

Monitoring Playgrounds:

The persistence of 'prejudice-related' incident reporting in schools

A Manifesto Club briefing document

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Introduction

The Manifesto Club has previously raised concerns about the practice within schools of recording and reporting very young children for 'racist' behaviour. This practice started in 2002-3, and under New Labour the reporting of 'racist' incidents became recommended practice in education authorities across the country. At its peak, FOI requests indicate that over 29,586 reports were being submitted each year in England and Wales, the majority of them referring to primary school children (and in some cases, even nursery children).¹

We argued that this obsession with 'racist' behaviour from young children misrepresented what were trivial playground arguments, or ordinary disciplinary incidents, and paved the way for the monitoring and regulation of playground life. We also argued that, perversely, such reporting and manner of treating incidents served to raise the issue of race and make it a fraught subject in playgrounds that have never been so multicultural and free of prejudice.

The Manifesto Club report, *The Myth of Racist Kids*, and its follow-up, *Leave those kids Alone*, were a defence of the free space of the playground, and of the increasingly colour-blind society in which today's kids are growing up. It was also a defence of teachers' authority and ability to deal with incidents according to their own judgement, without having to fill in a form reporting it to the local authority. Adrian Hart developed these issues in more depth in his recently published book *That's Racist!* (Imprint Academic, 2014).

We were pleased when the coalition government made it clear – in guidance first issued in 2011 – that schools were no longer under an obligation to submit reports of 'racist incidents' to local authorities, and should exercise their own judgement in deciding whether to record bullying incidents.

Yet recent FOI requests submitted by Adrian Hart to LEAs indicate that the practice of reporting and recording incidents hasn't stopped. In fact, it has continued, and even expanded to include a wider range of 'prejudice-related' bullying, such as 'sexism', 'gender identity', 'home circumstances', and other categories of behaviour.

In *That's Racist! How the regulation of speech and thought divides us all*, Hart explains that policy continues to encourage the recording of prejudice-related bullying incidents, through Ofsted inspections, and duties under the Equalities Act. He says:

¹ *Leave Those Kids Alone*, Adrian Hart, Manifesto Club report, 2011
<http://www.manifestoclub.com/racistkidsreport2011>

“The Ofsted School Inspection handbook, published in September 2012, makes it clear that inspectors will request logs of *racist* incidents and incidents of bullying, including homophobic bullying. A briefing paper for Ofsted inspectors stated they must check that schools have ‘clear procedures for dealing with prejudice-related bullying and incidents, and appropriate staff training that equips staff to identify and deal with this effectively’.

The Equalities Act, which came into force in April 2011, intended to simplify existing anti-discrimination law by placing it under one umbrella of legislation. Section 149 of the Equalities Act entails a *general duty* requiring public bodies to have ‘due regard’ for ‘fostering good relations’, eliminating discrimination (including harassment and victimisation) and advancing equality of opportunity. The Act included a new ‘Public Sector Equality Duty’ (PSED) incorporating *specific duties* on race, disability and gender but added additional ‘protected categories’—age, religion or belief, sexual orientation, pregnancy and maternity and gender reassignment.

To demonstrate ‘due regard’ for its general duties schools must show they have carried out their specific duties in relation to the protected categories. The publication of anti-bullying policies, equalities targets, curriculum and staff training materials and pupil surveys all count as evidence of compliance.

Schools seeking to gain or maintain ‘outstanding’ Ofsted ratings have quickly learnt that demonstrating compliance with equalities duties means inspections can be faced with confidence. And, given Ofsted’s predilection for evaluating the behaviour and especially the ‘safeguarding’ of pupils, one straightforward and demonstrable action schools will adopt is the keeping of prejudice-related bullying and incidents records.”

FOI findings

Of 30 ‘top reporting’ authorities Hart surveyed in the past, 13 continue to collect racist incident reports from schools. Six of these additionally have expanded their recording to include a broader range of ‘prejudice-related’ and bullying incidents. Meanwhile, the majority of authorities indicate that they ask/recommend/encourage their schools to keep records of prejudice related incidents and bullying in line with duties under the Equalities Act. Although these authorities are no longer collecting this data, schools are expected to maintain records and could be asked to present them to Ofsted.

