



## Deprivation of Liberty guidance for schools

This guidance has been issued to schools to assist leaders in their approach to create a positive environment where children can learn and where staff interact positively with children.

Leaders should always question and understand any type of physical intervention or restriction on children's lives, including the use of isolation/seclusion in their schools. Staff should be appropriately trained to avoid any practice that may expose a child to trauma and to deal immediately and effectively with any such practice should it occur.

Leaders should always evaluate and question the use of restrictions on children's movement and/or intrusive observations.

### Types of restriction

Terms such as time out, isolation, chill out, single separation and managing away may suggest that a child has been segregated and had their liberty restricted. Locking a door, or standing in front of it to prevent exit, are just two methods of preventing someone from leaving a room. Other methods, such as leaving alone a disabled child who cannot move independently or making a real and/or perceived threat to the child, can equally be a restriction. On some occasions, a child may find that time on their own is a positive intervention at times of distress, but these interventions should be used sparingly, and the situation must be managed sensitively. Long-term isolation and segregation are never acceptable for children.

Leaders should always explore why isolation is being used and its impact on children, even when it is part of a court order. While a court order may permit restrictions, it does not mean that they must always be used.

There are many types of equipment that, when used under supervision and with occupational therapy oversight and training, can make children's lives more comfortable. Sensory rooms and tents can offer some children positive experiences. If children cannot easily leave equipment such as sensory rooms or tents, or staff actively discourage them from leaving, then that could become a restriction. Leaders should ensure there are detailed care plans that set out how such equipment is to be used. The plans should be regularly reviewed with the child, parents and carers by an appropriately qualified person.

Restrictions can also include the use of high door handles so that children cannot leave the room without staff support. Children have a right to develop independence and exercise choice. Leaders should be taking action to reduce the need for such measures in the future.

### Use of isolation and seclusion in schools

The Department for Education guidance ['Behaviour and discipline in schools: guidance for headteachers and staff'](#) allows schools to adopt a policy where disruptive pupils can be placed in isolation from other pupils for a limited period. If a school uses isolation rooms as a disciplinary penalty, this should be made clear in its behaviour policy. As with other disciplinary penalties, schools 'must act lawfully, reasonably and



proportionately in all cases. Any separate room should only be used when it is in the best interests of the child and other pupils. Any use of isolation that prevents a child from leaving a room of their own free will should only be considered in exceptional circumstances and if it reduces the risk presented by the child to themselves and others. The school must also ensure the health and safety of pupils and any safeguarding and pupil welfare requirements. Isolation can also be used to give a child a place of safety.

Schools should make reasonable adjustments to ensure that expectations of pupils with special educational needs and/or disabilities are developmentally appropriate and fair. It would not be fair, for example, to isolate a child who has attention deficit hyperactive disorder or other special needs because they were not able to sit still when required to do so.

Leaders should question and seek to understand any use of isolation or seclusion in any setting.

Some pupils are likely to feel locked in even if they are not. A threat or the presence of staff outside the door may be enough to keep them from leaving of their own free will. The focus should not be on whether an act is called seclusion or isolation. Children's experiences are what matters.

## Summary

Leaders should focus their attention on the rationale for the intervention (restriction) and the impact of the post-incident review – that is, the experience of the child and the extent to which both staff and children experience a restorative approach following any incident.

## Key points to consider:

1. Spaces, such as cupboards that were not designed with the intended purpose for children to be cared for or educated in should not be used without seeking professional advice from a building surveyor, health and safety officer, and education safeguarding officer.
2. Spaces for children should have suitable ventilation, heating and lighting, and adequate space. Leaders should always obtain professional buildings advice on the use of new or the repurposing of spaces in schools to be used for the care and education of children.
3. Regular health and safety walks should be conducted to review the use and suitability of all spaces used in the premises, with due consideration given to the purpose of spaces and any restrictions that may be placed on children.
4. Ensure the school's behaviour policy is kept under regular review to ensure it accurately reflects any use of isolation rooms.
5. Any use of non-urgent restriction should be supported by an adequate risk assessment that is agreed with parents. All incidents of restrictions should be reviewed with the experience of the child central to that review.

This guidance references and should be read with Ofsted's guidance: [Positive environments where children can flourish - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/positive-environments-where-children-can-flourish).