This Statutory Instrument has been made in consequence of a defect in S.I. 2025/1340 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2025 No. 1348

EDUCATION, ENGLAND

The Schools (Recording and Reporting of Seclusion and Restraint) (No. 2) (England) Regulations 2025

Made - - - -	*17th December 2025*
Laid before Parliament	*18th December 2025*
Coming into force	
Regulations 1 and 9	*9th January 2026*
All other regulations	*1st April 2026*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 342(4) and 563(1) of the Education Act 1996(**a**) and section 94(1) of the Education and Skills Act 2008(**b**).

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the Schools (Recording and Reporting of Seclusion and Restraint) (No. 2) (England) Regulations 2025.

(2) These Regulations come into force as follows—

(a) this regulation and regulation 9 come into force on 9th January 2026;

(b) the rest of these Regulations come into force on 1st April 2026.

(3) These Regulations extend to England and Wales.

(4) These Regulations apply in relation to schools in England.

Interpretation

2. In these Regulations—

"parent", in relation to a pupil, has the meaning given by section 576 of the Education Act 1996(**c**) in relation to a child or young person, but includes a local authority who provide

(**a**) 1996 c. 56. Section 342 was substituted by the School Standards and Framework Act 1998 (c. 31), Schedule 30, paragraph 82. There are other amendments to section 342 that are not relevant to these Regulations. Section 563 has been amended by the School Standards and Framework Act 1998, Schedule 30, paragraph 172 and Schedule 31 and by S.I. 2010/1158. See the definition of "regulations" in section 579(1).

(**b**) 2008 c. 25. There is an amendment to section 94 that is not relevant to these Regulations. See the definition of "regulations" in section 168(1).

(**c**) There is an amendment to section 576 that is not relevant to these Regulations.

accommodation for the pupil under section 20 of the Children Act 1989(**a**) or section 76 of the Social Services and Well-being (Wales) Act 2014(**b**);

"seclusion or restraint incident" has the meaning given in regulation 4(1)(a).

Meaning of seclusion etc.

3.—(1) For the purposes of these Regulations one or more members of school staff seclude a pupil if they detain that one pupil in a place apart from any other person (except the member or members of staff) otherwise than as a disciplinary penalty, including by—

(a) physically obstructing the pupil's way of leaving the place,

(b) securing the place so that the pupil cannot leave it, or

(c) causing the pupil to believe that they will be punished if they leave the place.

(2) For the purposes of these Regulations a member of school staff restrains or immobilises a pupil if they restrict the pupil's movement otherwise than as a disciplinary penalty, including by—

(a) holding or binding the pupil's body or part of it,

(b) securing the pupil to a fixed or heavy object, or

(c) depriving the pupil of an auxiliary aid that they usually use to help them move.

(3) In this regulation "disciplinary penalty" has the same meaning as in Chapter 1 of Part 7 of the Education and Inspections Act 2006(**c**).

Recording and reporting seclusion etc. by members of school staff

4.—(1) The governing body of a school maintained by a local authority must ensure that a procedure is in place for—

(a) keeping a written record of each incident in which a member of the school staff secludes, restrains or immobilises a pupil for whom education is being provided at the school (a "seclusion or restraint incident"), and

(b) supplying a copy of that record (except those where the pupil is aged 20 or over or provision made under regulation 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 the record is made as soon as practicable after the incident.

Provision for safeguarding of pupils

5. A procedure under regulation 4(1) must include provision to the effect—

(a) that a person ("R") who would otherwise be required by the procedure to supply a copy of a record of a seclusion or restraint incident to a parent must not supply it to that parent if it appears to R that doing so would be likely to result in significant harm to the pupil, and

(**a**) 1989 c. 41. Section 20 was amended by S.I. 2016/413 (W. 131). There are other amendments that are not relevant to these Regulations.

(**b**) 2014 anaw/dccc 4. Section 76 was amended by S.I. 2016/413 (W. 131) and the Health and Social Care (Wales) Act 2025 (asc 1), section 21.

(**c**) 2006 c. 40. "Disciplinary penalty" is defined in section 90 of that Act.

(b) that if it appears to R that there is no parent of the pupil to whom R could supply a copy of the record without that being likely to result in significant harm to the pupil, R must supply it to the local authority (within the meaning of the Children Act 1989) within whose area the pupil is ordinarily resident.

Use of force incidents

6. A procedure under regulation 4(1) need not provide for any action to be taken in relation to a seclusion or restraint incident that also constitutes a use of force incident within the meaning of section 93A of the Education and Inspections Act 2006(**a**) and therefore falls to be recorded under the procedure that is in place at the school in accordance with that section.

