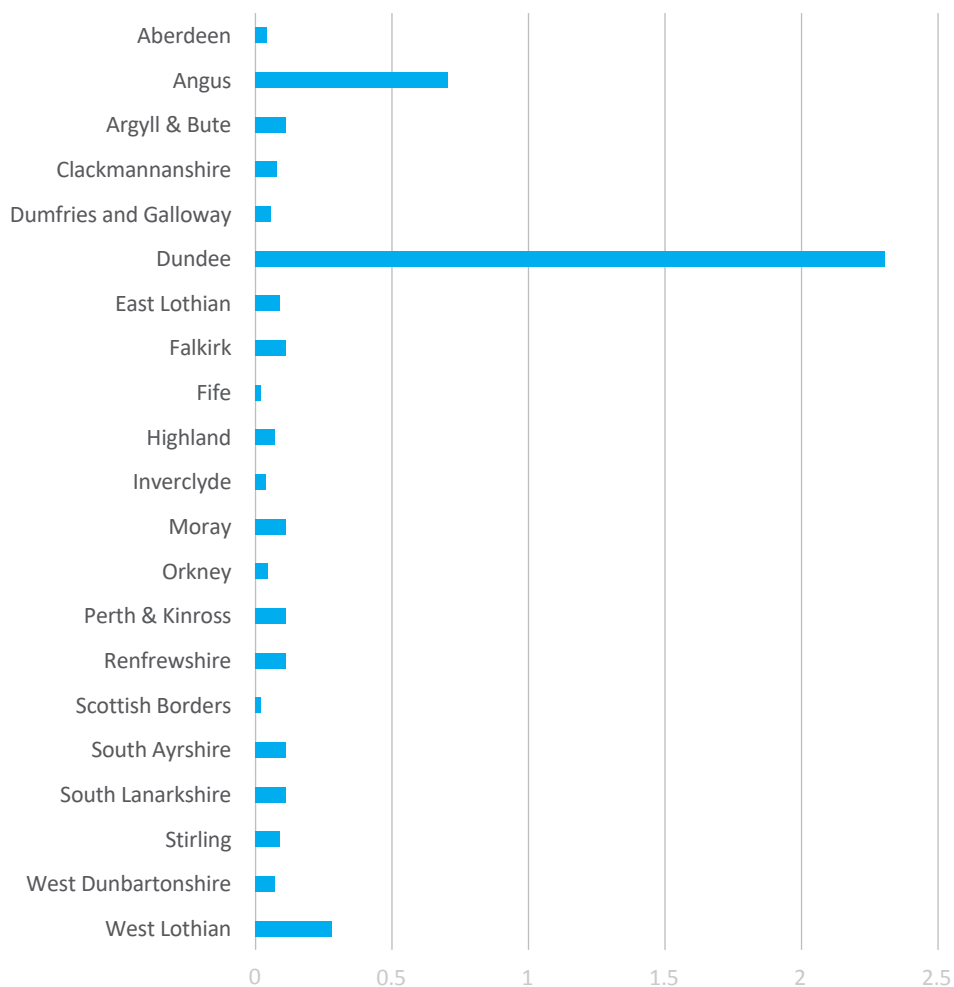
The use of equivalent figures per 100 BME pupils addresses the potential appearance of difference due to size of BME population in Local Authority areas, and enables easier analysis of any potential correlation between the level of racist incidents and the ratio of majority to minority ethnic pupils. However, use of this measure is not intended to suggest that the number of BME pupils in an area is linked to the prevalence of racist incidents.

Varying definitions of 'Black and minority ethnic' exist, however to enable comparison with Pupil Census data this research uses the definition of all self-selected identities which do not fall into the Pupil Census category of 'white UK'. This raises a note of caution regarding analysis. Any person of any ethnic identity can be the target of a racist incident, so white English/white British targets will be included in the incident figures but not in the Pupil Census statistics used for analysis. Similarly, because racist incidents are broader than prejudice based bullying (in that the behaviour involved does not need to be aimed at anyone in particular), pupil ethnicity will be irrelevant in those cases where the incident had no specific target.



