Dealing with, and recording Prejudice Related Incidents

In Early Years and Childcare Settings
Introduction

We know that children from a very early age are profoundly influenced by their families, by the communities in which they live and by the media. Educational practice based on equality and justice is good educational practice and involves developing relationships built on trust, respect and an understanding and appreciation of diversity. It involves challenging expressions of prejudice clearly and consistently. It also involves addressing those expressions of prejudice that children encounter in the media, the wider community and possibly within their own families. This will require settings to help children and adults unlearn the prejudices and discriminatory attitudes they absorb from the world around them.

What are the duties?

Equality Act 2010

The Equalities Act 2010 replaces all previous equality legislation by bringing together all equality strands into one Act. It simplifies the law, removing inconsistencies and making it easier for people to understand and comply with. There are seven equality strands reflected in the legislation these are:

- Age
- Disability
- Gender
- Ethnicity, culture, national origin or national status
- Faith, tradition, religion or belief
- Sexual orientation
- Gender identity

All of these strands are pertinent to the well-being of all children and their families.

Except in the case of pregnancy and maternity, people who are protected do not actually have to possess the characteristic themselves. Protection also applies, for example, where the person is unfairly treated because they are wrongly perceived to have a particular characteristic (or are treated as though they had it) or because they associate with someone who has the characteristic.

As a matter of good practice, you should treat everyone accessing your service fairly, regardless of their age, gender, race, sexual orientation, disability, gender reassignment, religion or belief, and guard against making assumptions about the characteristics of individuals.
What the law says

The law requires all public authorities to reduce inequalities. This statutory public duty means there is no choice about compliance; it applies to all public authorities whatever their population. A lack of resources is no excuse for non-compliance. Legal compliance is required by all early years and childcare settings as they are commissioned to provide services on behalf of a public body.

The Act compliments the EYFS which states explicitly - both within its statutory requirements and guidance - that no child should be disadvantaged by their ethnicity, culture or religion, home language, family background, disability, special educational needs, gender or ability. These values are central to the delivery of the new duties on improving outcomes and reducing inequalities.

Good equality practice must be at the heart of practitioner's relationships with children and their families. Respect for others, whatever their background, culture or situation, and an understanding that difference is essential for a rich and diverse society will enhance community cohesion. Everyone in the early years and childcare sector needs to do all they can to ensure that, by effectively addressing the inequalities that currently exist, no child is disadvantaged.

Racism and prejudice

It is now recognised that racism damages all children, both Black and White, though it does so in different ways. Many Black children and their families are greatly disadvantaged by discrimination. Racism can result in affecting children’s behaviour, confidence, motivation and their ability to learn.

It is also evident that all forms of prejudice have similar impacts and so need to be addressed from an early age.

Many who experience prejudice may also suffer low esteem and their concept of self-identity may be damaged. Children need to know and feel that their identity and differences are something to be proud of.

Children develop attitudes, including prejudiced attitudes, from their whole environment. This includes resources such as books, jigsaw puzzles, posters, dolls, other children and adults as well as the media.
All children, from a very early age, need to know about, understand and respect differences that exist between people. Many practitioners believe that young children do not recognise different skin colours. However, research (Milner 1983, in Brown 1998) tells us that children as young as two years old notice differences in skin colours and that between three and five years they are beginning to attach values to it. All children are different, and it is this that creates their uniqueness and their individuality. While children are all different, they are all of equal worth.

Practitioners have to address, in a positive way, the negative attitudes and assumptions that focus on those differences between children. Practitioners need to examine their own attitudes which may be transmitted to the children. Whatever setting practitioners work in, it is important to give all children an understanding of, and respect for, the differences that make up society. Children and parents need to know that this is an integral part of the ethos of the setting, that their cultural and family background will not just be acknowledged but be respected and valued.

Disability

In the Act, a person has a disability if:

- they have a physical or mental impairment
- the impairment has a substantial and long-term adverse effect on their ability to perform normal day-to-day activities

For the purposes of the Act, these words have the following meanings:

- 'substantial' means more than minor or trivial
- 'long-term' means that the effect of the impairment has lasted or is likely to last for at least twelve months (there are special rules covering recurring or fluctuating conditions)
- 'normal day-to-day activities’ include everyday things like eating, washing, walking and going shopping

Research indicates that children with Special Educational Needs and disabilities are at higher risk of being bullied. For example, Children with Attention Deficit Hyperactivity Disorder (ADHD) are more likely than other children to be bullied. They are also more likely than others to bully their peers (Unnever and Cornell, 2003).
Age and prejudice

People of all ages should be treated with dignity, equality and respect. This applies to all members of the community which you serve. Every setting should recognise and value the contribution that all members of the community make. This should be reflected in the setting’s practice and resources. People of all ages should be encouraged to contribute to the setting and have their unique contribution acknowledged.

