# RACIALLY MOTIVATED BULLYING

POLICIES AND RECORDING IN SCOTLAND'S SCHOOLS

COALITION FOR RACIAL EQUALITY
AND RIGHTS, NOVEMBER 2022

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The design of this publication is inspired by the infographic posters created by the sociologist W.E.B. DuBois and his colleagues for an exhibition at the Paris World Fair of 1900. These posters used statistical evidence to show the realities of oppression, marginalisation and discrimination affecting African American people at that time. Although his views and context are separated from ours by over 100 years of change, we share his commitment to achieving racial justice for all, using evidence-based and rights-based approaches to eradicate racism and racial inequality.

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 thanks all Local Authority staff involved in responding to the Freedom of Information requests which formed the basis of this report.

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INTRODUCTION

The impact of racism on young people's mental health, wellbeing and sense of belonging and identity cannot be underestimated.

For the past twenty years, CRER has campaigned for better practice on racially motivated bullying in schools. This is a key area of our work and will remain so, in light of the severe and lasting impact of racism in the school environment on generations of minority ethnic people growing up in Scotland.

Racially motivated bullying is only one of many manifestations of racism in education. A 2018 survey by the Educational Institute of Scotland uncovered a wide variety of issues identified by teachers, from unhelpful curriculum content to barriers to career progression. However, racist attitudes and behaviours amongst learners (and to a lesser extent, colleagues) were the most prevalent issues raised.[1]

The impact of racism on young people's mental health, wellbeing and sense of belonging and identity cannot be underestimated. There is increasing evidence to demonstrate lifelong effects on physical health; the chronic or repeated stress induced by racism impacts hormonal and neurotransmitter activity with a knock on effect on blood pressure, cholesterol and other physical markers, creating health and mortality inequalities.[2] This pattern was thrown into sharp focus through the disproportionate impact of COVID-19 on minority ethnic communities.[3]

Racism experienced by learners in Scotland's schools today has the potential to actively damage their adult health. It is vital that Scotland's education sector recognises and addresses this.

This report details the findings of CRER's third consecutive investigation into policies and practices on recording racially motivated bullying incidents in Scotland's schools. Our series of research aims to provide the evidence needed for change, both in national policy and in policy and practice within Local Authorities and schools.

1. A summary of the survey can be found in the appendices to Scottish Government (2018). **Teaching in a Diverse Scotland**.
2. This phenomenon is known as allostatic load and underpins weathering theory; this demonstrates how health (particularly maternal health) outcomes are impacted by structural racism (Geronimous, A. T. et al [2006]. **"Weathering" and Age Patterns of Allostatic Load Scores Among Blacks and Whites in the United States**. American Journal of Public Health).
3. Scottish Government (2020). **Systemic Issues and Risk: Initial Advice and Recommendations from the Expert Reference Group on COVID-19 and Ethnicity**.

PREVIOUS RESEARCH

Our first two research briefings on racist incident reporting in schools published in 2012[4] and 2018[5] identified significant weaknesses in policy, a lack of coherence across Scottish Local Authority areas and a widely varying approach to recording and monitoring which was not fit for purpose. These inconsistencies matter not only from a bureaucratic perspective, but because of their potential impact on the confidence of learners' and parents/carers in reporting racism. Under-reporting is known to be a serious problem.[6]

We identified that the education related recommendations within the high-profile Macpherson Report[7] in 1999 had kickstarted efforts to track and tackle racism in schools, but that this motivation had quickly waned, with a distinct dip in the quality and coherence of approaches between 2012 and 2017.

At the time of publication of our last report, a short-life working group on recording and monitoring of bullying in Scotland's schools was preparing recommendations for a revised approach with the intention of addressing this lack of coherence. This work was completed and, as will be explored in this report, has had a marked impact on policy and a moderate impact on practice.

Over the time period of our three studies, two iterations of Respect for All (Scotland's national approach to anti-bullying) have been published.[8] It was previously noted that not all Local Authority policies were updated following the publication of the first national anti-bullying strategy in 2010, and this report finds that the same was true of the refresh of Respect for All in 2017 and supplementary guidance on recording and monitoring through SEEMiS in 2018. This demonstrates a need for greater direction at national level.

SEEMiS is the standard management information system within Scottish Education. It is developed and maintained by SEEMiS Group, a limited liability partnership owned and managed by Scotland's 32 Local Authorities.

The Bullying and Equalities module and Racist Incidents module referred to throughout this report are available through SEEMiS Click+Go, software used to process and manage a wide range of student data.

4. CRER (2012). **Racist Incident Reporting in Scotland's Schools**.
5. CRER (2018). **Racist Incident Reporting in Scotland's Schools: Analysis and implications for practice**.
6. See, for example, Lough Dennell, B.L. and Logan, C. (2015). **Prejudice-based bullying in Scottish schools: a research report**. Glasgow: EHRC.
7. 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**.
8. Scottish Government (2017). **Respect for All: national approach to anti-bullying**.

The information gathered on recording practices over the past five years continues to demonstrate that, as we reported in 2018, recording mechanisms without a mandatory or statutory footing will inevitably fail to provide a robust, sustainable evidence base. This evidence base is vitally needed to push for, and to measure, change in the lives of minority ethnic learners.

RACE EQUALITY IN EDUCATION POLICY IN 2022

The national policy environment on race equality in education in 2022 is unrecognisable in comparison to the last iteration of this report in 2017.

At that time, various processes with relevance to anti-bullying were underway, but lacked any focus on racially motivated bullying. There was an overwhelming reluctance within the national policy environment to recognise or address racism.

The newest iteration of Scotland's national anti-bullying policy had been developed without consultation or input from minority ethnic organisations and individuals, despite racism being the most common underlying factor for prejudice-based bullying identified by teachers.[9]

During development of this policy, a delay was agreed to allow the Scottish Parliament's Equalities and Human Rights Committee inquiry into bullying in schools to proceed. The resulting report uncovered serious concerns about inconsistencies in teachers' understanding of (and responses to) prejudice-based bullying.[10] This inquiry engaged directly with those affected by racially motivated bullying and demonstrated clearly the importance of tackling this, yet the findings had little impact on policy or practice.

Work was also underway to revise the voluntary system for monitoring bullying and prejudice in schools at local level, the SEEMiS Bullying and Equalities module, however this process was largely focussed on categorisation.

CRER's input to the revision process ensured that the prejudice-based bullying categories retained the 'race and racism' option, countering an early suggestion that this should be replaced by simply 'culture'. 'Culture' was instead appended to create the category 'race and racism including culture.'

9.   Lough Dennell, B.L. and Logan, C. (2015). **Prejudice-based bullying in Scottish schools: a research report**. Glasgow: EHRC.
10. 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**.

Separate categories relating to refugee/asylum seekers and Gypsy/Travellers were available in the revised system, providing a more nuanced means of identifying trends but perhaps at the expense of a unified approach to monitoring racism.

At the end of the process, a marginally improved recording system was launched with associated guidance, including clear direction from the Cabinet Secretary that Scottish Government expected schools and Local Authorities to use it.

However, CRER's proposal that this system should be mandatory and involve collation of data at national level, in line with a range of independent recommendations (see p.27) was rejected without consultation or involvement on this point.

Despite the views put forward by CRER and other key stakeholders, the process also failed to address the lack of mechanism for recording racist (and other prejudice-based) incidents which did not constitute bullying. The SEEMiS racist incidents module is still in existence but used by very few Local Authorities, and less so by schools (see appendix B). No direction was given in regard to this during the relaunch of the recording system. Amongst the Local Authorities which have an activated Racist Incidents SEEMiS module but do not use this, two have stated in Freedom of Information (FOI) responses that they do not promote its use to schools, with one stating the reason for this is that (unlike the Bullying and Equalities module) there is "no directive from Scottish Government" on this.

CRER's campaign for better policy on monitoring and tackling racism in schools continued over the intervening period, including co-authoring a guide for teachers on addressing racist bullying[11] alongside respect*me*, Scotland's national anti-bullying agency, at the request of Scottish Government and with civil service involvement. Whilst this remains a valuable resource, the limitations of national policy and the need for compromise between partners involved inevitably impacted some of the nuance within the content.

However, the rise in awareness of the Black Lives Matter movement in 2020 proved to be a turning point for education policy making. Increasing pressure from both existing and new anti-racist activists, including young people with recent school experience, led to a number of stakeholder meetings with Scottish Government's Learning Directorate. This culminated in the creation of a Stakeholder Network Group to support an extensive programme of national policy work entitled the Race Equality and Anti-Racism in Education Programme (REAREP).[12]

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11.   CRER/respect*me* (2018). **Addressing Inclusion: Effectively Challenging Racism in Schools**.
12.   More information is available here: **Race Equality and Anti-Racism in Education Programme**.

This programme is ongoing at the time of publication and includes subgroups working to develop actions on:

- Education Leadership and Professional Learning
- Racism and Racist Incidents
- Curriculum Reform
- Diversity in the Education Workforce

CRER remains closely involved with this work and is represented on the Programme Board which will finalise the actions arising from the Programme.

All of the areas of work covered by the REAREP have a part to play in addressing racism in schools and the wider 3-18 education environment. However, local policy and practice will determine how effective these developments can be.

It's vital to ensure that issues around race and racism are meaningfully included in local approaches to anti-bullying. Other forms of racism, including non-bullying racist incidents and the structural racism that leads to lack of diversity in the curriculum and under-representation of Black and minority ethnic people in the education workforce, also need to be addressed proactively by Education Services and educational institutions locally.

Discussions within the Racism and Racist Incidents subgroup of REAREP clearly determined that current approaches to addressing racially motivated bullying within schools often lead to poor outcomes for Black and minority ethnic learners. Where racism manifests through bullying behaviours, there is a tendency for teachers to address the bullying behaviour without addressing the racism. This is highly counterproductive, to the extent where calls have been made to stop referring to such incidents as 'bullying' at all but to class them as racist incidents.

CRER's position is that they should be regarded as both. Current gaps in practice which need to be addressed include both the need for anti-bullying policy to effectively address racism, and for racist incidents policy to allow all such incidents, whether bullying or not, to be effectively addressed.

The risk that Black and minority ethnic learners could be disadvantaged by no longer having the same protections and means of redress as other learners under anti-bullying policies needs to be avoided, so we do not recommend moving to an entirely racist incidents focussed approach. Both areas need to be part of the significant additional focus required on racism in the school environment.

We advocate for a two-stage system where the racism underlying the incident is addressed pro-actively and the results recorded both in the SEEMiS Bullying and Equalities Module, and within a racist incident recording system such as the SEEMiS Racist Incidents module. This way, patterns specifically regarding racism can be effectively tracked across a wider range of behaviours than bullying alone.

The direction of travel in national policy provides hope for positive change. Nevertheless, Local Authority Education Services and schools themselves are the bodies most able to innovate and improve. Without significant effort locally, the ambitions of national policy can easily fail to materialise.

In light of this, this report aims to support better implementation on the ground by providing a specifically anti-racist perspective on anti-bullying policy and practice.

SOURCES, METHODS AND POINTS OF NOTE

The primary sources of information used in this analysis are a series of bullying statistics and policies gained through Freedom of Information Requests made to all 32 Scottish Local Authorities by CRER. An exploratory Freedom of Information Request to inform this work was carried out prior to this. A copy of both Freedom of Information Requests is included at appendix A, and the findings of the exploratory request are detailed at appendix B.

The first part of the report analyses information on policies submitted by Local Authorities, with contextual information and recommendations. The second part explores currently available data on racially motivated bullying incidents. Previous iterations of this research explored the issue of prejudice-based bullying more widely, alongside racist incidents. This model is no longer useful due to changes in the way that incidents are recorded; changes which are not necessarily beneficial.

In previous years, Local Authorities tended to restrict the recording of prejudice-based bullying to the protected characteristics covered by the Equality Act 2010.[13] Current policy widens the definition of prejudice-based bullying to the extent that almost any motivation for bullying can be considered as related to prejudice, reducing the utility of the term. This report therefore only considers racially motivated bullying incidents and bullying incidents overall.

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13. Disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation are the relevant protected characteristics for schools. The schools provisions of the Equality Act 2010 do not include the remaining two protected characteristics, age and marriage and civil partnership.

Our initial FOI (see appendix A) identified that traditional models of recording racist incidents are almost entirely absent in Scotland in 2022. The limited information gathered on this within the second FOI is detailed at p.77. We are therefore restricted to studying the recorded levels of racially motivated prejudice-based bullying, a concept which is increasingly contested (see p.10) and does not include racist incidents where no bullying behaviours, or no learner experiencing bullying, are present.

As a result of this, even if the recording systems in operation were used effectively in all schools, the information available through FOIs would not allow for robust measurement of the level of overt racism experienced by learners in Scotland's schools. This is aside from the wider issues of social and institutional racism, which cannot currently be measured using established data sources. There is a need to revitalise and strengthen approaches to address racist incidents, whether these feature bullying behaviours or not, whilst also redressing the widespread denial and misinterpretation of the role of racism in mainstream anti-bullying practice within education environments.

LOCAL AUTHORITY POLICIES

This is the first CRER report on racist incidents and bullying in schools in which all 32 Scottish Local Authorities have participated.

The Freedom of Information (FOI) request made by CRER to all Scottish Local Authorities asked Education Departments to provide copies of policies relating to racially motivated bullying incidents and bullying incidents overall used by schools in their area over the period August 2016 – June 2021.

This report is the third report on racist incidents and bullying in schools produced by CRER, but the first in which all 32 Scottish Local Authorities have participated. Analysis was delayed to ensure the maximum possible response, and efforts to secure responses were assisted by intervention on the part of the Office for the Information Commissioner.

As in previous years, each policy received has been assessed by a researcher using a standard inquiry process. This process has differed slightly over the three reports, reflecting the changing context of policy and practice. This is especially the case in 2022 following the revision to the SEEMiS Bullying and Equalities Module. Many of the areas explored in this report and in previous reports are therefore not suitable for comparison over time.

Considering both racially motivated bullying incidents and overall bullying incidents, the analysis covered:

- **Comparison with 2017 policy sets**
  - Whether the policies were broadly the same or materially different from those provided in 2017, 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/race equality or were generic anti-bullying policies, whether they were specifically for schools, all education establishments 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 specific sections on race equality, racially motivated bullying incidents or racist incidents

- **Prevention**
  - Information given on preventative practice to challenge prejudice and reduce the likelihood of future 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 by the policy to record incidents, if so by what mechanism and whether monitoring of resulting data is carried out at school and/or Education Services level

- **Measures to encourage compliance**
  - Details provided on staff equality or anti-bullying training requirements
  - Information on what should happen if the policy is breached

The analysis also gathered case studies regarding content considered to be particularly good (or particularly poor) and other contextual information as necessary. Where this is drawn on in the report, the details have generally been paraphrased or otherwise anonymised. Given the widespread variations of quality within each policy, CRER is not in a position to promote the approach of any particular Local Authority.

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 1). The assigned ratings were Very Good, Good, 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 implementation, some degree of practical information, meeting many of the criteria well.

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

The ratings assigned to Local Authorities are detailed in the table below (with comparison for 2012 and 2017 where possible). Due to the significant reduction in race equality specific content, the 2017 and 2022 analysis replaces the 'excellent' category with 'very good' and the 2022 analysis replaces 'above average' with 'average'.

TABLE 1: LOCAL AUTHORITY POLICY RATINGS, 2012-2021

Local Authority	2012	2017	2021
Aberdeen	Basic	Not assessed	Average
Aberdeenshire	Basic	Not assessed	Basic
Angus	Excellent	Very good	Very good
Argyll & Bute	Basic	Very good	Very good
Clackmannanshire	Above average	Good	Good
Dumfries & Galloway	Above average	Not assessed	Good
Dundee	Excellent	Good	Good
East Ayrshire	Above average	Not assessed	Good
East Dunbartonshire	Good	Very good	Very good
East Lothian	Basic	Not assessed	Good
East Renfrewshire	Basic	Not assessed	Average
Eilean Siar	Basic	Not assessed	Basic
Edinburgh	Excellent	Basic	Very good
Falkirk	Good	Above average	Average
Fife	Basic	Basic	Basic
Glasgow	Good	Not assessed	Very good
Highland	Not assessed	Very good	Average
Inverclyde	Excellent	Basic	Good
Midlothian	Basic	Basic	Basic
Moray	Basic	Basic	Basic
North Ayrshire	Above average	Very good	Average
North Lanarkshire	Basic	Very good	Average
Orkney	Not assessed	Basic	Basic
Perth and Kinross	Basic	Good	Average
Renfrewshire	Good	Good	Basic
Scottish Borders	Basic	Basic	Basic
Shetland Islands	Basic	Basic	Basic
South Ayrshire	Basic	Basic	Very good
South Lanarkshire	Basic	Basic	Basic
Stirling	Above average	Basic	Basic
West Dunbartonshire	Good	Basic	Basic
West Lothian	Good	Good	Basic

It should be noted that the wide ranging variations within each policy means that some poorer areas were identified within documents in the good and very good categories, and similarly some good aspects can be found within those rated as average or basic.

Where the same policy was submitted over more than one reporting round and the content no longer reflects current standards, the rating is reduced.

The following sections expand on the specific findings of our analysis, with contextual information and recommendations.

POLICY TYPES AND TIMEFRAMES

Type of policy

The analysis considered whether Local Authorities had submitted a race or equality specific policy, or a generic anti-bullying policy. In all cases, the primary document used for analysis was the most recent anti-bullying policy. Additional policies and documents, for example online bullying campaign materials or exclusions policies, were not included in order to enable a degree of consistency in analysis. These were, however, checked to identify whether any relevant race specific content was included.

The shift towards increasingly generic anti-bullying policies seen in the submissions received from Local Authorities in 2017 has continued over subsequent years, with only two Local Authorities submitting a distinct racist incidents policy this time. It is doubtful that either policy is still in use; one is dated 2002 and the other 2008. Both reference legislation repealed in 2010 as well as the Commission for Racial Equality, which was disbanded in 2007. Such policies were common in the years following publication of the Macpherson report,[14] with 19 Local Authorities submitting one in 2012.

One Authority submitted a Multi-Agency Hate Response Strategy, which again was a decade out-of-date. Another submitted current guidelines for additional reporting of incidents to the local Regional Equality Council.

14.   Macpherson, W. (1999). **Stephen Lawrence Inquiry report**.

CRER does not generally name Local Authorities in relation to the finer detail of analysis of their anti-bullying policies. Due to the wide variations in quality within each policy, it is important to avoid the appearance that 'best' or 'worst' practice case studies sum up how well an Authority is performing overall. Case studies or references to specific elements of policy are therefore anonymised as far as possible. However, in regard to this specific, separate guidance document, an exception is being made to allow inclusion of a case study helpfully provided by the Regional Equality Council which worked in partnership with the Local Authority.

"Grampian Regional Equality Council (GREC) and Aberdeen City Council developed a partnership approach to reporting of prejudice-based incidents in the Local Authority area. GREC provides an online form to receive reports, usually from class teachers, guidance teachers or senior management. It is also possible for other school staff or young people themselves to use the system, reducing concerns about 'gatekeeping'.

The form asks a range of questions about the incident, including demographic data of the victim and perpetrator (where known). One of the significant benefits of this model is that the person making the report can request additional support, including one-to-one counselling for those affected by an incident (including for school staff), a class or school workshop around equalities or racism, and/or one-to-one work with the perpetrator of the incident using GREC's ADAPT intervention, which is a tool designed for use with hate crime / prejudice-based incident perpetrators.

GREC monitors reports to identify patterns and can raise concerns with the education authority where needed.

The partnership working approach has some challenges. Although school staff are advised to report using both GREC and SEEMiS systems, they may use one and not the other in practice. There are also concerns that not all schools are participating. However, where they are, the system is regarded as working well."

One further policy stated that a recently produced anti-racism policy was in use, but this was not provided. It may be that the rise in awareness of issues around race and racism (for example through roll-out of the Building Racial Literacy training programme offered by Education Scotland) will lead to a resurgence in production of race specific policies in the coming years.
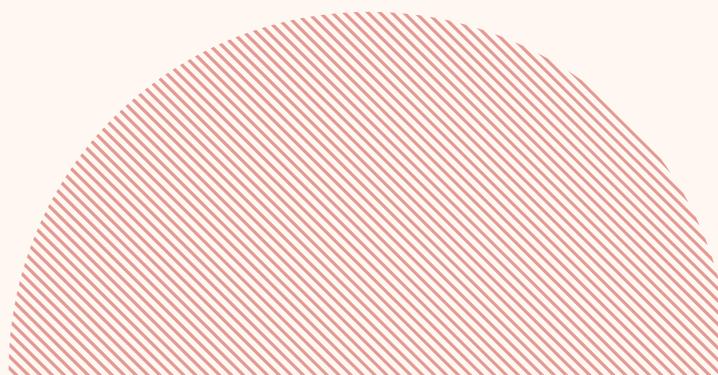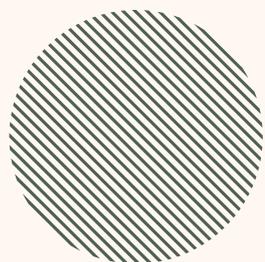
Consistency in the content and language used within policies has continued to solidify, with almost all policies now reflecting national policy set out in Respect for All[15] and content developed by respect*me*,[16] Scotland's national anti-bullying agency. The impact that this has on overall quality within each policy varies. Whilst the better policies use this content to frame a practical and detailed framework for addressing bullying, others largely 'copy and paste', cherry picking information without offering substantial practical guidance.