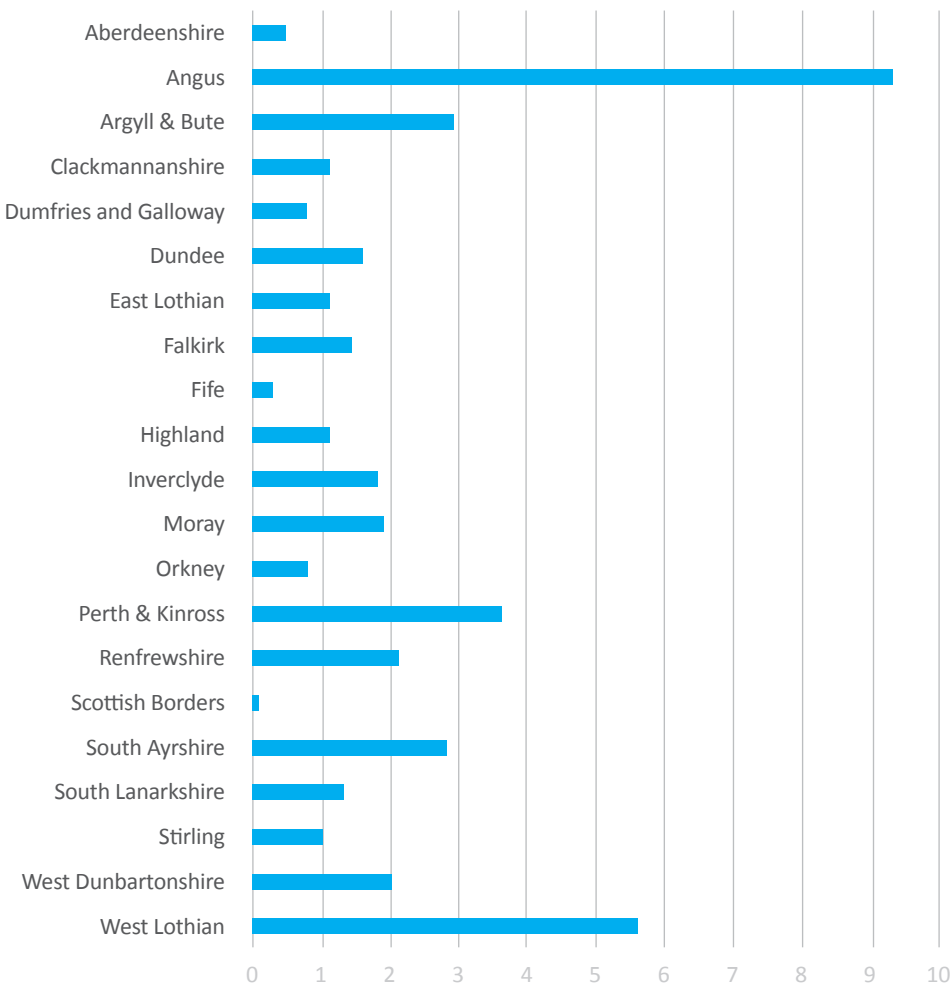
The largest proportion of incidents was 2.3 per 100 pupils in Dundee, with the average across all Local Authorities being 0.2 incidents per 100 pupils. As mentioned, 12 Local Authorities did not supply any data to CRER in relation to racist incidents or prejudice based bullying in their schools. Seven of these Local Authorities reported that this information was not collected or held centrally.

Table 7: Number of Racist Incidents per 100 Pupils in Primary and Secondary Schools 2015/16



From the 2011 Scottish Census²¹ we know that the majority of BME people in Scotland live in urban areas, in cities, and across the central belt. Looking at the number of incidents that have taken place in relation to the number of BME pupils gives greater detail on the frequency of reports (with caveats on the applicability of this measure, as described on page 34). Table 8 explores this in greater detail.

Table 8: Number of Racist Incidents per 100 BME pupils, by Local Authority 2015/16



The highest number of incidents per 100 BME pupils was recorded in Angus. As mentioned above, there were 104 racist incidents reported in 2015/16 in Angus, and when broken down by the ethnicity of the pupils this showed that there were just over 9 incidents per 100 BME pupils. This is much more revealing than the overall statistic of just over 2 incidents per 100 pupils. Dundee had the second highest number of incidents, with 42 recorded across Primary and Secondary Schools, yet due to the higher percentage of BME pupils the number of incidents slightly decreased in appearance when analysed per 100 BME pupils. The prevalence of incidents per 100 BME pupils does not appear to be linked to the size of the BME population in an area.

In order to compare the number of incidents recorded, this data was then further broken down by Primary and Secondary Schools as can be seen in Tables 9 and 10.

Table 9: Number of Recorded Racist Incidents per 100 BME Pupils in Primary Schools, by Local Authority 2015/16

