



Department
for Education

Call for evidence

Use of reasonable force and restrictive practices in schools

Launch date 16 February 2023

Respond by 11 May 2023

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Introduction

The Government is committed to ensuring all schools are calm, safe, and supportive environments where pupils and staff can work in safety and are respected.

The Schools White Paper¹ sets out plans to make sure every child can reach their full potential by receiving the right support at the right time. This includes pupils who are vulnerable and have special educational needs and disabilities (SEND).

In line with these aims, the Department for Education has commenced an ambitious programme of work to provide clarity and support for school leaders and staff. This includes publishing the recently updated guidance documents, 'Behaviour in Schools'², 'Suspension and Permanent Exclusion'³, and 'Searching, Screening and Confiscation'⁴. These documents are practical tools to help schools create calm, safe and supportive environments.

What is the purpose of this call for evidence?

Section 93 of the Education and Inspections Act 2006 provides all school staff, including non-teaching staff, with the power to use reasonable force to prevent pupils from hurting themselves or others, from damaging property or causing disorder. When it is safe, lawful and absolutely necessary, the Government supports school staff to use reasonable force, including restraint, as an intervention.

The Government recognises that the misuse of reasonable force or restrictive practices can have a significant and long-lasting effect on the pupils, staff members and parents⁵ involved, as well as the wider classroom, which can potentially hinder the creation of a calm, safe and supportive school environment.

The Government is therefore committed to minimising the use of reasonable force, including restraint and other restrictive practices in all schools⁶ in England, including special schools

¹ [Opportunity for all: strong schools with great teachers for your child - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/opportunity-for-all-strong-schools-with-great-teachers-for-your-child)

² [Behaviour in schools - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/behaviour-in-schools)

³ [School suspensions and permanent exclusions - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/school-suspensions-and-permanent-exclusions)

⁴ [Searching, screening and confiscation at school - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/searching-screening-and-confiscation-at-school)

⁵ Where the text uses the word 'parent', it should be read as inclusive of carers and any other person with parental responsibility.

⁶ All schools include academies, free schools, independent schools and maintained schools.

and alternative provision. This work programme will include updating the ‘Use of reasonable force’⁷ guidance, 2013, to provide school staff with advice on how to minimise the use of restraint and in instances where it is absolutely necessary and lawful to use reasonable force or restrictive practices, to do so as safely as possible.

This call for evidence will focus on:

- how pupils are impacted by the use of reasonable force, restraint and restrictive practices, including those with SEND.
- how school leaders and school staff minimise the need to use force, restraint or other restrictive practices whilst ensuring that the environment feels safe for all pupils and staff.
- how school leaders and school staff ensure that when force, restraint or other restrictive practices are used, they are used safely and effectively.
- how schools record incidents of use of force, restraint or other restrictive practices, and how they use and report this data.
- how school leaders support pupils, their parents and staff who have been involved in or affected by an incident of reasonable force, restraint or other restrictive practice.
- how, in relation to such matters, schools meet their duties under the Human Rights Act 1998, Equality Act 2010 and Children and Families Act 2014.

Who is this call for evidence for?

This call for evidence is open to anyone who has an interest in this area within the field of education. The following list provides examples of interested parties but is not exhaustive:

- Head teachers and senior leaders
- Classroom- and non-classroom-based school staff
- Governors and trustees
- Parents and carers
- Mental health leads, educational psychologists, and speech and language therapists
- Education unions, charities, and SEND organisations

⁷ [Use of reasonable force in schools - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

- Staff in local authorities and children’s services, such as social workers and virtual school heads

The questions are intentionally broad to allow for a wide variety of responses. Please only answer questions relevant to your experience. If a question does not apply to you, please enter ‘not applicable’ or ‘N/A’. The Department will also engage more widely with children and young people and key stakeholders across the sector to inform this call for evidence.

