

Department for Education Consultation

The “Use of reasonable force and other restrictive interventions in schools”

The Department for Education have 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” with an emphasis on the need to minimise the need for all restrictive interventions by focussing on prevention and de-escalation strategies and data analysis.

A draft of the revised guidance is now available, and a consultation is being held.

The [consultation](#) closes on 29th April 2025.

The Department for Education has stated that a future work programme will use the collected evidence and consultation responses to consider whether the Department develops and delivers additional targeted policy interventions and consider any outstanding Equality and Human Rights Commission recommendations.

New legal requirement

The new legal requirement for schools in England to record every significant incident of use of force and report these incidents to the parents of the pupils involved, effective from September 2025, will be introduced under [Section 93A of](#)

[the Education and Inspections Act 2006](#). The wording of the legislation can be found below in Appendix A.

Guidance

At present, two different sets of guidance are in place that cover the use of restrictive practices in schools:

- 1) The Use of Force (2013). Published by the Department for Education. The revised 2025 guidance is for **all** schools in England. Pages 14 – 15 of the revision contain statutory guidance. The rest of the guidance is non-statutory. The Department for Education advises that the non-statutory advice should be followed unless there is good reason not to.
- 2) Reducing the need for restraint and restrictive intervention. How to support children and young people with learning disabilities, autism spectrum conditions and mental health difficulties who are at risk of restrictive intervention (2019). Published by the Department of Health and Social Care and Department for Education. The guidance is non-statutory

The Use of Force guidance has been revised, and the live consultation is now open. The 2019 guidance has not been updated. We advocate that the 2019 guidance also requires updating to avoid confusion and make it clear that all schools (including special schools) are required to follow the guidance on recording and reporting the use of force.

What improvements have been made in the revised guidance?

We warmly welcome the following changes:

- A strong focus on the need to proactively minimise the use of restraint and other restrictive interventions through prevention, de-escalation and data analysis.
- Focus on updating or introducing behaviour support plans in partnership with parents.
- A new legal duty to record every significant incident of use of force and report these incidents to parents of the pupils involved.

- A requirement for schools to develop and implement a policy on the use of reasonable force.
- Guidance for governing bodies to use data on reasonable force and other restrictive interventions to identify patterns and implement improvements.
- Recognition that there is a risk of physical and psychological harm from restraint and it should be avoided where possible.
- Recognition that the inappropriate use of restraint or restrictive practices requires schools to follow national guidance on Keeping Children Safe in Education including suspending staff where appropriate.
- A clear statement that children should not be deliberately restrained in a way that affects their airway, breathing or circulation, in particular highlighting that it is unacceptable to hold children on the ground.

What additional measures are needed?

1) Training standards

What does the revised guidance say? The revised guidance advises that staff who are likely to need to use reasonable force and other restrictive interventions should be adequately trained in its safe and lawful use and in preventative strategies, and that school leaders should choose the training, ensuring that it reflects the principles set out in the guidance. There is an emphasis on school leaders' autonomy in deciding on training provision best suited to the school's circumstances and staff needs.

What change is needed? As recommended by the Equality and Human Rights Commission, 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 in their development.

Why do we think this change is needed? There is a strong support for training standards. The Department for Education have stated that 74% of respondents who have responded to the [Call for Evidence](#) were in favour of implementing national training standards. This would help ensure that the training focuses on prevention and minimising the use of restraint and other restrictive practices and reflects the Department for Education Guidance. This would also quality assure any physical intervention training to ensure that the techniques taught are safe and appropriate.

2) The use of seclusion

What does the revised guidance say? The revised guidance allows staff to place children in seclusion at school. Seclusion is defined as the supervised confinement and isolation of a pupil, away from other pupils, in an area from which the pupil is prevented from leaving of their own free will. The decision on whether it is reasonable to use seclusion or other restrictive interventions depends on the individual circumstances of each situation.

What change is needed? We recommend that seclusion is banned in schools unless there are exceptional circumstances, such as the use of a weapon which is a threat to life.

Why do we think this change is needed? The [guidance](#) for mental health inpatient units' states: *"Seclusion can be a traumatic experience for any individual but can have particularly adverse implications for the emotional development of a child or young person. This should be taken into consideration in any decision to seclude a child or young person. Careful assessment of the potential effects of any seclusion by a trained child and adolescent clinician is required, especially for those children and adolescents with histories of trauma and abuse, where other strategies to de-escalate behaviours may be more appropriate than the use of seclusion"* (26.57, pg. 293).

There is clear evidence that seclusion can cause trauma. Children and young people have been diagnosed with Post Traumatic Stress Disorder as a direct result of being placed in seclusion at school. School should be a safe place for every child, regardless of the challenges their behaviour poses.

In a school setting, it is rare to have access to a trained child and adolescent clinician to monitor the use of seclusion and therefore staff who do not have the required experience and expertise are left to monitor seclusion in a school setting.

