



Department
for Education

Guidance on the use of restraint and restrictive intervention in mainstream settings and alternative provision

Government consultation

Launch date 27 June 2019

Respond by 17 October 2019

Contents

Introduction	3
Who this is for	3
Issue date	3
Enquiries	3
Additional copies	3
The response	4
About this consultation	5
Respond online	5
Other ways to respond	5
Deadline	6
Consultation Questions	7

Introduction

The Government has recently published non-statutory guidance on reducing the need for restraint and restrictive intervention in special schools and health and social care settings. The guidance aims to help settings adopt a preventative approach to supporting children and young people whose behaviour challenges as a result of learning disabilities, autistic spectrum conditions or mental health difficulties.

The Department for Education now wishes to gather views on whether there is a need for further guidance on the use of restraint and restrictive intervention in mainstream schools, mainstream post-16 settings and educational settings offering alternative provision.

Who this is for

- Teachers
- School Governors
- Staff in schools, post-16 settings and educational settings offering alternative provision
- Local authorities
- Voluntary and community sector organisations
- Parents / carers and young people
- Any other interested organisations or individuals

Issue date

The consultation was issued on 27 June 2019.

Enquiries

If your enquiry is related to the policy content of the consultation you can contact the team on behaviour.consultation@education.gov.uk

If your enquiry is related to the DfE e-consultation website or the consultation 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](#).

The response

The results of the consultation and the Department's response will be [published on GOV.UK](#) in spring 2020.

About this consultation

The Government's recently published non-statutory guidance on reducing the need for restraint and restrictive intervention is designed to support relevant specialist education, health and care settings and services in putting in place measures which will help support children and young people with autism, learning disabilities and mental health difficulties.

It sets out relevant law and guidance and provides a framework of core values and key principles to support:

- A proactive approach to supporting children and young people whose behaviour challenges; and
- A reduction in the need to use restraint and restrictive intervention.

The Department for Education is now seeking views on whether there is a need for further guidance on the use of restraint and restrictive intervention in mainstream schools, mainstream post-16 settings and educational settings offering alternative provision.

We advise that you read the recently published guidance for special schools and health and social care settings before completing this consultation.

Responses from the consultation will feed into work being undertaken as part of the Department's commitment to publish clearer, more consistent guidance for schools on managing behaviour by summer 2020.

Respond online

To help us analyse the responses please use the online system wherever possible. Visit www.education.gov.uk/consultations to submit your response.

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, you may download a word document version of the form and email it or post it.

By email

- behaviour.consultation@education.gov.uk

By post

Louise Jordan
Department for Education, Sanctuary Buildings (2nd Floor)

Great Smith Street
London
SW1P 3BT

Deadline

The consultation closes on 17 October 2019.

Consultation Questions

Confidentiality

The responses to the consultation will be analysed by the Department for Education.

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

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 will process your personal data (name, address and any other identifying material) in accordance with the Data Protection Act 2018, and your personal information will only be used for the purposes of this consultation. Your information will not be shared with third parties unless the law allows it.

The department's personal information charter contains the standards you can expect from us when we ask for and hold your personal information:

<https://www.gov.uk/government/organisations/department-for-education/about/personal-information-charter>

Would you like us to keep your responses confidential?

- Yes
- No

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

Introductory questions

1. What is your name? (optional)

It is helpful for us to have your name if we want to contact you about your answers to the questions in this consultation. You do not have to give your name, and your views will be considered whether or not you choose to do so.

2. What is your email address? (optional)

It is helpful for us to have your email address if we want to contact you about your answers to the questions in this call for evidence. You do not have to give your email address, and your views will be considered whether or not you choose to do so.

If you enter your email address then you will automatically receive an acknowledgement email when you submit your response.

3. Are you happy to be contacted directly regarding your response to this consultation?

- Yes
- No

By selecting 'yes', you are giving consent to the Department for Education contacting you regarding this consultation using the email address above.

If you are happy to be contacted, please provide the details you wish to be contacted on below. This may be the same email address provided in response to question 2.