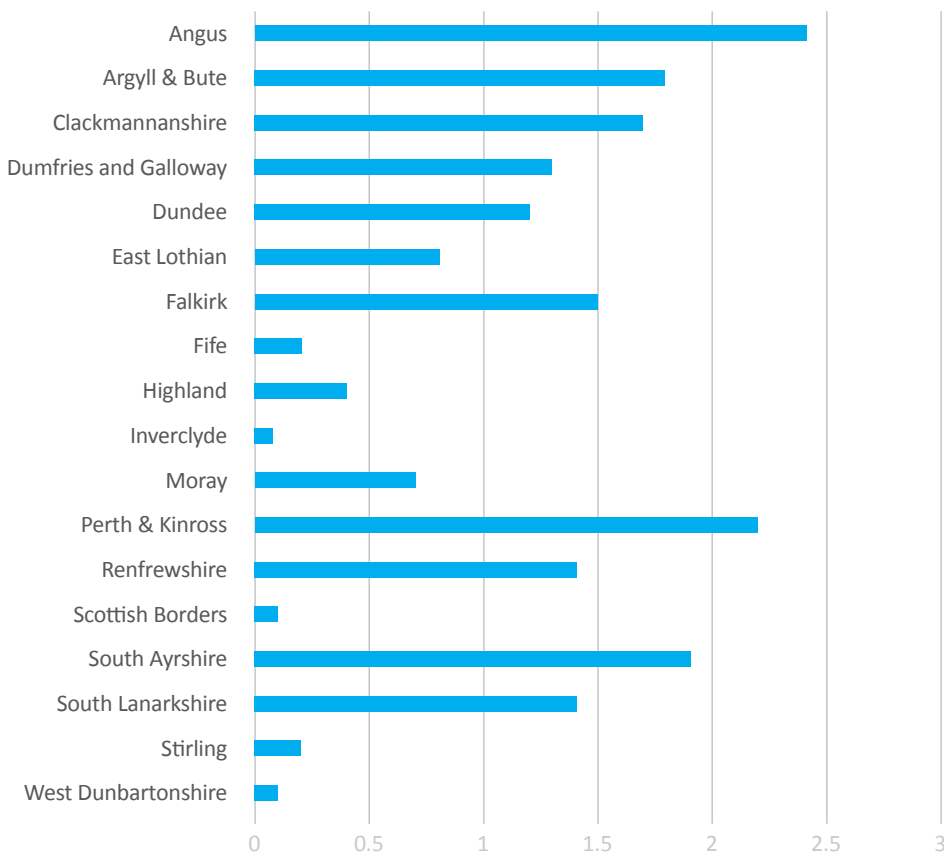


Table 10: Number of Recorded Racist Incidents per 100 BME Pupils in Secondary Schools, by Local Authority 2015/16

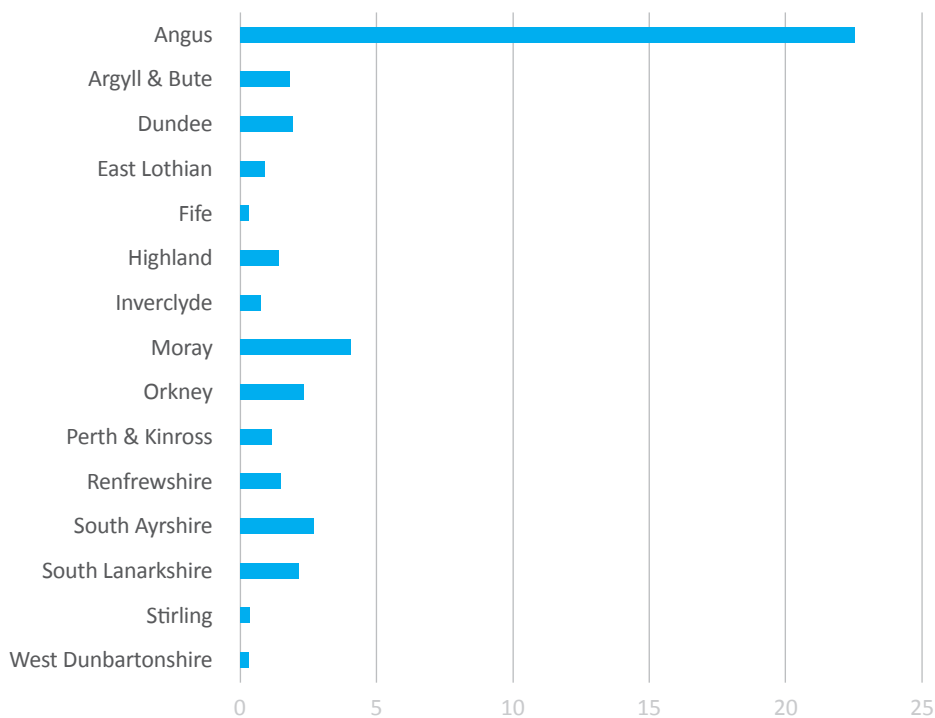
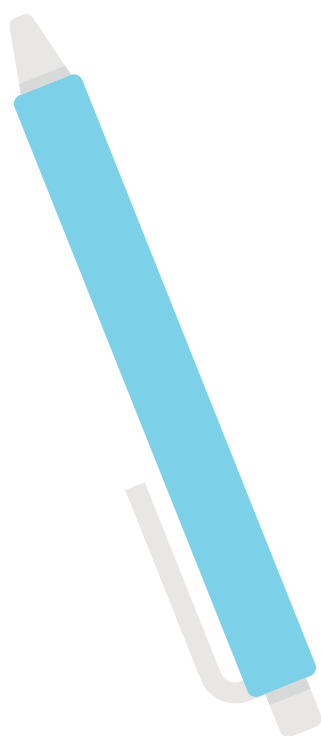


Table 10 (above) shows very clear disparity in the number of reported incidents. As there were 87 reported incidents in Angus Secondary Schools over 2015/16 and only 398 BME pupils, this represents 22.5 incidents for every 100 BME pupils.



This means that there is one racist incident for every five pupils. However, this should not be regarded as evidence that Angus has the highest proportion of incidents in Scotland, because a number of areas (including Edinburgh, Glasgow and Aberdeen) did not return information, making comparison across all areas of Scotland impossible. It is also worth noting that our analysis of anti-bullying policies rated Angus Council's policy as very good, creating the possibility that high reporting levels are caused by effective implementation of the policy.

The number of incidents in Primary Schools (table 9) is much more evenly spread, with only a few Local Authorities with particularly high or especially low number of incidents. This could suggest that the reporting across primary schools is more consistent.



