

Restrictive intervention guidance-thinking ahead

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Focus areas

- To consider some of the changes
- To consider areas to review, check
- To reflect upon current practice

The guidance.....

Are the following clear to everyone?

Must - legal requirement

Should - follow the guidance unless there is a good reason not to.

P14 statutory - reporting and recording duties

Do all members of staff understand the terms? Sometimes inspectors find confusion.



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Legal frameworks

- the Education and Inspections Act 2006, especially sections 93
- the Schools (Recording and Reporting of Seclusion and Restraint) (No. 2) (England) Regulations 2025
- the Health and Safety at Work etc. Act 1974 and associated regulations
- the Human Rights Act 1998
- the Equality Act 2010

Why?

- The guidance aligns with the principles in the September 2026 behaviour guidance-**is this now in place and embedded?**
- Consultations and need highlighted from 2021 onwards with main guidance consultation last year
- Concerns in particular around the apparent lack of consistent monitoring and accountability especially around use of seclusion
- Examples of the inappropriate use of seclusion , in some cases breaches of human rights
- Rise in complaints / litigation

Core themes

The aim is to: -

- i. provide new statutory guidance about recording and reporting the use of force effective from April 2026
- ii. provide advice about the new legal duty to record and report the use of seclusion effective from April 2026
- iii. provide additional clarification on the use of reasonable force to help school staff use this power safely and appropriately
- iv. provide advice on the use of seclusion
- v. provide advice on how schools can minimise the need to use restrictive interventions
- vi. provide specific support for staff who work with pupils with special educational needs and disabilities (SEND)
- vii. make clearer the responsibilities of school staff, governing bodies and proprietors.

Terms are key – especially in the context of this guidance and other legislation

Restrictive intervention: a means to prevent, restrict, or subdue movement of the body, or part of the body, of a pupil. The guidance uses ‘restrictive interventions’ as the umbrella term to describe both physical and non-physical actions aimed to restrain pupils in different ways.

Reasonable force: a term used in legislation which includes physical restrictive interventions. All members of school staff have the legal power to use reasonable force in limited circumstances.

Reasonable means using no more force than is necessary for the least amount of time, the application of which will depend on the circumstances-are all staff who may be involved clear on this ?

Terms are key - continued

- **Significant incident:** any incident where the use of force goes beyond appropriate physical contact between pupils and staff as described in ‘Other physical contact with pupils’ in the document. This includes when physical force is used to implement a non-physical restrictive intervention

Terms are key - continued

Seclusion: a non-disciplinary intervention involving keeping a pupil confined to a place away from others, and preventing them from leaving either by physical obstruction, blocking, or making them believe they will be punished if they try to leave. It should only be used as a safety measure to protect others from harm when a pupil is experiencing high levels of emotional or behavioural dysregulation. In such circumstances, the pupil is not willfully misbehaving

Restraint: a term used in legislation referring to a non-disciplinary intervention which immobilises a pupil or limits their movement. This may or may not include direct physical contact. For example, holding a pupil's arms to their sides or removing a pupil's crutches would both be considered forms of restraint.

ARE THE TEAM AWARE AND CAN THEY DESCRIBE / DEFINE THESE AREAS?

Necessary? Proportionate?

- **Is it necessary?**
- Staff should consider whether there are other more effective, less restrictive ways to manage a situation. **DOES THIS HAPPEN?**
- Staff should assess whether a restrictive intervention is likely to successfully reduce the relevant risks, or whether its use would escalate the situation further or cause more harm than the behaviour itself. **DOES THIS HAPPEN?**
- Where possible, staff should communicate with other staff members to understand any broader risks in the environment. **DOES THIS HAPPEN WHERE POSSIBLE?**
- **DO YOU HAVE ANY CONCERNS?**

Necessary? Proportionate?

- **Is it proportionate?**
- Staff should use the least amount of force or least restrictive intervention necessary for the least amount of time required to reduce the relevant risks.
- If the intervention itself is escalating the situation, staff should reconsider their approach and attempt an alternative strategy.
- Staff should consider the personal circumstances of the pupil such as medical conditions, special educational needs or other vulnerabilities, their characteristics such as age and size, and must consider relevant equality implications under the Equality Act 2010.¹⁴

IS THIS HAPPENING IN PRACTICE ? IS THIS A THEME EMERGING WITHIN YOUR LESSONS
LEARNED PRACTICE AND CULTURE?

Seclusion

- Seclusion - a non-disciplinary intervention involving keeping a pupil confined to a place away from others and prevented from leaving - should only be used as a safety measure to protect others from harm when a pupil is experiencing high levels of emotional or behavioural dysregulation.
- In such circumstances, the pupil is not acting with intent.
- Seclusion should not be implemented by staff through threat of punishment.
- The place to which the pupil is confined should be safe and not feel threatening or intimidating to the pupil.

IS THIS IN PLACE?

Seclusion

- The pupil should be supervised at all times during the period of seclusion.
- As soon as the immediate risk of harm has reduced, the pupil should be allowed to leave.
- IS THIS IN PLACE?