Current duties and guidance

‘Use of reasonable force’ guidance, 2013, is non-statutory advice from the Department for Education. This guidance advises that:

- Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.
- Schools should not have a ‘no contact’ policy. There is a real risk that such a policy might place a member of staff in breach of their duty of care towards a pupil.
- It is always unlawful to use force as a punishment.
- Every school is required to have a behaviour policy and to make this policy known to staff, parents and pupils. The governing body should notify the head teacher that it expects the school behaviour policy to include the power to use reasonable force.
- There is no current requirement to have a policy on the use of reasonable force but it is good practice to set out in the behaviour policy the circumstances in which reasonable force might be used.
- Any policy on the use of reasonable force should acknowledge schools’ legal duties in relation to children with special educational needs and disabilities.
- It is current good practice for schools to speak to parents about serious incidents involving the use of force and to consider how best to record such serious incidents.
- It is up to schools to decide whether it is appropriate to report the use of force to parents.

Other relevant guidance and standards include:

- ‘Behaviour in Schools’ guidance, 2022

- ‘Reducing the Need for Restraint and Restrictive Intervention: Children and young people with learning disabilities, autistic spectrum conditions and mental health difficulties in health and social care services and special education settings’,⁸ 2019
- ‘Searching, Screening and Confiscation’ guidance, 2022
- ‘Suspension and Permanent Exclusion’ guidance, 2022
- National Minimum Standards for boarding schools,⁹ 2022
- National Minimum Standards for residential special schools,¹⁰ 2022

Definitions of terms

Throughout this call for evidence the following terms and definitions will be used:

Reasonable force – Physical contact by a member of staff on a pupil to control or restrain their actions/movements in order to prevent or stop (1) a pupil from committing any offence, (2) a pupil causing personal injury to any person including the pupil themselves, (3) damage to property, or (4) disruption to education and good order at the school. Reasonable force can also include physical restraint, such as holding a pupil’s arms back to prevent a fight but is not limited to this. ‘Reasonable’ means using no more force than is necessary; for example, guiding a pupil to safety by the arm or blocking a pupil’s path.

Restrictive practices – Any planned or reactive action which limits a pupil’s movement, liberty or freedom to act independently. Restrictive practices may include use of equipment, medication, or seclusion. In this document, seclusion means isolating a pupil by preventing them from leaving a room or space of their own free will. There could be a number of methods used to seclude an individual.

While **physical restraint** is a type of restrictive practice, **it has been specifically excluded** from this definition as it is captured within the definition of reasonable force. The Department for Education recognises that there are different definitions and categorisations used across the sector for some of these terms. This call for evidence is concerned with the actions and events that occur, rather than the name of the practice.

⁸ [Reducing the need for restraint and restrictive intervention - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/674427/Reducing_the_need_for_restraint_and_restrictive_intervention.pdf)

⁹ [Boarding schools: national minimum standards - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/674427/Boarding_schools_national_minimum_standards.pdf)

¹⁰ [Residential special schools: national minimum standards - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/674427/Residential_special_schools_national_minimum_standards.pdf)

About you

1 What is your name?

(Open text box)

2 Do you consent for the Department for Education (DfE) to contact you via email about your response? Please select one item below:

Yes

No

If yes, please provide your email address: (Open text box)

3 Information provided in response to consultations, including personal information, may be subject to publication or disclosure under the Freedom of Information Act 2000, the Data Protection Act 2018 or the Environmental Information Regulations 2004.

If you want all, or any part, of a response to be treated as confidential, please explain why you consider it confidential.

If a request for disclosure of the information you have provided is received, your explanation about why you consider it to be confidential will be taken into account, but no assurance can be given that confidentiality can be maintained. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department. The Department for Education will process your personal data (name and address and any other identifying material) in accordance with the Data Protection Act 1998, and in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

Would you like us to keep your response confidential?

Yes

No

If yes, please explain your reason for confidentiality: (Open text box)

4 In what capacity are you responding?

Please select:

- Head teacher or multi-academy trust chief executive
- Middle or senior school leader
- Teacher
- Non-teaching staff member
- Governor or multi-academy trust trustee
- Parent/carer
- Other (specify): open text box
- Prefer not to say

5 If applicable, what is the name of your school/organisation/representative body and what local authority does your response relate to?

