

Moray

Sent: 25 February 2019 14:29

To: Nick Hobbs <nick.hobbs@cypcs.org.uk>

Cc: Roddy Burns <Roddy.Burns@moray.gov.uk>

Subject: RE: Restraint and Seclusion in Scotland's Schools

Dear Mr Hobbs

With regards to the below correspondence; the Chief Executive is compiling a response in his absence. We anticipate submitting a response week commencing 4 March.



Dear Roddy,

I note we have still not received a response from Moray Council. I would be grateful if you could give it your attention so that when we publish all the local authority responses Moray is not conspicuous by its absence.

Please be aware that we are looking for a clear statement as to whether the authority accepts the recommendations that are directed to local authorities and what you intend to do to progress them.

Kind regards

Nick Hobbs

Head of Advice and Investigations

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Your reference: Our reference: SPCE-354082138-1399 /GJ/am

15 May 2019

Dear Mr Hobbs

Ref: Restraint and Seclusion in Scotland's Schools

Moray Council is currently updating its policy and recording system and are confident that all recommendations within No Safe Place: Restraint and Seclusion in Scotland's schools will be met by the start of the new academic year 2020/21. The recommendations specific to local authorities as opposed to the Scottish Government are:

1. Local authorities should, as a matter of urgency, ensure that no restraint or seclusion takes place in the absence of clear consistent policies and procedures at local authority level to govern its use.
3. Local authorities should record all incidents of restraint and seclusion in schools on a standardised national form. Anonymised statistical data should be reported to the Scottish Government's Children and Families Directorate.
5. Local authorities should ensure that all recording forms at school level include sections for de-escalation techniques considered and attempted, the child's and parents' and carers' views. They should be incorporated into the assessment and planning processes in place under Additional

Support for Learning legislation and Staged Intervention processes, as well as the GIRFEC National Practice Model and SEEMiS data management system. 6. In the interim, all local authorities should ensure that they are recording all incidents of restraint and seclusion. 12. Local authorities should amend their policies where necessary to make clear that damage to property should only be a justification for the use of restraint or seclusion when it presents an immediate risk of harm to the child or another individual. The same principle should be reflected in national policy and guidance.

13. Scottish Government and local authorities should ensure that all policies, whether at national or local level, make clear that restraint and seclusion are measures of last resort.

14. Local authorities should ensure that the child's plan includes de-escalation techniques and a risk assessment.

15. Local authorities should ensure that all children considered to potentially require physical intervention have a plan agreed in advance with the child and their parent(s) and/ or carer(s).

16. Local authorities should ensure that the child's plan is reviewed on a regular basis, as well as following any incident of restraint or seclusion.

17. Local authorities should ensure that parents and carers are informed as soon as reasonably practicable in every instance when restraint or seclusion is used on their child and offered the chance to take part in a post-incident review.

18. Local authorities should ensure that the views of the child are sought, recorded and reflected in all planning, risk assessment and post-incident reviews.

20. Local authorities should ensure that restraint and seclusion is only carried out by staff members who are trained to do so.

21. Local authorities should provide training to staff on a proportionate basis, with only those who have been assessed as needing training receiving it.

22. This training should be rights based and in line with the Council of Europe recommendations set out in Recommendation 2004(10) and with the principles in the Common Core.

Yours sincerely Graham Jarvis

Acting Corporate Director (Education and Social Care)