Seclusion

- There are varying approaches used by schools with respect to seclusion and many names. These include: -
 - *Calm room*
 - *Time out*
 - *Reflection room*
 - *Consequences room*
 - *Safe room*
 - *Safe shelter*
 - *Isolation room*

Seclusion

- Times that children can spend in these spaces varies according to policy.
- Up until April 1st, 2026, the use of seclusion has not needed to be reported and recorded, or parents necessarily informed.
- NOW IT WILL - WHAT TO CONSIDER? POLICY, PROTOCOL , PROCEDURE CHANGES?
- The government also appear to be intending, longer term, that many suspended (fixed term excluded) pupils will remain in school, so a reflection on your seclusion approach will be useful.

What should you take into account?

- ARE THESE THE INTENDED CONSEQUENCES?
 - Lowering levels of stimulation
 - Reducing risk of harm
 - De-escalation

IS THIS WHAT HAPPENS?

What should be taken into account?

- The impacts of seclusion / consequences for the child: -
 - It is involuntary and isolating
 - Longer term psychological and emotional trauma develops
 - Future behaviours will heighten more rapidly
 - May be breaches of human rights
 - Disproportionate use in respect of children with difference / SEND
 - Loss of learning time

CAN YOU MITIGATE THESE OUTCOMES WITHIN A DEFENSIBLE DECISION-MAKING PROCESS ON EACH OCCASION?

Reflection points

- <https://www.gov.uk/government/publications/positive-environments-where-children-can-flourish/positive-environments-where-children-can-flourish>
- KEY QUESTION TO ASK - IS REMOVAL MEANINGFUL FOR THE CHILD? IN WHAT WAY? OUTCOME? LEARNING? PROGRESS? FUTURE ENGAGEMENT?
- What do these policies and protocols look like in practice in my school / provision?

What about children with difference / SEND?

- Research and data shows us that children with difference / SEND are disproportionately affected in terms of the use of seclusion
- AS YOU TAKE THE OPPORTUNITY TO REFLECT UPON SECLUSION – IF IT IS USED IN YOUR SETTING - ARE YOU: -
 - Considering the child's communication needs
 - Taking an individual approach
 - Considering whether the use of seclusion for the child becomes another barrier to learning
 - Does seclusion add to a cycle of harm
 - Is seclusion a method of "behaviour" control?

Thinking aloud

- The use of seclusion is ALWAYS a difficult area to consider and is contentious- especially so at present.
- With the likely changes to SEND and some of the government thinking becoming apparent in terms of suspension this may be a good time to carry out a thorough review.

What do you need to do?

- **Put clear recording and reporting systems in place-defensible decision making is key**

Staff should understand what must be recorded, how and when, and how parents should be informed. Creating templates for this may be useful.

- **Review and update policies**

Behaviour, safeguarding and restraint policies should be updated to reflect these changes. A standalone restrictive intervention policy is not required but may be helpful.

- **Let parents know of any changes and revisions.**

Reporting and recording

- The duty on schools to record and report on the use of seclusion to parents aims to curb unnecessary and excessive uses and improve transparency for the parents of pupils regarding the use of seclusion in school, and support schools to use the data collected to improve practices.
- Schools will be required to report incidents of seclusion to the parents of the pupil involved in writing. The schools can decide the format which works best for them to minimise additional burdens, for e.g. an email, letter or through a school messaging app.
- The guidance also states that schools should communicate the school's policy on the use of restrictive interventions to all members of the community and ensure that the policy is made available to all staff, pupils and parents. This will not be a significantly increased burden as schools are already expected to do this for their behaviour policies.

What do you need to do?

- **Training**

Staff training should cover the lawful use of force, de-escalation, SEND considerations, safeguarding links and the new recording and reporting duties. Consideration should be given to communications with parents about the changes. **Who? Method/ approach being used ? Clear / understood?**

- **Focus on prevention and oversight**

Schools should analyse incident data, identify patterns (including any disproportionate impact) and use learning to reduce reliance on restrictive interventions.

Capturing and analysing themes and patterns

Report card links

- Behaviour and attendance
- Safeguarding
- Inclusion
- Leadership and governance
- Personal development and values
- Curriculum and teaching
- Achievement

All of them!

Other links

- KCSIE
- Behaviour guidance and policy
- RSHE
- Other curriculum opportunities
- Behaviour support plans
- Risk assessments
- to name a few.

Governors / Trustees

The governing body of a maintained school and the proprietor of other schools must take **all reasonable steps** to ensure that the school's procedures for recording and reporting the use of force and seclusion and restraint are complied with.

- Governing bodies and proprietors should **regularly review and interrogate data** on restrictive interventions to ensure school leaders.
- **identify and implement improvements** to policies and practices, particularly where approaches have been used for some time but have not been effective.
- **identify areas of learning and development for school staff**, supporting specific departments and teachers to improve understanding and practice.
- Is this secure ? Any training for governors needed? Strategic challenge in place and embedded?

Governors / Trustees

- understand pupils' repeat patterns and triggers **to interrogate the effectiveness of pupil support measures**, share this information with teachers who work with those pupils to better support them and, where appropriate, their parents, to establish a behaviour support plan or revise an existing plan.
- identify any disproportionate use of restrictive interventions in relation to pupils who share protected characteristics, have SEN, or other types of vulnerability.
- Governing bodies and proprietors should consider the limitations of data and what can be inferred from it. Analysis should be proportionate and avoid over-interpreting small subgroups of people.

• IS THIS HAPPENING? ARE GOVERNORS / TRUSTEES READY?



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Lots to think about....

- Any questions or queries?
- Thank you. Chris
- A copy of the slides and recording will be sent to you over the next couple of days.

Thank you.
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