- Open text (state your response below)
- Not applicable
- Prefer not to say

6 If you are responding on behalf of a school, college or alternative provision please specify below:

Select all that apply:

- Primary
- Secondary
- Post-16 college
- Alternative provision
- Mainstream
- Special school
- LA maintained
- Academy
- Free school
- Independent school
- Other (specify):

7 If you are answering as a parent/carer, please specify all that apply that relate to your responses.

Select all that apply:

- Primary
- Secondary
- Post-16 college
- Alternative provision
- Mainstream
- Special school
- LA maintained
- Academy
- Free school
- Independent school
- Other (specify):

Questions

Questions for all respondents

Question 1 asks about **personal or professional experiences** of reasonable force, restraint or other restrictive practices.

1 What are your or your child's experiences of incidents of reasonable force including restraint or restrictive practices in school? Please provide any lessons learned from these experiences.

- Not applicable
- Open text (state your response below)

Questions 2-8 cover **best practice** in early intervention, training and support for teachers and pupils.

2 What are the most effective early interventions schools can use to help prevent the need to use reasonable force, restraint or a restrictive practice? If applicable to your experience, please refer to effective interventions used to support pupils with SEND.

- Open text (state your response below)

3 The current 'Use of reasonable force' guidance, 2013, states that head teachers need to "take their own decisions about staff training and head teachers should consider whether members of staff require any additional training to enable them to carry out their responsibilities."

Do you think national training standards on the use of reasonable force, restraint or other restrictive practices should be developed or adopted?

- Yes
- No
- Don't know

ROUTED QUESTION

3a Please explain the reasons for your choice. If you selected yes, what should be included in these standards?

- Open text (state your response below)

4 Aside from training, what are the best ways school staff can be supported to feel confident in knowing how to use reasonable force, restraint or other restrictive practices appropriately and proportionately, and when it is inappropriate to do so?

Open text (state your response below)

5 The current 'Use of reasonable force' guidance, 2013, sets out four restraint techniques that present an unacceptable risk when used on children and young people and should therefore not be used. The 'Reducing the need for restraint and restrictive intervention' guidance, 2019, states that "people should not be deliberately restrained in a way that affects their airway, breathing or circulation, for example by covering the mouth or nose or applying pressure to the neck region or abdomen."

What, if any, types of physical contact or restraint do you consider inappropriate under any circumstances?

Open text (state your response below)

6 The Department for Education has committed to a programme of work to minimise instances of the use of reasonable force, restraint and other restrictive practices in all schools through preventative measures. The updated 'Use of Reasonable Force' guidance will provide school staff with a range of safe and effective approaches when dealing with extremely challenging situations, including preventing a situation from escalating further than it needs to.

What do you think are the most effective methods of de-escalation? If applicable to your experience, please refer to de-escalation approaches used to support children with SEND.

Open text (state your response below)

7 How can schools practically ensure they meet their legal duties towards pupils with SEND or in relation to other protected characteristics when assessing the need to use reasonable force, restraint or other restrictive practices and the impact of its use?

Open text (state your response below)

8 What, if any, support should be provided to pupils, parents and school staff involved after an incident of force, restraint or other restrictive practice? This may include witnesses of an incident.

Open text (state your response below)

Questions 9-11 relate to issues around **reporting and recording** instances of reasonable force, restraint and other restrictive practices.

9 The current 'Use of reasonable force' guidance, 2013, says that "schools should consider how best to record incidents of reasonable force."

In what circumstances, if any, do you think schools should record the use of force or restraint? Please give details in the box below.

- Every instance of physical contact
- Every notable instance, for example, physical restraint rather than redirection such as guiding a pupil by the arm
- Every significant instance, for example where an injury is caused
- It should not be recorded
- Don't know
- Other (specify in open text box below)

9a What details about such incidents should be recorded?

Select all that apply:

- Type of incident
- What happened prior to the incident including any triggers for the incident
- Why it was used
- Who was involved
- Whether the pupil has SEN and which protected characteristics they have
- Lesson/location
- Time/date including how long incident lasted
- It should not be recorded
- Other (specify in open text box below)

10 To whom do you think schools should report the data they collect on incidents involving use of reasonable force, restraint or other restrictive practices?