Due to the policy development process noted on p.8, national level policy documents are of extremely limited value from an anti-racist point of view, so even where policies have improved due to incorporation of aspects of this, the improvement does not relate to reflection on race and racism.

The downward trend in focus on equality, and race equality in particular, in the policies submitted for this round of analysis has also continued. A handful of Local Authorities submitted an equality and inclusion policy (or similar), however these tend to either use generic language or to focus more on disability / additional support for learning and in some cases LGBT equality. Race equality and anti-racism do not feature substantially in these policies.

The overwhelming approach to equality within current policies consists of copied and pasted information on prejudice-based bullying from national policy, with the only race-related content being the very brief definition provided in national policy.

A range of different types of policy commonly submitted in 2012 have ceased to be used in the intervening years. These include:

• Multi-Agency Hate Crime Response Strategies
• Standalone racist incident and prejudice-based incident policies
• 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 are seemingly not perceived as linking to anti-bullying practice)
• Local Authority specific guidance or policies on tackling racism in schools

In contrast, although several of the 2012 policies were not specifically designed for schools, the focus on school-specific policies increased in 2017 and now has been extended into wider education establishments, taking into account early years and community learning contexts. 24 of the 32 policies covered a range of establishments or services beyond schools.

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15.   Scottish Government (2017). **Respect for All: national approach to anti-bullying**.
16.   More information on the work of respect*me* can be found at **respectme.org.uk**.

Although the variety of institutions covered has expanded, the content of policies largely fails to reflect this. Many are extremely low on detail, designed to prompt establishments to develop their own policies rather than providing a coherent, effective approach to be followed. This raises a likelihood of inconsistencies in policy, practice and effectiveness across the Local Authority area, potentially creating a 'post-code lottery' for Black and minority ethnic young people's rights and treatment.

Not all of the documents requiring establishments to develop their own dedicated policy were weak. Some higher quality policies also require establishments to develop their own policies, and the best of these examples both provide strong guidelines and require school / education establishment policies to be submitted for quality assurance. This appears to be a useful means of ensuring there is clarity and ownership at school level, whilst maintaining consistency and effectiveness.

The level of detail and length of the policy documents ranged widely, as in previous years. The most recent policies provided ranged from four pages to 42 pages, with one document running to 66 pages (only 20 pages covered the policy itself, with the remainder consisting of appendices with external information of varying relevance).

The content of the policies provided is explored in further detail throughout the following sections.

Policy timeframes

National policy and practice on anti-bullying has shifted regularly over the past 15 years, so to reflect the best approaches currently available, it's important that local policies are up-to-date. Current guidance from respect*me* suggests that policies should be updated every three years.[17]

The majority of policies (75%) dated from 2018 onwards, in line with this guidance. Developments in policy at national level appear to have prompted reviews in most Local Authority areas. The oldest policy dated from 2002; whilst it had been republished in an accessible format in 2017, the content was the same. Twenty years of continual development in legislation and policy has rendered this policy entirely obsolete. The remainder were dated between 2012 and 2017.

Some of the more up-to-date policies, however, retained outdated information. In one case, this included references to legislation repealed more than a decade ago.

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17.   respect*me* (2017). **Policy through to Practice – Getting it Right: Anti-Bullying Policy Guidance for Schools and Children & Young People's Services**.

There was also a wide variation in the dates given for policy review. More than half of the policies gave no date for review (19), higher than in previous years. Only three stated a three-yearly review cycle as recommended by respect*me*, and in one case this had not been carried out.

Several of the policies which required schools to create their own policy and procedure stated expected review periods for these, commonly every three years.

Our analysis of policies suggests that the developments at national level (set out at p.9-10) are not yet filtering through to Local Authorities. Current approaches to anti-bullying are generally not strong on content relating to racism or other forms of prejudice (see p.22 for analysis). This is partly a result of the increasing tendency to replicate national policy on anti-bullying, which conflates prejudice-based bullying affecting people with protected characteristics and wider forms of bullying, to the extent where almost any bullying incident could be categorised as prejudice-based. Brief definitions are given for each of the categories regarded as prejudice-based, however particularly regarding racism, specific contextual information is lacking.

As raised in previous iterations of this report, research has consistently highlighted the differing context of racist bullying and how this impacts Black and minority ethnic pupils, who often experience this not just as a personal attack, but as something deeper which undermines and degrades their family, community and culture.[18]

The same is likely to be true of racist incidents which would not meet the definition of bullying.[19] Racism can be normalised in the school environment if action is not taken to counter it, contributing to the 'learned misinformation' which embeds racist attitudes in later life[20] not only for the learners responsible for the behaviour, but for those who witness it.

CRER recommends that policies include the definition of a racist incident provided by the Macpherson Report.[21] 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." This definition places emphasis on the impact of behaviour rather than the intention behind it, which is in line with national policy on anti-bullying more generally.

18.   Tippett et al (2011). Prevention and Response to Identity Based Bullying among Local Authorities in England, Scotland and Wales. London: EHRC.
19.   See respect*me*'s **website** for the common definition used in Scottish policy.
20.   Anon. (2008). Dealing with Racist Incidents: Preventing Racism and Empowering Young People Conference Report. Leicester County Council, Leicester City Council and Mandeep Rupra Consulting.
21.   Macpherson, W. (1999). **Stephen Lawrence Inquiry report**.

Focusing on impact rather than intention is also important in order to reassure educators that recording a racist motivation is not a matter of 'labelling' the learner exhibiting the behaviour as racist. Fears of 'labelling' (or similarly of damaging a school's reputation) are often raised in discussion about barriers to recording incidents. This attitude is highly damaging, and part of a pattern of institutional racism in the education sector. Decisions not to record inappropriately prioritise the welfare of those exhibiting racially motivated behaviour above the welfare of those impacted, worsening the initial harm and sending a message that racism is tolerated by the institution.

POLICY CONTENT
Racism and equality

As in 2017, this most recent analysis showed that very few policies had detailed, robust content on race equality, racially motivated bullying 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.

This has continued to worsen in the intervening time. Only one policy contained uniformly good content on race. This drew on national resources including CRER and respect*me*'s jointly produced guidance for teachers on challenging racism in schools.[22]

Twelve policies only contained the brief definition of 'race and racism' given in national policy. This is intended as a definition only, and cannot be regarded as an adequate replacement for robust content on addressing racism.[23] A further nine contained no race-specific information.

The remaining ten policies which did have a specific section on race outwith the current standard national definition generally contained outdated or inappropriate content. Many of these drew on earlier iterations of national policy which expanded slightly further on race than current national policy does, however still does not provide the level of detail and nuance required.

One of the policies with a small section partially based on older definitions from national policy explicitly references three specific ethnic groups - English, Polish and Gypsy/Traveller communities. This erases the experience of Black and minority ethnic groups, and conflates racism, antiziganism/anti-Romani sentiment and xenophobia. All other types of prejudice-based bullying were discussed in more comprehensive detail. This can only be understood as a clear indication of institutional racism.

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22. CRER/respect*me* (2018). **Addressing Inclusion: Effectively Challenging Racism in Schools**.

23. The rest of the protected characteristics suffered similar lack of attention, although a few policies contained a specific section on anti-LGBT bullying and/or bullying against learners with additional support needs in the context of disability.

A small number of policies contained information on equality matters which was inaccurate or potentially misleading. In most cases, this related either to legislation/infrastructure from before the introduction of the Equality Act 2010 or to hate crime (more discussion of this can be found at p.26).

Across the board, there is a need for drastic improvement in the reflection of equality and prejudice-based bullying in policies. The steady worsening in inclusion of robust information on these issues suggests a need for a return to additional, specific policies on anti-racism and equality alongside better reflection within anti-bullying policy.

PREVENTION

Preventative measures are a key part of addressing bullying behaviours in general. In terms of racially motivated bullying incidents and prejudice-based bullying, prevention through creating behaviour and attitude change around racism has long been a feature of campaigning and policy.[24][25]

The emphasis on prevention in Local Authority policies in Scotland has increased over recent years. Twenty seven of the most recent policies make at least some mention of the need for preventative action. Some of these give detailed examples and guidance. It appears that the increasing popularity of programmes which contribute to prevention, such as Rights Respecting Schools and Mentors in Violence Prevention, are contributing to the quality of policy content.

Some policies also contained information on how learners themselves can challenge bullying behaviours when it is safe to do so, which could contribute to prevention over time by creating an environment where children and young people understand that their peers will not tolerate bullying. In some cases, content was also included about engaging parents / carers in preventing bullying.

It should be noted that racism, as a social structure, cannot realistically be entirely prevented in the school environment. Nevertheless, prevention activities can mitigate its impacts by enabling learners to be more resilient against the impact of racism on their attitudes and behaviours, including in relation to bullying.

24. Featured in campaigning by activists 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.
25. Some relevant recommendations were made for the education sector in the Macpherson report - Macpherson, W. (1999). **Stephen Lawrence Inquiry report**.

Preventative work should be easier to plan and implement than in the past, with a range of supportive resources now available and increasing national support for anti-racist education.[26] Recently produced resources include CRER's Anti-Racist Curriculum Development guide,[27] which features information on approaches which can work to reduce racism and prejudice.

DEALING WITH INCIDENTS

Ensuring that racist and prejudice-based bullying incidents are appropriately addressed is vital. The impact on children and young people where such incidents are mishandled cannot be underestimated.

Concerns around this were raised during the Scottish Parliament Equalities and Human Rights Committee's 2017[28] inquiry into bullying in schools.[29]

CRER's submission detailed some common factors arising in cases where bullying is racially motivated:[30]

- Schools' lack of willingness to engage with initial complaints about racially motivated bullying 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 explicitly challenge the issue of racism
- Where the Local Authority Education Services are approached, further attempts to minimise or justify racist behaviour

The same variety of issues have been raised within the REAREP Stakeholder Network Group and its Subgroup on Racism and Racist Incidents. Significant work is required to ensure that schools and Education Authorities can confidently tackle all racist incidents, including those which manifest as bullying.

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26. Education Scotland has developed guidance and access to resources on **promoting race equality and anti-racist education**.
27. CRER (2021). **Introduction to Anti-racist Curriculum Development**.
28. Now known as the Equalities, Human Rights and Civil Justice Committee.
29. EHRiC (2017). **It is not Cool to be Cruel**.
30. CRER (2017). **Scoping session on bullying and harassment of children and young people in schools: written submission**.

The most recent set of policies demonstrates some improvement in consistency on how bullying incidents in general should be addressed. The analysis examined whether specific procedures were provided, any advice on action to be taken and whether restorative practices were recommended.

There was an increase in the inclusion of procedures to be followed, with 19 Authorities providing a degree of information on procedure compared to 14 in 2017. Three Authorities stated that establishments should develop their own procedures, without giving further guidance on this. The remaining 10 did not mention procedures.

Useful lists or flowcharts setting out the procedure to be followed were included in some cases. The previous iteration of this report included an example procedure, however the potential for this to be addressed at national policy level through a refresh of anti-bullying policy means that including a different model here may be unhelpful at this time.

Previous analysis has included detail on the actions that should be taken in addressing the incident; generally this would include punitive measures or other set options for resolution. This is no longer especially useful, as the simultaneous increase in detail on procedures and on restorative practice has changed the way in which actions to be taken are framed.

Over time, practice in addressing bullying has moved increasingly towards restorative practice and away from punitive measures. In light of this, our analysis looked at the extent to which policies promoted the use of restorative practice. Five of the policies gave detailed information on restorative approaches, whilst a further 17 made a brief mention of this. The remaining 10 did not mention restorative practice.

It is now widely recognised that punitive responses to bullying behaviour are ineffective and may, in fact, worsen bullying and other forms of anti-social behaviour.[31] Restorative and preventative approaches therefore need to be central to anti-bullying practice. However, care needs to be taken in applying restorative practice where racism has been involved. Racism is a complex issue and needs to be addressed with nuance. Engagement with perpetrators of racism has the potential to be very distressing for the learners being targeted.

In its FOI response, one Local Authority raised the importance of Quality Improvement Officers in discussing action taken to resolve bullying incidents with Head Teachers as part of regular Quality Assessment (although from the comment provided, the extent to which racist motivations and their implications feature in these discussions was unclear). This is an avenue for improvement which could prove valuable.

31.   Kupchik, A and Farina, K. (2014). Imitating Authority: Students' Perceptions of School Punishment and Security, and Bullying Victimization. Youth Violence and Juvenile Justice 1–17.

DEALING WITH SERIOUS INCIDENTS

In cases where behaviour in school is potentially criminal, restorative approaches will not suffice. In comparison to 2017, there is now a greater inclusion of information regarding serious incidents of a criminal nature and the need to report these to police. Where this was reflected in the most recent policies, in line with national policy, it was clarified that these incidents should not be regarded as bullying but as potential crimes.

Hate crime incidents were the most frequently referenced, although the explanations given on what constitutes a hate crime were almost universally flawed or ambiguous.

The wording on hate crime varied from policy to policy, but overwhelmingly failed to accurately portray the circumstances under which a hate incident may constitute a hate crime.

Some made it appear as though any prejudice-based incident could theoretically be a hate crime, in particular making it appear as though all protected characteristics are included in hate crime legislation. These sections also often failed to clarify that an alleged crime needs to have been committed and that the 'hate crime' aspect is an additional aggravation (with the exception of racially aggravated harassment, which is a crime in its own right).

Increasing discussion of sexual harassment, assault and abuse was a positive development. This is of specific relevance for anti-racism due to the intersectional nature of the discrimination faced by Black and minority ethnic women and girls. CRER is aware of cases where such attacks have occurred in schools as part of a campaign of racist behaviour.

In line with this wider trend, a few policies also make explicit links to safeguarding and child protection policy.

REPORTING, RECORDING AND MONITORING

Recording and monitoring of racially motivated bullying at school level is essential to identify trends which need to be addressed, as well as to measure the success of efforts aimed at prevention or improving reporting. Education Authorities also require the resulting data to inform local policy and approaches towards meeting their legal duty to eliminate discrimination and harassment.[32]

CRER have long campaigned for a universal, mandatory approach at national level. Robust data collated and published at national level is needed to enable evidence based policy making, but could also help to monitor social change in attitudes and behaviours amongst young people. The need for a robust and consistent approach to national monitoring has also been highlighted by the UN Committee on the Elimination of Racial Discrimination (CERD) Concluding Observations for the UK in 2016,[33] Equality and Human Rights Committee inquiry on bullying in Scotland's schools[34] and the Report of the Independent Advisory Group on Hate Crime, Prejudice and Community Cohesion.[35]

At the time of publication, there is no mechanism for national collation of data on bullying. Work is being undertaken to review current approaches to recording and monitoring through REAREP, however the implications for policy are not yet clear.

The work currently planned under the REAREP at national level has the potential to address or mitigate many of the ingrained issues around racism in Scotland's schools. However, if racially motivated bullying incidents and prejudice-based bullying are to be tackled effectively, a baseline from which to measure progress is essential. Without this, it will be impossible to track change over time and evaluate the effectiveness of the programme.

CRER's analysis of data gathered from Local Authorities has consistently demonstrated that reporting, recording and monitoring of incidents is extremely patchy across Scotland. Lack of a mandatory national approach makes this almost inevitable. Regardless of the quality of policies on paper, whether local or national, it is likely that no single Local Authority area can be confident that all schools are implementing the revised SEEMiS system adequately.

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32. 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.
33. United Nations Office of the High Commissioner (2016). **CERD: Concluding Observations for the United Kingdom**.
34. EHRiC (2017). **It is not Cool to be Cruel**.
35. Scottish Government (2016). **Report of Independent Advisory Group on Hate Crime, Prejudice and Community Cohesion**.

Statements about incident recording within policies are much more common and consistent now than in the past. Whilst two policies still fail to set out how recording should be done, the remaining 30 have at least some mention of this. Of these, 19 are explicit that this should be done using the current version of the SEEMiS Bullying and Equalities module. SEEMiS Pastoral Notes[36] were also mentioned, whether alone or as an addition to the Bullying and Equalities module.

This is perhaps less consistent than might be expected given the clearly communicated policy directive from Scottish Government of its expectation that the revised SEEMiS system will be used in all establishments. However, in practice, more Local Authorities are actually using this than stated in their policies (see the findings of our exploratory FOI request at appendix B).

From a race perspective, the most significant downturn in practice is in relation to recording of racially motivated bullying incidents. This was expected, following the lack of attention to this in the revision of the SEEMiS Bullying and Equalities module. Previously, some Local Authority recording forms had retained specific options for 'incident type' derived from previous racist incident reporting processes, for example racist graffiti, recruiting for racist organisations, discriminatory insignia or discriminatory literature. This is now absent.

Also in contrast to previous years, the majority (22) of the publications set out the expectation that establishments would undertake monitoring of the incidents, some with detail on how this should be used to inform practice. A slightly lower number, 19, set out how the Local Authority would monitor incidents. Some of these gave good detail on how they would share and use the results, for example reporting to Council Committees or Equality Working Groups.

Occasionally, monitoring was linked to responsibilities under the Public Sector Equality Duties. This is a positive step, as Education Authorities are listed bodies for the purposes of the Duties and should have their own sets of equality outcomes, mainstreaming reporting and other required documentation. In practice these are usually absorbed into the Local Authority's report, however this does not negate the requirement for all due processes to be carried out, including setting outcomes based on evidence and involvement.

Some areas of anomaly which may require further investigation arose within the set of policies examined. Without access to SEEMiS, we are unable to identify the extent to which these anomalies represent a genuine or widespread problem. Examples include:

- One policy advises that only incidents found to be 'true' should be recorded, due to the fact that pastoral notes are automatically created for each learner and this could result in bullying incidents remaining on pupil records
  - This issue is recognised and mitigated in another policy, which states that where the allegation is unfounded, the person accused of the behaviour should be recorded within the 'other person' as opposed to the 'person displaying ' section to ensure no record of bullying behaviour appears in pastoral notes

36. SEEMiS Pastoral Notes are used to record significant events and wellbeing concerns.

- One policy states that the SEEMiS Bullying and Equalities module should be used for incidents involving racism by/against staff; this is explicitly not the purpose of the module, which (as set out in the guidance document)[37] is intended for recording peer-to-peer bullying amongst learners only, however whether this is understood within schools and Local Authorities is thrown into doubt by this policy provision
- One policy requires notes on discussion with a chronology to be entered into SEEMiS pastoral notes in addition to records within the Bullying and Equalities module, suggesting that this module is not regarded as adequate as a standalone recording mechanism

MEASURES TO ENCOURAGE COMPLIANCE

Policies are generally weak on detail about how compliance is encouraged, monitored or enforced, raising concerns about how well implemented they might be in practice. Two potential factors that could support compliance are examined within our analysis - training opportunities and statements on policy breaches.

Training is an important part of the development needed to ensure that establishments are able to effectively embed policies. The majority of policies (19) made at least some mention of training provision. This was generally generic anti-bullying training, with little mention of training relevant to equality/prejudice-based bullying. The inclusion of this type of training in policies appears to have reduced over time.

Provisions on what happens if the policy is breached were included in around a quarter of Local Authorities' policies examined in 2012, dropping to only one Local Authority in 2017. In 2022, no policies include this explicitly. This may be one of the weaknesses emerging from the increasingly uniform approach to replicating national policy.

Understandably, policy makers within Scottish Government may be reluctant to set out an approach to dealing with policy breaches, as this would presumably be a matter best determined by each Authority in line with their standard ways of dealing with irregularities in practice (and potentially, depending on the situation, cases of misconduct). Information on potential outcomes if policies are not followed can be useful in encouraging compliance.

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37. Scottish Government (2018). **Recording and monitoring of bullying incidents in schools: supplementary guidance**.

Although not specifically setting out what the consequences of non-compliance may be, some policies provide details of the complaints policy which learners and their parents/carers can follow in the event that they are dissatisfied with the process. This improves the accountability and transparency of practice, and would be regarded as essential in CRER's view, given the risk of poor or even discriminatory treatment faced by Black and minority ethnic learners.

Another measure which can encourage compliance noted in several policies across our research is a statement that Education Services will query nil returns if submitted by schools. Three Authorities included these statements in the most recent policies. One of these took an innovative approach, stating that if a school has not recorded any incidents, they are required to report this to the Authority with details of the reason for this and examples of the good practices which have eliminated bullying behaviours.

Some respondents to our initial FOI request seeking details on how the revised SEEMiS module is being used had a perception that nil returns could not be captured through the SEEMiS system. This is at odds with the provision of data on the number of schools which had not recorded any information on the SEEMiS Bullying and Equalities module received from all but one of the Local Authorities responding to the second FOI request .

For any policy, implementation is the most important factor that affects learners and determines their experience. We would therefore urge Authorities to explore ways to maximise compliance and to challenge schools which fail to record incidents effectively.

RELATIONSHIP BETWEEN POLICY QUALITY AND DATA ANALYSIS

The following section addresses the data gathered through our FOI. There appears to be very little correlation between what the data shows and the quality of policies.

It might be assumed that high quality policies would result in a high per-capita number of reports, and that this would be more likely to happen in areas with larger numbers of BME pupils. Conversely, it might be expected that areas with basic policies would record few reports and this might be more likely to be the case in less diverse areas. In reality, there is no clear picture.

Whilst both Glasgow and Edinburgh (the two most diverse cities which both have 'very good' policies) have higher than average numbers of schools making use of the SEEMiS Bullying and Equalities module,[38] Glasgow has an unusually low number of racially motivated bullying incidents per capita of BME pupils (1.4) whereas Edinburgh has a higher rate than most Local Authorities (5.2).

