



ST ANDREW'S SCHOOL
BLOEMFONTEIN

ANTI-RACISM POLICY

*The Anti-racism policy of St Andrew's Combined School as accepted
by the School Governing Body.*

1. PREAMBLE

We, the community of St Andrew's Combined School hereby commit to:

- The elimination of racism at every level of school governance;
- Engendering, through our policies, procedures, practices and structures, an anti-racist and rights-based culture, which includes respect for human dignity and diversity;
- Implementing measures to redress the disadvantages experienced by designated groups, in order to ensure their equitable representation and treatment in all spheres of school life;
- Ensuring that complainants do not feel that their grievances are ignored or trivialised, and that they will not suffer any retaliation or victimisation;
- Pursuing these commitments in ways that value all members of staff, learners and the broader community whom we serve and with whom we collaborate;
- Respect everyone's human rights and fundamental freedoms as entrenched in the Constitution of the Republic of South Africa and its laws.

2. VALUES OF THIS POLICY

The values of St Andrew's Combined School are: Service, Justice, fair play, truth and honesty, friendliness, unselfishness, courtesy, consideration, appreciation, humour, reading, playing, sportsmanship and pride in work



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3. SCOPE OF THIS POLICY

All employees, learners and third parties are subject to this policy and must comply with it.

Subject to the exhaustion of available internal remedies, all parties retain their rights relating to or arising from a complaint in a court of law.

4. STATUTORY MATRIX FOR THE ANTI-RACISM POLICY

The Anti-Racism Policy of St Andrew's Combined School derives from the following applicable legislation and codes:

- The Constitution of the Republic of South Africa (Act No. 28 of 1996), including the Bill of Rights
- The South African Schools Act, 1996 (Act No. 84 of 1996)(as amended)("SASA")
- Education Laws Amendment Act (Act no. 31 of 2007)
- Free State Education Act (Act 2 of 2000)
- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000,
- National Education Policy Act 27 of 1996
- Employment Equity Act 55 of 1998,
- SA Council for Educators Act 31 of 2000,
- Children's Act 38 Of 2005.
- Criminal Law (Sexual Offences and Related Matters) Amendment Act (Act no 32 of 2007)
- Code of Conduct of St Andrew's School



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5. INTERPRETATION AND DEFINITIONS

- ***Board of Governors*** means the elected members of the School Governing Body (SGB) and the co-opted members of the SGB.
- ***Complainant*** refers to the person alleging that conduct constituting racism or racial harassment has occurred. This person may or may not be the person directly affected by racism or racial harassment and is not necessarily a learner or employee of the School.
- ***Complaint*** means a complaint brought in terms of this policy concerning allegations of racism or racial harassment.
- ***Employee*** means an employee of the School.
- ***Disco*** means the Discrimination Committee of the School.
- ***Hate speech*** is defined as insulting and degrading expressions that encourages discrimination between groups or the individual's membership of a racial, ethnic, gender or religious group and has a destabilising and divisive effect on society. Hate speech attacks a person or group on the basis of attributes such as race, colour, sexual orientation, gender, language, religion, political or other opinion, disability national or ethnic origin, birth or social origin
- ***Learner*** means a learner enrolled at the School.
- ***Old Andreans*** means all alumni of the school who are members of the Old Andrean Association.
- ***Racial harassment*** means conduct or expression which is racist in nature and which is calculated to demean, humiliate, distress, or create a hostile or intimidating environment.



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- **Racism** means the advocacy or expression in any manner of the belief or attitude that any person, by virtue of his or her skin colour or ethnicity is to be treated as inferior or superior to others.
- **Racist** means that which is characterised by racism.
- **Respondent** refers to the person against whom the complaint has been made.
- **School** is St Andrew's Combined School a registered public school EMIS number: 440304221
- **School Community** refers to teaching staff, learners, parents and Old Andreans.
- **School Governing Body (SGB)** means the members elected to various positions according to relevant legislation and regulations.
- **Third Party** refers:
 - to an individual or company who is neither a learner nor an employee of the School but with whom the School has concluded a contractual arrangement in terms of which the binding nature of this Policy is accepted;
 - to the employees of a third party who render services at the School.

6. OFFENCES AND SANCTIONS

These offences should be read in conjunction with those listed in the school's Code of Conduct. The Code of Conduct also lists appropriate sanctions and procedures which should be followed.