In the 2012-13 school year (which is the last year of available statistics), there were 4348 incidents reported to the 13 authorities still collecting racist and prejudice-related incident reports. Of the 1909 incidents where the age of the children could be specified, over half (1121) were in primary schools, and 4 were in nursery schools.

This research shows that some authorities are collecting data on a greater range of incidents, including 283 incidents concerning ‘sexual identity’, 23 concerning disability, 53 ‘gender/gender identity’, 105 ‘disability/special education needs’, and 26 ‘religion’.

Brighton primary schools

Hart issued a follow-up FOI request to all Brighton primary schools, having identified this as one of the authorities concerned with a broader category of incident reporting.

This revealed that the local authority has provided schools with a template 'Bullying and Prejudice-Based incident report form', which includes a classification of the incident into: 'ethnicity/race', 'appearance' (hair colour, body shape, clothing), 'disability/special needs' (including 'derogatory language' such as 'retard, spaz, geek, nerd'); 'gender identity' including 'someone who does not fit with gender norms or stereotypes'; 'home circumstances' such as 'class background' (calling another child 'chav, posh'); or 'sex' and 'sexual orientation'.

The form requires that the teacher report the location of the incident (bus/canteen/park/classroom); the nature of the bullying involved ('cyberbullying', 'not being spoken to or being excluded', physical abuse or 'verbal abuse', or 'using language in a derogatory or offensive manner, such as name calling'). The form also requires teachers to consider whether the 'victim' is 'especially upset', or whether the incident has had an 'impact on the wellbeing of the victim', in which case the teacher is advised to 'refer to the Neighbourhood Schools Officer for a full risk assessment'.

This form is for the school's files. In addition to maintaining their own records, schools report prejudice-related bullying incidents to the local authority, using the online SIMS system.

Hart received 65 incident forms from 13 Brighton primary schools, of which 38 were racist incidents, 4 sexism/gender identity, 3 appearance or home circumstances, 14 homophobic and 3 'disability'.

These incident forms indicate that reported incidents often concern very young children, including on one case a nursery child of three or four.

The FOI responses also indicate that these incidents can have serious effects on the children concerned. Of the 13 primary schools Hart surveyed, five said that they would attach incidents of prejudice-related bullying to the child's reports submitted to their next school. One school additionally said that the council's online reporting system for prejudice-related bullying incidents (SIMS) can transfer prejudice-related incidents to the child's next school.

Here are details of some of the incident forms sent to Hart:

"xxxx looking at pictures of people with different eye colours and said "yuk not black" and discarded all the black faces, then said "I want a boy"". Age = Nursery. Action = counselling.

"The parent came in on [date] to inform us that her son had told her that the children in the playground had been calling her son "Chinese boy" on the previous day at playtime". Playground yr2. Headteacher spoke to victim and offenders told they must ask a child's name.

"During maths lesson today xxxx called xxxx a monkey. Xxxx responded by saying xxxx was fat." Spoken to by the head.

"When reading in class xxxx was asked by xxxx why we wear sun cream – he replied 'muslims and catholics wear sun cream so we don't look like xxxx'". Spoken to by head, mother invited to a meeting, to join targeted sessions with mentors to discuss appropriate and inappropriate comments. A note made on record.

“xxxx was agitated by xxxx on his table. His response was to declare to his table that he thinks all white people are mean and he doesn’t like them”. Discussed with Special Educational Needs Coordinator.

“Reported incident on bus from swimming involving xxxx and xxxx. Xxxx copying their Arabic language. He found it funny to make jokes about the way they spoke”.

“There was an argument in the lunch hall which resulted in xxxx apparently calling xxxx ‘fat’ and xxxx ‘gay’...” Incident discussed with mum.