4. Are you responding to this consultation as an individual, or on behalf of an organization?

- As an individual
- On behalf of an organization

5. If you are responding to this consultation as an individual:

Which of the following best describes the capacity in which you are responding?

Please select the most relevant option from the list below.

- Teacher (mainstream primary school)
- Teacher (mainstream secondary school)
- Teacher (mainstream post-16 setting)

- Teacher (special school or post-16 setting)
- Teacher (alternative provision)
- Teacher (other setting type)
- Head teacher (mainstream primary school)
- Head teacher (mainstream secondary school)
- Head teacher (mainstream post-16 setting)
- Head teacher (special school or post-16 setting)
- Head teacher (alternative provision)
- Head teacher (other setting type)
- Governor (mainstream primary school)
- Governor (mainstream secondary school)
- Governor (mainstream post-16 setting)
- Governor (special school or post-16 setting)
- Governor (alternative provision)
- Governor (other setting type)
- Other school or setting staff (mainstream primary school)
- Other school or setting staff (mainstream secondary school)
- Other school or setting staff (mainstream post-16 setting)
- Other school or setting staff (special school or post-16 setting)
- Other school or setting staff (alternative provision)
- Other school or setting staff (other setting type)
- Parent/carer
- Young person
- Educational Psychologist
- Local Authority staff
- Voluntary and Community Sector Organisation staff
- Other (please specify)

6. If you are responding to this consultation on behalf of an organisation:

Which type of organisation are you responding on behalf of?

Please select the most relevant option from the list below.

- Mainstream primary school
- Mainstream secondary school
- Mainstream post-16 setting
- Special school or post-16 setting
- Alternative provision setting
- Local Authority
- Voluntary and Community Sector Organisation (please specify)

Other (please specify)

7. If you are responding to this consultation on behalf of an organisation:

What is your role within this organization?

8. The Government recently published non-statutory guidance on reducing the need for restraint and restrictive intervention in special schools and health and social care settings. This guidance aims to help settings adopt a preventative approach to supporting children and young people whose behaviour challenges as a result of learning disabilities, autistic spectrum conditions or mental health difficulties.

We advise that you read the recently published guidance before completing this consultation.

This consultation will ask about the possible need for new guidance on the use of restraint and restrictive intervention in the following setting types:

- Mainstream primary schools
- Mainstream secondary schools
- Mainstream post-16 settings
- Alternative provision

It will ask for views on the likely benefits and possible burdens of new guidance for these setting types as well as on which topics any new guidance should cover.

Which of these setting types would you like to share your views on?

Please select all that apply.

- Mainstream primary schools
- Mainstream secondary schools
- Mainstream post-16 settings
- Alternative provision

For the purposes of this consultation, the definition of alternative provision is as follows: education arranged by local authorities for pupils who, because of exclusion, illness or other reasons, would not otherwise receive suitable education; education arranged by schools for pupils on a fixed period exclusion; and pupils being directed by schools to off-site provision to improve their behaviour.

If you wish to share your views on mainstream primary schools, please answer questions **9 – 16**

If you wish to share your views on mainstream secondary schools, please answer questions **17 - 24**

If you wish to share your views on mainstream post-16 settings, please answer questions **25 - 32**

If you wish to share your views on Alternative Provision, please answer questions **33 - 40**

Mainstream Primary Schools

9. What, if any, are the likely benefits of introducing guidance on the use of restraint and restrictive intervention in mainstream primary schools?

- Increased accountability for school staff
- Increased clarity for school staff
- Improved safeguarding for school staff
- Increased protection for children and young people
- Increased likelihood of schools meeting equalities legislation requirements
- Other (please specify below)
- None of the above

If you selected 'other' or if you believe that there are additional possible benefits of introducing new guidance for mainstream primary schools, please provide details below:

10. And what, if any, are the additional burdens on mainstream primary schools likely to result from introducing additional guidance?

