

DfE Revised use of reasonable force and other restrictive interventions in schools guidance

Action for Race Equality consultation response

April 2025

About Action for Race Equality

[Action for Race Equality](#) (ARE)¹ was founded in 1991, and over the last 30+ years we have worked to champion fairness, challenge race inequality and pioneer innovative solutions to empower young people across education, employment, and criminal justice.

For ARE, having a more equal society means young people will be able to believe that their race, ethnicity or faith will not limit what they can achieve in life. Yet the educational attainment of Black, Asian, Mixed heritage and minority ethnic people is a measure of much that has yet to change in the English education system.

Through our flagship project [Routes2Success](#)², Action for Race Equality has developed a deep insight into the impact that role model and mentoring programmes can have, as well as the challenges young Black, Asian, and Mixed Heritage children are currently facing in schools, including the early criminalisation of young people in schools. ARE has a long record of working closely with teachers and learning professionals in educational places such as schools, colleges and youth spaces, providing interventions tailored to address the factors we know can impede the development of a young person's self-esteem and aspirations. Our workshops are informed by research and deliver proven positive outcomes.

[The Who's Losing Learning Report](#) (IPPR and The Difference, 2024) provides a useful summary of the impact of racism across the education system.

“Navigating structural racism in Britain affects children’s safety and mental health (Agboola 2024). Black children and those from Romani (Gypsy), Roma, or Irish

¹ [Action for Race Equality](#)

² [Routes2Success](#)

Traveller heritage are disproportionately more likely to be known to social services (DfE 2023a) and experience lost learning across the exclusions continuum. Those same children experience disproportionately more violent interactions with the police (Children’s Commissioner 2023a, Home Office 2024, The Traveller Movement 2018), discrimination in the health service (Kapadia et al 2022, ONS 2022a), and interact with a range of services where the underrepresentation of professionals who share their ethnicity contribute to stereotypes and misinformation (Firmin et al 2021, Bardowell 2022). While the school workforce continues to under-represent the ethnic communities schools serve (Sharp and Aston 2024), the impact of daily experiences of racism in society at large are likely to be under-estimated within schools. The data continues to tell us that across the education system pupils of Black, Asian and Mixed Heritage (along with young people from Roma and Irish Traveller backgrounds) face barriers to reaching their full potential.”

This Use of Reasonable Force Guidance does not take into account the significant ways in which racism impacts the experiences of Black, Asian, and Mixed Heritage children in schools. Government guidance must recognise that racism does and will continue to lead to disparate outcomes for pupils from ethnic minority backgrounds, and must be explicitly considered in the development of policy. Black, Asian, and Mixed Heritage children are subject to disproportionate levels of punitive measures in schools, as well as experiencing disproportionate levels of force from the police³ and other justice agencies.

This guidance does not sufficiently take into account the ways in which racism is inextricably bound up in the deployment of punitive measures and use of force in schools. Broad definitions throughout this guidance and accompanying legislation means that Black, Asian, and Mixed Heritage children will continue to face disproportionate outcomes until the policy is considered through an anti-racist lens. In particular, we would welcome an Equality Impact Assessment to be carried out.

This response is submitted on behalf of Action for Race Equality, a registered charity. It was completed by Qasim Alli, Policy and Research Officer. We do not require our response to be kept confidential and are happy to be contacted at qasim@actionforraceequality.org.uk

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Terminology

‘Reasonable’ is a permissive term that obscures the ways in which violence perpetuates harm. Section 93(c) of the Education and Inspections Act 2006⁴ determines force as ‘reasonable’ if preventing a pupil from ‘prejudicing the maintenance of good order and discipline at the school or among any pupils receiving education at the school, whether during a teaching session or otherwise’. This is an incredibly broad definition that, in the view of Action for Race Equality, will risk an overuse of ‘reasonable force’. We would encourage a narrowing of this definition. In particular, these definitions would benefit from explicit recognition that they cannot be used for punishment. Staff make judgements on what force is ‘reasonable’ in the context of broad zero-tolerance behavioural policies that target and attack Black, Asian and Mixed Heritage children.⁵

⁴ [Education and Inspections Act 2006](#)

