

PE1548/NN

Deputy First Minister and Cabinet Secretary for Education and Skills submission of 17 April 2018

Thank you for your letter of 27 March 2018 in which you asked for my views on the petitioner's submission of 17 January 2018.

I appreciate that the issue of restraint and seclusion is of significant concern to the petitioner and the Committee. All pupils and staff should view school as a place of safety, as well as a place that promotes wellbeing. It is therefore important that the right balance is struck to ensure the safety and wellbeing of all pupils and staff in schools whilst also ensuring that measures such as restraint and seclusion are only used as a measure of last resort, and as part of a planned approach to the de-escalation of behaviours in school. I am very clear that restraint and seclusion are part of a series of approaches which begins with promoting positive behaviours and relationships. I believe that the approach taken within the guidance, Included, Engaged and Involved Part 2, properly places restraint and seclusion within this broader context and is therefore the correct one.

In my evidence to the Committee in April 2017, I confirmed that the issued guidance asked local authorities to ensure that they record any instance involving restraint and seclusion. I also confirmed that Education Scotland has responsibility to carry out inspections of our education system, with the remit to look at how the Government's policy formulation is being applied at local level.

I note the comments that Included, Engaged and Involved Part 2, published in June 2017 has not been effective or gone far enough. This guidance is still relatively new and I reiterate my commitment that I made to the committee – if we find that the guidance is not effective, I will report back to the committee and consider whether a greater obligation would be necessary to ensure that the guidance is put into practice. I previously committed to consider the evidence with the Advisory Group for Additional Support for Learning (AGASL) over the next two years at that committee. AGASL have to date had two discussions on this matter and it is intended that the relevant evidence will be in place so that I can provide this to the Committee in April 2019. This is in line with the commitments that I gave during evidence.

I understand the petitioner is very keen to see progress on this issue and I therefore recognise why she has returned to the Committee at this point in relation to the guidance. However, the guidance was published only 9 months ago and I believe that it would be premature to conclude that the guidance in IEI Part 2 is not effective at this time. I believe that the picture which will emerge over the coming months and which I will report to the committee in due course will provide a basis to begin to reach conclusions in relation to that guidance. In the meantime, Scottish Government officials will continue to work with the Scottish Advisory Group on Relationships and Behaviours in Scotland and the Advisory Group for Additional Support for Learning to ensure consistency and alignment in this area.

I trust that this reassures the Committee of my commitment to this issue and I remain very happy to engage with the Committee on this issue in future.