



Support
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RACE EQUALITY GUIDANCE

2025/26

This guidance will explore legal requirements as well as practical approaches in tackling racist and other prejudice related incidents.

Foreword

This guidance has been produced in order to support schools in preventing and dealing with racist incidents.

The Guidance is supported by three Professional Development Modules, each offering further exploration of key themes.

The guidance will contribute to other materials in dealing with prejudice-related incidents.



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Diversity

Equality

Tolerance

Inclusion

Introduction

Racism in any form is damaging to society in general and particularly to those groups in society against whom it is directed. Schools have a vital role in the prevention of racism in society generally.

Racist bullying is a particularly direct and often violent form of racism which can occur in any school regardless of the numbers of pupils from different ethnic groups within the school.

As schools appreciate, promoting equality and preventing discrimination plays a key role in supporting the attainment and progression of all pupils.

This guidance recognises that schools have a duty to:

- Tackle racist incidents, including incidents involving members of the school community that occur beyond the confines of the school
- Promote race equality and good race relations.

It supports schools in:

- Understanding their legal responsibilities in this area
- Understanding the impact of racist bullying on individuals and the wider school community
- Reviewing key aspects of policy and practice in relation to tackling incidents
- Recognising racist incidents and responding appropriately
- Developing procedures for recording, reporting and monitoring racist incidents
- Developing effective strategies towards their prevention as part of overall Behaviour, Equality and Safeguarding policies.

Who is this guidance for?

This guidance is for all school staff, head teachers and governors. It may also be useful for parents and carers.

It replaces previous guidance and outlines SIL's approach to racism, racial discrimination and racist bullying. It also lists further resources through which school staff can access specialist information on the specific issues that they face.

The Legal Position

Schools' responsibility to tackle bullying was set out clearly in Section 89 of the [Education and Inspections Act 2006](#):

- Provides that every school must have measures to encourage good behaviour and prevent all forms of bullying amongst pupils. These measures should be part of the school's behaviour policy which must be communicated to all pupils, school staff and parents
- Gives head teachers the ability to discipline pupils for poor behaviour that occurs even when the pupil is not on school premises or under the lawful control of school staff

The Government made their commitment to tackle bullying very clear in the [White Paper 'The importance of teaching,' 2010](#). It described the negative impact on achievement of bullying and head teachers' responsibilities were reinforced:

112. All pupils should be able to learn in safety, but we know that bullying is a significant problem for many children and young people: this is unacceptable. In a study, pupils who reported being bullied during a three year period did substantially worse in their GCSEs than those who reported no bullying. Government cannot address this problem directly because it is head teachers, not the Department for Education (DfE), who set the culture in schools. So it is essential that head teachers should put the expectations and processes in place to make sure that bullying will be identified and swiftly addressed. The role Government can play is to provide head teachers with easy access to the highest quality tools for the job and ensure that they are appropriately held to account.

113. We are clear that a school's anti-bullying approach must not be blind to race, sex, gender, sexuality, faith or disability. A head teacher who is effective in handling bullying ought to know whether there is a particular prevalence of any types of prejudice-based bullying in the school, and be shaping their approach in response to make sure any such incidents are taken especially seriously.



Schools should have a policy and Code of Practice to address bullying which is shared and understood by the whole school community. Racist bullying should be clearly identified within this policy.

“ Does your anti-bullying policy and Code of Practice identify racial harassment and racist bullying?
Does it outline procedures for dealing with them?

- PAUSE FOR THOUGHT.. ”



The Equality Act

The Equality Act 2010 replaced and consolidated all existing equality legislation such as the Race Relations Act, Disability Discrimination Act and Sex Discrimination Act. The Act provides a single source of discrimination law making it unlawful to discriminate against pupils because of their race, disability, religion or belief or sexual orientation. These are referred to as 'protected characteristics'.

The Act defines four kinds of unlawful behaviour:

- Direct discrimination
- Indirect discrimination
- Harassment
- Victimisation

Duties under the Act

Schools have **one general duty** under this act, but there are three tasks in this single general duty.