- Additional bureaucracy for school staff
- Additional costs for schools
- Additional training needs for school staff
- Confusion with existing guidance and advice
- Other (please specify)
- None of the above

If you selected 'other' or if you believe that there are additional possible burdens associated with introducing new guidance for mainstream primary schools, please provide details below:

11. Overall, do you believe that there is a need for the DfE to introduce guidance on the use of restraint and restrictive intervention in mainstream primary schools?

- Yes
- No
- Don't know

Please explain your answer:

If you answered YES to question 11, please go to question 12

If you answered NO to question 11, please go to question 16

12. The Government's current non-statutory guidance on reducing the need for restraint and restrictive intervention in special schools and health and social care settings includes the following topics:

- Core Values and Key Principles
- Governance and Accountability
- Involving Children and Young People, Parents and Carers
- Evidence-Based Approaches
- Behaviour Strategies and Positive Behavioural Support
- Training and Development of Staff

- Assessing and Managing Risks
- Planned and Unplanned Interventions
- Escalation
- Safeguarding the Welfare of Staff
- Recording and Reporting
- Post-incident Support, Debriefing and Post-incident Review
- Reviewing Actions to Improve Support
- Monitoring
- Transitions
- Different Forms of Restraint

If the DfE were to introduce guidance on the use of restraint and restrictive intervention in mainstream primary schools, are there any topics listed above which would not be relevant? Please explain your answer.

13. And are there any additional topics which new guidance for mainstream primary schools should cover? Please explain your answer.

14. In your opinion, how should guidance on the use of restraint and restrictive intervention in mainstream primary schools differ from the current Government guidance relating to special schools?

Considering the list of topics above may help you to answer this question.

15. The Government's current non-statutory guidance on reducing the need for restraint and restrictive intervention in special schools and health and social care settings is designed to help settings and services adopt a preventative approach to supporting children and young people whose behaviour challenges as a result of their learning disabilities, autistic spectrum conditions and mental health difficulties.

If the DfE were to introduce new guidance on the use of restraint and restrictive intervention in mainstream primary schools, do you believe that there is a need for this to apply to a wider cohort of children and young people with special educational needs and disabilities?

- New guidance should apply to children and young people whose behaviour challenges as a result of their learning disabilities, autistic spectrum conditions and mental health difficulties
- New guidance should apply to a wider cohort of children and young people with special educational needs and disabilities
- Don't know / prefer not to say

Please explain your answer:

16. Do you have any further comments related to possible new guidance on the use of restraint and restrictive intervention in mainstream primary schools?

Mainstream Secondary Schools

17. What, if any, are the likely benefits of introducing guidance on the use of restraint and restrictive intervention in mainstream secondary schools?

- Increased accountability for school staff
- Increased clarity for school staff
- Improved safeguarding for school staff
- Increased protection for children and young people
- Increased likelihood of schools meeting equalities legislation requirements
- Other (please specify)
- None of the above

If you selected 'other' or if you believe that there are additional possible benefits of introducing new guidance for mainstream secondary schools, please provide details below:

18. And what, if any, are the additional burdens on mainstream secondary schools likely to result from introducing additional guidance?

- Additional bureaucracy for school staff
- Additional costs for schools
- Additional training needs for school staff
- Confusion with existing guidance and advice
- Other (please specify)
- None of the above

If you selected 'other' or if you believe that there are additional possible burdens associated with introducing new guidance for mainstream secondary schools, please provide details below:

19. Overall, do you believe that there is a need for the DfE to introduce guidance on the use of restraint and restrictive intervention in mainstream secondary schools?

