

Equalities Incident Monitoring Form: guidance

Why do we need to report these incidents?

Under the Equality Act 2010, local authorities have a duty to have due regard to the need to eliminate discrimination, to promote equality of opportunity and to foster good relations between the various groups in the community. Furthermore, under the Human Rights Act 1998, local authorities have an active duty to intervene to stop torture, inhuman or degrading treatment or punishment as soon as they become aware of it.

This duty extends to staff, service users and pupils.

Having a good understanding of the extent to which such incidents occur can help us develop effective measures to restrict or mitigate against them. Accurate reporting can also help us identify individuals who may be at risk of serious long-term effects of bullying or help identify underlying problems which need intervention.

In this guidance we use the term bullying as an umbrella term for any type of unwanted behaviour. This can include, but is not restricted to:

- Use of offensive language.
- Threatening behaviour.
- Physical violence.
- Abusive text messages or emails.
- Spreading rumours.
- Being ignored or excluded.
- Having belongings stolen or damaged.

To some extent, there is a subjective element to bullying: not everyone may experience certain types of behaviour as bullying. It is important, though, to take every complaint seriously.

Various policies are in place, eg harassment policy, bullying in schools (add links). These policies give guidelines on how to deal with situations where someone has been subjected to bullying. Reporting each incident is important to monitor how effective these policies are and to demonstrate that, as a public authority, the Moray council adheres to its public sector duties.

When do we need to report?

Incidents should be reported every time someone says that they have been bullied or when they have witnessed that someone has been bullied on the grounds of characteristics protected under the Equality Act 2010. These protected characteristics are:

- Sex
- Race

- Disability
- Sexual Orientation
- Religion or belief
- Pregnancy and maternity
- Gender reassignment

What information do we need?

Generally, we need to know what happened, where and when it happened, how it was dealt with and what further action, if any, needs to be taken. We will also need a contact to report on further actions and the outcome of those actions. This contact need not be the victim, so long as the contact person is able to get in touch with the victim.

The [EIMF form](#) can assist in reporting incidents but, so long as the relevant information is given, it can be reported verbally or written on a blank piece of paper.

What happens next?

A copy will need to be sent to the Equal Opportunities Officer who will arrange for the recording and analysis of the information. The Equal Opportunities Officer will also forward a copy of the report to the relevant Heads of Service and, if the incident took place at a school, to the head teacher or rector of the school.

If further action is required, the Equal Opportunities Officer will ensure that the victim, or parents/carers, will be notified of any progress within two weeks of the date that the incident was recorded, or as soon as the matter has been dealt with if this falls within the two weeks. If the incident is deemed to be serious enough to warrant further action, the Equal Opportunities Officer will forward the information to the relevant authorities such as Grampian Police, Adult Protection Services, Child Protection co-ordinators or Child Protection Services.

The contact details for reporting an incident are:

Equal Opportunities Officer

The Moray Council

Chief Executive's Office

Council HQ

High Street

Elgin

IV30 1BX

Email: dontoonen@moray.gov.uk

Telephone: 01343 563321

Mobile: 07976494876