⁵ [Suspending Reality - The Centre for Social Justice 2024](#)

‘Restrictive’ practice can be violent and life threatening.⁶ Learning to see the harms which are tolerated towards children in schools and treat them as unacceptable is crucial for Radical Safeguarding.⁷

Chemical restraint needs urgent clarification, especially with the introduction of PAVA spray in children’s prisons⁸ despite racial disproportionality in the use of force in the adult estate and policing.⁹

⁶ “People experiencing mental distress, ill-health or ‘extreme’ states are often stereotyped as violent, particularly if they are Black or a person of colour. But there are types of violence and harm directed at people experiencing distress which are viewed as acceptable, even positive. Restrictive practice is a euphemism for things that take place in mental health contexts that restrict people’s physical movement, emotional expression, and so on. It can range from 24-hour blanket surveillance without consent,¹⁰ to chemical restraint, and not being allowed outside. Restrictive practice is enabled by the power inequalities that exist in services and systems. Restrictive practice can be violent and life threatening. What happened to Seni Lewis, piled on by almost a dozen police officers, might have been interpreted or justified by professionals involved at the time as necessary ‘restrictive practice’. It was not. It was a brutal, fatal assault on a young person whose family trusted services to care for their loved one. Staff judged the ‘risk’ to themselves as being more important than the safety and life of someone vulnerable and in crisis. Seni’s family have tirelessly campaigned to right the wrongs that resulted in Seni’s death, including as part of the United Friends and Families Campaign (UFFC). Seni’s Law, or the Mental Health Units (Use of Force) Act 2018 is part of this and it aims to increase protections and oversight on use of force in mental health settings. So-called restrictive practice is rarely considered assault. In contrast, even small acts by someone in distress can be framed as criminal and punished. The contradictions in how restrictive practice is framed take us beyond mental health: you can be harassed, followed, searched and violated, but those responsible are seen as just doing their jobs. In their Radical Safeguarding Workbook, Maslaha asks people who work in schools to explore the harms which are tolerated to children and young people within a school environment. They argue that learning to see those harms and treat them as unacceptable is a really important part of abolitionist and liberatory progress. Their model can be applied to other settings to show how when people who experience distress or mental ill health are harmed by systems, it can be seen as socially acceptable or even encouraged. In other words, the system isn’t broken, it’s working as intended.” - [Holding Our Own, Liberty 2023](#)

⁷ [Radical Safeguarding Workbook— Maslaha 2022](#)

⁸ [Youth justice experts condemn government decision to introduce PAVA spray in children’s prisons — AYJ, Alliance for Youth Justice, April 2025](#)

⁹ “Many respondents pointed to wider evidence of institutional racism in policing, and to a lesser extent, racism in education. With Black people more likely to be subject to stop and search, police use of force including Taser, and more likely to be on ill-informed police ‘gang’

This guidance should make appropriate distinctions for different educational settings, including secure schools.

Who can use reasonable force?

This guidance gives too much autonomy to individual schools and academies and should be accompanied by mandatory national training standards and resources. It is not appropriate for all members of school staff to be equally able to deploy force. Training needs to be trauma informed, and there should be specialist Team Teach trained members of staff.

Some pupils may never be taught by a teacher from the same ethnic group,¹⁰ and many Black, Asian, and Mixed Heritage students report experiencing racism from teachers in school.¹¹ There should be restrictions and accountability for staff who choose to deploy force against children.¹² The case of Child Q is instructive as to the high risks of

databases, it is hard to imagine how more SBPOs won't disproportionately impact upon Black communities and other communities of colour." - [Decriminalise the Classroom - A Community Response to Police in Greater Manchester's Schools 2020](#)

¹⁰ [Making Progress: Employment and Retention of BAME teachers in England | UCL Institute of Education 2020](#)

¹¹ 95% of young Black people report hearing and witnessing racist language at school, 49% of young Black people feel that racism is the biggest barrier to attaining success in school, while 50% say the biggest barrier is teacher perceptions of them. [Young and Black Report | YMCA 2021](#)