- Yes
- No
- Don't know

Please explain your answer:

If you answered YES to question 19, please go to question 20

If you answered NO to question 19, please go to question 24

20. The Government's current non-statutory guidance on reducing the need for restraint and restrictive intervention in special schools and health and social care settings includes the following topics:

- Core Values and Key Principles
- Governance and Accountability
- Involving Children and Young People, Parents and Carers
- Evidence-Based Approaches
- Behaviour Strategies and Positive Behavioural Support
- Training and Development of Staff

- Assessing and Managing Risks
- Planned and Unplanned Interventions
- Escalation
- Safeguarding the Welfare of Staff
- Recording and Reporting
- Post-incident Support, Debriefing and Post-incident Review
- Reviewing Actions to Improve Support
- Monitoring
- Transitions
- Different Forms of Restraint

If the DfE were to introduce guidance on the use of restraint and restrictive intervention in mainstream secondary schools, are there any topics listed above which would not be relevant? Please explain your answer.

21. And are there any additional topics which new guidance for mainstream secondary schools should cover? Please explain your answer.

22. In your opinion, how should guidance on the use of restraint and restrictive intervention in mainstream secondary schools differ from the current Government guidance relating to special schools?

Considering the list of topics above may help you to answer this question.

23. The Government’s current non-statutory guidance on reducing the need for restraint and restrictive intervention in special schools and health and social care settings is designed to help settings and services adopt a preventative approach to supporting children and young people whose behaviour challenges as a result of their learning disabilities, autistic spectrum conditions and mental health difficulties.

If the DfE were to introduce new guidance on the use of restraint and restrictive intervention in mainstream secondary schools, do you believe that there is a need for this to apply to a wider cohort of children and young people with special educational needs and disabilities?

- New guidance should apply to children and young people whose behaviour challenges as a result of their learning disabilities, autistic spectrum conditions and mental health difficulties
- New guidance should apply to a wider cohort of children and young people with special educational needs and disabilities
- Don’t know / prefer not to say

Please explain your answer:

24. Do you have any further comments related to possible new guidance on the use of restraint and restrictive intervention in mainstream secondary schools?

Mainstream Post-16 Settings

25. What, if any, are the likely benefits of introducing guidance on the use of restraint and restrictive intervention in mainstream post-16 settings?

- Increased accountability for setting staff
- Increased clarity for setting staff
- Improved safeguarding for setting staff
- Increased protection for young people
- Increased likelihood of settings meeting equalities legislation requirements
- Other (please specify)
- None of the above

If you selected 'other' or if you believe that there are additional possible benefits of introducing new guidance for mainstream post-16 settings, please provide details below:

26. And what, if any, are the additional burdens on mainstream post-16 settings likely to result from introducing additional guidance?

- Additional bureaucracy for setting staff
- Additional costs for settings
- Additional training needs for setting staff
- Confusion with existing guidance and advice
- Other (please specify)
- None of the above

If you selected 'other' or if you believe that there are additional possible burdens associated with introducing new guidance for mainstream post-16 settings, please provide details below:

27. Overall, do you believe that there is a need for the DfE to introduce guidance on the use of restraint and restrictive intervention in mainstream post-16 settings?

- Yes
- No
- Don't know

Please explain your answer:

If you answered YES to question 27, please go to question 28

If you answered NO to question 11, please go to question 32

28. The Government's current non-statutory guidance on reducing the need for restraint and restrictive intervention in special schools and health and social care settings includes the following topics:

- Core Values and Key Principles
- Governance and Accountability
- Involving Children and Young People, Parents and Carers
- Evidence-Based Approaches
- Behaviour Strategies and Positive Behavioural Support
- Training and Development of Staff
- Assessing and Managing Risks

- Planned and Unplanned Interventions
- Escalation
- Safeguarding the Welfare of Staff
- Recording and Reporting
- Post-incident Support, Debriefing and Post-incident Review
- Reviewing Actions to Improve Support
- Monitoring
- Transitions
- Different Forms of Restraint

If the DfE were to introduce guidance on the use of restraint and restrictive intervention in mainstream post-16 settings, are there any topics listed above which would not be relevant? Please explain your answer.

29. And are there any additional topics which new guidance for mainstream post-16 settings should cover? Please explain your answer.

30. In your opinion, how should guidance on the use of restraint and restrictive intervention in mainstream post-16 settings differ from the current Government guidance relating to special schools?

Considering the list of topics above may help you to answer this question.

