

PE1548/T

Michael McMahon MSP
Chair
Scottish Parliament Petitions Committee

Tuesday, 17 November 2015

Dear Mr McMahon

Thank you for the opportunity to respond again to the Petitions Committee. We are encouraged by the latest response from the Scottish Government. In it they appear to recognise the distinction we have been drawing their attention to: children with Emotional and Social Behavioural needs require a different approach from disabled children with special needs.

Their letter appears to promise that there will be special recognition of disabled children within new guidance and that the protection that they can expect under Equality Legislation will be maintained and that guidance on the use of restraint and seclusion will be included.

Following receipt of the latest response, we made contact with Laura Farquhar and were heartened to hear that firstly, there would be the inclusion of a whole chapter specifically for children with complex disabilities on the promotion of Positive Behaviour and the development of a whole school ethos. This would help in itself to minimise the use of restraint by helping to focus on the needs of each individual child. Secondly that the guidance might be renamed so that it did not primarily focus on exclusion but more on positive behaviour. This will help steer teaching and support staff in the right direction.

In addition to this, there appears to be a real commitment from the Government to refresh guidelines for ALL children, including those children who have social, emotional and behavioural difficulties. If this is correct, we will actually have achieved much more than we set out to do, and this would mean that every child in Scotland would benefit from the new national guidelines.

Following this conversation we expect to meet with senior members of the Scottish Government team next month to discuss the draft guidance and how it can be developed to meet the needs of disabled children all over Scotland.

At this moment in time, we are very optimistic about how this might develop but would ask the Petitions Committee to allow us the opportunity to meet and report back on the progress of the guidance before the committee make the decision to close the petition. We don't believe we could have achieved this result without the support of the Committee and we hope that we can conclude a final report on these discussions before the end of the Parliamentary session in March 2016.

Yours Sincerely

Beth Morrison