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in both areas, around two thirds of schools recorded one or more incidents.

Looking at authorities with 'basic' policies, perhaps unsurprisingly both South Lanarkshire and Moray have a high proportion of primary schools which made no reports through SEEMiS in 2020/21 – 90% and 82% respectively. Moray is less diverse than South Lanarkshire, but pupil numbers are sufficient for reasonably robust analysis. Looking at per capita incident rates for BME pupils, in South Lanarkshire this stood at 1.4, whereas in Moray it stood at 11.5; these results seem anomalous despite differences in the population make-up, and may suggest under-reporting is a worse problem in the former area.

The quality of policies also does not seem to be significantly linked to the relative number of BME pupils in Local Authority areas. Angus and Argyll and Bute, with BME learner populations of 3.3% and 3.7% respectively, were both rated as 'very good' alongside more diverse areas such as Edinburgh (20.3%) and Glasgow (25.5%). Aberdeen City and East Renfrewshire also have high levels of diversity (18.2% and 22.4%) but were rated as 'average'. In the 'basic' category, very low diversity areas such as Comhairle nan Eilean Siar (2.3%) and Orkney (2.5%) sat alongside areas with nearer to average levels of diversity, such as West Lothian (7.6%) and Renfrewshire (7%). Pupil ethnicity data from the Scottish Government's Pupil Census is provided at appendix C.

ANALYSIS OF RECORDED DATA

The combined effect of ineffective recording and under-reporting means that the incident numbers analysed are liable to be far higher in reality.

BACKGROUND

CRER has now been gathering recorded racist incident and prejudice-based bullying data from Scotland's Local Authorities for over a decade, with some data covering the time period from 2007 onwards.

In previous studies, racially motivated bullying data and racist incident data has been combined and analysed alongside prejudice-based bullying incident data overall. This is no longer a useful method, due to the wide variety of motivations now construed as 'prejudice-based' and the largely inactive system for recording racist incidents. Comparison in this study is therefore between racially motivated bullying incidents and bullying incidents overall recorded through the SEEMiS Bullying and Equalities Module.

The revised SEEMiS categories include separate options for the recording of bullying against learners based on their ethnicity as Gypsy/Travellers or their status as asylum seekers/refugees, and this report incorporates these two categories alongside the racism and race category into one under the title racially motivated bullying. CRER considers it extremely unlikely that bullying motivated by either of these two separate characteristics would not constitute racism.

The introduction of the revised SEEMiS module in 2018 created data gaps in many areas. This particularly affected data for 2015/16 and 2016/17, when many Local Authorities either failed to collect data or collected data which now cannot be retrieved. Data for these years, where provided, should be regarded as incomplete.

In previous years, the variety of reporting procedures across Scotland's 32 Local Authority areas made analysis extremely challenging. Where the revised SEEMiS Bullying and Equalities module is being implemented effectively, this should be less of a concern in regard to data from 2018 onwards.

Ongoing concerns about implementation in the absence of a mandatory recording system, however, mean that substantial caveats about the reliability of data remain. As will be explored, within Local Authorities, many schools are failing to make effective use of the system. The combined effect of ineffective recording and under-reporting means that the incident numbers analysed here are liable to be far higher in reality.
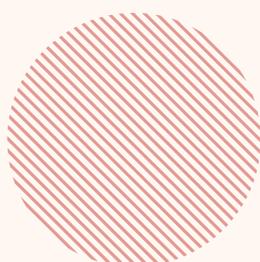
INCIDENT RECORDING OVER TIME

Until the present study, CRER has never received a full set of comparable data from all 32 Local Authorities. Prior to this, the highest number of returns were received 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 working on behalf of the Equality and Human Rights Commission in 2015, who requested data from all Scottish Local Authorities but received submissions from only 14 areas.[39]

The successful gathering of data from all 32 Local Authorities on this occasion is likely to be a result of substantially delaying analysis until all of the data could be received. Several authorities breached the statutory time limit for response to Freedom of Information requests, leading to appeals where again the statutory time limit was breached in some cases. One authority met the request only after intervention by the Information Commissioner.

Despite the participation of all Local Authorities, looking specifically at racially motivated bullying data, three Local Authorities redacted this data due to misapplication of data protection. At various points in the datasets provided by Local Authorities, data was presented variously as *, <5 or <10. This practice of redaction is normally used where small numbers create a risk of identification for individuals. However, the data requested through this FOI creates no risk of identification whatsoever, even in relation to learners in the smallest Local Authority areas of Scotland. There would be no way to identify which of the 105 minority ethnic learners in Shetland, for example, were involved in an incident. This issue recurs throughout this report.

Due to this redaction, the number of Authorities providing this in 2020/21 is 29 as opposed to 32.

39. Lough Dennell, B.L. and Logan, C. (2015). **Prejudice-based bullying in Scottish schools: a research report.** Glasgow: EHRC.

FIGURE 1: NUMBER OF LOCAL AUTHORITIES PROVIDING RACIST INCIDENTS/ RACIALLY MOTIVATED BULLYING DATA FROM 2000/01 – 2020/21
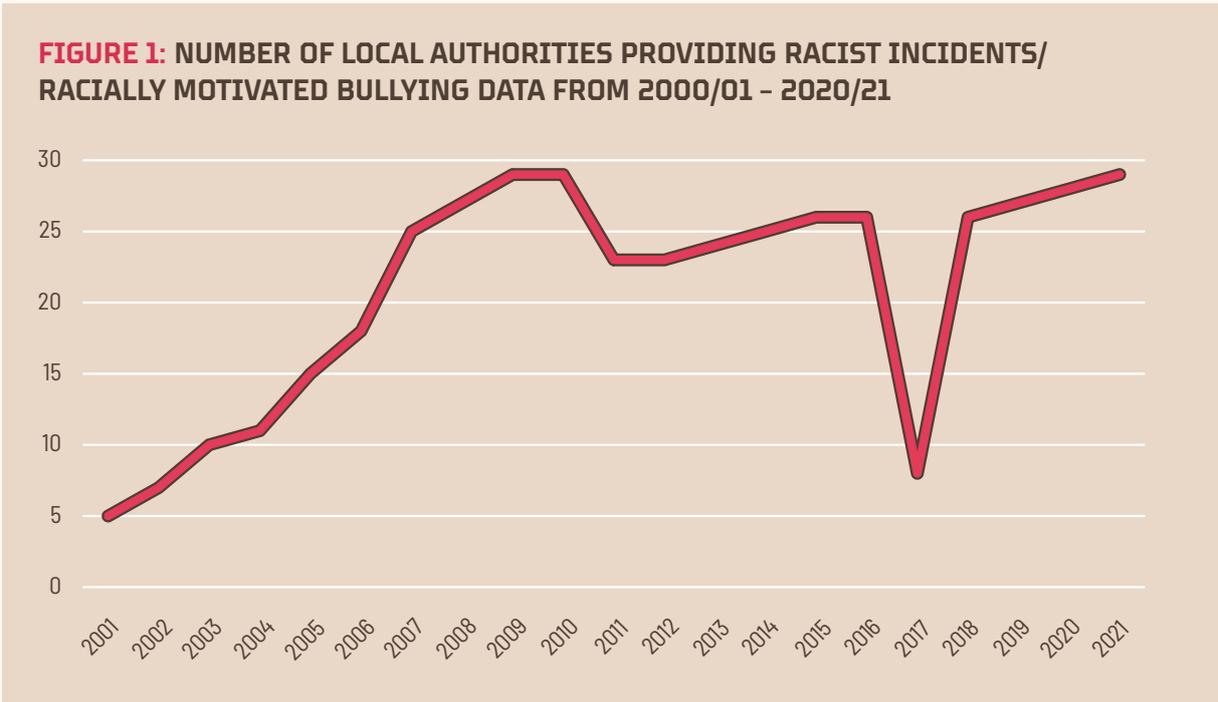

Figure 1 shows the number of Local Authorities providing CRER with information on racist incidents and/or racially motivated bullying over time. Following a distinct drop in the year before the introduction of the revised SEEMiS Bullying and Equalities module, the number of Authorities participating rose again sharply.

Figure 2 shows the total number of racially motivated bullying incidents that were recorded across all Local Authority areas across a 13 year period from 2007/08 to 2020/21. Information gathered before this date is not suitable for inclusion.

Despite the flux in the number of Local Authorities that have returned data, there had been a general downward trend in the number of incidents recorded for a number of years. In 2007/8 when only 25 organisations provided data, just over 1,000 incidents were recorded; yet by 2010/11, this had fallen to just under 600. The lowest level of incidents occurred in 2015/16, when 480 incidents were recorded. As previously stated, the data for this time period and for 2016/17 is not reliable, as many Local Authorities had no central recording system in place at that time or were unable to retrieve data following the switch to using the revised recording system.

A steady rise in incident numbers occurred between 2016/17 and 2018/19, when the revised SEEMiS Bullying and Equalities Module was implemented. The sharp drop the following year is potentially a consequence of disruption to the school year as a result of the COVID-19 pandemic. However, despite lockdown restrictions closing schools over January to February (late March in the case of high schools), recording reached its highest level since the beginning of the study over 2020/21.

FIGURE 2: NUMBER OF RACIALLY MOTIVATED BULLYING INCIDENTS REPORTED IN SCOTLAND'S SCHOOLS, 2007/08 – 2020/21
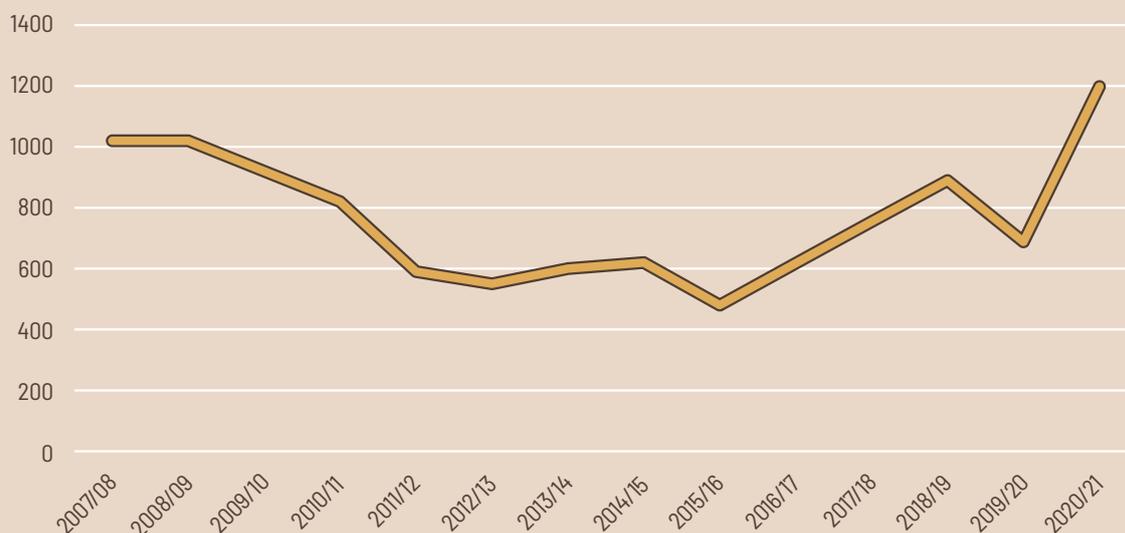
The embedding of the revised SEEMiS module is liable to be at least partly responsible for this upturn, enabling all Local Authorities to submit data where previously this was not the case.

However, there may be other underlying factors. For example, the rise in profile of the Black Lives Matter movement over summer 2020 could potentially have motivated greater reporting. In Edinburgh City Council in particular, reporting rates for bullying overall appear to have soared, and this includes racially motivated bullying. Edinburgh schools saw a high profile campaign led by young people resulting in an investigation into racism in schools in the area in 2020/21.[40] Whilst the issues raised by the young people predominantly involved teachers/school responses and so would not be recorded using the SEEMiS Bullying and Equalities module, the increased focus on racism in Edinburgh schools may have prompted a spike in reporting of racially motivated bullying. This alone, however, cannot explain the overall high level of recorded bullying incidents (as shown at table 4). The level of recorded bullying in Edinburgh is a substantial contribution to the total rise for 2020/21, with 30% of all incidents being reported there. It is possible that some misapplication of recording practice has affected the figures for Edinburgh.

As always, where under-reporting remains an issue, rises in recording are to be welcomed.

40. Elliot, S. (2021). **Pupil rejects Edinburgh City Council's offer to meet following 'disappointing' racism inquiry**. Edinburgh Evening News, 27th February 2021.

Aside from this anomaly in Edinburgh, it is possible that the level of bullying in Scotland's schools increased during this period, bearing in mind the impact of COVID-19 and associated restrictions on learners' wellbeing. Family conflict, abusive behaviour in the home and low parental warmth are known to be correlated with bullying behaviours,[41] and lockdown restrictions would significantly increase exposure to these factors for learners affected by them. Low cognitive stimulation, similarly associated with bullying behaviours,[42] would also see an increased risk during periods of school closure. In terms of racially motivated bullying specifically, the backlash to Black Lives Matter and racial scapegoating associated with COVID-19 over this period[43] may have emboldened racist behaviours amongst some young people. It is theoretically possible that any of these factors could impact behaviours on return to face-to-face learning.

Number of incidents recorded annually

Table 2 examines the number of racially motivated bullying incidents that have been recorded across all Local Authorities since 2016/17 in more depth. This gives a clearer picture of the extent to which Local Authorities provided data in response to the FOI request.

Some incompatible data has been excluded (e.g. where the value was <5 or <10 due to redaction). This type of data redaction for one type of school (primary, secondary or ASN) means that the true figure will be higher than shown below. This is indicated by an asterisk. An asterisk without an accompanying number indicates that all data was redacted.

41. Bowes, L. et al (2009). School, Neighborhood, and Family Factors Are Associated With Children's Bullying Involvement: A Nationally Representative Longitudinal Study. J Am Acad Child Adolesc Psychiatry. 48(5): 545–553.

42. Ibid.

43. Booth, R. (2020). **Black Lives Matter has increased racial tension, 55% say in UK poll**. Guardian, 27th November 2020.

TABLE 2: TOTAL NUMBER OF RECORDED RACIALLY MOTIVATED BULLYING INCIDENTS 2016/17 – 2020/21 BY LOCAL AUTHORITY

Local Authority	2016/17	2017/18	2018/19	2019/20	2020/21
Aberdeen	N/A	19	39	9*	50
Aberdeenshire	N/A	N/A	31	37	18
Angus	46	37	32	7*	10*
Argyll & Bute	N/A	16	10	20	10
Clackmannanshire	1	1	3	4	1
Comhairle nan Eilean Siar	N/A	1	7	5	10
Dumfries and Galloway	N/A	4	15	20	15
Dundee	N/A	54	49	29	46
East Ayrshire	N/A	5	3	3	8
East Dunbartonshire	N/A	14*	21	13	11*
East Lothian	*	7*	8*	7*	8*
East Renfrewshire	*	12	*	*	*
Edinburgh	159	211	199	77	495
Falkirk	15	20	13	9	30
Fife	N/A	37	33	34	57
Glasgow	143	186	216	222	240
Highland	N/A	17	10*	16	6*
Inverclyde	N/A	3	8	7	10
Midlothian	N/A	3	48	23	37
Moray	N/A	N/A	*	9*	16
North Ayrshire	N/A	N/A	N/A	*	*
North Lanarkshire	N/A	5	13	12	6
Orkney	N/A	0	0	*	0
Perth & Kinross	N/A	17	23	11	15*
Renfrewshire	N/A	23	28	13	17
Scottish Borders	N/A	5	26	19	24
Shetland	0	0	0	0	0
South Ayrshire	N/A	0	4	6	5
South Lanarkshire	45	42	34	45	32
Stirling	0	*	*	*	*
West Dunbartonshire	N/A	11	13	6	8
West Lothian	N/A	5	3	25	13
Total	**409**	**755**	**889**	**688**	**1198**

Although provision of data in response to FOIs has improved greatly over the years, under-reporting and misapplied data protection redactions means that in some areas, no robust evidence to inform policy is available to date. The rise in incident numbers across the years indicates improvements in recording practice and in provision of data, as opposed to a rise in actual incidents.

FAILURE TO RECORD BULLYING INCIDENTS

In order to understand the lack of robustness of the data recorded, it is necessary to explore the extent to which the SEEMiS Bullying and Equalities module is actually used. The exploratory FOI request carried out by CRER established that all Local Authorities had activated the module, but that schools were not always using it (see appendix B). This was explored again in the main FOI request.

CRER asked each Local Authority to provide the number of schools within the Local Authority area which recorded no incidents on the SEEMiS Bullying and Equalities module for each year. In previous years, we specifically asked for information on nil returns (i.e. reports indicating there had been no incidents). It was unclear whether Local Authorities interpreted the request accurately, with some potentially also including non-returns (i.e. where no report was submitted). Under the revised SEEMiS system, there is no way to differentiate between these types of information.

As set out in the policies mentioned on p.30, failure to record incidents should be a matter for further investigation; if there have been no incidents, why, and what preventative practices can be shared? Given the unlikelihood that a school has no bullying incidents (however minor) in the course of a year, we consider it appropriate to regard schools with no SEEMiS Bullying and Equalities module entries as failing to record incidents. It is recognised that this may not be universally true, and in particular that this assumption should be treated with caution in areas with schools which have very small numbers of learners, for example Orkney and Shetland.

In the following table, N/A indicates that an area has no additional support for learning establishments.

Table 3 outlines the figures provided on failure to record bullying incidents with any motivation in 2020/21, broken down by primary, secondary and additional support for learning establishments.

TABLE 3: NUMBER AND PERCENTAGE OF SCHOOLS FAILING TO RECORD BULLYING INCIDENTS [ALL MOTIVATIONS] BY PRIMARY, SECONDARY AND ADDITIONAL SUPPORT FOR LEARNING ESTABLISHMENTS AND LOCAL AUTHORITY AREA, 2020/21

Local Authority	Primary		Secondary		ASL	
	Number	%	Number	%	Number	%
Aberdeen	20	42%	5	45%	2	100%
Aberdeenshire	132	90%	4	23%	4	100%
Angus	41	80%	2	25%	N/A	N/A
Argyll & Bute	58	74%	3	30%	1	100%
Clackmannanshire[44]	13	72%	2	67%	3	100%
Comhairle nan Eilean Siar	17	85%	0	0%	N/A	N/A
Dumfries and Galloway	70	72%	3	19%	1	100%
Dundee	22	67%	0	0%	2	100%
East Ayrshire	28	70%	2	29%	6	100%
East Dunbartonshire	15	45%	<5	*	<5	*
East Lothian[45]	Unknown	Unknown	Unknown	Unknown	N/A	N/A
East Renfrewshire	13	54%	2	29%	1	100%
Edinburgh	29	33%	5	22%	7	63%
Falkirk	31	65%	5	63%	2	67%
Fife	83	62%	1	6%	5	100%
Glasgow	48	34%	3	10%	16	73%
Highland[46]	150	88%	15	52%	Unknown	Unknown
Inverclyde	11	55%	0	0%	2	100%
Midlothian	18	60%	2	33%	1	100%
Moray	37	82%	0	0%	N/A	N/A
North Ayrshire	42	86%	5	56%	4	100%
North Lanarkshire	0	0%	0	0%	0	0%
Orkney	19	90%	5	22%	N/A	N/A
Perth & Kinross	58	83%	<3	*	1	100%
Renfrewshire	36	72%	5	45%	1	50%
Scottish Borders	26	44%	0	0%	N/A	N/A
Shetland	24	86%	<5	*	N/A	N/A
South Ayrshire[47]	26	63%	2	25%	Unknown	Unknown
South Lanarkshire	113	90%	8	47%	7	100%
Stirling	28	74%	<10	*	<10	*
West Dunbartonshire	25	78%	1	20%	3	100%
West Lothian	55	81%	2	18%	4	80%

44. The Pupil Census statistics show that there are 2 ASL schools in Clackmannanshire; this slight discrepancy has not resulted in exclusion, on the basis of a probable minor administrative error.
45. East Lothian Council stated that it did not hold this information.
46. Highland Council area has three special schools, according to the Pupil Census, but left all answers regarding additional support for learning establishments blank in their response.
47. South Ayrshire Council area has two special schools, according to the Pupil Census, but left all answers regarding additional support for learning establishments nluments blank in their response.

These figures demonstrate that use of the SEEMiS Bullying and Equalities module to record bullying incidents is extremely patchy across Scotland.

This was especially the case in relation to ASL establishments. In 15 Local Authority areas, no records were made by any ASL establishment over 2020/21 (this does not include areas where there are no establishments). Only five Local Authority Areas recorded any incidents, and in each of these areas, more than 50% of their ASL establishments had not recorded any incidents.

77% of ASL establishments across Scotland did not use the SEEMiS Bullying and Equalities module over 2020/21.

Primary schools were also failing to use the module in many areas. In 25 Local Authority areas, more than 50% of primary schools had failed to record any incident in the module over 2020/21. This equates to 78% of Local Authority areas overall. In 11 of these areas, 80-90% had not used the module. Only one Local Authority area stated that all primary schools had used the module.

Across Scotland, 36% of primary schools failed to record any bullying incidents over 2020/21.