¹² "What happened to Seni Lewis, piled on by almost a dozen police officers, might have been interpreted or justified by professionals involved at the time as necessary 'restrictive practice'. It was not. It was a brutal, fatal assault on a young person whose family trusted services to care for their loved one. **Staff judged the 'risk' to themselves as being more important than the safety and life of someone vulnerable and in crisis.** Seni's family have tirelessly campaigned to right the wrongs that resulted in Seni's death, including as part of the United Friends and Families Campaign (UFFC). Seni's Law, or the Mental Health Units (Use of Force) Act 2018 is part of this and it aims to increase protections and oversight on use of force in mental health settings." - [Holding Our Own, Liberty 2023](#)

adultification bias and the need for increased anti-racist safeguarding training and resources.¹³

Teachers should remain distinct from law enforcement, and this guidance should actively resist the racist securitisation of schools.¹⁴

Understanding when to use force and other restrictive interventions

¹³ *CASE STUDY: ADULTIFICATION AND ‘CHILD Q’* “Someone walked into the school where I was supposed to feel safe, took me away from the people who were supposed to protect me and stripped me naked, while on my period. On top of preparing for the most important exams of my life. I can’t go a single day without wanting to scream, shout, cry or just give up.” These are the words of the child known as Child Q, whose case shocked families of colour nationally (Kempton 2022). The independent review carried out on the case identified adultification bias as key to this safeguarding failure. Adultification is a form of bias where “children from Black, Asian and minoritised ethnic communities are perceived as being more ‘streetwise’, more ‘grown up’, less innocent and less vulnerable than other children, who might be viewed primarily as a threat rather than as a child who needs support” (NSPCC Learning 2022). Adultification bias contributed to Child Q being criminalised, an experience that she says has caused long-term damage to her mental health. An independent review found there was “insufficient focus on the safeguarding needs of Child Q when responding to concerns about suspected drug use.” (Gamble and McCallum 2022). After Child Q was strip-searched, teachers returned her to her mock exam “without any teacher asking how she felt, knowing what she had just gone through.” She was “primarily being seen as ‘the risk’ as opposed to being ‘at risk’.” The review found Child Q’s treatment was “unlikely to have been the same” had she not been Black (ibid).” - [Who is losing learning?: The case for reducing exclusions across mainstream schools | IPPR and The Difference 2024](#)

¹⁴ “Indeed, the drive toward deploying ex-military men as teachers, in ‘rough’ inner-city schools indicates a remarkable level of state paranoia around young multiracial ‘risky’ populations. Though it is true that the Troops to Teachers programme, like other Conservative school initiatives, had already been thought up by Gove in 2010 and published in his Importance of Teaching White Paper, Chadderton’s research shows the scheme actually has a longer history in the UK. In 2008, the Centre for Policy Studies produced a paper endorsing TtT after it learned of similar successful schemes in the US. ‘Whether we like it or not, children from more deprived neighbourhoods often respond to raw physical power’, the think-tank asserted. How such an overtly racist and classist notion was allowed to appear un-edited is hard to fathom. As Chadderton points out, the TtT programme is paradoxical; though touted as a means of reducing violence, crime and exclusion, it embraces an aggressive teaching-style.” - [How Black Working Class Youth are Criminalised and Excluded in the English School System | Institute of Race Relations 2020](#)

Schools should produce a pre-emptive risk assessment that addresses whether these three questions have been answered, alongside post-incident mandatory reporting. The impact and effects of systemic racism should be a key consideration when assessing child vulnerability.¹⁵

“An underestimation of racism experienced outside and within school, combined with adultification bias, are partly why vulnerability among children from ethnic minorities may go under-recognised, and why behaviour stemming from such vulnerabilities may be read as poor and maliciously-motivated – and met with sanctions rather than investigation.”

(Who’s Losing Learning Report, IPPR and The Difference 2024)

This guidance would benefit from more information on alternatives to force and a child centred approach, including an understanding of trauma access, neurodiversity, and strong communication between teachers, pupils and parents.