Amendment of the Education (Independent School Standards) Regulations 2014

7.—(1) The Education (Independent School Standards) Regulations 2014(**b**) are amended as follows.

(2) In the Schedule (independent school standards)—

(a) in Part 3 (welfare, health and safety of pupils), after paragraph 16, insert—

"16A.—(1) The standard in this paragraph is met if the proprietor—

(a) ensures that a procedure is in place for recording each use of force incident in accordance with section 93A of the Education and Inspections Act 2006;

(b) ensures that a procedure is in place for recording each incident in which a member of the school staff secludes, restrains or immobilises a pupil for whom education is being provided at the school (a "seclusion or restraint incident"); and

(c) takes all reasonable steps to ensure that both procedures are complied with.

(2) The procedure under sub-paragraph (1)(b) must require that the record is made in writing as soon as practicable after the incident.

(3) The procedure under sub-paragraph (1)(b) need not provide for any action to be taken in relation to a seclusion or restraint incident that also constitutes a use of force incident within the meaning of section 93A of the Education and Inspections Act 2006 and therefore falls to be recorded under the procedure referred to in sub-paragraph (1)(a).

(4) For the purposes of this paragraph a member or members of school staff seclude a pupil if they detain that one pupil in a place apart from any other person (except the member or members of staff) otherwise than as a disciplinary penalty, including by—

(a) physically obstructing the pupil's way of leaving the place;

(b) securing the place so that the pupil cannot leave it; or

(c) causing the pupil to believe that they will be punished if they leave the place.

(5) For the purposes of this paragraph a member of school staff restrains or immobilises a pupil if they restrict the pupil's movement otherwise than as a disciplinary penalty, including by—

(a) holding or binding the pupil's body or part of it;

(b) securing the pupil to a fixed or heavy object; or

(c) depriving the pupil of an auxiliary aid that they usually use to help them move.

(**a**) Section 93A was inserted by the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), section 246, and amended by S.I. 2016/413.
(**b**) S.I. 2014/3283.

(6) In this paragraph—

"disciplinary penalty" has the same meaning as in Chapter 1 of Part 7 of the Education and Inspections Act 2006;

"staff" includes supply staff and volunteers.";

(b) in Part 6 (provision of information)—

(i) before paragraph 32 insert—

"31A. The standards about the provision of information by the school are those contained in this Part.";

(ii) in paragraph 32(1), for "about the provision of information by the school", substitute "in this paragraph";

(iii) after paragraph 32, insert—

"32A.—(1) The standard in this paragraph is met if the proprietor—

(a) ensures that the procedures for recording use of force incidents and seclusion and restraint incidents referred to in paragraph 16A(1)(a) and (b) include procedures for information about each such incident (except where the pupil concerned is aged 20 or over or provision made under sub-paragraph (2) applies) to be provided to each parent of the pupil as soon as practicable after the incident; and

(b) takes all reasonable steps to ensure that those procedures are complied with.

(2) A procedure under sub-paragraph (1)(a) must include provision to the effect—

(a) that a person ("R") who would otherwise be required by the procedure to provide a parent with information about an incident must not provide 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 provide information about the incident without that being likely to result in significant harm to the pupil, R must provide information about the incident to the local authority (within the meaning of the 1989 Act) within whose area the pupil is ordinarily resident.

(3) In this paragraph "parent", in relation to a pupil, has the meaning given by section 576 of the Education Act 1996 in relation to a child or young person, but includes a local authority who provide accommodation for the pupil under section 20 of the 1989 Act or section 76 of the Social Services and Well-being (Wales) Act 2014.".

Amendment of the Non-Maintained Special Schools (England) Regulations 2015

8.—(1) The Non-Maintained Special Schools (England) Regulations 2015(**a**) are amended as follows.

(2) In the Schedule, in Part 2 (requirements to be complied with by a school while approved under section 342(1) of the Education Act 1996), after paragraph 27, insert—

"Reporting and recording of use of force, seclusion and restraint

27A.—(1) The proprietor must—

(**a**) S.I. 2015/728.

(a) ensure that a procedure for recording and reporting use of force incidents is in place in accordance with section 93A of the Education and Inspections Act 2006, and

(b) ensure that a procedure is in place for—

(i) recording each incident in which a member of the school staff secludes, restrains or immobilises a pupil for whom education is being provided at the school (a "seclusion or restraint incident"), and

(ii) reporting each seclusion or restraint incident (except those where the pupil is aged 20 or over or provision made under sub-paragraph (4) applies) to each parent of the pupil as soon as practicable after the incident, and

(c) take all reasonable steps to ensure that both procedures are complied with.