Secondary schools were more likely to have recorded one or more incident on the module. In 6 Local Authority areas, all schools had recorded incidents, whilst another four had redacted the data (which is likely to indicate that a relatively small number of schools had recorded no incidents). However, four areas had upwards 50% of schools failing to record incidents using the module. The remainder showed patchy recording, with most areas having around 20-30% of schools failing to record incidents.
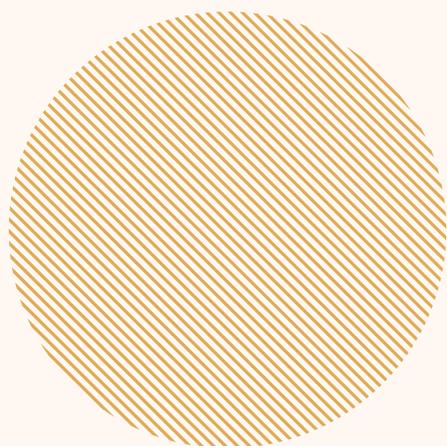
Proportion of schools failing to record bullying incidents (any motivation)

The following figures show the proportion of schools which failed to record any incidents on the SEEMiS Bullying and Equalities module overall, as well as in primary, secondary and ASL settings, over 2020/21.

FIGURE 3: PROPORTION OF SCHOOLS FAILING TO RECORD BULLYING INCIDENTS (ALL MOTIVATIONS) IN SCOTLAND, 2020/21*

ALL SCHOOLS (2020/21)

🔴 Recording bullying incidents (all motivations)

🟡 Failing to record bullying incidents (all motivations)

*Excludes incompatible data as identified in the figures below.
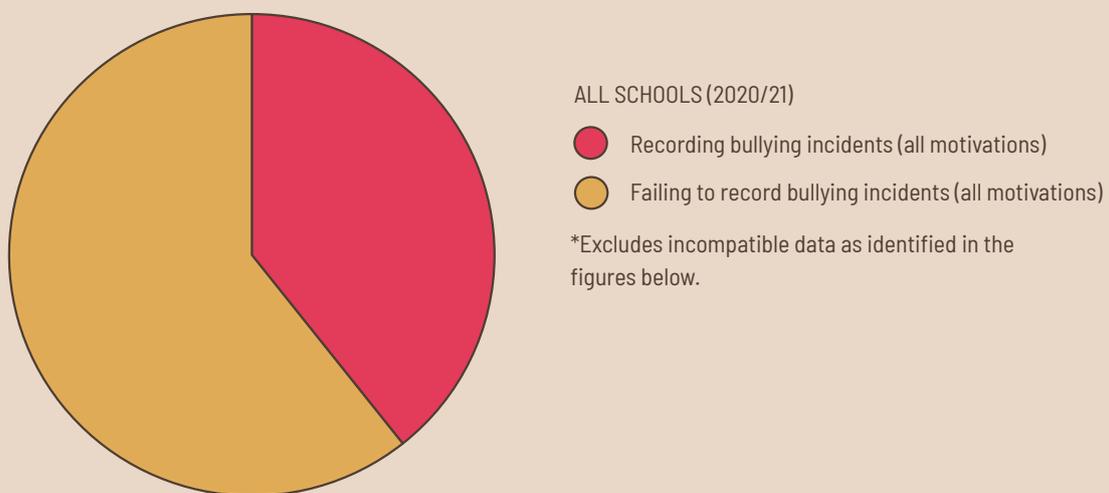
The figure above demonstrates that only 39% of primary, secondary and ASL establishments across Scotland used the SEEMiS Bullying and Equalities module once or more over 2020/21. 61% did not record any incidents using the module.

FIGURE 4: PROPORTION OF PRIMARY SCHOOLS FAILING TO RECORD BULLYING INCIDENTS (ALL MOTIVATIONS) IN SCOTLAND, 2020/21

PRIMARY (2020/21)

- Recording bullying incidents (all motivations)
- Failing to record bullying incidents (all motivations)

* Excludes East Lothian Council primary schools due to incompatible data.
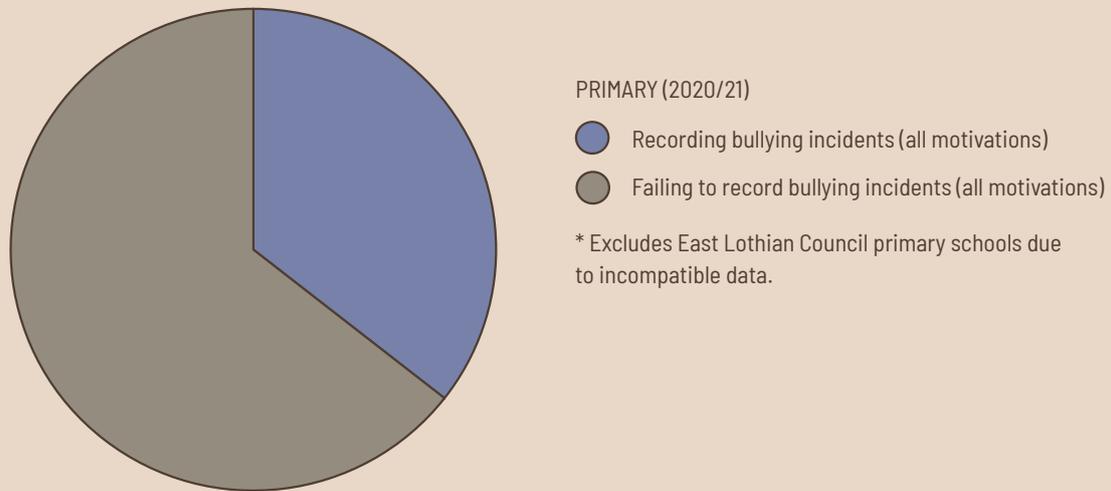
Primary schools were less likely to have used the SEEMiS Bullying and Equalities module over 2020/21. Only 36% of primary schools used the module, with the remaining 64% failing to record one or more incidents of bullying overall. One Local Authority area had to be excluded due to incompatible data, however this equates to less than 2% of the total possible sample of schools.

FIGURE 5: PROPORTION OF SECONDARY SCHOOLS FAILING TO RECORD BULLYING INCIDENTS (ALL MOTIVATIONS) IN SCOTLAND, 2020/21*

SECONDARY (2020/21)

- Recording bullying incidents (all motivations)
- Failing to record bullying incidents (all motivations)

*Excludes East Dunbartonshire, East Lothian, Perth and Kinross, Shetland and Stirling Council secondary schools due to incompatible data; this equates to 11% of the total possible sample of schools.
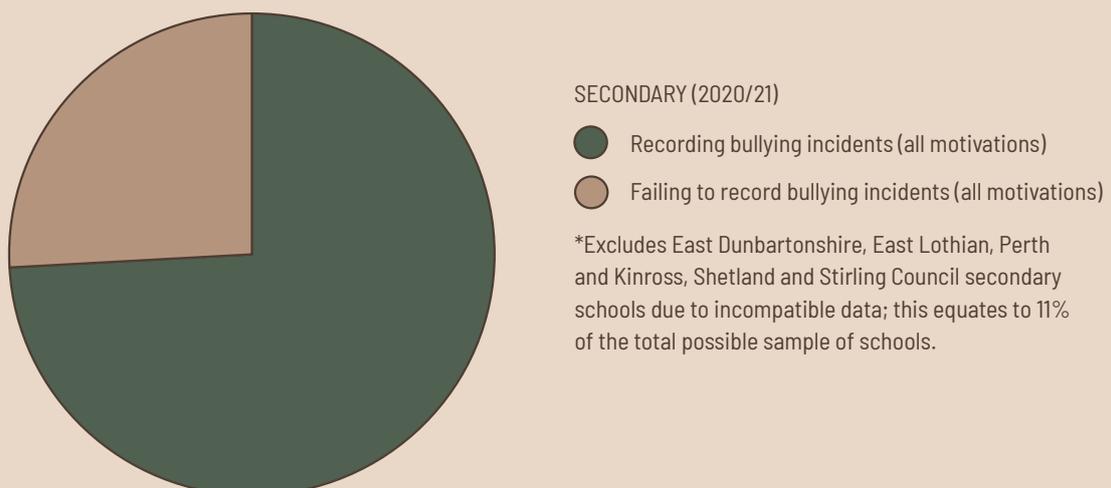
Secondary schools used the SEEMiS Bullying and Equalities module at a higher rate, however 26% did not record any incidents over 2020/21. The remaining 74% recorded one or more bullying incidents over the year.

FIGURE 6: PROPORTION OF ASL ESTABLISHMENTS FAILING TO RECORD BULLYING INCIDENTS (ALL MOTIVATIONS) IN SCOTLAND, 2020/21*

ASL (2020/21)

○ Recording bullying incidents (all motivations)

● Failing to record bullying incidents (all motivations)

*Excludes East Dunbartonshire, Highland, South Ayrshire and Stirling Council secondary schools due to incompatible data; this equates to 9% of the total possible sample of schools.
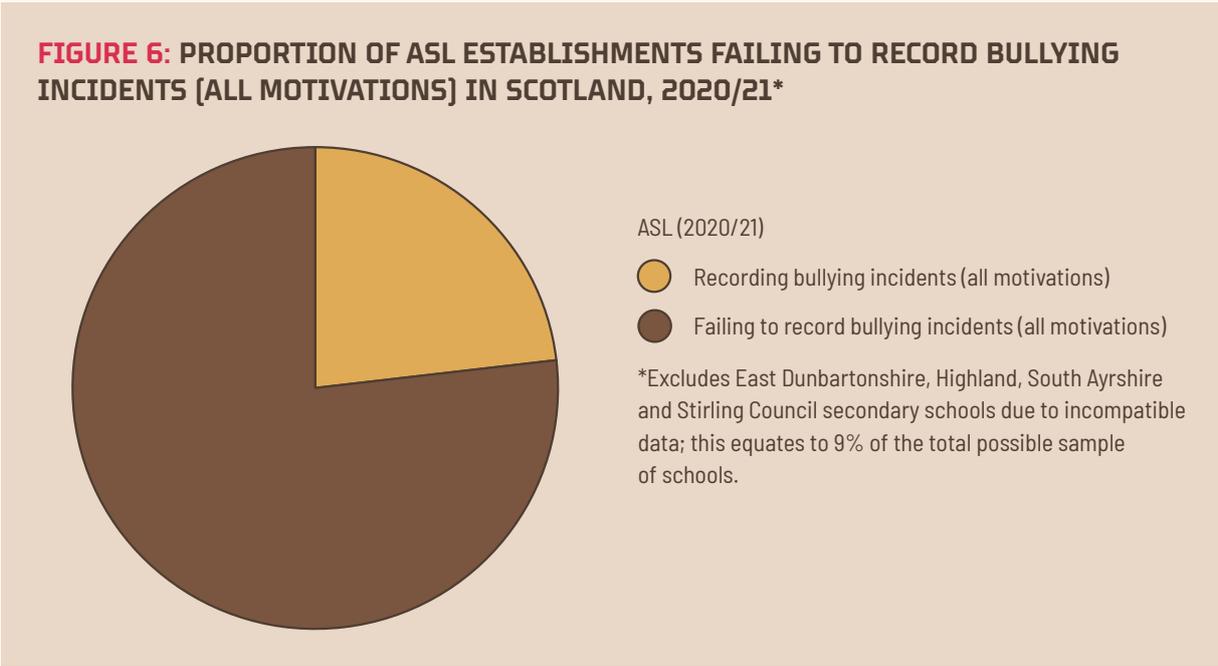
In ASL establishments, the SEEMiS Bullying and Equalities module was rarely used during 2020/21. In total, 77% of establishments did not use the module, with only 22 establishments (23%) recording one or more bullying incidents with any motivation.

Failure to record racially motivated bullying incidents

The following table narrows its focus to failure to record racially motivated bullying incidents. Note that we retain the phrase 'failing to record' for consistency. However, it is recognised that there may be a small number of schools where the demographics of learners, class sizes and other factors make it theoretically possible for no racially motivated bullying to have occurred. This demographic information is only published at Local Authority area level and so it is not possible to explore any correlations between school demographics and failure to record.
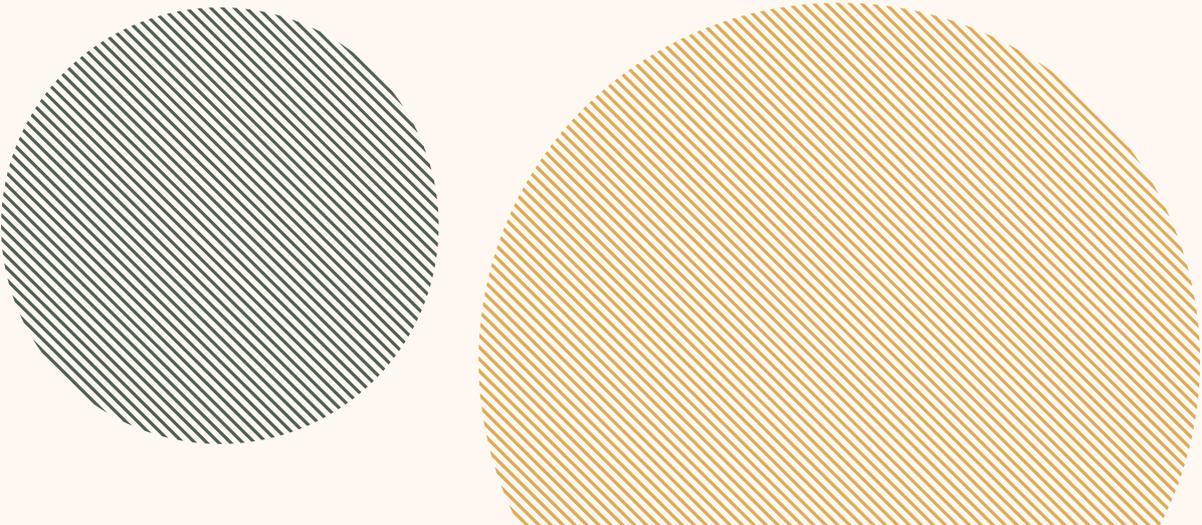
TABLE 4: NUMBER AND PERCENTAGE OF SCHOOLS FAILING TO RECORD RACIALLY MOTIVATED BULLYING INCIDENTS BY PRIMARY, SECONDARY AND ADDITIONAL SUPPORT FOR LEARNING ESTABLISHMENTS AND LOCAL AUTHORITY AREA, 2020/21

Local Authority	Primary		Secondary		ASL	
	Number	%	Number	%	Number	%
Aberdeen	34	71%	7	64%	2	100%
Aberdeenshire	146	99%	11	65%	4	100%
Angus	48	94%	4	50%	N/A	N/A
Argyll & Bute	78	100%	6	60%	1	100%
Clackmannanshire[48]	13	72%	2	67%	3	100%
Comhairle nan Eilean Siar	20	100%	3	75%	N/A	N/A
Dumfries and Galloway	92	95%	8	50%	1	100%
Dundee	26	79%	2	25%	2	100%
East Ayrshire	38	95%	5	71%	6	100%
East Dunbartonshire	27	82%	6	75%	<5	*
East Lothian	Unknown	Unknown	Unknown	Unknown	N/A	N/A
East Renfrewshire	24	100%	5	71%	1	100%
Edinburgh	47	53%	7	30%	9	82%
Falkirk	39	81%	6	75%	2	67%
Fife	117	88%	6	33%	5	100%
Glasgow	83	59%	5	17%	19	86%
Highland	151	88%	16	55%	2	67%
Inverclyde	17	85%	4	67%	1	50%
Midlothian	25	83%	2	33%	1	100%
Moray	41	91%	<5	*	N/A	N/A
North Ayrshire	48	98%	7	78%	4	100%
North Lanarkshire[49]	117	98%	21	91%	14	100%
Orkney	19	90%	5	100%	N/A	N/A
Perth & Kinross	69	99%	4	36%	1	100%
Renfrewshire	45	90%	7	64%	2	100%
Scottish Borders	55	93%	2	22%	N/A	N/A
Shetland	28	100%	7	100%	N/A	N/A
South Ayrshire[50]	39	95%	5	63%	Unknown	Unknown
South Lanarkshire	126[51]	100%	10	59%	7	100%
Stirling	10	26%	<10	*	0	0%
West Dunbartonshire	29	91%	4	80%	3	100%
West Lothian	64	94%	5	45%	5	100%

48. The Pupil Census statistics show that there are 2 ASL schools in Clackmannanshire; this slight discrepancy has not resulted in exclusion, on the basis of a probable minor administrative error.

49. The Pupil Census statistics show that there are 13 ASL establishments in North Lanarkshire; this slight discrepancy has not resulted in exclusion, on the basis of a probable minor administrative error.

50. South Ayrshire Council area has two special schools, according to the Pupil Census, but left all answers regarding additional support for learning establishments blank in their response.

51. The Pupil Census statistics show that there are 125 primary schools in South Lanarkshire; this slight discrepancy has not resulted in exclusion, on the basis of a probable minor administrative error.

# Proportion of schools failing to record racially motivated bullying

The following figures show the proportion of school failing to record racially motivated bullying incidents overall, as well as in primary, secondary and ASL settings.

FIGURE 7: PROPORTION OF SCHOOLS FAILING TO RECORD RACIALLY MOTIVATED BULLYING INCIDENTS IN SCOTLAND, 2020/21*

ALL SCHOOLS (2020/21)

- Recording racially motivated bullying
- Failing to record racially motivated bullying

*Excludes incompatible data as identified in the figures below.
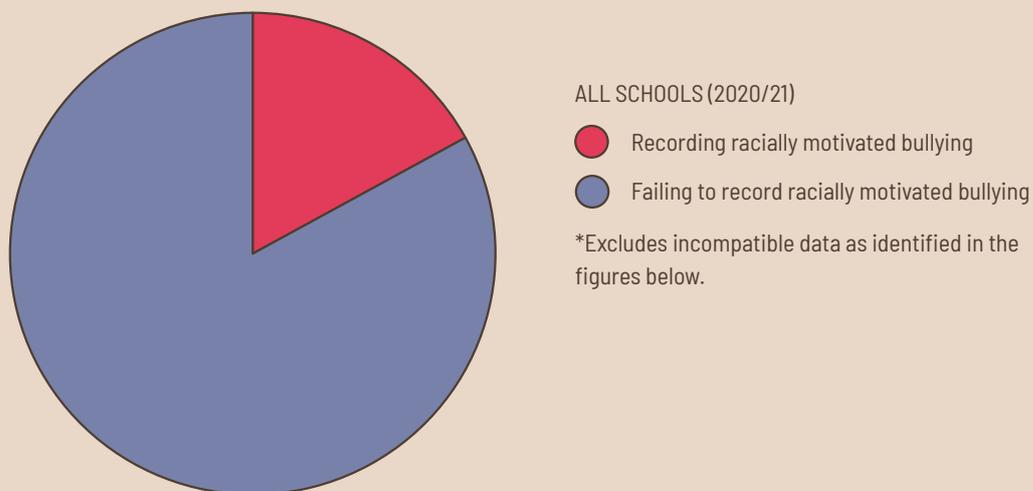
The figure above shows that across primary, secondary and ASL establishments, only 17% of schools recorded one or more racially motivated bullying incidents over 2020/21. 83% did not record any incidents.

FIGURE 8: PROPORTION OF PRIMARY SCHOOLS FAILING TO RECORD RACIALLY MOTIVATED BULLYING INCIDENTS IN SCOTLAND, 2020/21*

PRIMARY (2020/21)

- Recording racially motivated bullying
- Failing to record racially motivated bullying

*Excludes East Lothian Council primary schools due to incompatible data; this equates to less than 2% of the total possible sample of schools.
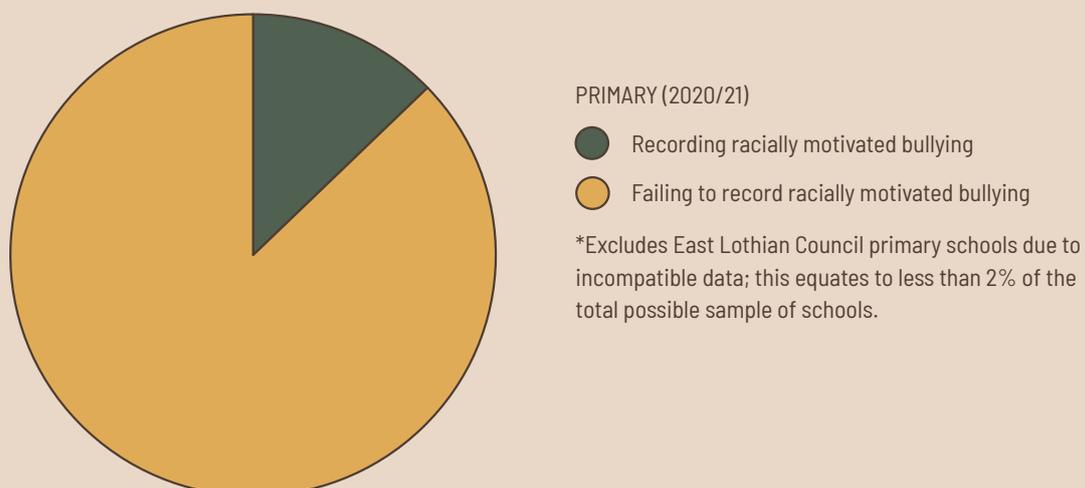
The proportion of primary schools recording incidents was lower than average. Only 13% of Scotland's primary schools recorded any incidents of racially motivated bullying. The remaining 87% recorded no incidents.