Number of incidents recorded annually

Table 11 examines the number of racist incidents that have been recorded across all Local Authorities since 2012. This (along with the equivalent data for prejudice based bullying incidents provided in table 12) gives a clearer picture of the extent to which Local Authorities provided data in response to the FOI request.

Table 11: Total Number of Recorded Racist incidents 2011/12 – 2015/16 by Local Authority

Local Authority Area	2011/2012	2012/13	2013/14	2014/15	2015/16
Aberdeen	Not held	Not held	Not held	Not held	Not held
Aberdeenshire ²²	Not held	Not held	Not held	Not held	16
Angus	21	25	25	26	104
Argyll & Bute ²³	14	8	11	9	14
Clackmannanshire	Not provided	1	Not provided	7	5
Dumfries and Galloway	4	7	7	14	9
Dundee	Not provided	Not provided	Not provided	Not provided	42
East Ayrshire	Not held	Not held	Not held	Not held	Not held
East Dunbartonshire	24	41	25	20	Not provided
East Lothian	8	3	5	9	12
East Renfrewshire	49	39	58	33	Not provided
Edinburgh	220	227	240	214	Not provided
Falkirk	Not held	Not held	Not held	16	25
Fife	Not provided	Not provided	Not provided	1	6
Glasgow	Not provided	Not provided	Not provided	Not provided	Not provided
Highland	15	9	18	12	19
Inverclyde	3	2	6	6	3
Midlothian	Not held	Not held	Not held	Not held	Not held
Moray	1	4	8	15	17
North Ayrshire	Not held	Not held	Not held	Not held	Not held
North Lanarkshire	Not held	Not held	Not held	Not held	Not held
Orkney	0	0	0	2	1
Perth & Kinross	23	21	15	30	25
Renfrewshire	48	24	29	10	25
Scottish Borders	Not held	Not held	3	1	1
Shetland ²⁴	< 5	< 5	< 5	0	< 5
South Ayrshire	18	23	27	28	20
South Lanarkshire ²⁵	53	37	44	51	40
Stirling	8	2	3	17	10
West Dunbartonshire	22	27	25	30	8
West Lothian	63	38	51	78	79
Western Isles	Not held	Not held	Not held	Not held	Not held
Total	594	538	600	629	481



Table 12 details the number of prejudice based bullying incidents that have been recorded across all Local Authorities since 2012.

Table 12: Total Number of Recorded Prejudice-Based Bullying Incidents 2011/12 – 2015/16 by Local Authority

Local Authority Area	2011/2012	2012/13	2013/14	2014/15	2015/16
Aberdeen	Not held	Not held	Not held	Not held	Not held
Aberdeenshire	Not held	Not held	Not held	Not held	17
Angus	46	51	34	39	154
Argyll & Bute	14	8	11	9	14
Clackmannanshire	Not provided	1	Not provided	7	5
Dumfries and Galloway	4	17	10	16	19
Dundee	Not provided	Not provided	Not provided	Not provided	216
East Ayrshire	Not held	Not held	Not held	Not held	Not held
East Dunbartonshire	24	41	25	20	Not provided
East Lothian	8	3	5	9	13
East Renfrewshire	49	39	58	33	Not provided
Edinburgh	289	276	292	263	Not provided
Falkirk	Not provided	Not provided	Not provided	16	25
Fife	Not provided	Not provided	33	21	60
Glasgow	Not provided	Not provided	Not provided	Not provided	Not provided
Highland	21	10	20	15	28
Inverclyde	3	2	6	6	3
Midlothian	Not held	Not held	Not held	Not held	Not held
Moray	1	5	11	18	23
North Ayrshire	Not held	Not held	Not held	Not held	Not held
North Lanarkshire	Not held	Not held	Not held	Not held	Not held
Orkney	0	0	0	2	1
Perth & Kinross	23	21	15	30	25
Renfrewshire	106	79	74	32	68
Scottish Borders	Not held	Not held	5	10	1
Shetland	< 5	< 5	< 5	< 5	< 5
South Ayrshire	376	350	312	230	260
South Lanarkshire	53	47	44	51	40
Stirling	10	4	4	19	15
West Dunbartonshire	26	29	26	34	34
West Lothian	63	38	51	78	79
Western Isles	Not held	Not held	Not held	Not held	Not held
Total	1,116	1,024	1,036	958	1,100

Nil Returns

CRER asked each Local Authority to “provide the percentage of schools in their Local Authority area submitting nil returns (reporting no racist incidents or prejudice-based bullying/prejudice-based incidents) during the most recent school year for which data is available (please state the year), recorded separately for each category.”

However, it is unclear if some of the Local Authorities who responded interpreted non-returns as being the same as nil returns. Therefore, the proportion of schools not submitting any reports of incidents may be higher if some have information on non-returns which has not been submitted. We would seek to address this in the way we word the FOI request if repeating this exercise. Table 13 below outlines the figures provided on nil returns for the most recent year in which data was available, broken down by Primary, Secondary and Special Schools. Most schools gave this information for the school year 2015/16, however Edinburgh's data is from 2014/15 and Inverclyde chose to provide information for 2016/17. Whilst CRER did not explicitly request the number of schools submitting nil returns, most Local Authorities provided this information, which has been included in the table below.