This practice is outdated, inhumane and unsafe. There are effective ways to support children who display behaviours that challenge that do not rely on seclusion.

3) Good order and discipline

What does the revised guidance say? The updated guidance is clear that force should not be used as a punishment.

What change is needed? At present, under Section 93 of the Education and Inspections Act 2006, staff have the power to use force to *"maintain good order and discipline"*. Whilst the updated guidance is clear that force should not be used as a punishment, there are still circumstances under which force could be used to

“maintain good order”. We would like to see this clause in the Education and Inspections Act repealed.

Why do we think this change is needed? It is unacceptable to use force or restrictive practices to maintain order in school. As it is known that there is a risk of physical and psychological harm through the use of force and other restrictive practices, these should only be used when there is a risk of harm to the child or another person or damage to property which would also entail a risk of harm to the child, e.g. smashing a glass window.

We have heard examples of restraint being used to “maintain good order”, such as children not moving when requested, not sitting down when requested, fidgeting, crying, and screaming. These are not acceptable reasons to use force.

It has been agreed in principle since 2022 to repeal Article 41 (c) of the Education (Northern Ireland) Order 1998. The government should also commit to repealing this clause in the legislation in England.

4) Data collection and inspection

What does the revised guidance say? There is a section in the revised guidance which describes how the governing bodies and proprietors should use data on reasonable force and other restrictive interventions to identify patterns and implement improvements. In the consultation document, the Department for Education states that it intended to support schools to minimise the use of reasonable force, without the need for additional data collection. Inspection is not mentioned in the guidance.

What change is needed? We recommend that the following recommendations from the Equality and Human Rights Commission are implemented:

- Data from schools should be collated, published and analysed by protected characteristics.
- Ofsted should monitor national and school-level restraint data as part of its inspections.

Why do we think this change is needed? To have effective oversight of the implementation of restrictive practices in school, it is necessary for data to be collated and analysed. Analysis by protected characteristics is necessary to ensure adherence to Public Sector Equality Duties.

The inappropriate use of restraint and restrictive practices is a child protection and human rights issue. Ofsted should have a role in quality assuring the implementation of this policy to ensure children are safe at school.

5) Recording restrictive practices that do not involve the use of force

What does the revised guidance say? The updated guidance is clear that there is a legal duty to record the use of force and report its use to parents. There is detailed guidance on what must be recorded and reported to parents. It is best practice for schools to apply the same recording and reporting policy to restrictive interventions where force is not used.

What change is needed? An amendment to section 93A of the Education and Inspections Act 2006 to include other restrictive practices in the statutory duty to record and report to parents.

Why do we think this change is needed? Restrictive practices such as seclusion have been misused by staff in school settings. Recording and reporting the use of restrictive practices to parents is an important safeguard for children who are unable to tell their parent what has happened at school, such as children with severe learning disabilities.

Appendix A: Wording of Section 93 of the Education and Inspections Act 2006

93A Recording and reporting the use of force by members of staff: England

(1) The governing body of a school in England must ensure that a procedure is in place for—

(a) recording each significant incident in which a member of the staff uses force on a pupil for whom education is being provided at the school (a “use of force incident”); and

(b) reporting each use of force incident (except those where the pupil is aged 20 or over or provision made under subsection (5) applies) to each parent of the pupil as soon as practicable after the incident.

(2) The governing body must take all reasonable steps to ensure that the procedure is complied with.

(3) The procedure must require that a record of a use of force incident is made in writing as soon as practicable after the incident.

(4) In discharging their duty under subsection (1), the governing body must have regard to any guidance issued by the Secretary of State for the purposes of that

subsection.

(5) A procedure under subsection (1) must include provision to the effect—

(a) that a person (“R”) who would otherwise be required by the procedure to report an incident to a parent must not report it to that parent if it appears to R that doing so would be likely to result in significant harm to the pupil; and

(b) that if it appears to R that there is no parent of the pupil to whom R could report the incident without that being likely to result in significant harm to the pupil, R must report the incident to the local authority [F1](#)... within whose area the pupil is ordinarily resident.

(6) In deciding for the purposes of provision made under subsection (5) whether reporting an incident to a parent would be likely to result in significant harm to the pupil, R must have regard to any guidance issued by the Secretary of State about the meaning of “significant harm” for those purposes.

(7) In this section—

- “governing body”, in relation to a school which is not a maintained school, means the proprietor of the school;
- “maintained school” means—

(a) a community, foundation or voluntary school;

(b) a community or foundation special school;

(c) a maintained nursery school;

- “parent”, in relation to a pupil, has the meaning given by section 576 of EA 1996 in relation to a child or young person, but includes a local authority which provides accommodation for the pupil under section 20 of the Children Act 1989.”