FIGURE 9: PROPORTION OF SECONDARY SCHOOLS FAILING TO RECORD RACIALLY MOTIVATED BULLYING INCIDENTS IN SCOTLAND, 2020/21*

SECONDARY (2020/21)

● Recording racially motivated bullying

● Failing to record racially motivated bullying

* Excludes East Lothian, Moray and Stirling Council secondary schools due to incompatible data; this equates to 6% of the total possible sample of schools.
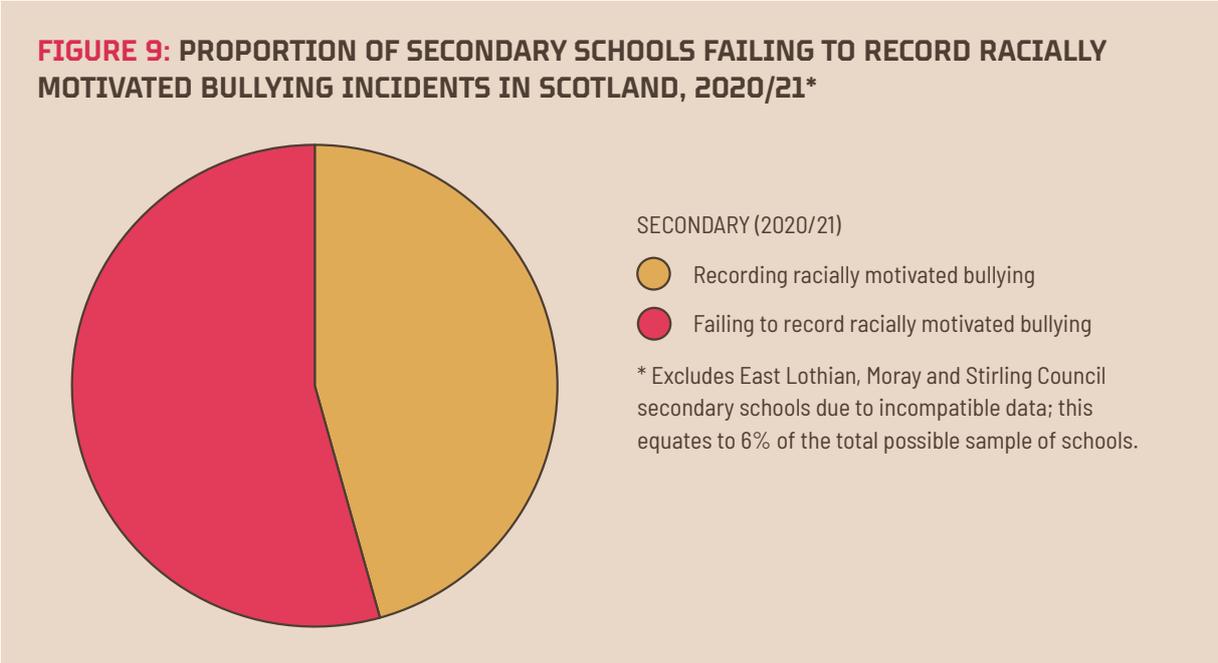
Secondary schools were more likely to record racially motivated bullying incidents, but nevertheless, only 46% recorded one or more incidents. 54% of secondary schools in Scotland did not record any incidents of racially motivated bullying.

FIGURE 10: PROPORTION OF ASL ESTABLISHMENTS FAILING TO RECORD RACIALLY MOTIVATED BULLYING INCIDENTS IN SCOTLAND, 2020/21*

ASL (2020/21)

● Recording racially motivated bullying

● Failing to record racially motivated bullying

* Excludes East Dunbartonshire and South Ayrshire ASL establishments due to incompatible data; this equates to 5% of the total possible sample of schools.
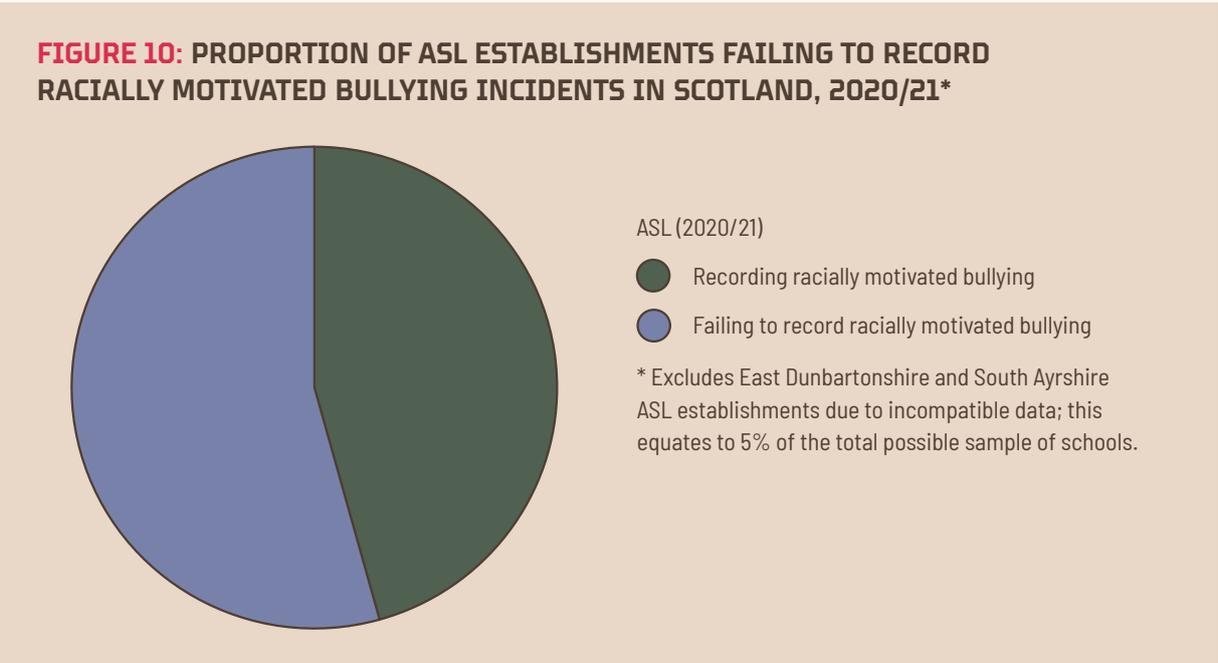
Only five ASL establishments in Scotland recorded any incidents of racially motivated bullying, 5% of the total. The remaining 95% did not record any incidents.

The figures above excluded some data due to incompatibility. This was primarily a result of data redaction, which is not necessary for data on numbers of schools as no risk of personal identification exists. In total, eight Local Authority areas provided insufficient or redacted data affecting one or more of the above figures. Although sufficient data is available to allow for relatively robust analysis at Scotland wide level, this practice of redaction is neither necessary nor helpful as it weakens the evidence base on bullying and racially motivated bullying recording practices at local level.

BULLYING INCIDENTS DATA 2020/21

Bullying incidents in total over 2020/21

The following table provides the number of bullying incidents that were recorded in Scotland's schools (regardless of motivation) in numerical form for each Local Authority. In total, 6,597 bullying incidents were recorded.

TABLE 5: NUMBER OF BULLYING INCIDENTS (ALL MOTIVATIONS) RECORDED IN PRIMARY, SECONDARY AND ASL SCHOOLS, 2020/21

Local Authority	Primary	Secondary	ASL	Total
Aberdeen	143	49	0	192
Aberdeenshire	17	45	0	62
Angus	19	87	0	106
Argyll & Bute	202	73	0	275
Clackmannanshire	0	1	0	1
Comhairle nan Eilean Siar	13	20	-	33
Dumfries and Galloway	134	176	0	310
Dundee	57	114	0	171
East Ayrshire	31	21	0	52
East Dunbartonshire	41	15	0	56
East Lothian	51	36	<5	87
East Renfrewshire	28	23	-	51
Edinburgh	838	1131	10	1979
Falkirk	109	21	4	134
Fife	303	237	-	540
Glasgow	436	285	9	730
Highland	56	37	-	93
Inverclyde	32	27	0	59
Midlothian	203	410	0	613
Moray	35	135	-	170
North Ayrshire	11	15	0	26
North Lanarkshire	56	12	0	68
Orkney	7	5	-	12
Perth & Kinross	36	163	0	199
Renfrewshire	35	16	1	52
Scottish Borders	39	108	-	147
Shetland	5	14	-	19
South Ayrshire	61	46	-	107
South Lanarkshire	19	65	0	84
Stirling	20	11	0	31
West Dunbartonshire	14	12	0	26
West Lothian	62	136	4	202

As in previous years, recorded incidents in ASL environments remain so rare as to make analysis impractical. The number of learners in these establishments is, however, low. Some Local Authorities have no specialist ASL establishments, providing support in the mainstream education sector instead.

Racially motivated bullying data in 2020/21

Figure 11 (below) shows the overall number of racially motivated bullying incidents recorded in each of the three types of establishment included in the Freedom of Information request. This is presented in a maximum to minimum range, as a small number of authorities presented low numbers as <5 due to misapplication of data protection (explored at p.34).

FIGURE 11: NUMBER OF RACIALLY MOTIVATED BULLYING INCIDENTS IN PRIMARY, SECONDARY AND ASL SCHOOLS, 2020/21

Maximum

Minimum
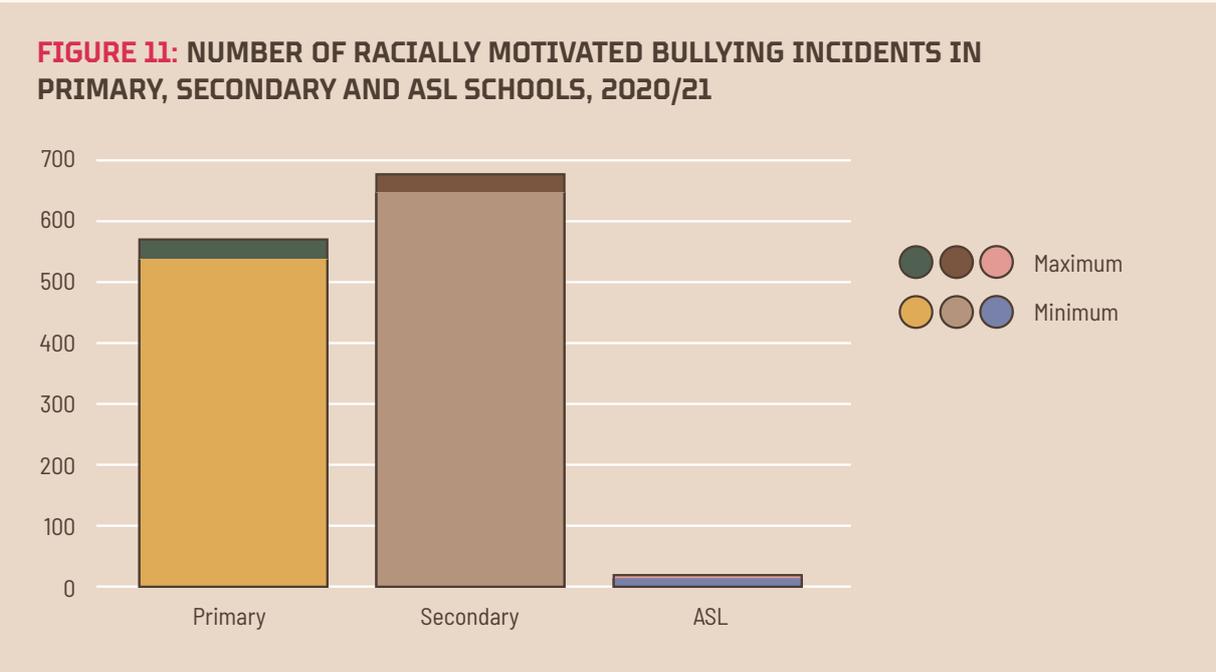
Primary schools recorded fewer incidents than secondary schools, despite the fact that the primary school population in Scotland is higher, with primary school learners numbering 393,313 and secondary school learners 306,811 in 2021.

Figure 12 shows racially motivated bullying data collected in 2020/21.
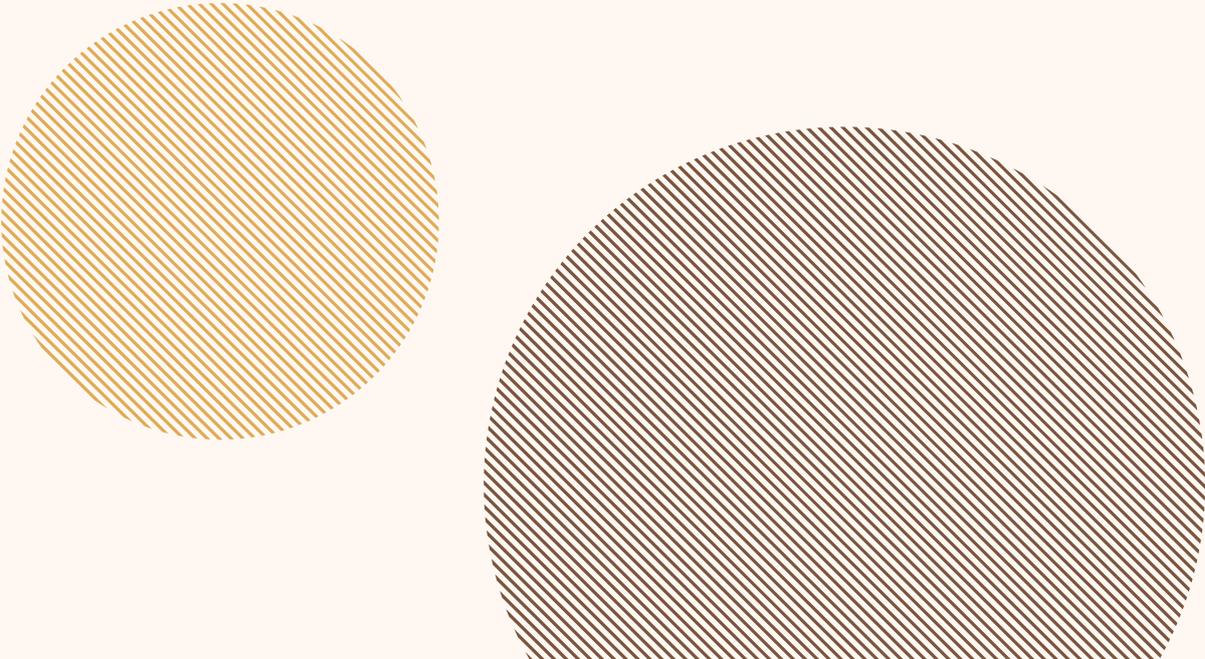
FIGURE 12: TOTAL NUMBER OF RACIALLY MOTIVATED BULLYING INCIDENTS RECORDED IN SCOTLAND'S LOCAL AUTHORITIES, 2020/21
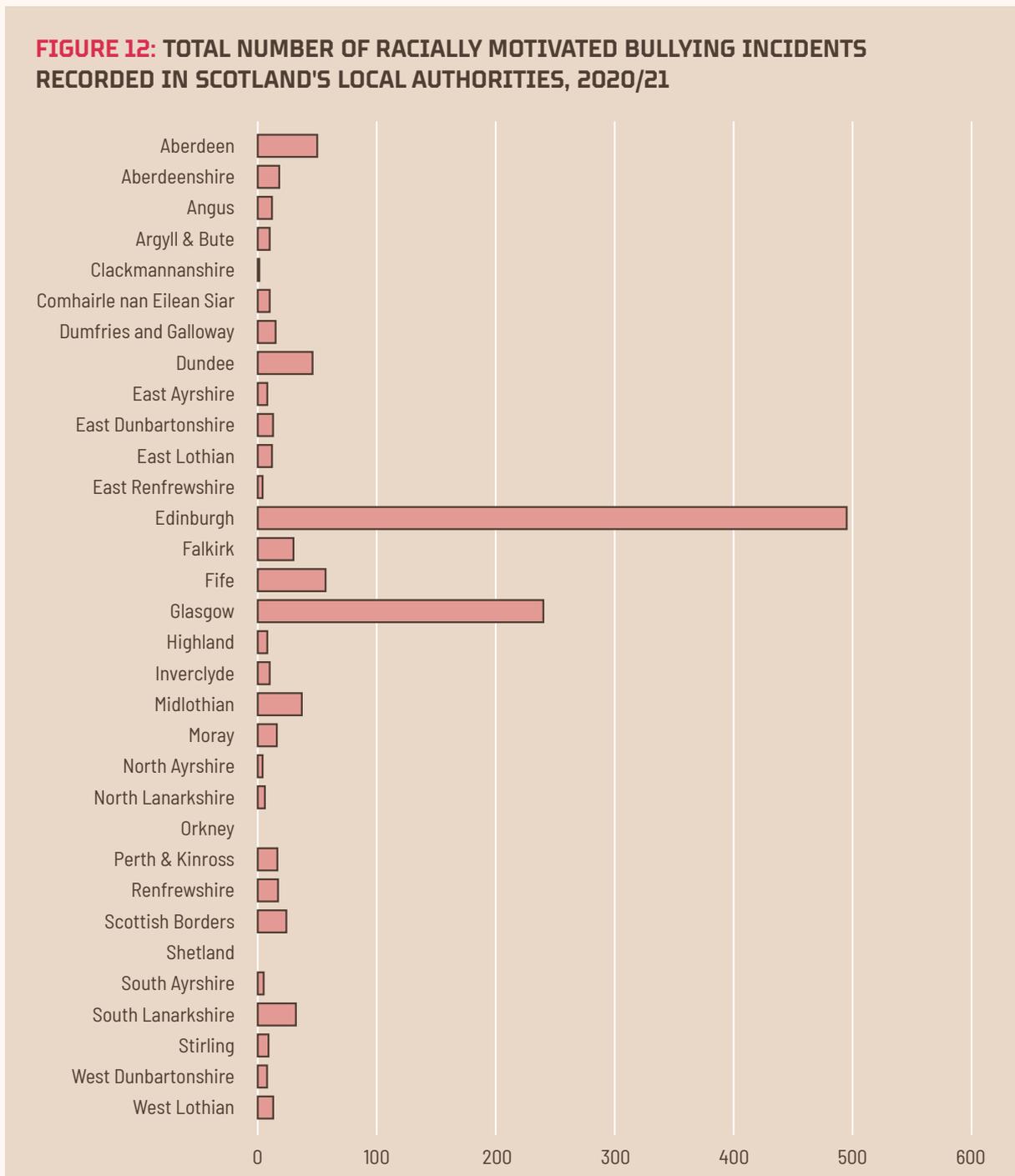
The total number of racially motivated bullying incidents reported by Local Authorities for 2020/21 was 1,198. This only includes data that was compatible for analysis; as some data was redacted, the true figure will be higher.

The above figure shows that the number of incidents recorded varies widely between Scottish Local Authority areas. Partly, population size will be a factor. Further examination of the data in light of population size is provided at p.54.

Both Orkney and Shetland recorded no incidents of racially motivated bullying.

In the current environment, high levels of recorded incidents in an area should not necessarily be regarded in a negative light. Racially motivated bullying incidents can impact learners in all areas of Scotland, and under-reporting is a known issue. While this remains the case, increases in recording must be regarded positively (for example, the extreme results seen for Edinburgh, regarding both racially motivated incidents and bullying in general).

FIGURE 13: **RACIALLY MOTIVATED BULLYING INCIDENTS AS A PROPORTION OF TOTAL BULLYING INCIDENTS RECORDED, 2020/21**
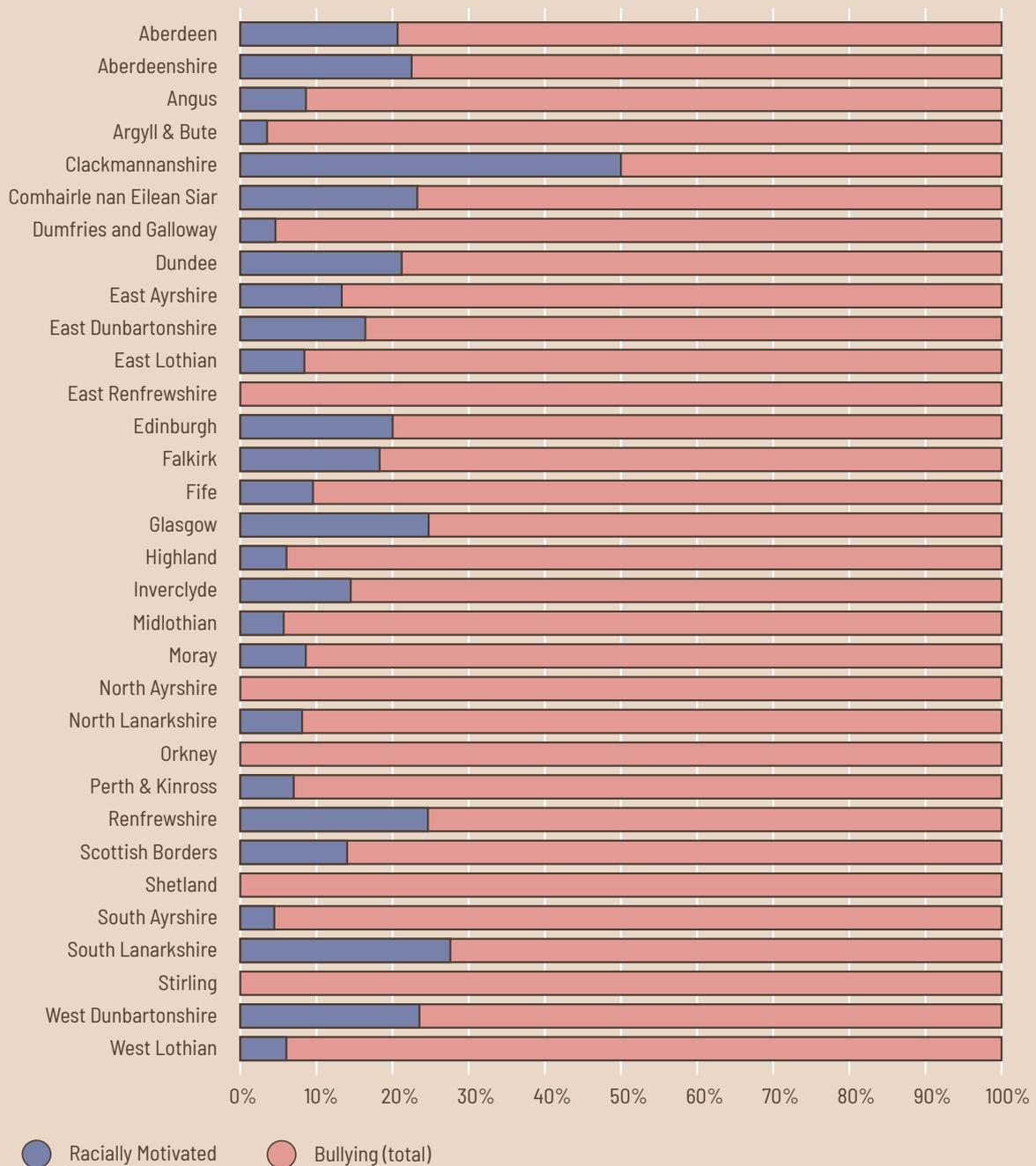
Racially motivated bullying incidents in primary and secondary schools

Our analysis includes a breakdown of the number of racially motivated bullying incidents recorded in both primary and secondary schools. We also asked all Local Authorities to provide details of the number of incidents recorded within additional support for learning establishments, however due to the low numbers and the small number of Local Authorities that held these records, this has not been included in the table below.