They must **have due regard** to the need to:

- Eliminate discrimination and other conduct that is prohibited by the Act
- Advance equality of opportunity between people who share protected characteristics and those who do not share it
- Foster good relations between people of all characteristics i.e. across all groups.

'Due regard' has been defined as giving relevant and proportionate consideration to the duty. For schools this means:

- Decision makers in schools must be aware of the duty to have 'due regard' when making a decision or taking an action and must assess whether it may have implications for people with particular protected characteristics
- Schools should consider equality implications before and at the time that they develop policy and take decisions, not as an afterthought, and they need to keep them under review on a continuing basis
- The Public Sector Equality Duty [PSED] has to be integrated into the carrying out of the school's functions, and the analysis necessary to comply with the duty has to be carried out seriously, rigorously and with an open mind – it is not just a question of ticking boxes or following a particular process.

Racist incidents may include:

- Verbal abuse or threats – hostile, deliberately derogatory, hurtful, insulting and generally negative remarks about a person’s skin colour, ethnicity, religious beliefs, nationality, language or cultural background. The most common form of verbal abuse is name-calling, sometimes not taken as seriously as other forms of racist behaviour, however, the impact of this can be devastating. ‘Bruises heal. Words cannot be unsaid.’
- Racially motivated damage to personal belongings
- Racist jokes, insults and comments
- Acts of violence against someone or a group of people because of their colour, race, nationality or religion
- Shunning other pupils or refusing to work with them because of their race, religion, colour, ethnicity, nationality
- Racist graffiti on books, walls, desks
- Distributing racist material or literature or bringing it into school
- Wearing badges or other insignia associated with racist organisations (provocative behaviour)
- Cyberbullying through texts, e-mail, Facebook and mobile phones
- Use of racist terms or comments during classroom discussions
- Mocking cultural or religious symbols or customs e.g. dress, food, language
- Encouraging others to join racist organisations
- Encouraging others to behave in a racist way/incitement

“

What are the most common incidents in your school?

Have there been changes in the types of incidents over time?

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- PAUSE FOR THOUGHT..

Recording, reporting & monitoring incidents of racist bullying

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It is important to record all racist incidents for the following reasons:

- To measure the school's effectiveness in responding to incidents
- To gain a clear picture of their frequency, nature and any patterns or trends to inform preventative measures
- To target resources effectively
- To identify repeat victims or perpetrators
- To provide statistical data to contribute to strategic planning within school.

What should be recorded?

- A description of the incident
- Names and ethnic background of the people involved (use the census categories used to collect statistical information about achievement in school)
- Action taken with the perpetrator(s)
- Support for victim(s)
- When parents were informed and how
- Whether this is a repeat victim or a repeat perpetrator
- The outcome
- Whether outside agencies were involved
- Follow up actions
- Implications for the school, e.g. staff training, pupil support, curriculum development
- Other comments and reflections on the incident including its origins and any lessons learned.



Formal Complaints

Race is one of the seven 'protected characteristics' under the [Equality Act 2010](#).

If a pupil, parent or even a member of staff believes they have suffered from racial discrimination including indirect discrimination, harassment or victimisation, and feels the school has failed to respond appropriately, they may decide to take legal action.

If racist bullying is reported to a teacher and that teacher fails to act describing the bullying as nothing but harmless teasing, then the victim or the victim's parent may decide to make a claim of unlawful racial harassment to the county court.

If a teacher in conveying their beliefs about immigration was found to have been haranguing or berating a pupil or group of pupils this would constitute grounds for a claim of unlawful racial discrimination.

Indirect discrimination may result in a claim being made against the school. If, as in this example, the school's behaviour or exclusions policies result in a greater proportion of pupils with protected characteristics being disciplined or excluded:

A school's blanket exclusion policy of 'three strikes and you're out' is found to be indirect discrimination against Gypsy and Traveller pupils. Pupils from these communities are facing extreme levels of racially motivated bullying and are retaliating to the bullying which in turn was not being adequately investigated. Their blanket exclusion policy was reviewed and incidents investigated on a case-by case basis. EHRC







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