Table 13: Nil returns submitted to Local Authorities for the most recent year broken down by Primary, Secondary and Special Schools

Local Authority Area	Primary		Secondary		Special		Total
	Number	%	Number	%	Number	%	
Aberdeen	-	-	-	-	-	-	-
Aberdeenshire	-	-	-	-	-	-	-
Angus	49	92%	1	25%	n/a	n/a	50
Argyll & Bute	72	96%	7	70%	1	100%	80
Clackmannanshire	18	89%	4	100%	1	100%	23
Dumfries and Galloway	100	100%	13	81.25%	2	100%	115
Dundee	19	54%	<5	11%	<5	100%	-
East Ayrshire	-	-	-	-	-	-	-
East Dunbartonshire	-	-	-	-	-	-	-
East Lothian	29	80%	4	67%	-	-	33
East Renfrewshire	-	-	-	-	-	-	-
Edinburgh ²⁶	22	25%	4	17.39%	8	66.67%	-
Falkirk	41	82%	5	62.5%	3	75%	49
Fife	137	97%	18	94%	6	100%	161
Glasgow	-	-	-	-	-	-	-
Highland	169	93%	22	76%	4	100%	195
Inverclyde ²⁷	13	55%	3	50%	3	100%	19
Midlothian	38	83%	0	0%	n/a	n/a	38
Moray	-	-	-	-	-	-	-
North Ayrshire	-	-	-	-	-	-	-
North Lanarkshire	-	-	-	-	-	-	-
Orkney ²⁸	17	100%	5	71.4%	-	-	22
Perth & Kinross	68	89%	5	50%	0	0%	73
Renfrewshire	41	84%	6	55%	3	100%	50
Scottish Borders	59	98%	6	1000%	-	-	65
Shetland	28	96.55%	6	87.5%	n/a	n/a	34
South Ayrshire	16	39%	0	0%	2	100%	18
South Lanarkshire ²⁹	-	89%	-	59%	-	100%	-
Stirling	37	92.5%	6	85%	3	75%	46
West Dunbartonshire ³⁰	-	-	4	80%	3	100%	-
West Lothian	25	37%	1	9%	4	66%	30
Western Isles	-	-	-	-	-	-	-

Tables 14 and 15 show the percentage of nil returns for primary and secondary schools. As there were very few Local Authorities submitting information on Special Schools, this information has not been included in the detailed charts.

Table 14: Percentage of nil returns submitted from Primary Schools by Local Authority

