

Shetland

From: Sent: 01 February 2019 15:24

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

Subject: Restraint and Seclusion in Scotland's Schools response

Good afternoon,

Please see attached response from Shetland Islands Council with regard to the Report into 'Restraint and Seclusion in Scotland's Schools' published in December 2018. If you require any further information, please do not hesitate in contacting me.

Best wishes,

*Quality Improvement Officer for Children and Young People with
Additional Support Needs,*

Shetland Islands Council

Hayfield House

Hayfield Lane

LERWICK

Shetland. ZE1 0QD

Telephone: 01595 744024

Seclusion and Restraint in Scotland's schools: response to recommendations

Recommendation	Action
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.	Fully agree. Shetland Islands Council (SIC) has a Physical Intervention Policy and clear procedures for Restraint. We have a local authority approach using MAPA (Managing Actual and Potential Aggression) which is person centred and value based. We need to further develop this with respect to seclusion to ensure clarity

	and consistency across all services. The Physical Intervention Working Group will action this immediately.
2. The Scottish Government should publish a rights-based national policy and guidance on restraint and seclusion in schools. Children and young people should be involved at all stages of this process to inform its development. The policy and guidance should be accompanied by promotion and awareness raising.	Fully agree, this would be very welcome. This should dovetail with <i>Included, Engaged and Involved Part 2 (IEI2)</i> and <i>GIRFEC</i> .
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.	Fully agree. SIC need to ensure all incidents of seclusion are recorded as this is not clear on our guidance currently.
4. The Scottish Government should analyse and publish this data as part of its official statistics.	Any reporting of data would need to be done within the broader context of reporting on IEI2.
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.	Agree. We currently have section regarding 'Use of MAPA' which includes any de-escalation. All children and young people who have behaviours that challenge us have a MAPA plan that has been agreed with parents and/or pupils. This sits alongside other plans for the child and is referred to in their Child's plan as appropriate. Needs to be aligned with SEEMiS.
6. In the interim, all local authorities should ensure that they are recording all incidents of restraint and seclusion.	Fully agree. We are confident that all incidents of restraint are recorded but not so regarding seclusion. This needs to be actioned by our Physical Intervention Working Group.

<p>7. The Scottish Government should ensure that national policy and guidance is clearly set within a human rights framework, including specific reference to the relevant articles of the European Convention on Human Rights, the UN Convention on the Rights of the Child and the UN Convention on the Rights of Persons with Disabilities, and other relevant international human rights instruments.</p>	<p>Fully agree.</p>
<p>8. The Scottish Government should ensure that the practical impact of respect for rights on practice is explained through the use of examples and case studies in national policy and guidance.</p>	<p>Fully agree.</p>
<p>9. The Scottish Government should develop clear rights-based definitions of both restraint and seclusion as part of national policy and guidance.</p>	<p>Fully agree.</p>
<p>10. The Scottish Government should ensure that the national policy and guidance sets out clear criteria on the use of restraint and seclusion, linked to the rights framework to ensure that children's rights are not breached, using examples to help staff understand appropriate and lawful use of these techniques.</p>	<p>Fully agree.</p>
<p>11. The Scottish Government should ensure that the national policy and guidance on the use of seclusion in schools draws a clear, well understood and well-communicated distinction between the use of a supervised, separate space as a planned response to a child's individual needs and placing a child in a room on their own where they are unable to indicate and</p>	<p>Fully agree. Needs to dovetail with IEI2.</p>

receive an immediate response to discomfort or distress.	
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.	Fully agree. This is set out within our policy and procedures.
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."	Fully agree and our policy states this - last resort and for shortest period of time.
14. Local authorities should ensure that the child's plan includes de-escalation techniques and a risk assessment.	Fully agree although the step prior to this regarding good knowledge of the child's baseline behaviour, understanding of when they are coming off this along with agreed coping strategies at this stage is key to avoiding any escalation. All MAPA plans include this.
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).	Fully agree. We recommend this via MAPA plans.
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.	Fully agree. This is included in our policy and procedures.
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.	Fully agree although there is probably mixed practice that can be improved through a change in our procedures.

<p>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.</p>	<p>Agree but this is not always possible with all children. It should be standard practice though for most children and young people.</p>
<p>19. Education Scotland and the Care Inspectorate should further scrutinise the use of restraint and seclusion in schools as part of their inspection regimes. The organisations should involve children and young people in developing ways of doing this that enable the voices of children with disabilities or Additional Support Needs to be heard.</p>	<p>Fully agree - this should help to develop national thinking and be a conduit to share good practice in reducing the use of these practices.</p>
<p>20. Local authorities should ensure that restraint and seclusion is only carried out by staff members who are trained to do so.</p>	<p>Fully agree - all staff supporting people whose behaviour can be challenging are given training that is refreshed every 2 years. Extra top-up training is provided to staff groups as required.</p>
<p>21. Local authorities should provide training to staff on a proportionate basis, with only those who have been assessed as needing training receiving it.</p>	<p>Agree. However, Shetland Islands have a de-escalation training day that can be accessed by all staff as well as training regarding holds and disengagements (MAPA) that is offered to staff working with any person who has behaviours that may challenge the staff who support them.</p> <p>We are also delivering the Synergy programme to staff which focuses more on the behaviour of staff working in challenging circumstances. Staff behaviour and thinking must be part of any training model.</p>
<p>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.</p>	<p>Fully agree - Our model does this - values based and person centred.</p>

