

HATE INCIDENTS INCLUDING ANTI-BULLYING POLICY 2025-26

Approved by Governing Body on	3.3.25
Internal review due:	September 2025
Full review and ratification due:	3.3.27
Signed on behalf of the Governing Body by the Headteacher	

The legal framework:

The Equality Act 2010 is intended to provide a single, consolidated source of law relating to discrimination. It applies to all maintained and independent schools, as well as academies and free schools.

Everything a school does must be fair, non-discriminatory and not put individuals or groups of people at a disadvantage. In particular, a school must not discriminate, harass or victimise a pupil or potential pupil in relation to:

- Admissions.
- The way it provides education for pupils.
- How it provides pupils access to any benefit, facility or service.
- Excluding a pupil or subjecting them to any other detriment.

The Equality Act 2010 specifies a number of types of unlawful behaviour, including:

- Direct discrimination.
- Indirect discrimination.
- Failing to make reasonable adjustments for disabled pupils or staff.
- Discrimination arising from disability.
- Harassment related to one of the 9 protected characteristics.
- Victimisation of someone because they have made, or helped with, a complaint about discrimination.

Since April 2011, schools have also been bound by a part of the Equality Act 2010 called the Public Sector Equality Duty, which serves as the overarching legal requirement for schools and means they must consider how their policies, practices and day-to-day activities impact on pupils and staff. Schools are required in law to have “due regard” to the need to:

- Eliminate unlawful discrimination, harassment and victimisation.
- Advance equality of opportunity.
- Foster good relations.

As such, the law requires schools to think about the three aims of the Equality Duty as part of delivering provision, making decisions, and developing policies. This includes thinking about how schools respond to hate incidents, which can constitute or may amount to discriminatory behaviour, harassment, victimisation and other unlawful behaviours.

Similarly, the Ofsted inspection framework is explicit in outlining the need to tackle inequality and disadvantage in every aspect of education and the school experience, which can include hate incidents which target someone’s identity or characteristics. It also states that this will be considered as part of all inspection judgements as it is integral to improving attainment and the progress of all pupils, regardless of their circumstances and backgrounds.

Statement of Intent:

To ensure that our children are safe and protected from harm and are educated fully to ensure their actions do not damage or hurt others emotionally or physically.

What are hate incidents and hate crimes?

A 'hate incident' refers to actions or words that are targeted at a person because the perpetrator is hostile, or prejudiced, towards an aspect of the victim's identity or characteristics. The law identifies 9 'strands' for particular protection: ***age, disability, race or ethnicity, religion or belief, sexual orientation, gender, gender reassignment, being married or in a civil partnership and being pregnant or on parental leave***. When the actions or words also amount to a criminal offence, it becomes a hate crime.

Anyone could be a victim of a hate incident or hate crime, and these are not defined by the intentions of the perpetrator. Instead, if the victim or person witnessing it *believes* or *perceives* that an incident was motivated by prejudice or hostility towards an aspect of the victim's identity or characteristics, such as their race, religion, disability, sexual orientation, or transgender status, then it should be treated and recorded as a hate incident.

Hate incidents and hate crimes take many forms, including abusive words, physical attacks, online comments, damage to property, bullying, or a campaign of harassment.

What does this mean for our school?

As hate incidents and hate crimes are a form of discriminatory behaviour and/or harassment, as well as often constituting crimes in their own right, schools have a legal duty to take action when they become aware of them. This is contained within UK legislation and also the Ofsted inspection framework.

Park Aspire will record, report and monitor hate incidents connected to the 5 protected strands.

We will:

- Ensure our curriculum educates our pupils what hate incidents are;
- Be able to identify hate incidents and have robust procedures in place to respond to them;
- Support the welfare of those affected by the incident;
- Record and report hate incidents when they are identified;
- Monitor hate incidents and report routinely to our Local Advisory Board (LAB)

Recording:

If the victim or observer perceives that an incident has been motivated by hate (including hostility or prejudice), then the incident must be reported, irrespective of the outcome of ensuing investigations. Staff are therefore not required to make a judgement about the nature of the incident at the time that it is reported and recorded. As noted earlier, it is the perception of the victim or witness that matters in defining a hate incident or hate crime.

- The recording of a hate incident needs to be on a Hate Incident Recording Form

(HIRF) and recorded by the person who witnessed the incident.