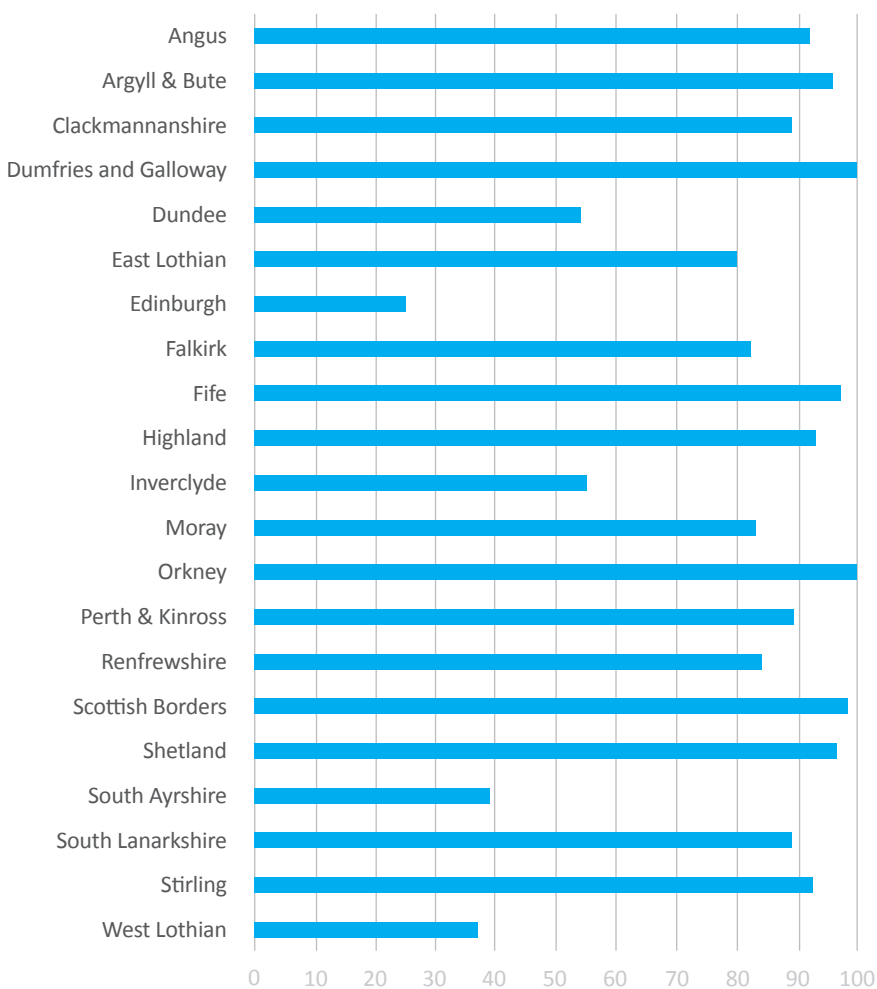
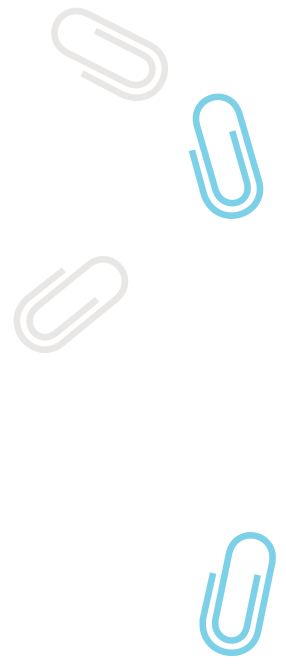
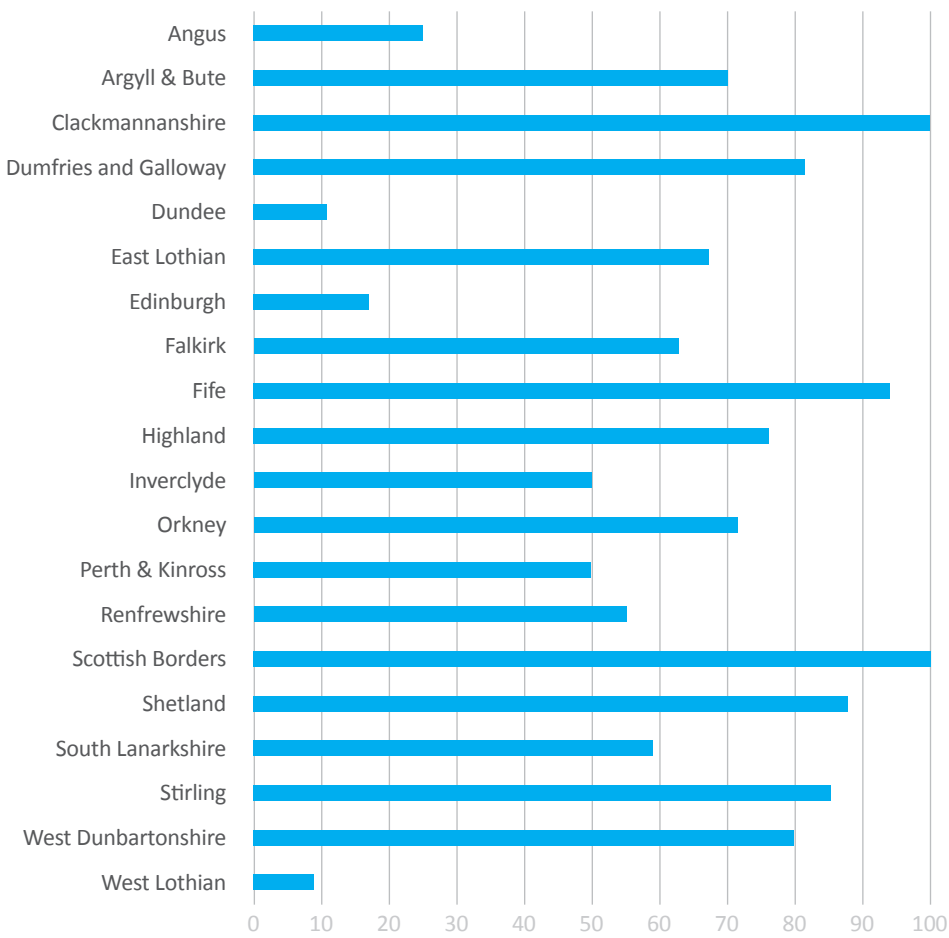


Table 15: Percentage of nil returns submitted from Secondary Schools by Local Authority



Conclusions and summary of recommendations

The poor quality of the data analysed in the second part of this briefing demonstrates that urgent action is needed to ensure better reporting and recording of racist incidents and prejudice based bullying. Without this, no baseline can be established at local or national level to identify the scale of the problem or to inform work to tackle it.

Inconsistent policy across Scotland's Local Authority areas, with significant weaknesses in most areas, is closely linked to this. The information set out in the first part of this briefing clearly shows that while reasonably good practice can be seen in some Local Authority policies, all could benefit from a more cohesive approach. Ensuring that policies are implemented in individual schools is also vital to improve the experiences of minority ethnic pupils, and to limit the damage caused by racism and prejudice based bullying.