(2) The procedure under sub-paragraph (1)(b) must require that a record of a seclusion or restraint incident is made in writing as soon as practicable after the incident.

(3) The procedure under sub-paragraph (1)(b) need not provide for any action to be taken in relation to a seclusion or restraint incident that also constitutes a use of force incident within the meaning of section 93A of the Education and Inspections Act 2006 and therefore falls to be recorded under the procedure referred to in sub-paragraph (1)(a).

(4) The procedure under sub-paragraph (1)(b) 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 (within the meaning of the 1989 Act) within whose area the pupil is ordinarily resident.

(5) A procedure for recording incidents under sub-paragraph (1)(a) or (b) may provide for incidents to be recorded in the incident book kept under paragraph 27.

(6) For the purposes of this paragraph a member or members of school staff seclude a pupil if they detain that one pupil in a place apart from any other person (except the member or members of staff) otherwise than as a disciplinary penalty, including by—

(a) physically obstructing the pupil's way of leaving the place,

(b) securing the place so that the pupil cannot leave it, or

(c) causing the pupil to believe that they will be punished if they leave the place.

(7) For the purposes of this paragraph a member of school staff restrains or immobilises a pupil if they restrict the pupil's movement otherwise than as a disciplinary penalty, including by—

(a) holding or binding the pupil's body or part of it,

(b) securing the pupil to a fixed or heavy object, or

(c) depriving the pupil of an auxiliary aid that they usually use to help them move.

(8) In this paragraph—

"disciplinary penalty" has the same meaning as in Chapter 1 of Part 7 of the Education and Inspections Act 2006;

"parent", in relation to a pupil, has the meaning given by section 576 of the 1996 Act in relation to a child or young person, but includes a local authority who provide

accommodation for the pupil under section 20 of the Children Act 1989 or section 76 of the Social Services and Well-being (Wales) Act 2014;

"staff" includes supply staff and volunteers.".

Revocation of the Schools (Recording and Reporting of Seclusion and Restraint) (England) Regulations 2025

9. The Schools (Recording and Reporting of Seclusion and Restraint) (England) Regulations 2025(**a**) are revoked.

Olivia Bailey
Parliamentary Under-Secretary of State
Department for Education

17th December 2025

(**a**) S.I. 2025/1340.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations impose duties relating to the recording of incidents where pupils at schools in England are secluded, restrained or immobilised by members of staff, and informing parents about such incidents.

Regulation 3 sets out what these Regulations mean when they refer to secluding, restraining or immobilising a pupil.

Regulation 4 imposes the main duties in relation to schools maintained by local authorities. The governing body must ensure that their school has, and follows, a procedure for keeping a record of any incident of this kind and for providing a copy of that record to the pupil's parent or parents (as defined in regulation 2). But regulation 5 adds that a copy should not be given to a parent if that would result in harm coming to the pupil.

There is a separate requirement, in section 93A of the Education and Inspections Act 2006 ("the 2006 Act"), for schools to have procedures for recording and informing parents of significant incidents when force is used against pupils. Regulation 6 of these Regulations provides that, if an incident would qualify to be recorded and reported under both section 93A of the 2006 Act and these Regulations, it need only be handled under section 93A.

The Education (Independent School Standards) Regulations 2014 ("the 2014 Regulations") set out the main regulatory requirements for independent schools. Regulation 7 of these Regulations amends the 2014 Regulations so that those regulatory requirements include duties of recording and reporting seclusion and restraint similar to the ones that regulations 3 to 6 impose on schools maintained by local authorities.

Similarly, regulation 8 amends the Non-Maintained Special Schools (England) Regulations 2015 so that the main regulatory requirements for non-maintained special schools also include equivalent duties.

Regulations 7 and 8 also provide for the reporting and recording of significant uses of force to be incorporated into the regulatory requirements for independent schools and non-maintained special schools respectively.

Regulation 9 revokes the Schools (Recording and Reporting of Seclusion and Restraint) (England) Regulations 2025 ("the previous Regulations"), which were made in error. These Regulations are therefore being issued free of charge to all known recipients of the previous Regulations. Regulation 1 provides for the previous Regulations to be revoked with effect from 9th January 2026, before they are due to come into force.

An Explanatory Memorandum is published alongside this instrument on www.legislation.gov.uk

A low regulatory impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available on the legislation.gov.uk website and in hard copy at the Department for Education, Sanctuary Buildings, 20 Great Smith Street, London SW1P 3BT.

© Crown Copyright 2025

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé,

Controller of His Majesty's Stationery Office and King's Printer of Acts of Parliament.

ISBN 978-0-34-827795-1



£8.90

http://www.legislation.gov.uk/id/uksi/2025/1348