- The incident will need 'investigating' by class staff and if deemed beyond level 1, passed on to the behaviour team/SLT.
- Level 1 HIRFs can be scanned by staff directly onto CPOMS and tagged with the HATE INCIDENT TAG.
- Level 2 HIRF forms need to be given to a member of the behaviour team, who will investigate the incident and action (deal with consequence and scan onto CPOMS) or escalate to Level 3.
- Level 3 HIRF forms need to be given to the Safer Schools Officer, who will take the steps to log the incident as a crime and will of the form on CPOMS.

Responding:

When a hate incident has been reported, the school should investigate and determine the appropriate actions for addressing the incident.

The procedure for response should always include the following actions:

- Ensure that both sets of parents of the victim and perpetrator should be made aware of the incident and what action is being / has been taken;
In the case of pupil/staff incidents, this will be adjusted appropriately
- Investigate the reported incident;
- Discuss with all parties why the incident was inappropriate;
- Discuss with the pupil how their behaviour might change or be modified in the future;
- Determine the level of seriousness of the incident. (See Categorisation of Incidents);
- Use appropriate sanctions, with reference to our Relationships and Non Negotiables policies.
- A review of the use of curriculum opportunities to promote equity, respect and acknowledgement of diversity
- ALL forms will be discussed at Safeguarding meetings and SLT each week to ensure consistency and evidence of patterns etc.
- All actions/outcomes will be logged on the HIRF form which will be put on CPOMS for staff to be aware of.
- More complex/sensitive events will be shared with staff either at briefing or with individuals (depending on which is most appropriate/suitable).

Categorisation of Incidents:

In responding to a hate incident, school will need to determine the level of seriousness of the incident. Consideration should be given to where the incident would be placed along the following continuum:

1. Was the incident a one off or was it part of a persistent pattern?
2. Was the incident deliberate or was the individual unaware that their comments might cause offence?
3. Was physical and/or emotional harm intended or not?
4. Was real physical and/or emotional harm inflicted or not?
5. **The thoughts, feelings and well being of the victim**

LEVEL ONE

This might include incidents that were as a result of an individual being unaware that their comments/actions might cause offence, or were a one-off incident.

For example

- derogatory name-calling, insults and offensive jokes
- offensive comments in the course of discussion in lessons (if these are serious or deliberate, a Level Two response might be considered);
- ridicule of an individual for cultural differences
- stereotyping.

Sanctions to be dealt with by class team in a similar way to low level behaviours.

A phone call home by class staff MUST be made.

LEVEL TWO

This might include incidents that were part of a persistent pattern, a deliberate or premeditated act, or one where physical/emotional harm was intended OR WHEN THE VICTIM HAS BEEN CAUSED A LEVEL OF UPSET OR DISTRESS.

For example

- provocative behaviour such as offensive graffiti (e.g. racist or homophobic), wearing racist badges or insignia or bringing offensive materials such as leaflets, comics or magazines into the school. If it is not clear that the staff member, child or young person does not understand the meaning or purpose of the badge etc then the incident should be classified as Level One;
- refusal to co-operate with other people because of their identity, characteristics or background – for example, to sit next to or work with someone;
- verbal abuse;
- clear hate motivation on the part of the perpetrator; and/or inappropriate reaction to sanctions.
- repeated incidents of Level 1;

Sanctions to be dealt with by behaviour team (or SLT if unavailable) in a similar way to behaviours requiring support additional to the classroom adults.

A phone call home by class behaviour team/SLT MUST be made.

LEVEL THREE

This might include incidents of a persistent nature where actual physical, psychological or emotional harm was inflicted.

For example

- deliberate harm at an increased level;
- threats;
- incitement of others to join in a racist, homophobic or otherwise discriminatory or hostile organisation or group;
- incitement of others to offensive, abusive or discriminatory behaviour;

- physical assault;
- further repetition of incidents identified earlier;
- racist, homophobic, transphobic, disablist or anti-religion bullying;
- criminal damage.

Sanctions to be dealt with by behaviour team (or SLT if unavailable) in a similar way to events that lead to pupils out of class for a longer period of time.

PC DALTON WILL LOG THESE AS A HATE CRIME WITH WYP.

A phone call home by our Safer Schools Officer will be made.