The recommendations set out in this report can be used by Local Authorities in reviewing and refreshing their anti-bullying policies to address weaknesses in policy and practice:

- Ensure anti-bullying policies have adequate content on prejudice based bullying, focussing on the protected characteristics of the Equality Act 2010
- Consider issuing specific guidance (or linking to external guidance) which provides information on evidence based approaches for tackling racism and prejudice in schools
- If schools are expected to develop their own policies, include a mechanism for quality assurance of school policies
- Ensure policies are reviewed every three years, with involvement from pupils and the other key stakeholders in the Local Authority area
- Set out expectations for schools to review their progress on implementing policies and draw on the results when reviewing the Local Authority policy
- Include brief content on the nature and manifestations of prejudice based bullying for each protected characteristic group
- Include an explanation that prejudice based incidents may not always constitute bullying, with expectations of how these will be addressed and recorded
- Advise that incidents should be regarded as prejudice based if anyone perceives them to be
- Ensure content on equality and/or equality law is accurate and clearly expressed



- Set out expectations for schools to undertake preventative work, including examples
- Include information on how schools can empower children and young people to challenge bullying behaviours
- Include clear procedures for teachers to use in addressing incidents
- Give examples of appropriate actions which could be taken to resolve incidents
- Balance contest on restorative practice with acknowledgement that, where this is ineffective or inappropriate, punitive measures may be necessary
- Include information on how serious incidents should be dealt with, for example where child protection issues or criminal behaviour is involved
- Include a robust recording system which includes prejudice based bullying/ prejudice based incidents and enables management and recording of incidents from initial report to resolution and review
- Explain how recording processes can be used by schools to monitor trends and identify preventative or restorative actions for the wider school
- Set out expectations for schools to report incident levels to the Local Authority, including information on how the Local Authority will monitor compliance with this
- Include assurances that a rise in incident reporting will be regarded as demonstrating effective implementation of the policy
- Provide appropriate training opportunities for all teachers and include details of this within the policy
- Give examples of additional options for relevant training and CPD
- Include information on potential consequences of breaching the policy
- Set out a complaints process for parents/carers to use if they are dissatisfied with how schools have dealt with incidents
- Ensure policies are well-publicised and their use promoted to, and within, individual schools
- Develop mechanisms for identifying whether schools are implementing the policy in practice



Appendix A

CRER FOI Request – issued 8 May 2017

Dear Sir/Madam,

FOI request - racist incident and prejudice based bullying recording

The Coalition for Racial Equality and Rights (CRER) is currently undertaking research into racist incident and prejudice-based bullying recording in schools. As part of this research, we would appreciate it if you could please provide us with the following information:

1. The number of:

a) Racist incidents, and

b) Prejudice based bullying/prejudice-based incidents (full number, plus numbers disaggregated by protected characteristics including race/ethnicity if available)

Recorded separately for each category:

i) Primary schools,

ii) Secondary schools, and

iii) Special schools

in your Local Authority area for each school year from August 2011 - June 2016, including an annual breakdown for each year.

2. The total number of schools in your Local Authority area submitting nil returns recorded separately for each category:

i) Primary schools,

ii) Secondary schools, and

iii) Special schools



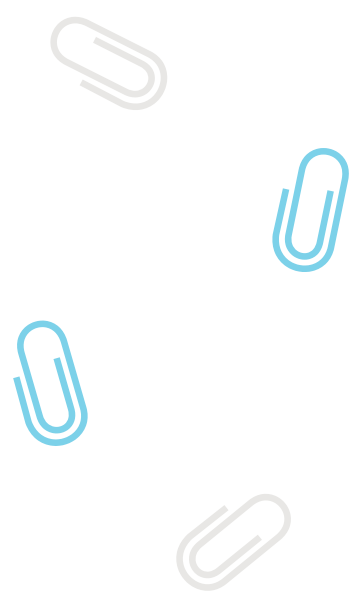
3. A copy of the policy or policies relating to racist incident reporting and/or prejudice-based bullying used by schools in your Local Authority area over the period August 2011 - June 2016.

4. The percentage of schools in your Local Authority area submitting nil returns (reporting no racist incidents or prejudice-based bullying/prejudice-based incidents) during the most recent school year for which data is available (please state the year), recorded separately for each category:

- i) Primary schools,**
- ii) Secondary schools, and**
- iii) Special schools**

In the event that your information system records incidents by calendar year or in another format rather than by school year, please provide the information in which ever annual format is used.

Please consider this as a formal request for information in line with the provisions of the Freedom of Information (Scotland) Act 2002.



Appendix B

Suggested content on racist and xenophobic bullying for inclusion in anti-bullying policies

The following suggested content can be incorporated into policies alongside information on other forms of prejudice based bullying.

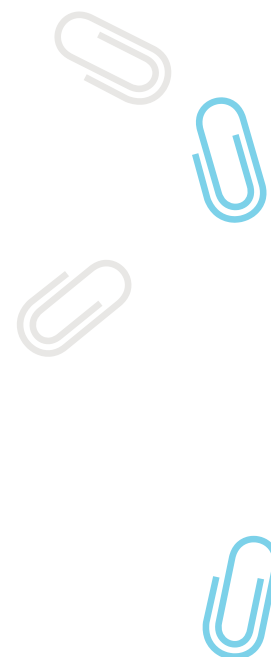
Racist and xenophobic bullying

Racist and xenophobic bullying is when prejudice against a young person's actual or perceived ethnicity is used as a motive to exclude, threaten, hurt or humiliate them. In common with many other forms of prejudice-based bullying, racist and xenophobic bullying can have a particularly damaging impact on children and young people. Racist and xenophobic bullying can be experienced not just as a personal attack on a young person, but as something deeper which undermines and degrades their family, their community and their culture.

Any child or young person who is viewed by others as being part of a minority ethnic group is at risk of experiencing racist or xenophobic bullying. This can happen regardless of how they view their own ethnic identity.