Seclusion

Seclusion is overused as a restrictive practise on young people with SEND and as a form of punishment. The guidance is too permissive, and there is a distinct lack of regulation on the standards and types of facilities being used for isolation booths.¹⁶

¹⁵“Furthermore, wider research suggests that teachers’ perceptions of who is a ‘good learner’ in classrooms is shaped by gender, race and class, which in turn shapes which pupils are perceived to be less able to learn.” - [Who is losing learning?: The case for reducing exclusions across mainstream schools | IPPR and The Difference 2024](#)

¹⁶ “Even after a damning report by the BBC in 2018 exposing the extent to which isolation booths were used on young people in secondary schools with special educational needs, and/or ‘behaviour disorders’, Bennett has continued to defend the practice saying isolation is an effective way to tackle disruption in classrooms, and is a ‘perfectly normal, useful and compassionate strategy’. Freedom of Information requests submitted by the BBC found that more than 200 schools in England were using isolation booths, though the full scale of use is still unknown (requests were sent to more than 1,000 secondary schools and only 600 replied). Comparing young people’s moral rights as they relate to internal (and external) exclusion in UK schools, John Tillson and Laura Oxley argue that Bennett’s ‘view is at odds with evidence’ that proves internal isolation booths, often used to manage students long-term ‘is detrimental to their mental health and education’. Still, hundreds of young people continue to be shunted into booths precisely because the ‘guidance’ for using isolation as a sanction is so permissive. At least two legal cases have been brought by parents against a school and the Department for Education over this practice. In January 2020, the Children’s Commissioner described ‘horror stories’ of children being sequestered in converted toilet cubicles, now isolation booths. In 2018 more than 200 schools in England were using isolation booths, though the full scale is still

There must be more advice on the ways in which seclusion is an inappropriate, violent, and extreme mode of classroom management. School discipline in the UK is rooted in punishment and is becoming ever more carceral, with an increasing dependence on policing, surveillance, and criminalisation. There is a strong case that seclusion and isolation are highly psychologically damaging, and students and teachers have described it as preparing students for prison.¹⁷ It is not farfetched to argue that this would seem like preparation for the solitary confinement many teenagers aged 15 to 18 will experience across England's Youth Offender Institutions, sites which already house highly racially disproportionate populations.¹⁸

unknown.” - [How Black Working Class Youth are Criminalised and Excluded in the English School System | Institute of Race Relations 2020](#)

¹⁷ “School discipline in the UK is rooted in punishment and is becoming ever more carceral, with an increasing dependence on policing, surveillance, and criminalisation. In the past 10 years, there has been a sharp increase in all forms of exclusion, including internal exclusion to ‘isolation booths’. Unsurprisingly, research shows that banishing students to solitary confinement to stare at a wall for sometimes days at a time can be psychologically damaging. Students and teachers alike have described the use of internal exclusions as preparing students for prison. How is it that even during the pandemic when schools were shut most of the time, the total number of permanent exclusions was only 25 lower than the number 10 years previously? (5,082 in 2010/11, compared to 5,057 in 2020/21). In schools, it’s become clearer that policing schools doesn’t extend to just police officers, but to anyone who upholds this harmful notion of school discipline.” - [Who is losing learning?: The case for reducing exclusions across mainstream schools | IPPR and The Difference 2024](#)

¹⁸ “It is not farfetched to argue that this would seem like preparation for the solitary confinement many teenagers aged 15 to 18 will experience across England's Youth Offender Institutions, according to a report by Her Majesty's Inspectorate of Prisons. For Karen Graham's research shows how schools and the education system prepare some students for the role of prisoner.¹⁰³ She identified four dominant converging themes – violence, labelling, masculinities and physical isolation – in her interviews with prisoners, which reveal the extent to which an ‘educational underclass’ is actively made in school and goes on to form a specific prison population. Out of all the themes, physical separation dominated the men's accounts as the ‘dark isolated side of schooling’ was said to ‘mark them out as unique and deserving of punishment/undeserving of education’. And, ultimately, ‘they were denied the basic right to be educated’. Clearly, some inner-city schools, above all other social institutions, are sites which normalise the preparation for future exploitation, dispossession, enclosure and imprisonment. That is to say that state-sanctioned ideology and/or techniques of control are legitimated for the purpose of socialising a specific demographic of young people into their prospective roles

Though the guidance makes a distinction between separation spaces used for non-disciplinary reasons and removal, we have seen how these spaces need more regulation as to their abuse by staff in schools.¹⁹ There is little regulation on how often removal and seclusion can be used on individual pupils, or limits on how long children can be forcibly restrained in these settings before the more formal and recorded use of suspensions and exclusions. We are aware of an increase in more informal separation practices which schools do not have to report – such as isolation – and the negative impact this is having on children.

