



A Head Teacher's Guide To Handling Anti-Gay Harassment

The following has been adapted for use by GALYIC (UK) <http://www.galyic.org.uk>
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To protect and support a targeted young person, you should:

- ***assure the targeted pupil that:***
 - you take what happened seriously.
 - you believe he or she deserves a safe learning environment.
 - he or she is ***not*** required to talk face-to-face with the offenders, even with a mediator present (bias-based harassment is substantially different from ordinary peer conflict).

- ***offer the targeted pupil:***
 - first aid, if necessary, and a private room in which to recover and a telephone in case he or she wants to call a parent or guardian or some other responsible adult (e.g., counsellor, Victim Support, GALYIC) or the police.
 - the chance to tell his or her side of the story.
 - help to problem-solve ways he or she might protect him or herself in the future ... but make *very* clear that you are not assuming that he or she is to blame for what happened.
 - the option of removing him or herself from danger (e.g., to drop the class where the harassment is happening, to change for PE somewhere else, etc.) ... but recognise that this might contribute to his or her social isolation, hence feeling more like punishment than protection.

- ***remove the offenders*** from the situation (transferring them to a different PE class, banning them from the bus, etc.).

- ***arrange for staff to be present*** wherever the harassment has been occurring (e.g., in the south corridor before and after lunch or on the playground during break).

- ***encourage the targeted pupil to report retribution***, if the offender(s) are disciplined, but also ***arrange for your staff to be vigilant*** so that if there is retribution the targeted young person won't have to be the only one reporting it.

- ***keep a record*** of the events in the permanent files of the targeted pupil, with his or her permission, and of the offenders, if there has been any disciplinary action. Also keep an incident report on file in a malicious harassment log, so that patterns can be discerned and on-going problems can be addressed.

To investigate what happened, you should:

- **interview all the witnesses**, as well as the protagonists, so that if the offenders are disciplined it will not be *only* the targeted pupil who turned them in.
- **involve the police** if you believe a crime may have been committed (including malicious harassment), contact the Schools Liaison Officer or the Hate Crime Officer, P.C. Ian Firth: **01422.318152** or
- **Child Protection Services**, especially if you believe a child is in serious jeopardy of further harm. Social Services **01422.353279** and ask to speak to a Customer Service Adviser or Child Protection Unit (West Yorkshire Police) **01422.337042**.

To discipline and educate the offenders, you can:

- **explain to them why** their behaviour is so wrong, beyond its simply violating a rule.
- **reprimand them** in a serious no-nonsense tone.
- **warn them** that if the behaviour continues they'll be disciplined.
- **require them** to write a note of apology or to make restitution or do relevant community service.
- **discipline them** in a way that is consistent with what is done for other forms of malicious harassment (for example, if the offender used a gay slur while hitting someone, you might want to discipline him/her not just for assault but in whatever way an assault accompanied by a racial or religious or disability-related slur would be handled).
- **call their parent(s) or guardian(s)**, if the offenders are pupils.
- **counsel them**, if the offenders are employees, and if their actions don't improve, **use progressive discipline**.

To support your staff, you should:

- **assure a targeted staff person that:**
 - you take what happened seriously.
 - you believe he or she deserves a safe working environment.
 - you will do everything in your power to make sure school is safe for him or her.
 - you will not tolerate retribution for his or her having reported the incident.
- **consider an employee's professionalism and competence to be the ONLY criteria for working in your school** and say so to any pupil, employee, or parent who questions whether someone they perceive to be gay belongs in this career.
- **provide your staff with on-going training** in how to enforce your school's malicious harassment policy ... how to intervene, educate, discipline and protect pupils, visitors and staff.
- **follow up when an employee enforces your school's harassment policy**, ensuring that the offending pupil knows that you endorse what the teacher (secretary, caretaker) said were the rules.

To prevent future incidents, you should:

- **announce a firm anti-harassment policy** (one which explicitly prohibits orientation-based harassment along with other forms of harassment and which spells out specific consequences) in staff meetings and pupil assemblies every year.

- **educate your pupils** so that even if they don't like homosexuality they should not ignore harassment. Education should dispel stereotypes, provide accurate information, and build pupils' skills for standing up for themselves and their peers non-violently.

For the sake of consistent, aggressive policy enforcement:

- **inform your supervisor** (board chairperson, or whomever you report to) of serious infractions of your school's harassment policy, especially if you take disciplinary actions and you have the slightest concern that your judgment will be challenged. Your supervisor can support you only with full understanding of your investigation and conclusions.

For more information:

- See "**Preventing Homophobic Bullying in Calderdale Schools.**"
- Contact GALYIC who can provide training and resources: **01422.320099.**
- Contact the General Teaching Council for England.

Remember...the school may be open to legal action

- Sexually assaulting somebody or beating somebody up is a crime. If such an attack is accompanied by racial or homophobic abuse it is considered to be a hate crime.
- Victimisation and harassment are illegal (The Prevention of Harassment Act 1997).
- The local authority may be taken to court for not doing "all that it reasonably can to prevent, crime and disorder in its area." (Crime and Disorder Act 1998, Section 17).
- The school and local authority may also be liable to prosecution under the Human Rights Act 1998, Article 2, Protocol 1 - the right to education (failure to provide the right to education to LGBT young people).
- Teachers might be liable to prosecution under the 1974 Health and Safety Act if it can be proven the teacher was negligent (insurance will not cover cases of negligence).
- Under EU Article 13 it is illegal to discriminate against anyone on the grounds of their sexual orientation in employment. This takes effect in Britain in December 2003.
- If the Equality Bill is passed in Parliament, attacking or threatening a person or damaging their property because of their sexual orientation, race, religion, gender, disabilities, etc., will become illegal.

The bottom line is ...

Legally and ethically, you must do whatever is necessary to stop harassment against all pupils and staff, including those who are perceived to be gay. When they are safe, teachers can teach and pupils can learn.

The original Safe Schools Coalition version of this handout is online at:
http://www.safeschoolscoalition.org/guide_administrator_handleharass.pdf