Glasgow City

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I am attaching Glasgow's response to the report.

Happy to discuss

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Glasgow City Council Education Services Response to the Children and Young People's Commissioner for Scotland Report : No Safe Place: Restraint and Seclusion in Scotland's Schools

Recommendations made and Actions / Response from GCC

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.*

Glasgow City Council Education Services have a Policy on the use of Physical Intervention that was developed by a range of stakeholders and published in 2015. This is monitored by an Education Group that oversees behaviour in our schools (about to be renamed All Behaviour is Communication Steering Group). A review of this policy is due this year (2019) as it has been 3 years since the policy was published. The policy is freely available on our Intranet and is referred to in our All Behaviour is Communication Training programme which is being rolled out to all staff in schools. The revision of the guidance will include consultation with parents / carers and young people.

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.*

This would be welcomed by local authorities as the guidance within Included, Engaged and Involved Part 2 needs to be clearer in this area. Senior Officers from Glasgow attend the regular Link Inclusion Officer meetings held by Education Scotland and any new policies or advice are shared through our Directorate and City Business meetings.

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*

We record the use of any physical intervention on the HANDS (Health and Safety System) which is a GCC Corporate wide online recording and analysis system. We routinely record all use of accredited Physical Interventions (CALM – Crisis and Aggression, Limitation Management) which is accredited by BILD (British Institute for Learning Disabilities). The number of incidents of Restraint that have been recorded since relevant guidance was published in June 2017 up until May 2018 is 412 incidents were recorded on the Health and Safety Incident Recording System, of these 212 would be considered restraint using the accepted definition , the remaining number would be referred to as a Physical Intervention and involved an adult either supporting basic posture, turning or guiding a child or young person and they were not restrained.

We recognised at the time when the Children's Commissioner's investigation survey request came in that we were not confident in giving a full response as we recognised that we did not have the facility on the HANDS system to record incidents where physical intervention was used under **Duty of Care**, for example where a pupil attempts to jump off a balcony and a member of staff intervenes and holds the child to prevent injury, or in cases where 2 pupils were fighting and a staff member intervenes to separate them using hands on. Had we done so we could have been seen to over or under report incidents. In response we provided our basic figures for CALM but specifically asked to meet with the Children's Commissioners Office to discuss the issues we had.

We were aware that there was not a standard form for recording incidents where a pupil was removed from class to calm down (seclusion), therefore this will be included in the revised Physical Intervention Guidance. We already have a draft format and guidance note.

4. *The Scottish Government should analyse and publish this data as part of its official statistics.*

This would be welcome, however the data should not be used to create "league tables". With the presumption of mainstream and the objective of trying to support children and young people in their community we can expect incidents of distressed behaviour where physical support may be required. The fact that an establishment may have more recorded incidents compared to another establishment may well reflect the amount of appropriate and planned support that is being put in place to help a child or young person. The use of Physical Intervention techniques such as Turning and Guiding or Redirecting can and are used as part of an individual support plan for a pupil. We have received further guidance from our accredited provider CALM on this.

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.*

We are already doing this within our existing guidance, and this will be further reviewed by the All Behaviour is Communication Steering Group.

6. *In the interim, all local authorities should ensure that they are recording all incidents of restraint and seclusion.*

We are already doing this, and changes have been made to our Health and Safety Recording System. This will be reviewed by the All Behaviour is Communication Steering Group.

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.*

We would fully support this; our existing guidance already includes reference to these articles.

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.

This would be welcomed.

8. *The Scottish Government should develop clear rights-based definitions of both restraint and seclusion as part of national policy and guidance.*

This is very much needed as there are significant variation across authorities in the terminology and understanding. In Glasgow we refer to the use of Physical Intervention and never "Use of Force" as Physical Intervention can refer to physically supporting a child through turning and guiding.

It should also be highlighted that Glasgow has been rolling out the All Behaviour is Communication Training to all teaching and support staff. This programme is in response to increased level of distressed behavior by pupils in all establishments and Module 3 focuses on de-escalation strategies and Duty of Care, specifically mentioning when use of physical intervention would be needed. We have 400 trainers who are training our schools and early learning and childcare centres and it is our expectation that staff will have been trained in this by June 2019, we started this in August 2017. All our probationer teachers are also trained in this as part of their Induction programme and the matter of Physical Intervention is specifically focused on in that training.

10.The Scottish Government should ensure that the national policy and guidance sets out clear criteria on the use of restraint and seclusion, 44 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.

We agree and welcome this.

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 receive an immediate response to discomfort or distress.

We would welcome this guidance.

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.

We are **explicit** in Glasgow that any physical intervention would never be in response to damage to property. There must be a clear risk to another individual or to the child / young person. This is in our guidance and it is also within Module 3 of our All Behaviour is Communication Training Package.

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."

This is clear in our existing policy and we expect all staff to adhere to this.

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

This is an ongoing piece of work that again links to All Behaviour is Communication Training Module 4.

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).

This is clear in our existing policy, but we will review this to ensure that it is included in individual school's Promoting Positive Relationships Policy.

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.

We already do this as part of pupil planning.

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.

We fully agree with this and there is an expectation that this is done by the Head of the Establishment as quickly as possible and that it is recorded on SEEMIS.

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.

We recognise that we need to improve this and we will be seeking the views of young people when we review our Physical Intervention Policy. We are engaging with SAMH SeeMe to carry out some partnership work to further develop consultation with children and young people.

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.

We would fully agree with this. The fact that recording of Bullying Incidents is now part of the Inspection Process then it makes sense that scrutiny of physical intervention is also undertaken by these organisations.

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

We would have to have further discussion around this as it implies that any adult in a school environment would have to be suitably trained and maintain some form of accreditation. There will always be incidents where a member of staff may have to intervene to protect or save a

pupil from harm e.g. fight, attempted suicide, extreme distress such as head banging, self-harm. Under Duty of Care a Council employee may have to physically intervene to save a child using the lowest form of restraint until help arrives. This is something that causes confusion particularly with staff who have never actually undergone formal training. It would be impossible for all Glasgow teaching and support staff to be formally trained in physical intervention and there is potentially a greater risk to young people.

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

In establishments where staff have been trained in CALM in response to risk assessments and pupil needs, these staff members must maintain a high level of skills and are re-accredited using external verifiers from CALM Training Services. All staff trained in CALM are monitored on a central register overseen by a CALM Training Officer.

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.

CALM adhere to this and are accredited by BILD, which is why Glasgow Education Services remains committed to using this external organisation.