



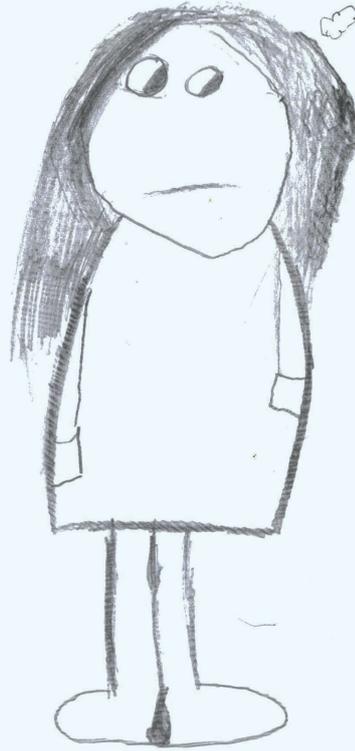
Bullied
by a teacher



NEITHER SEEN NOR HEARD

Rights Based Review on the
Use of Restraint and Seclusion
in Educational Settings

Summary Report
December 2021



Drawing by a sibling (aged 7) of a child who experienced restraint and seclusion in a mainstream school.

Acknowledgements

We would like to thank the following people; without their support this report would not have been possible.

The Restrictive Practices in Educational Settings Advisory Group who provided important input at key points as the Review was undertaken, and whose advice and support has been invaluable.

The wide range of professionals and practitioners working with children in educational settings who engaged with NICCY through correspondence and focus groups including: Principals/Vice Principals, Educational Psychologists, SENCOs, Allied Health Professionals, Trade Unions, Academics and Voluntary and Community Sector Organisations.

We thank the advisory group who guided this work and supported the roll out of the surveys, focus groups and interviews, and we are grateful to the Department of Education who supported the Parent Engagement project.

We thank St Mary's University College and Stranmillis University College for providing information on their courses and the Education Authority for meeting with NICCY regarding our Review.

Thank you to all participants who engaged with our research including the regional survey on restrictive practices in all educational settings.

Last but certainly not least, the parents and carers across Northern Ireland who gave up their time to share their experiences and convey the impact that the use of restrictive practices in educational settings had on their children. A separate thank you must go to the organisations that facilitated and supported the parent engagement; International Coalition Against Restraint and Seclusion (ICARS), Mencap NI, Parent Action and Parenting NI.

Artwork

Front Cover:

The drawings have been provided by a boy aged 11, who experienced seclusion in a mainstream high school, the pictures convey his thoughts and feelings. The artist sketch was created for a boy aged 6, who experienced multiple instances of both restraint and seclusion in a mainstream primary school.

Inside Front Cover:

The drawings came from a girl aged 7, who's sibling experienced multiple instances of both restraint and seclusion in a mainstream primary school. At the age of 4, she had to move school because of what her sibling experienced. The picture depicts her feelings drawn in the thought bubbles. She too suffered trauma in the aftermath as a result of having to move schools.

Back Page:

The drawing is from a child aged 10 who moved school after experiencing multiple instances of restraint and seclusion. He says it reflects how happy he is in his new school, he laughs in this school and he loves to laugh. He feels safe there.

Poems

Hello, I am Harry, was a poem written for a child who is non-speaking and had experienced multiple instances of mechanical and physical restraint in a Special School at the age of five.

Inside Back Cover:

This poem was written by a parent of a child who experienced multiple instances of restraint and seclusion in mainstream primary, High School and Education Other Than At School (EOTAS) settings.

'Hello, I am Harry' -

I am here,
You might not see me,
You might miss who I am,
But,
I am here.

I may not look at you,
But I see you,
I see all,
And,
Unlike you,
I feel all that I see,
I feel it with my mind.

I hear everything,
You don't understand how,
But,
I hear it all,
Even the faintest sound,
I hear you when you talk,
I hear you louder when you ignore who I am.

If you hurt me I will feel pain,
If you restrain me I will feel imprisoned,
If you shout at me I will feel fear,
If you ignore me I will feel loneliness.

I am here,
Within myself,
Look carefully,
You will see me,
You will feel me,
Only when you do this,
Will you start to understand me,
You will notice me.

I am here,
I am real,
I hear all,
I feel all,
I'm alive,
I am a person,
I am Harry

Gerry Dunne, 2018

Foreword



“But if you give her a chance you will soon see her soar”

I know that people choose a career in education to support all children to learn and reach their potential. Educational staff are part of the vanguard of children’s rights and defend them every day.

Yet here we are with heart-breaking examples of where this has gone wrong and where the education system has let down children, families, and their own staff. I do believe it is the system that is at fault, not individual professionals, and schools.

