

## East Dunbartonshire

31/01/2019

In response to the Children's Commissioner's Review of Restraint and Seclusion - No Safe Place , East Dunbartonshire Council welcomes the report and findings and note the recommendations contained within the document.

We are in the process of reviewing our policy, practice within our schools and establishments and continuing professional learning for all of relevant staff.

Kind regards

Jackie Swan

Additional Support Needs Service Manager  
Education  
Kirkintilloch Campus  
50 Southbank Road  
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From: Nick Hobbs <[nick.hobbs@cypcs.org.uk](mailto:nick.hobbs@cypcs.org.uk)>  
To: Undisclosed recipients;;  
Date: 05/04/2019 14:31  
Subject: FAO Director of Education - Restraint and Seclusion investigation

FAO Director of Education

Dear Sir/Madam

Our office published a report of our investigation into Restraint and Seclusion in Scotland's Schools on 14th December 2018. A number of recommendations in that report were directed at local authorities. The report included a requirement to respond.

Specifically, in terms of sub-sections 11(2A) and 11(2B) of the Commissioner for Children and Young People (Scotland) Act 2003, you are required to provide a statement in writing to the Commissioner setting out, either:

what you have done or propose to do in response to the recommendations; or

if you do not intend to do anything in response to the recommendations, the reasons for that

Although I am sure the recommendations have been discussed extensively within the authority and we have received a response from you, it does not make clear whether you accept all of the recommendations of the report or not. We do not wish to make assumptions and would like to ensure that positions are clear. For the avoidance of doubt therefore -please let us know by close of play on Monday 15th April if there are any recommendations relevant to your authority that you do not accept and why.

Please note that we will shortly be publishing in full all responses received from local authorities.

Kind regards

Nick Hobbs  
Head of Advice and Investigations  
Children and Young People's Commissioner Scotland Bridgeside House  
99 McDonald Road  
Edinburgh  
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Young Persons? Freephone: 0800 019 1179

From: [Jackie.Swan@eastdunbarton.gov.uk](mailto:Jackie.Swan@eastdunbarton.gov.uk) <[Jackie.Swan@eastdunbarton.gov.uk](mailto:Jackie.Swan@eastdunbarton.gov.uk)>

Sent: 12 April 2019 16:14

To: Nick Hobbs <[nick.hobbs@cypcs.org.uk](mailto:nick.hobbs@cypcs.org.uk)>

Subject: Re: [Official] : FAO Director of Education - Restraint and Seclusion investigation

Dear Mr Hobbs,

I have attached East Dunbartonshire Council's response to your email within the attachment.

Kind regards

Jackie

(See attached file: East Dunbartonshire Council response to children's commissioner 12th April 19.pdf)

Jackie Swan

Additional Support Needs Service Manager

## Education

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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. Disagree with the statement. "ensure that no restraint or seclusion takes place in the absence of clear consistent policies" East Dunbartonshire Council has clear procedures in place for restraint and seclusion which schools are aware of and these enable schools to support children safely and appropriately.(using MAPPA and CALM). These procedures must continue to be used despite the fact the authority policy is still in draft form.

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. Disagree. It is not necessary for separate policy and guidance. Included and Engaged 2 is an appropriate document and there is potential for amendments to the content, but no clear purpose for a separate guidance.

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. Disagree. I agree that local authorities should record information to enable them to support schools. I disagree that this information has to be reported to the Scottish Government. Note answer to question 4.

4. The Scottish Government should analyse and publish this data as part of its official statistics. Disagree. I do not think it is helpful for the Scottish Government to analyse and publish this information. Creating league tables for restraint and seclusion is divisive. Also, as there is a lack of clarity to the definition of seclusion, any comparable information would be inaccurate and would not be fit for purpose. Questions 7-11 As stated in question 2, there is no need for a national policy and framework, any amendments should be within Included and Engaged 2.