

Restraint and seclusion of children and young people in schools and educational facilities

The Issue

The British Association of Social Workers Northern Ireland (BASW NI) is concerned at the lack of standardised policies and guidance from the Department of Education regarding use of restrictive practices and seclusion with children and young people with additional needs, including those with physical or learning disabilities. The Association recognises the damaging physical, psychological and emotional effects that restraint and seclusion can have on children and young people and notes that the emotional impacts of these practices are often felt by the families of the children and young people involved.

The context

The Department of Education is undertaking a review of the use of restraint and seclusion in educational settings and has established a Working Group to take this work forward. BASW NI is a member of an expert Reference Group supporting the Working Group.

The changes required

BASW NI supports the call for introduction of statutory guidance from the Department of Education on the use of restrictive intervention on children and young people with additional needs. The Association also calls for mandatory training for all staff working directly with children and young people with additional needs. The statutory guidance should proscribe staff who have not received mandatory training from intervening physically to restrain a child or young person. It should also make clear that any use of restraint or seclusion with children aged 16 years or older must be legally authorised in accordance with the requirements of the Mental Capacity Act (Northern Ireland) 2016.

BASW NI recommends interventions should be therapeutic in outcome and guidance should prioritise positive behaviour strategies. Guidance should permit the use of restraint only as a last resort option and should include an illustrative, non-exhaustive list of examples of what constitutes a last resort scenario.

The use of seclusion should be prohibited in all circumstances and BASW NI welcomes the guidance in the Department of Education Circular Number: 2021/13 (issued 10 May 2021) that “Children should never be locked in a room or left unaccompanied and must be able to leave when they want to”. However, educational settings should include spaces for children and young people to voluntarily use if they want to separate themselves from their classmates because they feel upset or unsafe.

It is BASW NI's view that these spaces should only be used where prior agreement has been given by the child or young person's parents or guardian. In addition, children and young people should receive supervision and support from staff and be provided with appropriate resources to ensure they remain occupied when using these spaces.

The aforementioned statutory guidance should be produced in partnership with parents and all other relevant stakeholders. It should be distributed to all staff working directly with children and young people with additional needs as part of their mandatory training.

BASW NI also supports the introduction of mandatory recording and reporting of all incidents of restrictive practice and seclusion. Records of cases of restriction and seclusion should be shared with the parents / guardians of the children or young people involved, as well as the School Board, Education Authority the Department of Education, and the Northern Ireland Commissioner for Children and Young People. Where restraint or seclusion has been employed, a meeting between the school and the child or young person's parents / guardians should be convened to consider the incident. The discussion should cover what prior positive behaviour interventions were employed to de-escalate the incident and what strategies will be put in place to minimise the need for seclusion or restraint in future.

The Social Work Role

Investigating safeguarding concerns resulting from restraint and seclusion is a role for social workers and it is essential that schools, the Education Authority and the Department of Education engage fully in social work investigations of any such concerns. BASW NI believes there is scope for greater collaboration between social workers in the Education Authority and social workers in Health and Social Care Trust Children's Services teams in conducting these investigations.

However, guidance for schools should also be developed by the Department of Education to ensure, as a first step, there is a thorough, open and timebound investigation of complaints raised by parents, prior to social service involvement.

Documents to reference when developing guidance

- RCN, RCPsych, BASW NI and RCOT, Three Steps to Positive Practice: A rights based approach when considering and reviewing the use of restrictive interventions (June 2017).
- Positive and Active Behaviour Support Scotland and Challenging Behaviour Foundation Reducing Restrictive Intervention of Children and Young People (January 2019).