Sexual orientation and prejudice

Under the Act, sexual orientation includes those who are heterosexual, lesbian, gay or bisexual. To be a victim of an incident, the person doesn’t have to be of a particular orientation, but they are perceived to be, or a member of their family may be gay.

In 2007, Stonewall, in The School Report stated that homophobic bullying is almost endemic in Britain’s schools. This can grow from early years settings where comments such as “you’re so gay” are ignored as jokes.

Gender identity and prejudice

Gender Identity relates to people who believe that their actual gender is not the one that they were born in. Transgender parents and carers are often subject to prejudice.

Gender dysphoria (discontent with the biological sex they were born with) can manifest in early ages. The NHS guidance "Medical care for gender variant Children and young people: answering families' questions" gave the example:

“From the age of 2, Dennis Atkins (not real name) began to show a strong preference for toys and books designed for girls. When he started school, he liked it but gravitated towards the girls for making friends. He told a couple of the girls who were closest to him that he wanted to be a girl, which they found odd and they called him names”
Faith, religion, belief and prejudice

Faith based incidents are directed at people because of their particular faith, or perceived faith, or if they do not hold a particular faith. Inappropriate assumptions may also be made about someone’s faith because of their ethnic origin.

Prejudice related incidents have intensified in recent years, particularly in relation to anti-Muslim bullying and racism.

Sexism and prejudice

Sexual and sexist prejudice related incidents can affect both genders. This could include comments about looks, or innuendos and propositions.

The media can promote gender stereotypes which can put pressure on girls or boys to look or behave in a particular way. If they don’t comply this can put them at greater risk of prejudice.

Other prejudice

People may experience a prejudice related incident for many other reasons other than those already listed, these could for example be because of the married of civil partnership status of their family, or social class.

A prejudice may also be because of certain physical characteristics, such as body size, or because they need to wear spectacles.

It is important to recognise that these incidents also affect the development of children and equally need to be addressed.
Definition of a prejudice related incident

The Stephen Lawrence Inquiry Report defines a racist incident as:

‘Any incident which is perceived to be racist by the victim’

According to the Home Office code of practice, this definition of a racist incident should be used by all agencies. This definition applies to all prejudice related incidents e.g. a disability incident is…..

The purpose of this definition is not to prejudge the question of whether a perpetrator’s motive was prejudiced or not. It is rather to ensure that investigations take full account of the possibility of a prejudice dimension to the incident.

The overwhelming majority of public authorities, including Suffolk County Council and Suffolk Police, accept this definition and advise that all incidents which may be perceived as prejudice must be reported, recorded, investigated and followed up with appropriate actions.

Underlying Principles

Each prejudice related incident holds unique and distinctive features, which need to be considered; the response of early years and childcare settings should be informed by the principles below. These principles need to be adopted if settings are to challenge and counter prejudice related incidents and ensure the wellbeing and achievement of all children and young people in line with Every Child Matters.

- All children are entitled to early years and childcare experiences, which respect and value their identity, individuality and background and are free from prejudice, harassment and adverse discrimination.
- Prejudice related incidents could prevent children from learning and be a significant barrier to their achievement.
- Prejudice related bullying impacts on a child’s social and emotional wellbeing.
- Strategies for dealing with discrimination need to be linked to the setting’s behaviour and anti-bullying policies.
- All people involved with the setting including parents and carers must be made aware of the setting’s policy and procedures for dealing with prejudice related incidents.
- All allegations of prejudice related incidents should be taken seriously and investigated thoroughly.
• Settings should keep parents, carers and children informed during an investigation and advise them of any action that is taken. This should be discussed sensitively with those involved.
• All prejudice related incidents need to be recorded and returned to the local authority annually, to enable the setting and the local authority to monitor trends and take steps to reduce prejudice related incidents in the future.
• Settings and the local authority will be open and honest in their dealings with children, parents, carers and members of local communities about prejudice related incidents and will value their help and support in tackling these issues.
• Setting leaders need to keep staff and committee members (where relevant) up-to-date with issues relating to any such forms of discrimination.
• The local authority will share this information with other agencies and departments through the Children and Young People’s Diversity and Equality Action group and other specific groups for example, The Hate Crime Forum, so that it can meet the responsibility for monitoring the incidence of discrimination, including harassment in the Suffolk community as a whole.

What is Prejudice behaviour?

Physical assault
This includes a range of violent actions, from criminal attacks involving hitting, kicking and possibly the use of weapons, to pushing someone or tripping them up.