The following categories of acts or expressions shall constitute racism at St Andrew's Combined School. The investigation of these acts or expressions should always take into account the context upon which such acts or expressions are made or displayed:

- Mocking anyone, verbal abuse and threats while within the school premises or environment;



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- Racist graffiti;
- Provocative behaviour such as wearing racist badges or insignia;
- Racist comments in the course of discussions;
- Ridicule of an individual's cultural differences, e.g. food, clothes, music, dress, race, colour, sexual orientation, gender, language, religion, political or other opinion, disability, national or ethnic origin, birth or social origin, telling of racist jokes, etc.; bringing racist materials such as leaflets, apartheid flags, comics or magazines onto the school premises;
- Attempts to recruit other pupils and students into racist organisations/ groups;
- Physical assault which is racially motivated;
- Damage caused to a person's property which is racially motivated;
- Incitement of others to behave in a racist way;
- Refusal to co-operate with other pupils because of their race.
- Any distinction, exclusion, limitation or preference carried out by a person who occupies an authoritative position and who uses race, colour, sexual orientation, gender, language, religion, political or other opinion, disability national or ethnic origin, birth or social origin to distinguish, exclude, limit or give preference to certain person(s) in deciding on selection for any of St Andrew's Combined School's school sporting teams, education, position and or activity or benefits of any kind meant for any person within the school environment.

7. COMPOSITION AND FUNCTIONS OF DISCO

The Discrimination Committee of the School (DISCO) shall consist of the following:

- Five members of the teaching staff appointed by the teaching staff.



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- Five members of the Representative Council of Learners (RCL) appointed by the RCL.
- The committee shall appoint a chairperson and secretary from amongst its members.
- A quorum shall be fifty percent (50%) of the committee plus one (1) member.
- The secretary shall keep minutes and a digital recording of each meeting.

DISCO shall report to the Board of Governors by presenting a written report which shall be tabled at scheduled meetings of the executive of the Board of Governors.

DISCO shall have the following functions (this list may be added to from time to time at the discretion of the Board of Governors in consultation with DISCO):

- To sensitise the school community about racism and its implications for the school community.
- To assist in mediation, conciliation or negotiation of racial disputes within the school community.
- Promote the use of the app provided by The Guardian (a registered South African company)
- Upon receipt of a complaint of racism, DISCO may, depending on the seriousness of the complaint, seek an informal resolution of the dispute, and establish whether or not the complainant is fearful or intimidated by the alleged perpetrator.
- Upon receiving the complaint, DISCO shall first nominate one member to informally attempt to resolve the complaint by speaking with the complainant and the alleged perpetrator to assess if it is appropriate to seek informal resolution.



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- If an informal resolution is not appropriate then the member must record the complaint as unresolved and the committee must appoint a three member panel that will attempt to resolve the complaint through negotiations or investigation, if required.
- To check that sanctions are applied against racist and discriminatory behaviours.
- To ensure that the full contact details, names, and office address of DISCO members are known to the school community at the beginning of each year. These details shall further be displayed on notice boards in the school premises.

8. PROCEDURES

- Complaints of racial harassment and/or discrimination must be brought to the attention of DISCO as soon as is reasonably possible in the circumstances.
- A complainant (or person acting on behalf of the complainant) must report only instances where there is a bona fide belief that an act of racism or racial harassment has occurred.
- Anonymous complaints to DISCO will not be accepted.
- The rights of both complainants and respondents must be protected.
- DISCO must follow the procedures indicated by this policy in a fair manner.
- Any complaint must be recorded in writing by DISCO, and as soon as is possible assigned to an investigator.
- That the matter shall, as far as is possible, be dealt with confidentially;
- That late reporting shall not necessarily have negative consequences for the process of decision-making relating to the merits of the complaint;



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- That the complainant is not bound by the outcome/ recommendation of the informal procedure, and retains the right to make an appeal directly to the Principal or his nominee, within 14 days of the conclusion of that process.
- Complainants (or person acting on behalf of the complainant) may choose to use the anonymous reporting App provided by The Guardian.

DISCO may after finding the perpetrator guilty of racism recommend (depending on the offence committed) any of the following sanctions to the Board of Governors (this list is not exhaustive and should be read in conjunction with the school's Code of Conduct):

- Unconditional Apology.
- Warning (verbal) and an unconditional apology.
- If the perpetrator is a repeated offender a final written warning.
- Where necessary an order for the perpetrator to attend a racism, diversity and human rights training/workshop at his/her own cost and to provide such a proof to the Anti-Racism Committee.
- In cases of serious offences involving violence, a suspension.
- If the perpetrator is a repeated offender, a dismissal/ expulsion may be the appropriate sanction even for a first offender; however such a sanction should be exercised having in mind and in conjunction with any other applicable laws.

Signed: _____ Date: _____

SGB Chairperson