Xxxx said that xxxx’s mum “lived in a bin”. [Recorded as a ‘Home Circumstances’ incident]

Watching film ‘Oliver Twist’, child used phrase **“Oliver Bent”** [Sexual Orientation incident]

“xxxx was called ‘doughnut’, ‘fat bucket of KFC’, ‘Fat custard cream’ repeatedly whilst joining in a game...” [‘Appearance’ incident]

“xxxx called them both retards”. [Recorded as ‘Disability/Special Needs/Medical Condition’ incident]

“xxxx called the supply teacher Jimmy Savile, he told him to go back to Australia, he’s an Australian faggot and a pikey. Xxxx then said to xxxx he’s Jimmy Saville and he rapes babies”. [Recorded as Homophobic incident.]

“xxxx said to xxxx you have funny fingers” [Disability incident *] [Of note: In “Actions” box **“xxx was spoken to by xxxx. He said he didn’t mean anything nasty by it – he just wondered why?”**]

“xxxx called xxxx ‘a girl’ before school”. [Recorded as a ‘Sexism/Sexual’ incident]

Birmingham incident forms

Hart also submitted FOI requests requesting the incident forms from several Birmingham primary schools. This showed that ethnic minority children are also subjects of ‘racist incident’ reporting. Notable examples included:

“...called xxxx an African Rat, and xxxx a rat. Xxxx said ‘I know I shouldn’t have called it her because I’m black as well”.

“The boys were confused about their coats because they were similar so they both then called one another ‘blacky”.

“xxx told xxxx that xxxx had called her ‘Gaold Sheidi’. In urdu this means ‘black blackie’. Xxxx admitted saying the racist comment’. [Incident record sent home]

“Hamzah called Adel ‘Egyptian bitch”.²

² Names have been changed

“Farhan called Ayesha ‘Jamaika Christian’ and Ayesha called Farhan ‘Somalian’”.³

Conclusion

In *That’s Racist!* Hart argues:

“Children’s everyday games, interactions and fallings-out are elevated and problematised to a level far beyond playground banter. Children are perceived as mini-adults, investing words with a prejudice and power that bears no relation either to their age or the context in which they are living and playing.”

Of course, teachers should enforce discipline, set a moral example to pupils and encourage a climate of mutual respect in schools.

This cause is not helped by this emphasis on monitoring and reporting very young children for an ever-wider category of prejudice. Such systems actually serve to raise the issues of race, sex and sexuality, and make these fraught subjects, at a time when these are actually fading in social significance. On occasion, the child’s ‘prejudice’ offence was merely to make an observation – to say that somebody ‘looks African’, or has ‘funny fingers’. Perversely, by making this an offence the school blocks an open discussion of particular subjects, and invents new taboos.

The most serious offences on these report forms are generally questions of indiscipline or bad behaviour rather than prejudice. For example, most of the ‘homophobic’ insults recorded as directed at teachers are primarily an offence of disrespect for the teacher, and should be dealt with as such. On the child who called his teacher ‘Australian faggot’ and ‘pikey’: this is unlikely to reflect the child’s prejudices about Australia, travellers or sexuality, but rather his disrespect for this particular teacher, and the incident should be punished on these terms.

At the same time, these prejudice-related incident forms show an over-concern with the micromanagement of children’s friendship relations. One girl was held up for not abiding by a ‘friendship timetable’ agreed with another girl; and there many examples of ‘child A called child B an X, and child B called child A a Y’. Filling in these detailed reports – which have the air of a police report for a very serious offence – both intrudes on children’s space for autonomy, and lowers the teacher to the level of childish spats.

Finally, these incident reports include many examples of the creative nastiness of children, their use of significant energy and creativity to strike at the Achilles heels of others. This is a phenomenon of which every other generation has been aware, yet which somehow strikes today’s education authorities as unprecedented and singularly harmful. Such childish nastiness should be dealt with firmly, but also with a sense of proportion, and the knowledge that the stage of life will pass for these kids just as it has passed in our own.

³ Names have been changed