Physical intimidation
This includes persistent ‘minor’ intimidation which may be cumulative in effect, such as jostling in a queue or using offensive gestures and mimicry.

Verbal abuse
This includes derogatory name-calling, insults and overtly prejudiced ‘jokes’; threats and incitement of others to behave in a prejudiced way; and ridicule of a person’s speech, background, religion and/or culture (including a person’s dress, smell, appearance and diet).

Insensitive/inappropriate remarks/comments/jokes
This includes thoughtless remarks and general comments; jokes which reinforce negative stereotypes; and insensitive or inappropriate use of terminology and language.
Prejudiced graffiti
This includes offensive writing and/or drawings in places where they can be widely seen, such as on walls, on tables and in lavatories.

Written comments/drawings (not graffiti)
This includes offensive writing and/or drawings in places where they cannot be widely seen, such as on pieces of paper, in exercise books, emails or on mobile phones (text messaging).

Abuse of/damage to personal property
This includes spoiling or destroying a piece of work, deliberately breaking something, damaging clothing, etc.

Non co-operation/disrespect/isolation
This includes failing to show respect to someone because of their race, disability, religion etc. Forms of disrespect may relate to cultural and religious differences regarding food, music, dress, etc. Such forms of disrespect are sometimes inadvertent, resulting from a lack of awareness or knowledge on the part of the perpetrator. Perpetrators could also be expressing received messages from the media, parents/carers and other groups in the wider community. Other examples include wearing offensive badges or insignia and turning away from or ostracising a person.

Intimidation/coercion
This includes making fun of children and adults, offensive gestures, mimicry, intimidating body language and obstruction, for example when entering a setting or within the setting environment, as well as making someone do or say something against their will.

Extortion
Extortion specifically relates to forcing someone to give up something they own, or have in their custody, such as money, personal possessions or setting property.

Spreading rumours
The spreading of rumours and/or malicious gossip, particularly with the intention of causing hurt those named in the rumours.

Cyber (Email, Internet, Text)
Cyberbullying is the use of Information Communications Technology (ICT), particularly mobile phones and the internet, deliberately to upset someone else. (Cyberbullying, DCSF-00685-2007). As such, technology is often the vehicle for the bullying, and therefore spreading rumours, for example, may be done via the internet, and would therefore be both 'Spreading rumours' and 'Cyber'.
Other prejudice related incidents
This includes the wearing of specific badges, T-shirts carrying slogans or bringing discriminatory literature into the setting; attempting to recruit others to organisations and groups that promote any form of prejudice.

Recording and reporting procedures
Members of setting staff may not be sure when they should record an incident as prejudice-related following remarks made by children or adults related to ethnicity, culture, religion and belief, disability, homophobia, age or gender. The following questions may be helpful to assist this decision. If the answer to any of the following 3 questions is ‘Yes’ then the incident should be recorded: -

• was anyone offended/hurt/upset by the remark?
• would a representative of the community concerned have been offended? (If in doubt record)
• was the way the remark was formulated or delivered derogatory, mocking or negative about the group or individual or character concerned? (If in doubt record)

What to do when something happens

Hear
Don’t let it pass, don’t walk away

Respond
Without stigmatising the person who has offended, help them to see what was wrong with what they did or said, and support them in making changes

Support
Let victims know you care about their feelings and support them in standing up for themselves

Inform
Point out untrue statements in a sensitive way and give correct information

Action
Explain what was offensive. Try to get understanding and bring parties together

Consult
Talk to the parents of the children involved so that the children’s families can work with the setting to prevent further incidents

Long Term
Plan work/projects to help change behaviour and improve understanding
Recording prejudice incidents

Possible prejudice incident occurs

A record is made by the setting of the incident

Does the alleged incident constitute a child protection issue

Yes

Safeguarding children procedures must be followed

No

Alleged incident investigated. Those involved informed of outcome

Allegation substantiated?

Yes

Those involved seen/contacted. Any relevant information or documents retained

No

All forms and supporting documentation kept secure. Used to inform reporting to Suffolk County Council.
Prejudice related incident report form  
(for reporting to Suffolk County Council) 
To be used by early years and childcare settings to report any prejudice related incidents.

Setting reporting incident.............................. Area.................................

Name of setting...........................................................Phone no.................................

Address..........................................................................................................................

Contact Name...................................................................Position................................

Signed........................................................................ Date.................................