Figure 14 highlights the percentage of racially motivated bullying incidents recorded across all Local Authorities broken down by primary and secondary school.

FIGURE 14: PERCENTAGE OF RACIALLY MOTIVATED BULLYING INCIDENTS RECORDED IN PRIMARY AND SECONDARY SCHOOLS, 2020/21
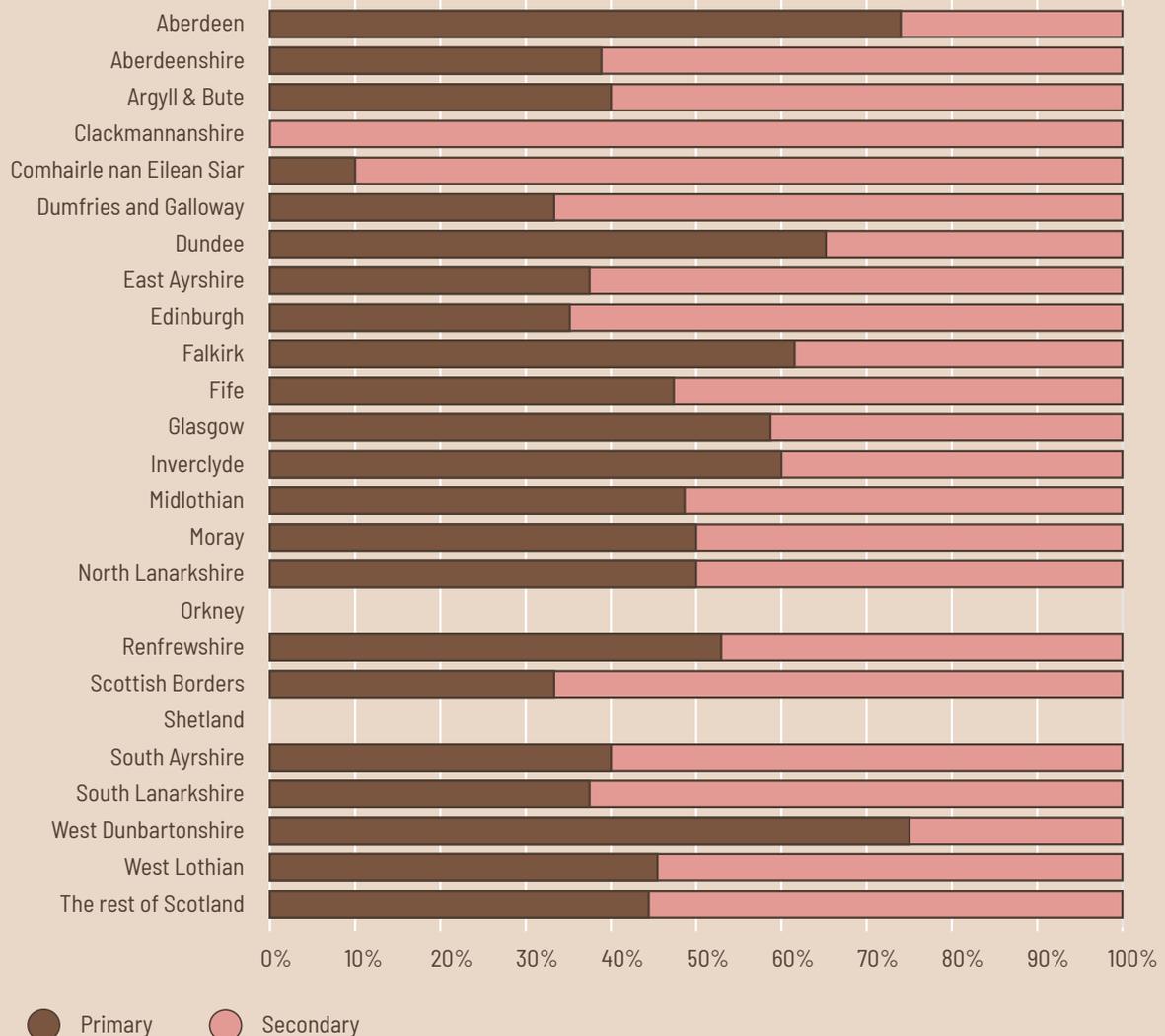
* Some Local Authority areas had to be combined in the final row within the table above due to incomplete data.

In previous rounds of research, there was no consistent trend of higher or lower reporting of racially motivated bullying incidents between primary or secondary schools. This continues to be the case.

It may be that policies are not being implemented consistently at either level. Local Authorities may want to explore the trends around this, including which schools within primary and secondary levels are not recording incidents (explored further at p.42-48).

Smaller Local Authority areas recorded very few incidents. Clackmannanshire recorded only one incident which occurred at a secondary school, whilst Orkney and Shetland recorded no incidents.

Number of incidents per 100 pupils

Population level has an inevitable impact on the number of bullying incidents per Local Authority area. Scottish Government's Pupil Census for 2021 shows that Glasgow City Council had 70,805 pupils, yet Shetland had only 3,325 and Orkney just 2,795.

It's therefore useful to examine the per capita rate of incidents in each area. Analysis at figures 15 and 16 breaks down the number of racially motivated bullying incidents per 100 pupils and per 100 BME pupils (all pupils who did not identify with one of the White British identity categories in the Scottish Government Pupil Census).

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 racially motivated bullying 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 racially motivated bullying incidents.

Varying definitions of 'Black and minority ethnic' exist, and CRER's normal use of this term would refer to minority ethnic groups who share experience of negative racialisation. This definition allows us to keep a focus on the impacts of racism. However in this case, to enable comparison with Pupil Census data, all self-selected identities which are not white British are included. This raises a note of caution regarding analysis. In line with the legal provisions of the Equality Act 2010, a person of any ethnic identity can technically 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.

The largest proportion of racially motivated bullying incidents per capita (all ethnicities) was 0.9 per 100 pupils in Edinburgh, with most areas recording at a rate of less than 0.2 per 100 pupils.

FIGURE 15: NUMBER OF RECORDED RACIALLY MOTIVATED BULLYING INCIDENTS PER 100 PUPILS BY LOCAL AUTHORITY, 2020/21

Incidents per 100 pupils (all ethnicities)
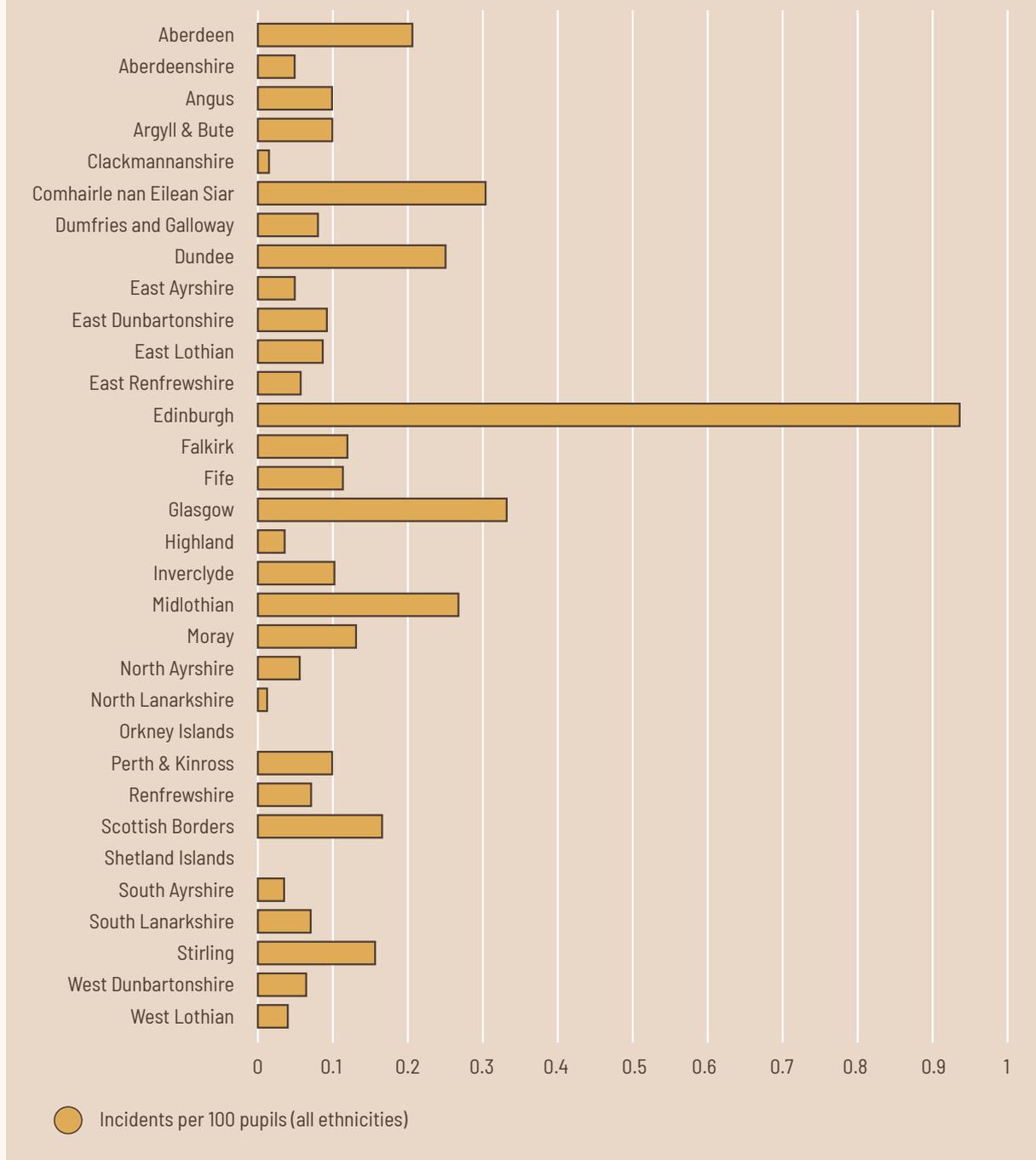
Data from the 2011 Scottish Census[52] shows that the majority of BME people in Scotland live in urban areas, in cities, and across the central belt. Whilst this data is considerably out of date in comparison to the Pupil Census data used for analysis here, the same pattern holds true. Looking at the number of incidents that have taken place per capita of BME pupils gives a better picture of the frequency of reports in different areas (with caveats on the applicability of this measure, as described on p.54). Figure 16 explores this in greater detail.

52. 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

FIGURE 16: **NUMBER OF RECORDED RACIALLY MOTIVATED BULLYING INCIDENTS PER 100 BME PUPILS BY LOCAL AUTHORITY, 2020/21**
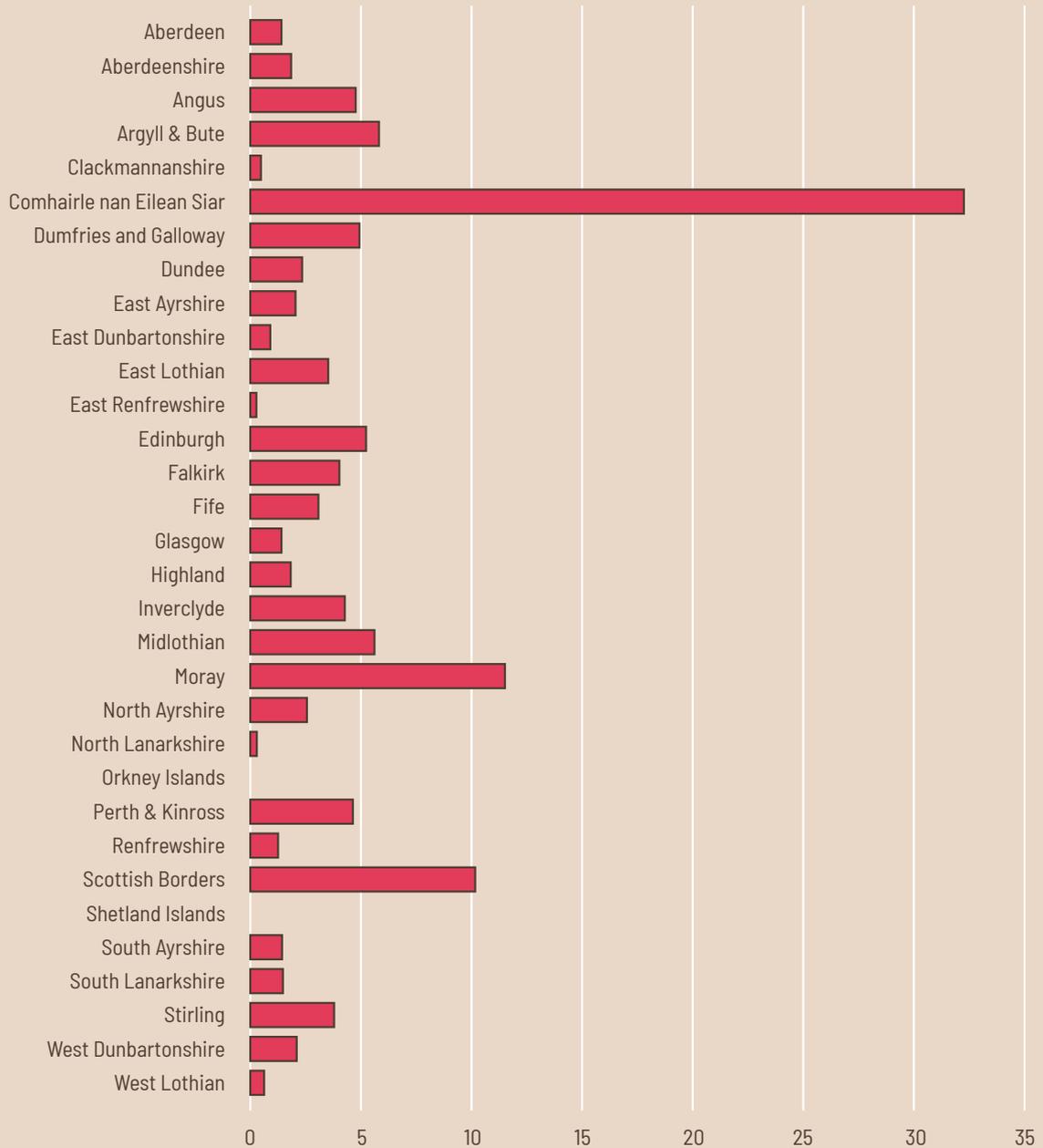
Incidents per 100 BME pupils
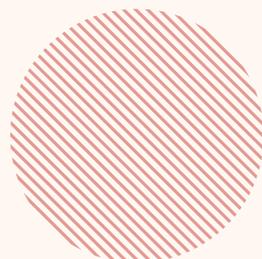
The highest number of incidents per 100 BME pupils was recorded in Comhairle nan Eilean Siar, however it should be noted that this relates to 10 incidents in total and the reference population size there is particularly low. The same issue affects other rural areas with an appearance of high rates in these figures.

In the more diverse areas recording the highest number of incidents, the difference between Edinburgh and Glasgow is notable, with Edinburgh recording higher than average rates and Glasgow lower than average rates. Edinburgh recorded 495 incidents, whilst Glasgow recorded 240. It is possible that policy changes in Glasgow over this period may have resulted in a lack of recording or reporting (noting that Glasgow did not have a central policy on recording at the time of the last iteration of this report). Meanwhile, high profile cases of racism in Edinburgh over this period may have resulted in a reporting surge.[53]

The prevalence of incidents per 100 BME pupils does not appear to have a pattern in relation to the size of the BME population in an area, however extremely patchy recording practices make this lack of clarity inevitable as the data is overall not robust.

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 figures 17 and 18.
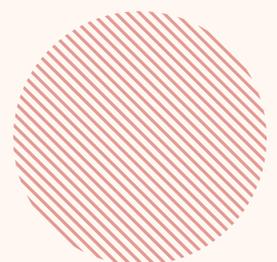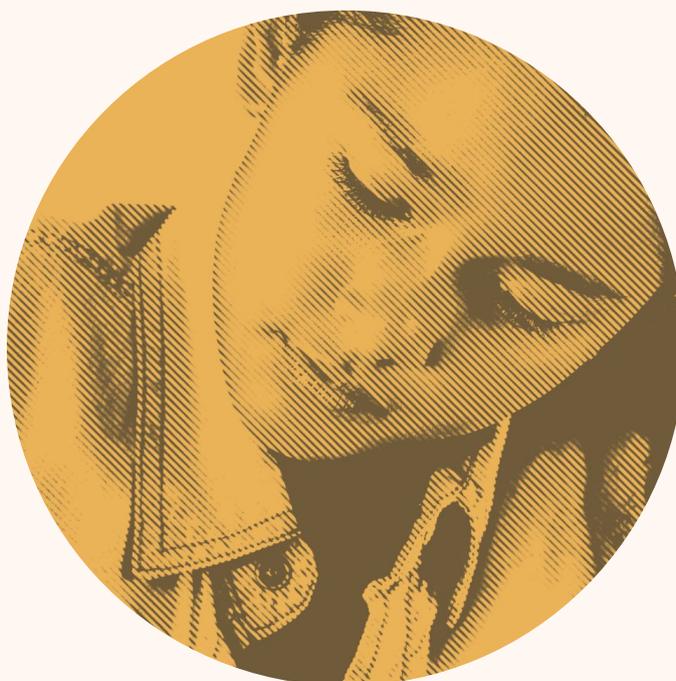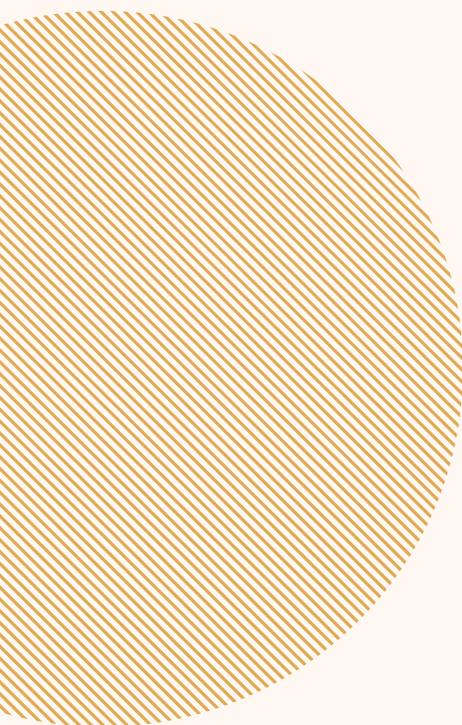
53.   Elliot, S. (2020). **Edinburgh secondary school faces racism allegations from more than 30 pupils**. Edinburgh Evening News, 6th July 2020.