There are too many examples in this report that challenge the assertion that inappropriate use of restraint and any use of seclusion are “isolated” incidents. However, without proper monitoring we will never know the extent of such behaviours or what type of training and support educational settings require. Children, particularly those with additional needs, may manifest their distress in aggressive and violent behaviours that put them and others at immediate risk and of course this needs to be prevented and stopped, sometimes physically.

What we discovered is that schools and education settings are operating in a vacuum and reported that they frequently found themselves alone when implementing such methods which has allowed disturbing practices to continue. Additionally, parents were left in the dark about what was happening to their child and often unable to understand why they were so distressed.

I am genuinely lost for words that the guidance, training, reporting, recording and communication with parents and carers is not clearly laid out in a mandatory framework. I am struggling to understand why in the last two decades this situation has not been remedied. Doing it will keep children and young people safe but will also protect education staff. Surely to goodness everyone will benefit.

As you read the report and particularly the testimonies of parents you will find examples of where we have stopped seeing the child and only see problem behaviours that must be controlled. By doing this, children find themselves in a never-ending cycle. All education settings must be able to promote the best interests of all children in their care and this can only be achieved by seeing the child and their behaviours as distress rather than a problem.

The report clearly lays out the trauma that children experience when inappropriately restrained, or placed in isolation - a practice which should never happen. But also, it outlines the effect on the adults, not only school staff, but parents are particularly impacted. As parents, the number one thing that we know we have to do is keep our children safe. We have heard from so many parents who were unaware of what their child was experiencing on a regular, if not daily, basis. They feel that they have let their child down and they have, in some cases, been reliving their children's experience every day since. I hope that this Review sends a clear message to those parents – it is not your fault and we will work with you to make sure that you and your children recover and that other children do not have the same experience. Never again will parents be unaware of what is happening to their children in school or anywhere else.

As you would expect from a rights-based review we have articulated the rights standards that we are using to assess the system and identify reform. I have chosen one article from the UNCRC to highlight:

Article 23 (1) States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community.

Every educational setting must ensure that each and every one of their actions ensures a full and decent life and promotes the dignity of children who have additional needs.

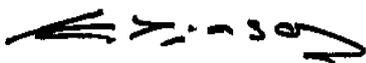
I do not under-estimate the enormous challenges of ensuring that every child in a class or school receives the educational experience that they have a right to, when some children display distressed behaviours that impact on others. The broader education system has a responsibility to support schools and all education settings to ensure that they meet the rights of all the children in their care and hold them to account when they fail to do so.

It is only by ensuring that there is an effective partnership between the education system, schools, parents, carers, and children that this will be achieved. Nothing less will do.

This Review has been a long time coming. I do not want to rehearse a range of reasons why (and there are many) but I do want to say we were determined that this work would complement and not duplicate that of others. Also, that we had the time and resources needed to do it properly. I believe that 'Neither Seen Nor Heard' does that. It lays out a clear roadmap as to what needs to happen to ensure that our education system is rights compliant when it comes to restrictive practices.

I want to thank the Advisory Group who guided this work and supported the roll out of the surveys, focus groups and interviews. We are grateful to the Department of Education who supported the Parent Engagement project. NICCY staff showed enormous dedication and commitment during the most challenging of times as a result of this Pandemic. I am so thankful to be working with each and every one of you.

This Review would not have been possible without the parents who have relentlessly fought to have this issue properly addressed as well as those who have shared their experiences with us. We are mindful of the trust that you have placed in NICCY and we will mirror your resilience not to let you down.



Koulla Yiasouma
Northern Ireland Commissioner for Children and Young People

Introduction

The Northern Ireland Commissioner for Children and Young People (NICCY) is the Independent Human Rights Institution established in 2003 under the 'Commissioner for Children and Young People (Northern Ireland) Order 2003'. NICCY's mission is to 'safeguard and promote the rights and best interests of children and young people'. NICCY has a range of statutory duties and powers in carrying out these functions. NICCY's vision is a society where the rights of all children and young people are respected and realised.

The work of the Office is guided by the United Nations Convention on the Rights of the Child (UNCRC) as well as relevant domestic, national and international legislation and conventions. The UNCRC General Principles underpin NICCY's work and these relate to non-discrimination (Article 2), best interests (Article 3), survival and development (Article 6) and the voice of the child (Article 12).

This report presents the findings of a Rights Based Review of the use of Restraint and Seclusion in Educational Settings in Northern Ireland.

Aims of the Review

The use of restraint and seclusion (collectively known as restrictive practices) on children and young people in educational settings is an extremely grave matter, engaging children and young people's human rights. Recording of incidents of restrictive practices is recognised internationally as a critical means of ensuring that practice is rights-compliant and appropriately monitored and scrutinised. Currently, without regional policy that includes guidelines and a rights-based training framework, restrictive practices risk being misapplied, resulting in traumatic impacts on the children experiencing it.