Practices of micro-exclusion are well-documented within the school walls, manifesting in withdrawal of students from classroom and small-group activities, absence of culturally relevant pedagogies and curricula, and assessment practices modelled on a standardised white, able, neurotypical, middle-class student. These discriminatory structures compound teachers' unconscious biases and lead to the excessive and disproportionate exclusion of racialised and/or minoritised children from working-class backgrounds, particularly those with multiple, complex needs and intersecting vulnerabilities.²⁰

Pupil and staff support

The inclusion of post-incident support for both pupils and staff is commendable. However, guidance on reporting and appropriate follow up and after care must be

in society – in this case, an excluded underclass readymade for prison. Indeed, arguments of a PRU-to-prison pipeline come sharply into focus here.” - [How Black Working Class Youth are Criminalised and Excluded in the English School System | Institute of Race Relations 2020](#)

¹⁹ [Autistic 12-year-old 'brutally' restrained in school calming room - BBC News](#)

²⁰ “NME views all of these forms of punishment as inherently damaging and dehumanising, designed to disempower parents and pupils, belittle children and young people, and deprioritise their education. In calling for an end to these overtly exclusionary practices, we also recognise and work to expose the many hidden forms of exclusion that prevent certain pupils from accessing learning or engaging meaningfully with the curriculum. [...] Temporary and permanent expulsions are often the culmination of multiple and varied exclusionary practices experienced over the course of weeks, months and even years, by which point the pupil’s educational and life chances have already been significantly diminished. Our mission is to bring about an end to these and other exclusionary practices, to dismantle the system of second-rate, segregated education that persists in the UK, and to rebuild our social, political and educational landscapes from the ground up in order to nourish and support every child and young person.” - [What about the other 29 | No More Exclusions 2021](#)

accompanied by increased funding, recruitment and training for behavioural, mental health and wellbeing professionals in schools. Teachers do not have the capacity to follow up on this guidance without additional support.²¹

Parents must be recognised as crucial players alongside children and teachers. Schools and government should work with independent advocacy for children and parents. There should be strict timeframes for contacting parent/guardians if force is used on their child and support to combat racist treatment of families by schools.²² The levels of mandatory reporting and post-incident care should encourage staff to see the use of force as an extremely significant event. The case of Child Q shows failures in safeguarding and supporting children in school, and the racist assumptions that led to the failures in her care.²³

Developing a school policy on the use of reasonable force and other restrictive interventions

The government should offer more regulation on what school policies should contain, as opposed to handing back the responsibility and autonomy to schools, especially considering how difficult it can be to hold academies to account for racist policies.

“The structures of British schooling maximise harm, with little to no accountability measures for its victims: children, families and communities alike. These disciplinary powers extend beyond the school grounds. Young people studying in Hackney reported 3 teachers patrolling the main high

²¹ Football Beyond Borders use a powerful ‘trusted adults’ model that prioritises relationships. [Investing in Trusted Adult Relationships, Football Beyond Borders 2024](#)

²² The challenge of navigating a complicated and under resourced system creates a scenario in which parents feel that their only option is to fight, and yet in doing so, they risk being viewed as combative. Black women are, in effect, forced to live up to racial stereotypical tropes of the ‘angry Black woman’. Indeed, reports of being labelled as ‘aggressive’ or ‘difficult to work with’ were common in this study, and treatment towards Black families was felt to lack consideration of personal circumstances and cultural values. - [How Black Working Class Youth are Criminalised and Excluded in the English School System | Institute of Race Relations 2020](#)