FIGURE 17: NUMBER OF RECORDED RACIALLY MOTIVATED BULLYING INCIDENTS PER 100 BME PUPILS IN PRIMARY SCHOOLS, BY LOCAL AUTHORITY, 2020/21

Incidents per 100 BME pupils
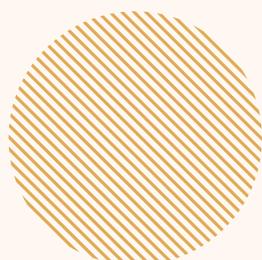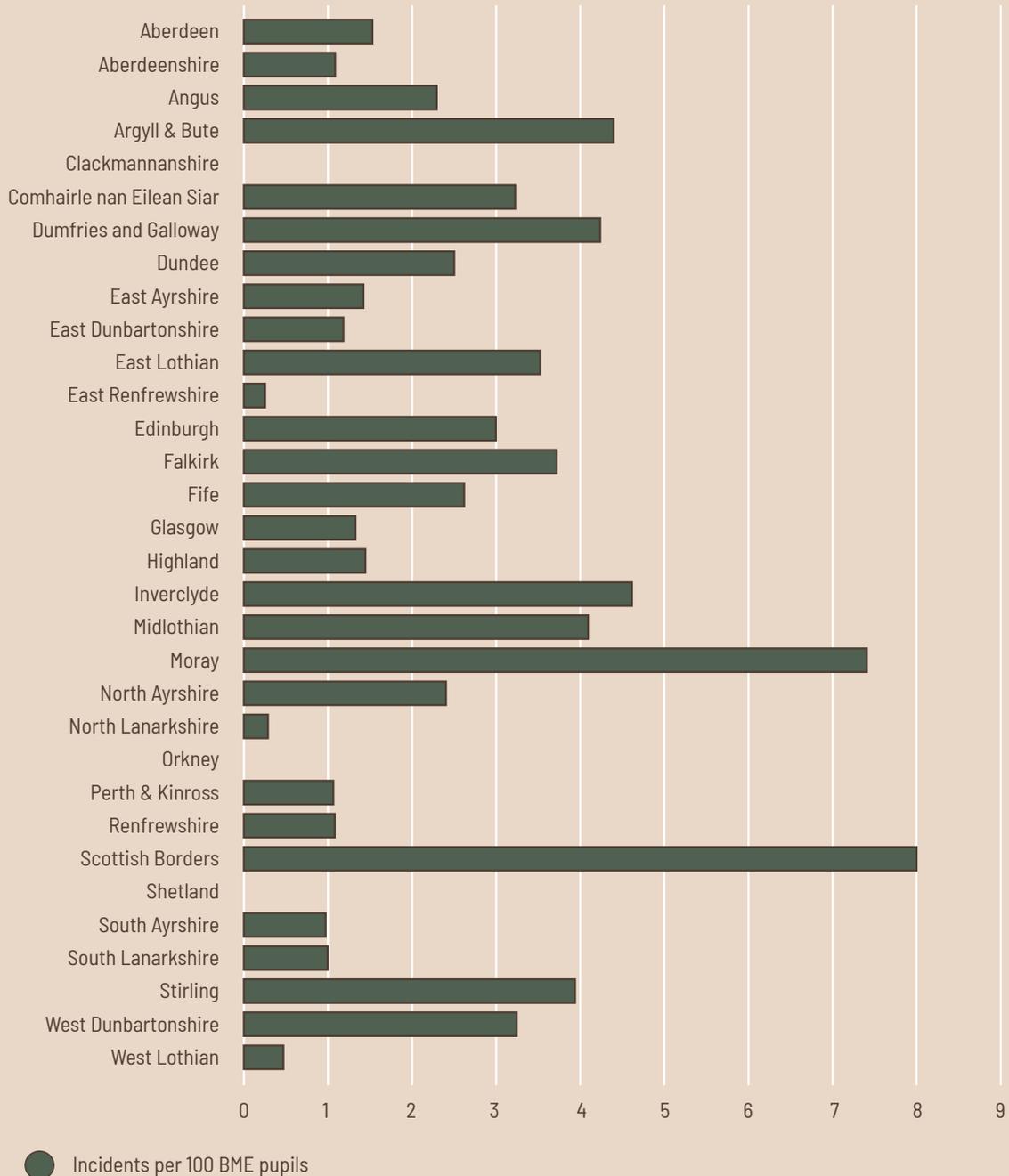
FIGURE 18: NUMBER OF RECORDED RACIALLY MOTIVATED BULLYING INCIDENTS PER 100 BME PUPILS IN SECONDARY SCHOOLS, BY LOCAL AUTHORITY, 2020/21


Incidents per 100 BME pupils
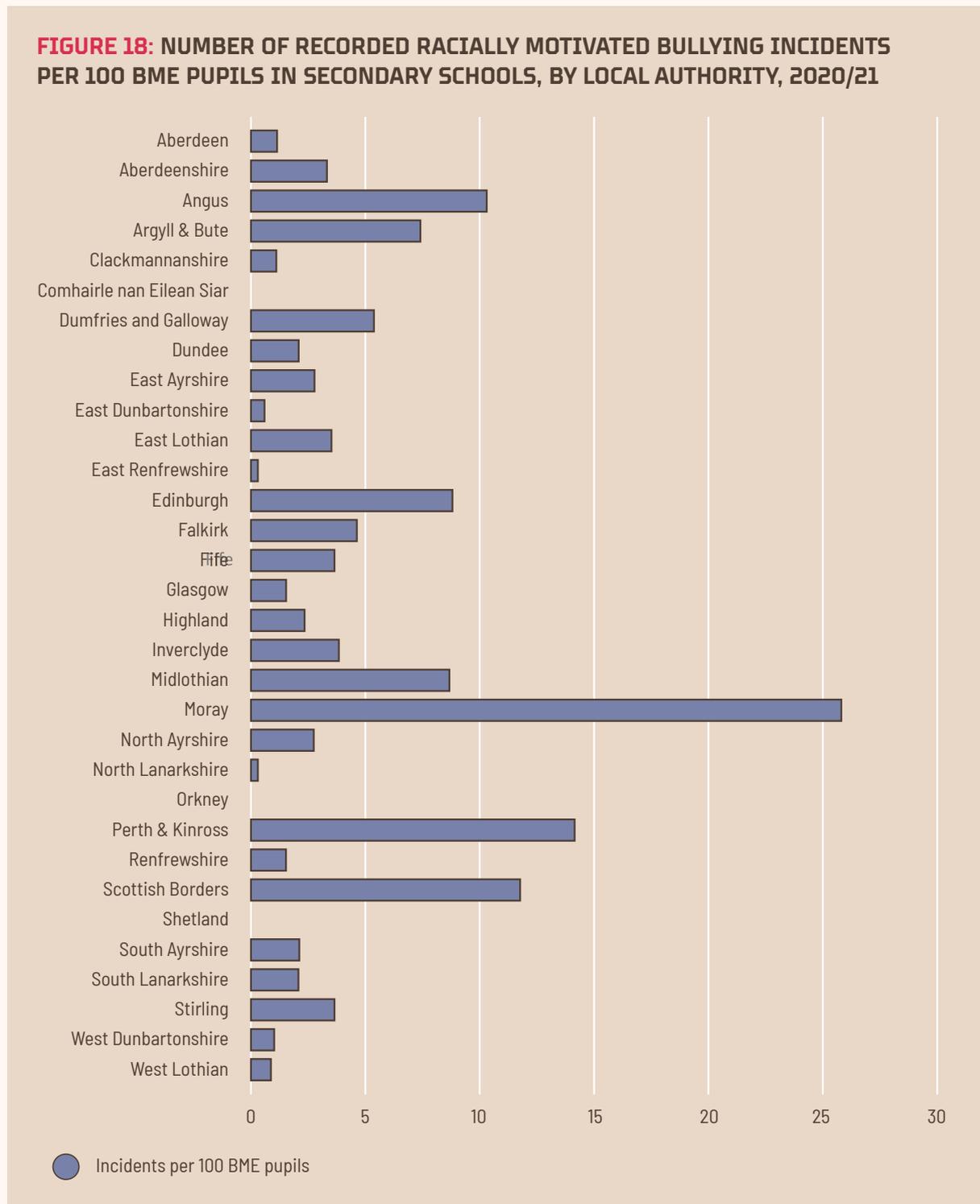
Figure 18 (above) shows that Moray recorded the highest rate of incidents in primary schools, however again, this relates to 35 incidents. Our analysis of anti-bullying policies rated Moray Council's policy as basic. In our previous report, the highest rate of incidents was recorded in Angus, which had a policy rating of very good. This continues into the present report, and the per capita rates of recording are high there.

It is clear that practical implementation is likely to influence recording rates as much as the quality of policies does. Any of the following explanations for high rates of incidents are possible:

- Poor policies allowing racism to flourish and reports to increase
- Policies which in themselves are poor or unremarkable, but exist in an area where practical implementation and support for reporting is good
- The availability of a good policy which bolsters reporting even where practice is not particularly good
- Good policies combined with good implementation

Not enough is known about the factors that underlie racially motivated bullying rates, and lack of an enforceable, mandatory national approach makes it impossible to create a baseline to study this from a recording angle. There is a need for better evidence on the practical factors that impact rates of racially motivated bullying within school settings, from anti-bullying policy and practice to school ethos, pedagogy and the curriculum.

ADDITIONAL MOTIVATIONS ON THE SEEMiS BULLYING AND EQUALITIES MODULE

As noted on p.33, incidents recorded on SEEMiS under the additional motivations of 'asylum seekers or refugee status' and 'Gypsy/Travellers' will generally have an underlying racist motivation and should be considered in concert with those recorded under the standard motivation heading of 'racism and race including culture'.

The findings of our FOI showed that these categories are rarely ever used. Over 2020/21, a total of eight incidents were recorded under 'asylum seekers or refugee status'. This was across seven Local Authority areas, some of which redacted the number (meaning that the true figure will be slightly higher). A total of three incidents were recorded under 'Gypsy/Travellers', across three Local Authority areas.

If used properly, these additional categories can allow Local Authorities to identify needs for interventions to challenge prejudice against these specific groups. However, it should be noted that failing to consider these alongside 'race and racism including culture' could lead to underestimation of the degree of racially motivated bullying.

It should also be recognised that many incidents which appear to stem from religious prejudice could be primarily or additionally founded on a racist motivation.

Assumptions are often made about religion based on skin colour, accent, clothing or cultural factors. In the absence of any actual markers of belonging to a faith group, these assumptions are inherently racist. Research has shown that young people in Scotland, particularly those from South Asian backgrounds, face a significant degree of 'misrecognition' where a religious identity that is not theirs is ascribed to them.[54]

In some cases, 'misrecognition' or unfair assumptions about religion may be deliberate. Religious prejudice may be seen, in some cases, as a 'safer' or more socially tolerated form of prejudice to exhibit in public than racist prejudice. This could lead some learners exhibiting bullying behaviour who have a racist motivation to use religion as a proxy for race.

It is therefore important to avoid recording a religious motivation alone where a racial motivation may also be present, as this risks significantly underestimating racially motivated incidents.

OTHER TYPES OF RECORDED DATA

Racist incidents

As discussed previously, as the SEEMiS Bullying and Equalities module is only used to record racist incidents which manifest as bullying behaviours, there is a need for additional mechanisms to record all racist incidents, including those which do not involve bullying.

Our FOI included a question about racist incidents data, for which information was provided by the six Local Authorities still using the SEEMiS Racist Incidents module to record these at any point from 2016/17 to 2020/21. For 2020/21, a total of 252 incidents were recorded across four of these areas (excluding information from one Local Authority which had ceased to use the module, and one which had redacted the data). Again excluding a small amount of incompatible data, over the four year period a total of 840 incidents were recorded.

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54.   Hopkins, P. et al (2017). **Encountering Misrecognition: Being Mistaken for Being Muslim**. Annals of the Association of American Geographers, vol. 107, no. 4.

In some areas, the number of incidents recorded appears to be significant, suggesting that the system could be relatively well used. However, the relationship between this data and racially motivated bullying data is unclear. Schools may be recording incidents of racially motivated bullying in both modules, as CRER would recommend, or may be recording these in only the racist incidents module. The latter course of action would mean that the data collated for racially motivated bullying would underestimate the true figure.

One Local Authority voluntarily supplied additional data on exclusions due to racially motivated behaviour. As only one area has provided this, it is not suitable for analysis, but the provision of the information is both welcome and relevant. This information is collected centrally by Scottish Government, but not currently published. CRER recommends that this information should be published at national level and used at both local and national level to inform anti-racism and anti-bullying policy.
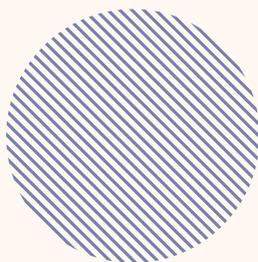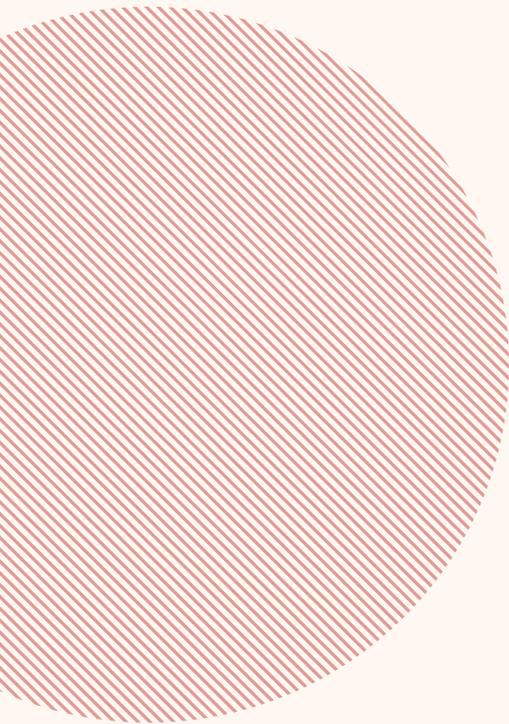
CONCLUDING RECOMMENDATIONS

The recommendations represent the direction of travel that we advocate for through our engagement in education policy work.

The analysis within this report demonstrates a clear need for reform of anti-bullying policy, including recording and monitoring mechanisms. The findings indicate that action is urgently needed at national level, at local level and within schools.

SCOTTISH GOVERNMENT AND ITS AGENCIES

CRER is mindful of the need to avoid pre-empting the outcome of Scottish Government's intensive programme of work, the Race Equality and Anti-Racism in Education Programme (REAREP). It is anticipated that meaningful change in national level policy will emerge from this, as well as measures to support better practice locally and in schools.

The following recommendations are therefore not set in stone, but represent the direction of travel that we advocate for through our engagement in REAREP:

- Ensure that sufficient, sustainable resources are invested into the activity emerging from REAREP, particularly in relation to capacity building for educators
- Embed anti-racism into mainstream anti-bullying policy in addition to a targeted focus on racist incidents
- Introduce a mandatory reporting and recording system, with data collated and analysed at both local and national level (addressing both prejudice-based bullying and non-bullying prejudice-based incidents)
- Invest in advice and advocacy services for both young people affected by racism in school and their parents/carers
- Address the current gap in resolution processes by ensuring that the Scottish Public Services Ombudsman is able to address the role of racism or other forms of discrimination in its investigations of Local Authority complaints failings
- Develop a programme of research into the experiences of Black and minority ethnic learners which can be repeated over time in order to track the impact of changing policy and practice
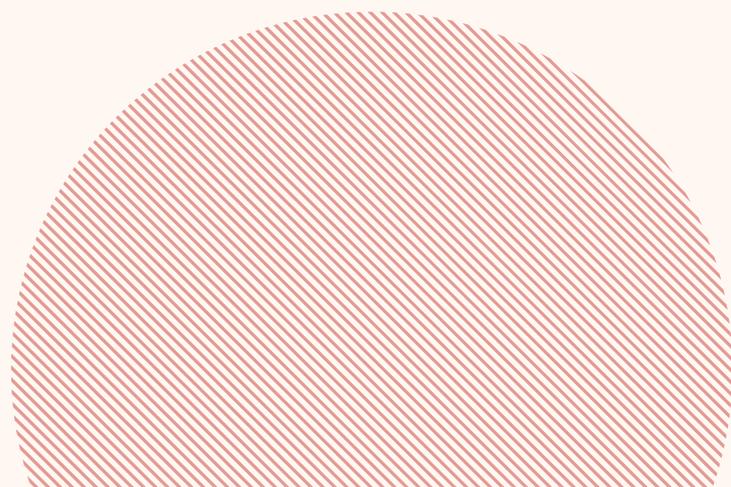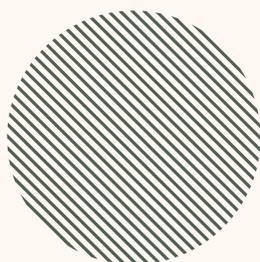
LOCAL AUTHORITIES

As this report focusses on information gathered at Local Authority level, the majority of recommendations apply to Local Authorities.

Some Local Authority policies are of markedly better quality than others. Where good practice exists, this is to be commended; our ranking approach (p.60) sought to highlight those Authorities with a higher quality policy. However, no Local Authority policy showed a particularly racially literate approach to anti-bullying. Given the severity of impact of racism on learners, both today and in the future, this needs to be an area where Local Authorities and their schools are striving for excellence.

Recommendations for Local Authorities:

- Provide strong leadership messaging on the importance of developing anti-racist approaches, complemented with capacity building through training and other continuous professional learning opportunities, sharing anti-racist resources and providing opportunities for networking and activities on anti-racism

- Review all aspects of anti-bullying policy and practice from an anti-racist perspective and use the results to drive improvement
  - Staff who have participated in Education Scotland's Building Racial Literacy programme[55] may be able to assist with this, and sources of external guidance should also be sought if capacity is not strong internally

- Revitalise Local Authority level policies to enhance the focus on tackling racism
  - Ensure policies have high quality content on race, racism and prejudice-based bullying more broadly (focussing on the protected characteristics of the Equality Act 2010)
  - Involve learners, staff and parents/carers from minority ethnic backgrounds in policy development
  - Enhance the content on processes and procedures to ensure consistency, including clarity that incidents should be regarded as prejudice-based if anyone perceives them to be, in line with the approach taken in the Macpherson[56] definition of a racist incident
  - Set out expectations for schools to undertake preventative work, including evidence based examples, information on how schools can empower children and young people to challenge bullying behaviours and how schools can engage with parents and carers around prevention

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55. More information is available here: **Building Racial Literacy**.
56. Macpherson, W. (1999). **Stephen Lawrence Inquiry report**.

- Give examples of appropriate actions which could be taken to resolve incidents, balancing content on restorative practice with acknowledgement that this might not always be appropriate in serious cases
- Include information on how serious incidents should be dealt with, for example where criminal behaviour or child protection issues are involved, and clarify that these incidents should not be regarded as bullying; ensure any content on hate crime is accurate
- Include a requirement for schools to review their own progress on implementing policies and report this to the Local Authorities (particularly where they are required to create their own policy; these should be quality assured at Local Authority area to ensure consistency and effectiveness)
- Include details of the Local Authority level complaints process for learners and parents/carers who are dissatisfied with a school's response (action may be needed to ensure that this process is effective and fit for purpose)
- Ensure policies are reviewed every three years, with reflection on the trends emerging through monitoring, engagement with learners and the wider school community and developments in national policy
- Develop or reintroduce a specific anti-racism policy (going beyond anti-bullying to address other manifestations of racism; effective and detailed anti-racism content within a broader equality policy would be an alternative to a standalone policy, however this may not have the same level of impact)
- Communicate regularly with individual establishments on implementation of policies, for example through the work of Quality Improvement Officers

- Revitalise approaches to recording and monitoring
  - Enhance policy content on recording and monitoring, ensuring that this is clear and prescriptive
  - Activate or resume use of the SEEMiS Racist Incidents module (pending a national level solution to the current issues with recording racist incidents) and require schools to use this to record both bullying and non-bullying related racist incidents
  - Provide explicit instruction regarding the use of the SEEMiS Bullying and Equalities Module
  - Explain how recording processes should be used by schools to monitor trends and identify preventative or restorative actions for the wider school
  - Set out how the Local Authority will monitor compliance with this, including investigating instances of failure to record
  - Provide assurances that a rise in incident reporting could be regarded as demonstrating effective implementation of the policy within schools

- Link work to tackle racially motivated bullying into wider Local Authority equality mechanisms, in particular using the results of review and monitoring to set appropriate equality outcomes and feed into wider Public Sector Equality Duty processes

SCHOOLS

Practice within schools was outwith the remit of this report, and this necessarily curtails the recommendations that can be reasonably set out. However, as implementation of policy is vastly more important than policy itself, it's necessary to set out some high-level recommendations that can be actioned at school level.