31. The Government's current non-statutory guidance on reducing the need for restraint and restrictive intervention in special schools and health and social care settings is designed to help settings and services adopt a preventative approach to supporting children and young people whose behaviour challenges as a result of their learning disabilities, autistic spectrum conditions and mental health difficulties.

If the DfE were to introduce new guidance on the use of restraint and restrictive intervention in mainstream post-16 settings, do you believe that there is a need for this to apply to a wider cohort of children and young people with special educational needs and disabilities?

- New guidance should apply to children and young people whose behaviour challenges as a result of their learning disabilities, autistic spectrum conditions and mental health difficulties
- New guidance should apply to a wider cohort of children and young people with special educational needs and disabilities
- Don't know / prefer not to say

Please explain your answer:

32. Do you have any further comments related to possible new guidance on the use of restraint and restrictive intervention in mainstream post-16 settings?

Alternative Provision

33. What, if any, are the likely benefits of introducing guidance on the use of restraint and restrictive intervention in alternative provision settings?

- Increased accountability for setting staff
- Increased clarity for setting staff
- Improved safeguarding for setting staff
- Increased protection for children and young people
- Increased likelihood of settings meeting equalities legislation requirements
- Other (please specify)
- None of the above

If you selected 'other' or if you believe that there are additional possible benefits of introducing new guidance for alternative provision settings, please provide details below:

34. And what, if any, are the additional burdens on alternative provision settings likely to result from introducing additional guidance?

- Additional bureaucracy for setting staff
- Additional costs for settings
- Additional training needs for setting staff
- Confusion with existing guidance and advice
- Other (please specify)
- None of the above

If you selected 'other' or if you believe that there are additional possible burdens associated with introducing new guidance for alternative provision settings, please provide details below:

35. Overall, do you believe that there is a need for the DfE to introduce guidance on the use of restraint and restrictive intervention in alternative provision settings?

- Yes
- No
- Don't know

Please explain your answer:

If you answered YES to question 35, please go to question 36

If you answered NO to question 35, please go to question 40

36. The Government's current non-statutory guidance on reducing the need for restraint and restrictive intervention in special schools and health and social care settings includes the following topics:

- Core Values and Key Principles
- Governance and Accountability
- Involving Children and Young People, Parents and Carers
- Evidence-Based Approaches
- Behaviour Strategies and Positive Behavioural Support
- Training and Development of Staff
- Assessing and Managing Risks

- Planned and Unplanned Interventions
- Escalation
- Safeguarding the Welfare of Staff
- Recording and Reporting
- Post-incident Support, Debriefing and Post-incident Review
- Reviewing Actions to Improve Support
- Monitoring
- Transitions
- Different Forms of Restraint

If the DfE were to introduce guidance on the use of restraint and restrictive intervention in alternative provision, are there any topics listed above which would not be relevant? Please explain your answer.

37. And are there any additional topics which new guidance for alternative provision should cover? Please explain your answer.

38. In your opinion, how should guidance on the use of restraint and restrictive intervention in alternative provision settings differ from the current Government guidance relating to special schools?

Considering the list of topics above may help you to answer this question.

39. The Government's current non-statutory guidance on reducing the need for restraint and restrictive intervention in special schools and health and social care settings is designed to help settings and services adopt a preventative approach to supporting children and young people whose behaviour challenges as a result of their learning disabilities, autistic spectrum conditions and mental health difficulties.

If the DfE were to introduce new guidance on the use of restraint and restrictive intervention in alternative provision settings, do you believe that there is a need for this to apply to a wider cohort of children and young people with special educational needs and disabilities?

- New guidance should apply to children and young people whose behaviour challenges as a result of their learning disabilities, autistic spectrum conditions and mental health difficulties
- New guidance should apply to a wider cohort of children and young people with special educational needs and disabilities
- Don't know / prefer not to say

Please explain your answer:

40. Do you have any further comments related to possible new guidance on the use of restraint and restrictive intervention in alternative provision settings?



Department
for Education

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