²³ “This racist criminalisation manifests itself in many forms, with ‘adultification bias’¹⁴ being one of the most harmful. It’s been demonstrated with Child Q, a young Black girl who was strip searched by police officers – something we would define as a sexual assault – because of a supposed smell of weed, the labelling of friendship groups as gangs, and with young Black boys being sent deportation letters before they are even sentenced.” - [Holding Our Own, Liberty 2023](#)

roads near their schools until 6pm, seeking out children with their mobile phones out or not wearing their school blazers, to punish them with an after-school detention. Hackney is the most academised borough in London, and not surprisingly, it also has one of the highest school exclusion rates in the country. It's difficult to hold academies to account, especially when it seems that they're rewarded for ruining so many lives." - Holding Our Own, Liberty

This guidance should do more to encourage schools and staff to co-produce policies alongside parents, pupils and local civil society organisations. These should explore non-violent approaches to reducing harm, and should proactively build communities of support, including youth groups and facilities. Young people should be made to feel involved and have a sense of ownership in school policies, as well as being proactively appraised of their rights and the scope and limits of staff jurisdiction.

Consideration for pupils with special educational needs and/or disabilities (SEND)

There needs to be clearer differentiation between guidance for mainstream schools and for other educational settings. Training for handling pupils with extreme behaviour or mental health difficulties in SEND schools may not translate to mainstream school settings without appropriate staffing and facilities. There needs to be a more holistic approach to dealing with diagnosed and undiagnosed SEND pupils in mainstream education, especially amongst racialised children. Race and disability intersect to make some children more likely to experience force in schools.²⁴

BBC Panorama exposed the ways in which children with complex needs are often victims of excessive uses of force, alongside other verbal and physical abuse.²⁵ The use of force can be seen here to be inextricable from teacher's attitudes and biases, which racialised

²⁴ "For example, Black Caribbean boys who are eligible for free school meals and have special educational needs (SEN) are 168 times more likely to be permanently excluded than white British girls without SEN. 12 Disability and neurodiversity don't stop the criminalisation of young people either, with Black boys being over-diagnosed with Oppositional Defiant Disorder (ODD), especially as "psychologists and psychiatrists have also attempted systemically to associate particular personality traits with criminal behaviour." [Holding Our Own, Liberty 2023](#)

²⁵ [Panorama | Undercover School: Cruelty in the Classroom](#)

children have reported as discriminatory.²⁶ This guidance should also include further regulation on the (over)use of calming rooms and similar restrictive measures.²⁷

There are suspected high levels of undiagnosed SEND needs amongst racialised children, seen throughout the schools to exclusions pipeline in a variety of educational settings. This guidance does not account for the current failures in safeguarding for all children, and the loss of dignity for racialised children who are disproportionately deprived of care.²⁸ This is especially worrying for Black children, particularly Black boys, who are over-represented for SEND. Responses to the behaviour of Black children by education professionals can be reactive and overly punitive. These attitudes are unsurprising given the negative perceptions of Black men and boys as engaging in criminality and the unfavourable depictions of behaviour - factors that contribute to the justification of and actual disproportionate use of excessive force against them by police.²⁹

²⁶ 95% of young Black people report hearing and witnessing racist language at school, 49% of young Black people feel that racism is the biggest barrier to attaining success in school, while 50% say the biggest barrier is teacher perceptions of them. [YMCA Report – Young & Black - YMCA Black Country](#)

²⁷ [Autistic 12-year-old 'brutally' restrained in school calming room - BBC News](#)

²⁸ “There have even been numerous instances where disabled children were illegally kept away from school and punished due to the school not following their care plan. Meanwhile, punitive and ableist attendance and punctuality measures see children and poorer parents being disproportionately affected by fines, exclusions and offrolling. We also know that ‘safeguarding’ principles such as PREVENT are harming and endangering children. It’s clear we need to transform approaches to safety and discipline in the classroom, especially because these harms are so deeply ingrained into the system that they have become the system. We need to create an education system that works for all and provides an environment for all children to survive and thrive.” - [Holding Our Own, Liberty 2023](#)