Some children and young people who are not from a minority ethnic background might also experience bullying because others think that they are from a minority ethnic background, or because they have minority ethnic family or friends.

Some racist or xenophobic incidents which occur in school may not be bullying, but these should still be recorded. The most common definition used to identify racist incidents by Police and other agencies is the Macpherson definition. This definition, set out in Lord William Macpherson's Stephen Lawrence Inquiry Report, states that an incident should be considered racist if it is "perceived to be racist by the victim or any other person." This approach can also be applied to racist, xenophobic and other forms of prejudice based bullying to assist teachers in identifying when something should be recorded as a prejudice based incident.



Appendix C

Example of basic procedure

Report received

Inform anti-bullying co-ordinator/Head Teacher immediately.

Recording

Complete initial sections of recording form, and update at each stage of investigation and resolution.

Investigation

Take steps to establish what happened by interviewing those involved and witnesses; if any person believes the incident to have a prejudice based motive, this should be recorded.

Involving parents/carers

Identify whether it is appropriate to involve parents or carers, with consideration of the wishes of the young person experiencing bullying.

Involving other agencies

If needed, liaise with the Education Department and/or other agencies such as Police Scotland.

Action

Identify action to be taken to resolve the situation, recording information in the recording form and individual pupil records as needed. Action may include support for the person experiencing bullying, restorative work to address behaviour, punitive measures if restorative work is not appropriate and work with the class or whole school to prevent further incidents by addressing any attitude or behaviour patterns if needed.

Review

Following resolution of the incident, review the situation in three months' time to ascertain whether there has been any recurrence of the behaviour or long-term impacts on those involved.



Further information

To discuss how your organisation can best use this research briefing, please contact

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Endnotes

1. CRER (2012). Racist Incident Reporting in Scotland's Schools.
2. The Macpherson Report, also known as the Stephen Lawrence Inquiry Report, detailed the results of a groundbreaking investigation into institutional racism following significant failings in the Metropolitan Police's response to the murder of Stephen Lawrence. Macpherson, W. (1999) Stephen Lawrence Inquiry report.
3. Scottish Government (2017). Respect for All: The National Approach to Anti-bullying for Scotland's Children and Young People.
4. More information on the work of respectme can be found at respectme.org.uk.
5. respectme (2017). Policy through to Practice – Getting it Right: Anti-Bullying Policy Guidance for Schools and Children & Young People's Services
6. Scottish Parliament Equalities and Human Rights Committee (2017). It is not Cool to be Cruel: Prejudice-based bullying and harassment of children and young people in schools
7. Tippett et al (2011) Prevention and Response to Identity Based Bullying among Local Authorities in England, Scotland and Wales. London: EHRC
8. See respectme's website for the common definition used in Scottish policy.
9. Anon. (2008) Dealing with Racist Incidents: Preventing Racism and Empowering Young People Conference Report. Leicester County Council, Leicester City Council and Mandeep Rupra Consulting.
10. Macpherson, W. (1999) Stephen Lawrence Inquiry report.
11. Scottish Government (2010). A National Approach to Anti-Bullying for Scotland's Children and Young People.
12. UK Government (2010). The Equality Act 2010.
13. Including Doreen Lawrence, mother of Stephen Lawrence, who believed that his killers may have developed different attitudes to race if the educational system had helped them to understand the contribution of Black and minority ethnic people to British society. Ghouri, N (1999) Schools Told To Report Racist Pupils: Stephen Lawrence Inquiry. TES Newspaper, published 26th February 1999.
14. Macpherson, W. (1999) Stephen Lawrence Inquiry report.
15. CRER (2017). Scoping session on Bullying and harassment of children and young people in schools: Written Submission. Education Authorities are required to comply with the Public Sector Equality Duty, which involves legal obligations to eliminate discrimination and harassment, foster good relations and advance equality of opportunity. More information can be found on the Equality and Human Rights Commission website.
16. United Nations Office of the High Commissioner (2016). CERD: Concluding Observations for the United Kingdom.
17. Scottish Government (2016). Report of Independent Advisory Group on Hate Crime, Prejudice and Community Cohesion.
18. Lough Dennell, B.L. and Logan, C. (2015). Prejudice-based bullying in Scottish schools: a research report. Glasgow: EHRC
19. Issues and caveats around the use of the per 100 BME pupils measure are explored at page 36
20. Lough Dennell, B.L. and Logan, C. (2015). Prejudice-based bullying in Scottish schools: a research report. Glasgow: EHRC
21. Scottish Government, Evidence Finder, Summary: Ethnic Group Demographics – Scotland's Census 2011, Release 2A <http://www.gov.scot/Topics/People/Equality/Equalities/DataGrid/Ethnicity/EthPopMig>
22. Data not broken down by Primary, Secondary or Special School just a total across the region
23. This number included incidents that were experienced by white pupils
24. Exact number wasn't given as the figures in each case were more than one but less than five
25. Numbers provided are for the number of "racist incidents" that have happened across the region, as prejudiced based bullying is not measured
26. Data supplied from 2014/15
27. Data supplied from 2016/17
28. Data on Secondary schools has been amalgamated to include data from Junior High's and Secondary schools
29. Numbers were not given by local authority only percentages
30. No information was given on Primary schools