Recommendations for schools:

- Review your institution's understanding of and practice around anti-bullying policy
- Discuss the results with Education Services; ask for support and/or ask them to revise the local policy if needed
- Ensure a consistent approach to dealing with and recording racially motivated bullying and racist incidents (if local policy is not strong on this, develop your own procedures)
- Create safer, braver spaces to engage with learners, parents and carers to understand their experience of racism in school and explore preventative measures
- Look for new ways to support prevention/mitigation, including through pedagogy and curriculum design
- Implement a whole school approach to anti-racism, as advocated by Education Scotland
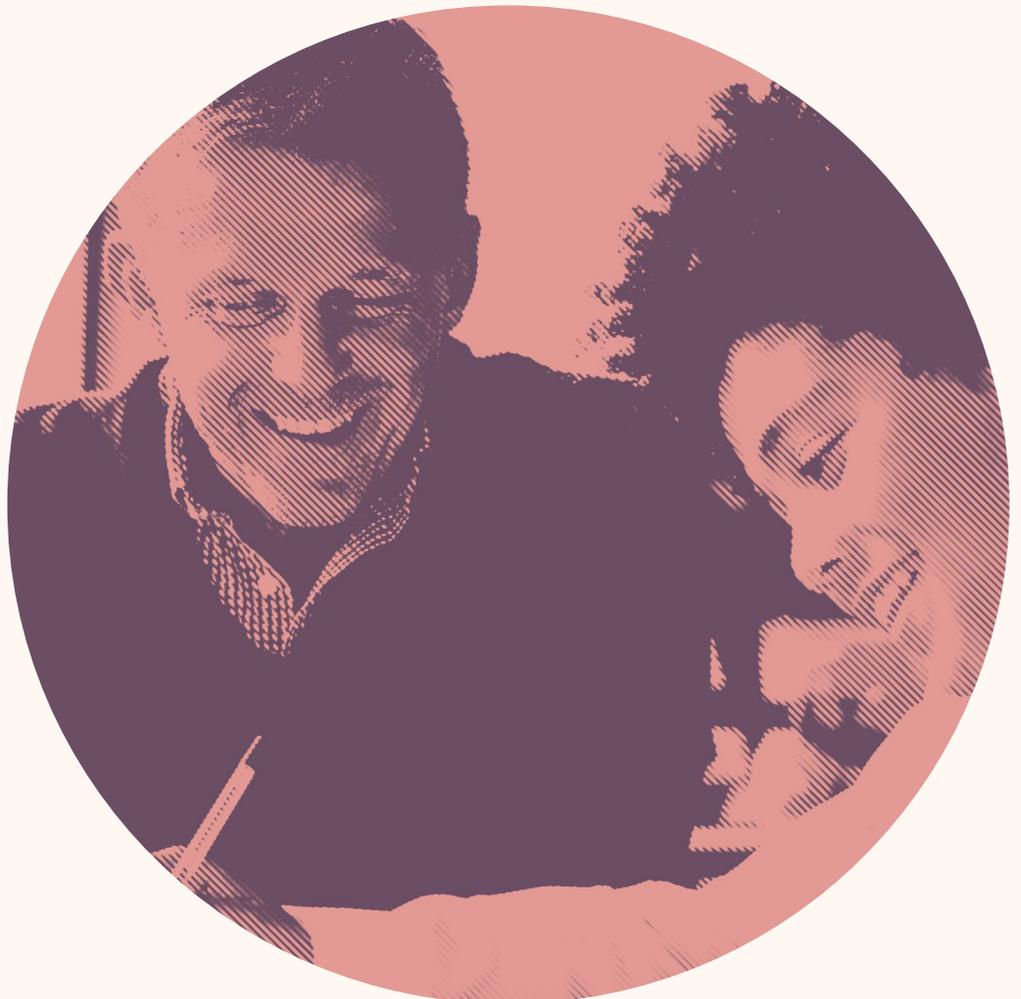
APPENDICES
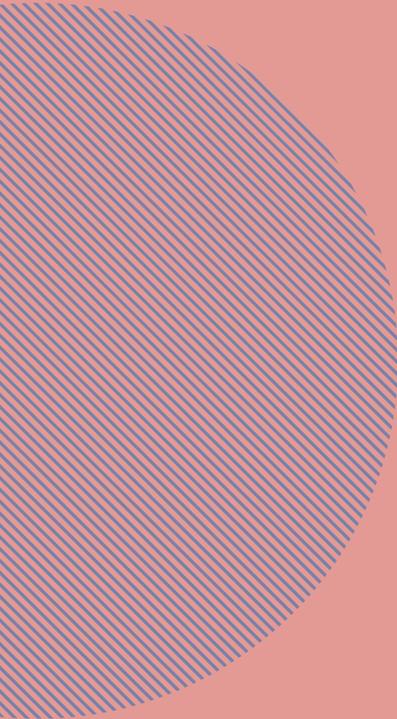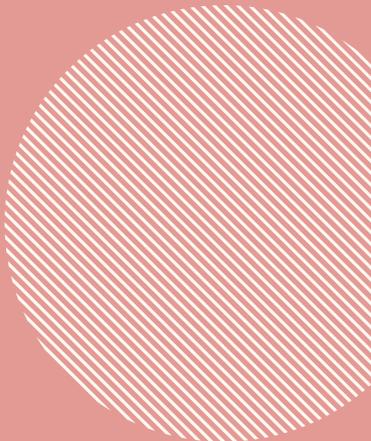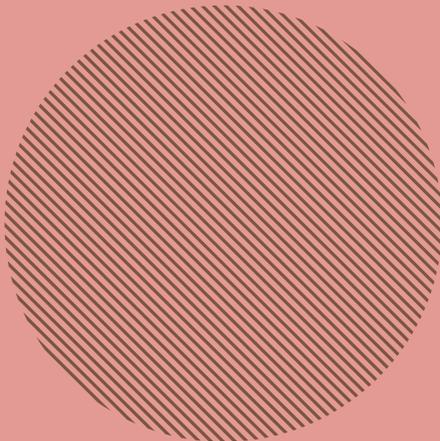
APPENDIX 1

Exploratory FOI Request

* Edited for brevity.

Dear Sir / Madam,

FOI request – racist incident and prejudice-based bullying recording procedures

The Coalition for Racial Equality and Rights (CRER) has an ongoing programme of research into racist incident and prejudice-based bullying recording in schools. Following our involvement in the RAMBIS (Recording and Monitoring of Bullying in Schools) working group which designed the revised SEEMiS module on Bullying and Equalities, we are contacting all Local Authorities with a Freedom of Information request on how the introduction of the revised module has impacted their approach, specifically in relation to gathering a) racist bullying data from the Bullying and Equalities module, and b) racist incident data from the racist incidents module.

We would appreciate it if you could please provide us with the following information:

1. Are the following SEEMiS modules currently available to schools in your Local Authority area (e.g. activated by the Local Authority):
a) Bullying and Equalities – Yes/No
b) Racist Incidents – Yes/No

2. The date on which your Local Authority began roll-out of the revised SEEMiS Bullying and Equalities module (Month/Year) to a) primary schools b) secondary schools and c) special schools

3. Please confirm how racist bullying and racist incident data was gathered by the Local Authority over academic year 2019/20 through the two separate SEEMiS modules (Bullying and Equalities module and Racist Incidents module):
a) The Local Authority collated racist bullying data from SEEMiS: Yes/No
b) The Local Authority required individual schools to submit SEEMiS data on racist bullying: Yes/No
c) The Local Authority collated racist incident data from SEEMiS: Yes/No
d) The Local Authority required individual schools to submit SEEMiS data on racist incidents: Yes/No
e) The Local Authority gathered only overall bullying data, not disaggregated by reason: Yes/No
f) The Local Authority did not gather any bullying data at this time: Yes/No
g) The Local Authority did not gather any racist incident data at this time: Yes/No

4. If any other mechanisms are used to gather either a) racist bullying or b) racist incident data at Local Authority level, please tell us about this.

5. Please provide the number of schools in your Local Authority Area in the academic year 2019-2020, provided separately for each of the following categories:
a) Primary schools
b) Secondary schools
c) Special schools

6. For the academic year 2019/20, please give the number of a) primary schools, b) secondary schools and c) special schools from which the Local Authority has obtained or received the following returns:
i) Data showing one or more instances of bullying overall (any reason) or racist incidents collected through SEEMiS
ii) Data showing zero instances of bullying overall (any reason) or racist incidents collected through SEEMiS (i.e. nil returns)
iii) No returns / no data obtained or received on bullying overall (any reason) or racist incidents

7. For the academic year 2019/20, please give the number of a) primary schools, b) secondary schools and c) special schools for which the Local Authority holds each type of data:
i) Racist bullying data collected through the SEEMiS Bullying and Equalities Module
ii) Other prejudice-based bullying data (any reason apart from racism) collected through the SEEMiS Bullying and Equalities Module
iii) Bullying data (overall figures) collected through the SEEMiS Bullying and Equalities Module
iv) Racist incident data collected through the SEEMiS Racist Incidents module
v) Racist bullying data collected in another way
vi) Racist incident data collected in another way

In the event that your information system cannot provide academic year data, please state what the relevant annual timeframe is and provide the information in that timeframe.

Responses will be anonymised in our analysis, so no Local Authority is individually identified. As previously mentioned, we hope you will use the template below to provide your response but are happy to receive responses in another format if this is not possible. We would welcome discussion if you have any difficulties in meeting this request.

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

Main FOI Request

*Edited for brevity.

Dear Sir / Madam,

FOI request – racist incident and prejudice-based bullying records and policy

The Coalition for Racial Equality and Rights (CRER) has an ongoing programme of research into racist incident and prejudice-based bullying recording in schools. You may remember that, following our involvement in the RAMBIS (Recording and Monitoring of Bullying in Schools) working group which designed the revised SEEMiS module on Bullying and Equalities, we previously contacted all Local Authorities with a Freedom of Information request on how the introduction of the revised module has impacted their approach, specifically in relation to gathering a) racist bullying data from the Bullying and Equalities module, and b) racist incident data from the racist incidents module. Thank you for your assistance with this initial evidence gathering phase.

Using the evidence gathered then, we are now making a separate Freedom of Information Request relating to the data held and the underlying policies used in relation to addressing and recording these incidents. Your assistance in responding will be a valuable contribution to our work supporting **Scottish Government's Race Equality and Anti-Racism in Education Programme**.

Our Freedom of Information Request is detailed below.

The school year data requested should ideally be provided by academic year, however if you do not hold this for one or more years, please provide the data you do hold with a description of the relevant timeframe, e.g. calendar year.

We would appreciate it if you could please provide us with the following information derived from the SEEMiS Bullying and Equalities Module (current and previous version), SEEMiS Racist Incidents Module and/or any other method of recording if SEEMiS has not always been used for the relevant recording purposes:

1. The total number of bullying incidents recorded separately for each of the following: i) Primary schools, ii) Secondary schools, and iii) Special/ASL schools in your Local Authority area, in each school year from August 2016 - June 2021

2. The number of bullying incidents perceived to be racially motivated (under the various recording systems this may be listed as race, racial etc. - this includes the current three relevant SEEMiS categories: race and racism including culture, asylum seeker or refugee status and Gypsy/Travellers -recorded separately for each of the following: i) Primary schools, ii) Secondary schools, and iii) Special/ASL schools in your Local Authority area, in each school year from August 2016 - June 2021

3. The number of bullying incidents recorded under each of the current three relevant SEEMiS categories: race and racism including culture, asylum seeker or refugee status and Gypsy/Travellers -recorded separately for each of the following: i) Primary schools, ii) Secondary schools, and iii) Special/ASL schools in your Local Authority area, in each school year from school year 2018-19 to June 2021

4. The number of schools in your Local Authority area submitting a) no information overall and b) no incidents of racially motivated bullying (as defined in question 2) to the relevant recording platform (e.g. SEEMiS Bullying and Equalities module or other recording mechanism if not in use) recorded separately for each of the following: i) Primary schools, ii) Secondary schools, and iii) Special/ASL schools, in each school year from August 2016 - June 2021

5. If your Local Authority has activated the separate SEEMiS Racist Incidents module in any year(s) over the period August 2016 - June 2021, the number of incidents recorded within that module, recorded separately for each of the following: i) Primary schools, ii) Secondary schools, and iii) Special/ASL schools in your Local Authority area, in each school year

6. A copy of all central policies relating to racist incidents, prejudice-based bullying and/or bullying overall in your Local Authority area over the period August 2016 - June 2021 (we do not require copies of individual school policies, only policies supplied by the Education Authority / Local Authority)

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

Optional: Our intention is to work with Scottish Government to make recording, monitoring and addressing racist bullying easier and more effective for schools and Local Authorities. If you would like to feed in views on how this could be accomplished, we would be happy to reflect on these in our representations to Scottish Government. [NB: No Local Authority elected to provide this information]

APPENDIX 2 – FINDINGS OF EXPLORATORY FOI REQUEST

This brief summary sets out the findings of an FOI-based research exercise related to the collation of bullying and racist incidents data by Local Authorities for academic year 2019/20.

The purpose of the research was to determine the extent to which Scotland's Local Authorities have rolled out the revised SEEMiS Bullying and Equalities module (launched in 2018 following the work of Scottish Government's Recording and Monitoring of Bullying in Schools working group [RAMBIS]), and the extent to which both this and the legacy Racist Incidents module are being used schools to record incidents of a racist nature. This would inform future research and specifically, the design of future FOI questions.

All 32 Scottish Local Authorities participated in this research exercise. However, not all FOI questions were answered in a way that was compatible for analysis. This means that for several of the research questions, a smaller number of Local Authorities have been compared. This is stated where relevant.

Availability of SEEMiS modules

SEEMiS modules become available to schools once activated by the Local Authority. All 32 Local Authorities reported that the Bullying and Equalities module was currently activated, however very few reported that the Racist Incidents module was currently activated. The Racist Incidents module was available for use by schools in six Local Authority areas. A further four reported that it was still activated but no longer in use.

The revised Bullying and Equalities module had been available in most Local Authority areas since either 2018 or 2019, following the phased approach to introduction. All had rolled out the module by Scottish Government's target date of August 2019.

Nine Local Authority areas reported dates in years before 2018, suggesting that the staff member responding to the FOI request may not be aware of the revision of the module.

How Local Authorities gather the data

Overwhelmingly, it was reported that the standard process where individual schools input information on racist bullying into the Bullying and Equalities module and this is then collated at Local Authority level was in operation.

Almost all Local Authorities reported that they collate racist bullying data directly from SEEMiS. Only two stated that they did not do this, with a further one not providing an answer. However, as the following analysis demonstrates, Local Authorities' ability to effectively collate this data in practice is determined by the extent to which it is entered into SEEMiS by individual schools.

When looking at bullying data overall (not disaggregated by reason), only one Local Authority in Scotland reports that they don't collate this centrally at all.

Proportion of schools with available data

A series of questions were asked on the number of schools for which various types of data could be collated in each Local Authority.

Information was requested for primary schools, secondary schools and ASN schools (sometimes known for official purposes as 'special' schools), however the amount of information provided for ASN schools was too low to be reliable and had to be excluded from analysis.

A few Local Authorities have no ASN schools, however amongst those which do, only four Local Authorities had collated data on bullying (for any reason) from these schools. One reported that they were unable to collate this through SEEMiS.

This merits further investigation, as an equal emphasis should be placed on tackling bullying and racism where it impacts learners within these schools in order to ensure wellbeing and protect learners' rights.

General bullying and/or racist incidents data

Combining the responses from the 28 Local Authorities who answered the question in a form suitable for analysis, just over a third (38%) of schools in Scotland have submitted some form of data through the SEEMiS Bullying and Equalities and/or Racist Incidents modules over the academic year 2019/20. This question related to all forms of bullying, not only racially motivated bullying.

This suggests that, despite the successful rollout of the module across Local Authorities, take up by schools is far lower than might be expected. It appears extremely unlikely that any school in Scotland would have zero incidences of bullying over an academic year; urgent attention is therefore required to identify why almost two-thirds of schools did not record any incidents.

Primary schools appear to be less likely to record data on bullying and/or racist incidents overall, with data available from only 31% of primaries across Scotland. In some areas, as little as 11% of primary schools had recorded data. The highest proportion reported was 70%; this response from a large, urban Local Authority was exceptionally higher than in other areas, with the next highest proportion standing at 53%.

The number of secondary schools in Scotland is far fewer than the number of primary schools, making percentage based analysis less useful, however the general indication is that secondary schools are more likely to be recording bullying and/or racist incidents data. 74% of secondary schools had recorded data overall. In several areas with a very small number of secondary schools, the proportion was as high as 100%. The lowest proportion of secondary schools recording data within an individual Local Authority stood at 34%.

Further questions asked for information about the number of schools for which no data was available, or a nil return had been recorded. This information could be analysed for 27 Local Authorities.

It could be expected that the data given would align with the data on the number of schools for whom data showing at least one incident had been gathered, however this was not the case for primary schools, where the proportions were out by around 2%. This could be a result of rounding, or of anomalies in recording. By this measure, it appears that 69% of primary and 28% of secondary schools in Scotland did not have available data on any form of bullying, or on racist incidents.

Again, the data for ASN schools was not as useful. In 17 of the 23 areas that answered the question on nil/no returns for these schools no ASN schools had available data. This constitutes 74% of these schools having no data (hence the lack of responses to the remainder of the questions regarding ASN schools).

Availability of data on racist bullying

Local Authorities were asked to provide the number of schools in their area for which they held data on racist bullying collected through the SEEMiS Bullying and Equalities module. Several areas had to be excluded from analysis because of incorrect interpretation of this question. [NB: This informed a strengthened question on racially motivated bullying rates in the follow-up FOI].

In total, 24 Local Authorities provided answers suitable for analysis; this means that a certain degree of caution applies to national level analysis for this question.

Within the relevant 24 areas, only 15% of schools had bullying data recorded with a racial motivation on SEEMiS. Again, percentage based analysis shows that primary schools are particularly unlikely to hold this data. Racist bullying data was available for only 10% of primary schools. In secondary schools, the proportion for whom this data was available was 42%.

Only 21 Local Authorities answered this question in relation to ASN schools, and only two of these areas reported any available data on racist bullying.

To provide an indication of whether gaps exist specifically on racially motivated bullying or on prejudice-based bullying in general, Local Authorities were also asked about the availability of other forms of prejudice-based bullying data. These responses also relate to 24 Local Authorities in total.

Within these 24 areas, 33% of schools had recorded other forms of prejudice-based bullying data using the SEEMiS Bullying and Equalities module; more than twice the proportion of those recording racially motivated bullying data.

This goes against the available evidence on prejudice-based motivations, with studies showing that teachers report racially motivated bullying as the most frequent form of prejudice-based bullying in schools[57] and hate crime data in wider society showing that the number of racist hate crimes in Scotland per year is significantly greater than the number of all other forms of hate crime combined.[58]

The divide is present at both primary school level, with 26% of schools recording other forms of prejudice-based bullying data compared to only 10% recording racist bullying, and secondary school level where the proportions were 73% compared to 42%.

This finding merits further investigation; it may be related to reluctance to record racial motivations, the unhelpfully broad scope of the definition of prejudice-based bullying in Scottish education policy (see commentary), both of these, or other factors.

57.   See, for example, Lough-Dennell, B. and Logan, C. (2015). **Prejudice Based Bullying in Scotland's Schools**.
58.   COPFS (2020). **Hate Crime in Scotland 2019-20**.

Availability of data on racist incidents

As previously discussed, use of the SEEMiS Racist Incidents module is extremely rare. In total, only four Local Authority areas collate information from this module, with numbers too small for analysis.

In a few areas, however, additional forms of data contributed to their knowledge base on racist incidents in schools:

- Three Local Authorities used relevant exclusions data
  - All schools are required to record exclusions, and "racial" is one of the motivations which can be recorded regarding the behaviour resulting in exclusion
  - This data can be analysed at any time by Education Services within Local Authorities and is a statutory return to Scottish Government
  - Although Scottish Government publishes exclusions data disaggregated by ethnicity of the excluded learner (showing significant inequalities for Gypsy/Traveller learners), motivations do not appear to be published; this could provide a valuable source of evidence for policy development

- Four reported that they used data on violence, aggression or verbal abuse towards staff with a racial motivation, mainly recorded through corporate information systems (or corporate health and safety incident reporting systems where violence is involved)
  - Guidance on use of the SEEMiS Bullying and Equalities module[59] clarifies that it should not be used to record incidents involving staff, however anecdotal concerns have been raised suggesting that this may be taking place in some cases

- Two used paper-based systems or proforma to record racist incidents

- One recorded all racist incidents through the corporate information system, with additional entry in SEEMiS where bullying is involved

59.   Scottish Government (2018). **Recording and monitoring of bullying incidents in schools: supplementary guidance**.

APPENDIX 3

Ethnicity of pupils in Scotland by Local Authority, 2021

Local Authority	White/British	White/Other	Minority Ethnic Group	Unknown
Aberdeen	66.02	14.41	18.16	1.41
Aberdeenshire	88.41	6.60	4.24	0.75
Angus	89.81	5.85	3.33	1.00
Argyll & Bute	89.95	5.48	3.73	0.83
Clackmannanshire	90.16	3.80	4.40	1.63
Comhairle nan Eilean Siar	93.65	2.64	2.25	1.46
Dumfries and Galloway	90.05	4.49	2.88	2.59
Dundee	79.21	6.03	11.76	2.99
East Ayrshire	93.85	2.03	3.18	0.94
East Dunbartonshire	83.99	2.91	11.40	1.71
East Lothian	89.08	5.70	3.93	1.29
East Renfrewshire	73.05	3.20	22.35	1.40
Edinburgh	66.01	12.44	20.27	1.28
Falkirk	89.18	5.39	4.98	0.45
Fife	87.99	5.50	5.24	1.28
Glasgow	60.61	6.76	25.45	7.18
Highland	87.52	7.35	4.03	1.11
Inverclyde	93.55	1.77	3.13	1.54
Midlothian	86.28	5.71	6.22	1.79
Moray	90.55	5.13	3.49	0.83
North Ayrshire	92.70	2.19	2.92	2.19
North Lanarkshire	87.81	5.52	5.42	1.25
Orkney	89.84	4.87	2.47	2.83
Perth & Kinross	85.54	8.88	4.67	0.91
Renfrewshire	86.03	4.04	6.98	2.95
Scottish Borders	90.29	5.82	2.96	0.92
Shetland	91.25	4.90	3.16	0.69
South Ayrshire	91.43	2.85	3.28	2.44
South Lanarkshire	89.28	3.14	5.96	1.63
Stirling	88.00	5.13	5.40	1.46
West Dunbartonshire	90.53	2.92	3.95	2.60
West Lothian	81.48	8.16	7.63	2.73
All Local Authorities	**82.58**	**6.10**	**9.23**	**2.09**
Grant aided*	**74.25**	**3.17**	**10.09**	**12.49**
Scotland	**82.56**	**6.10**	**9.23**	**2.11**

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