²⁹ “Findings from our interviews with professionals suggest that the physical type of play associated with boys (e.g., playing with swords, climbing, enjoying rough and tumble play) can be misinterpreted as pathological and that this is particularly marked for boys from Black and mixed Black heritage backgrounds who may face further discriminatory attitudes because of their race and ethnicity. In line with other work, the professionals that we interviewed observed that responses to the behaviour of Black children (boys especially) by education professionals could be reactive and overly punitive. These attitudes are fairly unsurprising given the negative perceptions of Black men and boys as engaging in criminality and the depictions of Black men as animalistic (i.e., lacking in self-control and rationality) - factors that contribute to the justification of and actual disproportionate use of excessive force against them by police. Black boys are also more likely to be subject to adultification, (the perception of being older than they are), an effect by which there is assumed deviance and culpability, and a disregard of rights typically afforded to children. It is imperative, therefore, that those working in education, health and social care recognise how the intersection of race, ethnicity, and gender shapes the way in which Black children experience services. Mandatory cultural competency training that takes

Recording and reporting the use of force and Other physical contact with pupils

Though there is a statutory requirement to investigate racial disparities, the guidance does not include a requirement to record ethnicity data. There should be ethnic monitoring of pupils and teachers involved in incidences of use of force.

There should be more stringent guidance on reporting the use of force to parents, including tighter timelines, and opportunities for parents to review incidents. Pupils and parents need robust systems of recourse when circumstances deteriorate across the range of punitive measures.³⁰ However, there must be systems of accountability and challenge for uses of force that do not progress through to exclusion and other more formalised processes. We suggest schools review uses of force with panels including parents, young people, and community advocates. Community groups should also be able to request anonymised data on the use of force across the school, as well as pupils and parents having access to their own records. Considering the high levels of school surveillance technologies, it may be appropriate for video footage of incidents to also be made available.³¹ The guidance also omits the responsibility for enforcement to support or discipline staff through review process.

an intersectional approach is necessary for ensuring that expectations around behaviour and the care that is offered are not informed by negative assumptions and biases.” - [Black Child SEND - Accessing special educational needs and disabilities \(SEND\) provision for Black and mixed Black heritage children: Lived experiences from parents and professionals living in South London | Global Black Maternal Health 2024](#)

³⁰ ” While measures such as managed moves could be used as positive alternatives to exclusion, they are currently being deployed within a punitive (involving or aiming at punishment) and increasingly unlawful disciplinary framework in which pupils and parents are often not consulted and have no recourse to further support if things continue to deteriorate in a new setting. Similarly, in-school isolation and seclusion rooms may have been intended as a means of inclusion – of keeping pupils in schools and theoretically still learning – but in practice they are yet another form of unregulated segregation used to detain and remove so-called “disruptive” children in lieu of formal exclusion.” - [What about the other 29 | No More Exclusions 2021](#)

³¹ ”In 2012, Emmeline Taylor found that 85 per cent of UK secondary schools have some form of CCTV system in operation.⁹⁰ In the eight years since, it would not be farfetched to assume this figure is now closer to 100 per cent. School surveillance technologies, she argues, have superseded those in prisons, and students in the UK are some of the most heavily surveilled

Guidance for governing bodies and proprietors on using data on reasonable force and other restrictive interventions

There should be mandatory ethnicity recording and reporting on the use of force in schools. This data should be collated and published by local authorities and the government, and there should be meaningful action taken if the data highlights inequalities. School by school data should be scrutinised in this context, especially through the lens of race, even when numbers are proportionally small.

Action on racism should be considered a key indicator of school standards as part of Ofsted assessments. Racism should be considered a safeguarding concern across the whole school, and the data reviewed regularly. The well-documented pipeline between Black, Asian, and Mixed Heritage students disciplined for 'disruptive' behaviour and the criminal justice system should include data on their experiences of force in school.

School whistleblowing procedures need to be updated; there should be an external body that staff, students, and pupils can appeal to that reviews uses of force in schools.

General

We would like to draw the review's attention to the report produced by Liberty, [Holding Our Own: A guide to non-policing solutions to serious youth violence](#). Please find below their empowering vision for the future. We hope you are able to draw inspiration from it when considering the use of force in schools.