Select all that apply:

- Head teachers/senior leadership
- Parents
- Governors and/or trustees
- Department for Education
- Local authority for any child
- Local authority for child with an Education, Health and Care plan or a social worker
- Other (specify in open text box below)

11 If you have any further comments on best practice, please outline them here.

- Open text (state your response below)

Additional questions for school staff

Questions 12-17 cover **current practice** and seek to understand how and why reasonable force, restraint and other restrictive practices are currently used in schools.

12 How is reasonable force, restraint and other restrictive practices used in your school? Where possible, outline who is authorised to use these practices and **why** these practices are most often used.

- Don't know
 Open text (state your response below)

13 How does your school follow up with the people involved in an incident of reasonable force, restraint or other restrictive practice, including the pupil, staff, parents and other pupils who are witnesses?

- There is no follow up
 Don't know
 Open text (state your response below)

13a If 'no follow up' selected:

What, if any, are the barriers preventing schools from following up with parents, pupils and school staff?

- Open text (state your response below)

14 In the 'Behaviour in schools' guidance, 2022, schools are encouraged to have "strong and effective systems for data capture, including all components of the behaviour culture" which should be "monitored and objectively analysed regularly by skilled staff." Additional expectations or requirements over data capture apply in certain settings, such as special schools.

What, if any, are the challenges involved in recording data on the use of reasonable force, restraint or other restrictive practices?

- Open text (state your response below)

15 Who at your school, if anyone, is trained on how to use reasonable force, restraint or other restrictive practices appropriately, safely and proportionately?

- Don't know
- Open text (state your response below)

15a If known, what did this training cover?

- Don't know
- Open text (state your response below)

16 How confident are you that you know how, when and how long it is appropriate and lawful to use reasonable force, restraint or another restrictive practice on a pupil?

- Very confident
- Fairly confident
- Neither confident nor unconfident
- Not very confident
- Not at all confident

16a Please explain:

- Open text (state your response below)

17 What, if anything, do you consider to be the main challenges regarding the use of reasonable force, restraint or other restrictive practices in your school?

- Don't know
- Open text (state your response below)

Additional questions for parents

The Government has committed to make the recording and reporting of incidents of use of reasonable force to parents a legal duty by bringing section 93A of the Education and Inspections Act 2006¹¹ into force when parliamentary time allows. Questions 18 and 19 focus on how school policies are currently communicated to parents.

18 The current 'Use of reasonable force' guidance, 2013, says that every school is required to "have a behaviour policy and to make this policy known to staff, parents and pupils. The governing body should notify the head teacher that it expects the school behaviour policy to

¹¹ [Apprenticeships, Skills, Children and Learning Act 2009 \(legislation.gov.uk\)](http://legislation.gov.uk)

include the power to use reasonable force.

“Schools do not require parental consent to use force on a student but schools should take steps to ensure that staff, pupils and parents are clear about when force might be used.”

How well do you feel your child's school communicates school policies with you?

- Very well
- Fairly well
- Neither well nor poorly
- Fairly poorly
- Very poorly

19 How confident are you in your child's school's behaviour policy and use of reasonable force?

- Very confident
- Fairly confident
- Neither confident nor unconfident
- Not very confident
- Not at all confident

Annex

Issue date

The call for evidence was issued on 16th February 2023

Deadline

The call for evidence closes on 11th May 2023

Enquiries

If your enquiry is related to the policy content of the call for evidence, you can contact the team at: CFE.Restraint@education.gov.uk

If your enquiry is related to the DfE e-consultation website or the call for evidence process in general, you can contact the DfE Ministerial and Public Communications Division by email: Consultations.Coordinator@education.gov.uk or by telephone: 0370 000 2288 or via the [DfE Contact us page](#).

Additional copies

Additional copies are available electronically and can be downloaded from [GOV.UK DfE consultations](#).

Respond online

To help the analysis of responses please use the online system wherever possible. Visit www.education.gov.uk/consultations to submit responses.

Other ways to respond

If, for exceptional reasons, you are unable to use the online system, for example because you use specialist accessibility software that is not compatible with the system, responses can be sent by email to CFE.Restraint@education.gov.uk or post to:

Behaviour and School Food Division
Department for Education
Sanctuary Buildings, 6th Floor
Great Smith Street
London SW1P 3BT



Department
for Education

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