

## Use of reasonable force and other restrictive interventions in schools in England

## Background

The misuse of restraint in schools is an issue which family carers and the Challenging Behaviour Foundation (CBF) have been <u>campaigning</u> to address for over a decade.

In 2020, a <u>report</u> authored by the CBF and Positive and Action Behaviour Support Scotland (PABSS) revealed that 88% of participants had a child with disabilities who had experienced physical restraint including face down or prone restraint. Of this percentage, 68% of the restraints occurred whilst at school. Such incidents have profoundly negative impacts on not only the child involved, but also on their parent or carer:

- 91% of the survey's respondents identified that restraint has an emotional impact on their child.
- 78% said that the use of restrictive intervention made their child's behaviour worse.
- Parents reported a range of injuries sustained by their child including: bruises, abrasions, head injuries, cuts, broken bones, broken or chipped teeth and nosebleeds.

In addition, the survey also identified that restraint was not being always recorded by schools, and parents were sometimes unaware that restraint had taken place until they discovered it at a later point.

At present, schools do not have a legal duty to record instances of restraint or seclusion and do not have to inform families. This leaves disabled children, some of whom have limited communication skills, at risk of harm. The media have reported multiple instances of the misuse of restrictive practices in schools in England over the last few years including: <u>Whitefield School</u>. The BBC broadcast "<u>The School Prison Cells</u>" showed children with learning disabilities being locked in Whitefield's "calming rooms" for hours. One of the rooms shown was a padded room, without natural light or toilet facilities. Children were shoved into padded rooms, thrown to the floor and left alone sitting in vomit. The children were visibly distressed and are seen to self-injure for prolonged periods. Families have told the BBC that their children developed Post Traumatic Stress Disorder and one child was detained in an inpatient service due to their treatment at the school.

Life Wirral School, where a member of staff was recorded saying he assaulted a pupil "[I] threw him all over the place", but documented "on the paperwork it was like I guided him effectively". One child supported by an advocate wrote in statement shared with the local authority: "I will never set foot in Life School again. Because of peer on peer abuse I witnessed, teacher on student abuse, physical restraints - police style. Lack of understanding about disabilities, staff saying incidents are not as bad as described".

<u>Five Acre Wood School</u> breached the human rights of twins, Samuel and Jacob Montague, when they were 5-8 years old by using mechanical restraint chairs. The restraint chairs were used without their parents' agreement and there was no plan to reduce the use of the restraints or to consider less restrictive options. The school did not record, report or monitor the use of chairs."

As highlighted above there are multiple types of restrictive interventions which are known to be used, including: <u>physical restraint</u>, <u>seclusion, mechanical restraint</u>, and <u>chemical restraint</u>.

In 2021, the <u>Equality and Human Rights Commission</u> (EHRC) published a report which recommended:

- Mandatory national minimum standards should be set for recording the use of restraint in schools.
- National training standards for restraint should be developed which take a human rights approach, minimise the use of restraint and are tailored by school phase and type and involve schools, parents and children.
- Schools should be required to inform parents about all incidents of restraint of their child, unless it is likely to result in safeguarding issues for the pupil or danger to staff.
- The UK and Welsh governments should require local authorities and schools to publish a policy on restraint, which is accessible to parents.
- Data from schools should be collated, published and analysed by protected characteristic.
- Ofsted should monitor national and school-level restraint data as part of its inspections.

## Campaign progress!

## What changes has the Department for Education agreed to make?

In light of this, we are pleased to share that the government has committed to:

Introduce a legal requirement for schools to record every significant incident of use of force and report these incidents to the parents of the pupils involved, effective from September 2025

Revise the Department for Education Guidance on the "Use of Force" which was published in 2013

But there is much more they could do to build on this and strengthen the guidance. A draft of the revised guidance is now available, and a consultation is being held.

The <u>consultation</u> closes on 29th April 2025.