COMMUNITY ALTERNATIVES AND TRANSFORMATIVE JUSTICE: OUR VISION FOR THE FUTURE

1. *An end to all forms of punitive intervention in schools, hospitals and the community: no more isolation, exclusions, chemical or physical restraint, non-consensual treatment or coercive programmes of surveillance for people living with mental distress like Community Treatment Orders.*

populations. 'Upcoming generations will emerge from surveillance schools desensitized to, and expectant of, intense scrutiny and objectification', she believes. Among other surveillance apparatus, schools use biometric technologies such as automated fingerprint identification systems, facial recognition software, palm vein and iris scanners, as well as, radio-frequency identification microchips in school uniforms." - [How Black Working Class Youth are Criminalised and Excluded in the English School System | Institute of Race Relations 2020](#)

2. *Funded and sustainable spaces for people in crisis to go when they need help with genuine care, including residential care, where support is on their own terms and we acknowledge that help is not neutral. Power that any professionals in these spaces hold over others must be recognised and addressed.*
3. *Resources for communities to take care of their own - to take up space, organise together, and flourish. Many communities have experienced multigenerational deprivation and are targeted by punitive policies like the cap on child benefit. Building genuine alternatives needs resourcing, and their value needs to be better understood and respected by policy-makers and funders.*

ON IMPROVING SAFETY IN THE COMMUNITY

We asked the young people we work with how we could improve the safety of the community from within, and they told us unequivocally that we need to invest in them. There was no point, they said, in even trying to think about how we could transform society away from the carceral, alienating and violent society in which they live, if they are not given the space to understand their potential.

Human Rights Duties; Equality Act; Public Sector Equality Duty

Broad definitions throughout this guidance and accompanying legislation means that Black, Asian, and Mixed Heritage children will continue to face disproportionate outcomes until the policy is considered through an anti-racist lens. In particular, we would welcome an Equality Impact Assessment to be carried out. We also ask whether a Child's Right's Impact Assessment has been carried out. We implore the DfE to consider relevant evidence outlined in this submission that could indicate a breach of duty.

Action for Race Equality believes that the current Equality Act 2010 is simply not strong enough to be effective in tackling institutional and systemic racism. The language is frequently weak, the requirements it places on public bodies are non-committal, and there is a fundamental lack of accountability when the legislation is used successfully due to the weakened ability of the Equality and Human Rights Commission (EHRC), the regulator responsible for monitoring adherence to the Equality Act 2010, to rigorously enforce the act due to the lack of strong wording and a consistent cutback in funding for the body.³²

³² [ARE SUBMISSION TO THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION 113TH SESSION](#)

Public bodies frequently do the bare minimum to meet the Public Sector Equality Duty (PSED) rather than striving towards becoming institutions which are actively anti-racist. There is often little consequence for the public bodies failing to meet even the bare minimum requirements. This is mainly due to the lack of meaningful and specific duties under the PSED, making it difficult to bring challenges. The political interference and consistent cuts in funding of the Equality and Human Rights Commission (EHRC), the regulator responsible for monitoring adherence to the Equality Act 2010, has also contributed to weaken accountability.³³

Bibliography

[Who is losing learning?: The case for reducing exclusions across mainstream schools | IPPR and The Difference 2024](#)

[Holding Our Own - A guide to non-policing solutions to serious youth violence | Liberty 2023](#)

[Radical Safeguarding: A Social Justice Workbook for Safeguarding Practitioners | Maslaha 2022](#)

[How Black Working Class Youth are Criminalised and Excluded in the English School System | Institute of Race Relations 2020](#)

[Young and Black Report | YMCA 2021](#)

[Suspending Reality | The Centre for Social Justice 2024](#)

[Decriminalise the Classroom: A Community Response to Police in Greater Manchester's Schools | Kids of Colour and Northern Police Monitoring Project 2020](#)

[Making Progress: Employment and Retention of BAME teachers in England | UCL Institute of Education 2020](#)

[Youth justice experts condemn government decision to introduce PAVA spray in children's prisons | AYJ, Alliance for Youth Justice, 2025](#)

[What about the other 29 | No More Exclusions 2021](#)

[Black Child SEND - Accessing special educational needs and disabilities \(SEND\) provision for Black and mixed Black heritage children: Lived experiences from parents and professionals living in South London | Global Black Maternal Health 2024](#)

[A Better Way to Tackle Institutional Racism | Alliance for Racial Justice, 2024](#)

³³ [A Better Way to Tackle Institutional Racism | Alliance for Racial Justice, 2024](#)