Details of incident – Relating to....................... (E.g. disability, race etc)

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<thead>
<tr>
<th>Type of incident</th>
<th>Date/time</th>
<th>Place</th>
<th>Gender of victim</th>
<th>Ethnicity of victim</th>
<th>Gender of perpetrator</th>
<th>Ethnicity of perpetrator</th>
<th>Have the police been informed?</th>
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<td>Racist graffiti</td>
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<td>Written comments/drawings (not graffiti)</td>
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<td>Abuse of/damage to personal property</td>
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<td>Non-co-operation/disrespect/ostracism</td>
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Disabilities

Description of incident
No personal names are used, apart from the name(s) of the perpetrator(s)

Action taken in response to incident
No personal names are to be used, apart from the name(s) of the perpetrator(s)
Useful Contacts

**Anti-Bullying Alliance** – ABA brings together over 65 organisations into one network with the aim of reducing bullying and creating safer environments. [www.anti-bullyingalliance.org.uk](http://www.anti-bullyingalliance.org.uk)

**Council for Disabled Children** – the umbrella body for the disabled children’s sector in England. [www.ncb.org.uk/cdc](http://www.ncb.org.uk/cdc)

**Don’t Stick it, Stop It!** – Mencap’s website that campaigns against the bullying of young people with a learning disability. [www.dontstickit.org.uk](http://www.dontstickit.org.uk)

**Equality and Human Rights Commission** – The EHRC replaced the Commission for Racial Equality, the Disability Rights Commission and Equal Opportunities Commission on 01/10/2007. [www.equalityhumanrights.com](http://www.equalityhumanrights.com) Tel: 0845 6046610


**National Autistic Society** – champions the rights and interests of people with autism. [www.autism.org.uk](http://www.autism.org.uk)

**Refugee Council** – Provides advice and support for asylum seekers and refugees. [http://www.refugeecouncil.org.uk/](http://www.refugeecouncil.org.uk/) Address: 1st Floor, 4-8 Museum Street, Ipswich IP1 1HT, Tel: 01473 297900

**Suffolk Interfaith Resource (SIFRE)** – Provides information about different religious beliefs and can provide local contacts from faith groups. [www.sifre.org.uk](http://www.sifre.org.uk) Tel: 01473 233447

**Suffolk Police** – Suffolk Police will investigate and record every racist incident that is reported to them. Tel: 01473 613500
**Suffolk Racial Harassment Forum** – Contact via ISCRE (above). Monitors and evaluates the work of public services in Suffolk.  
[http://www.onesuffolk.co.uk/RacialHarassmentForum/](http://www.onesuffolk.co.uk/RacialHarassmentForum/)

**Suffolk Hate Crime Service** – Provides support to people who are bullied, harassed, attacked, or have their property stolen or damaged because of their race, belief, disability, gender, age, or sexual orientation.  
[http://www.suffolk.gov.uk/PolicingAndPublicSafety/DiscriminationOrHarassment/SuffolkHateCrimeService.htm](http://www.suffolk.gov.uk/PolicingAndPublicSafety/DiscriminationOrHarassment/SuffolkHateCrimeService.htm)  
Old Crown Court Annexe, Civic Drive, Ipswich, IP1 2AW  
Tel: 01473 668966

**Early Years and Childcare Inclusion Lead Officer**  
Address: Endeavour House, 8 Russell Road, Ipswich, Suffolk, IP1 2BX  
Tel: 01473 264680

**Ethnic Codes** (In relation to the forms on pages 11 and 14):

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<th>Code</th>
<th>Description</th>
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<td>WROM</td>
<td>Gypsy / Roma</td>
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<td>WIRT</td>
<td>Traveller of Irish Heritage</td>
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<td>MWBC</td>
<td>White &amp; Black Caribbean</td>
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<td>MWBA</td>
<td>White &amp; Black African</td>
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<td>MWAS</td>
<td>White &amp; Asian</td>
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<td>MOTH</td>
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<td>OOTH</td>
<td>Any Other Ethnic Group</td>
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PROTECT

03/02/2011
<table>
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<tr>
<th>Incident Number</th>
<th>Date of Incident (mm/yy)</th>
<th>Extortion</th>
<th>Isolation / Being Ignored</th>
<th>Physical</th>
<th>Verbal</th>
<th>Cyber</th>
<th>Personal Possessions Taken / Damaged</th>
<th>Written</th>
<th>Spreading Rumours</th>
<th>Intimidation / Coercion</th>
<th>Graffiti</th>
<th>Other (please specify)</th>
<th>Victim</th>
<th>Type of disability</th>
<th>Gender (M / F)</th>
<th>Child or Adult</th>
<th>Indicate if this is a repeat victim</th>
<th>Perpetrator</th>
<th>Enter Ethnic Code</th>
<th>Gender (M / F)</th>
<th>Child or Adult</th>
<th>Indicate if this is a repeat perpetrator</th>
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Signature of Setting Leader.............................................................. Date...........................................

PROTECT

03/02/2011