The aims of this Review were to:

1. Gather the experiences of children and young people (through their parents and carers) on the use of restraint and seclusion within educational settings and the impact it has on them;
2. Highlight shortcomings in regional policy, monitoring, reporting/recording, decision making and training on the use of restraint and seclusion;

3. Identify good practice and produce a range of recommendations directed at key government departments and agencies for improving policy guidance and legislation; and
4. Identify guidance on the use of deprivation of liberty (DoL) within an educational setting.

Committee on the Rights of the Child Concluding Observations

In 2016, the Committee on the Rights of the Child, in reviewing the UK periodic report on its implementation of the UNCRC, made the following Concluding Observations concerning the use of restraint and seclusion on children in schools:¹

- Abolish all methods of restraint against children for disciplinary purposes in all institutional settings, both residential and non-residential, and ban the use of any technique designed to inflict pain on children.²
- Ensure that restraint is used against children exclusively to prevent harm to the child or others and only as a last resort.
- Systematically and regularly collect and publish disaggregated data on the use of restraint and other restrictive interventions on children in order to monitor the appropriateness of discipline and behaviour management for children in all settings, including in education.
- Ensure that corporal punishment is explicitly prohibited in all schools and educational institutions and all other institutions and forms of alternative care.
- Abolish the use of isolation rooms.

The 2016 concluding observations from the UN Committee on the Rights of the Child included concerns about the use of restraint and seclusion on children with psycho-social disabilities, including children with autism, in schools.³ Therefore, the report has a particular focus on those children and young people with additional needs and/or special educational needs (with or without a statement) in all educational settings.

¹ CRC/C/GBR/CO/5 (2016)

² *Ibid.* Para. 40. With reference to the Committee's General Comment No. 13 (2011) on the right of the child to freedom from all forms of violence, and to target 16.2 of the Sustainable Development Goals.

³ *Ibid.* Paragraph 38 (d)

Definitions of Restraint, Seclusion and Restrictive Practices

In the absence of definitions and for the purposes of this review, we have used the definitions outlined below.

Restrictive Practices

Restrictive practices (also known as restrictive interventions) are those that intentionally limit a person's freedom of movement or function. This can be through restraint (mechanical, physical or chemical – with or without the use of force), or seclusion.

Restraint

The elements of restraint being considered within this Review are mechanical, and physical, as chemical restraint is not used in educational settings.⁴

- **Mechanical restraint** is the use of a device, equipment, or other tool for compelling, controlling, or subduing the bodily movements of the person to whom such mechanical restraint is administered.
- **Physical restraint** is the use of direct physical contact by one or more persons for the purpose of compelling, controlling, preventing, or subduing the bodily movements of the person being restrained.
- **Chemical restraint** is the use of substances as ingested, inhaled, or injected for the purpose of compelling, controlling, or subduing the behaviour of the person to whom the medication is administered, regardless of whether such substance has been medically prescribed for the treatment of formally diagnosed physical or mental illness.

Seclusion

Seclusion is the placing and keeping of a person (alone) in a room or other space from which they are unable to leave. Inability to leave can arise from exits being locked or being otherwise obstructed; inference, instruction, or threat to the secluded person not to leave; belief on the part of the secluded person that they are being stopped from or are otherwise not allowed to leave, reluctance or refusal to leave because of fear of consequences of doing so.

⁴ Please note, Chemical Restraint will not feature in this Review, as educational staff should not administer substances. However, it has been noted that some parents and carers explained that their child had been excluded from extra-curricular activities due to medication needs, or told that their child cannot return to school until they take certain medication.

Current Northern Ireland Legal and Policy Context

At present there is no statutory obligation on schools to record incidents involving restraint or seclusion. Similarly, there is no statutory requirement to inform parents when restraint or seclusion is used on their child, although the Department of Education (DE) guidance notes that informing parents of incidents involving their children is always advisable.⁵ Current guidance summarises the use of reasonable force where a pupil is in danger of harming themselves, someone else or damaging property, which is consistent with section 4(1)(a) and (b) of the Education (NI) Order 1998.⁶ However, the guidance does not cover the use of reasonable force in circumstances to maintain order and discipline as identified by section 4(1)(c) of the Order.

In May 2021, DE produced, Interim guidelines on the Use of Restraint and Seclusion in Educational Settings. The interim guidance states:

“The issue of seclusion, including Deprivation of Liberty, is being considered as part of the Department’s review and, subject to Ministerial approval, guidance will follow once that process has been completed. Children should never be locked in a room or left unaccompanied and must be able to leave when they want to.”⁷

Methodology

NICCY engaged with a total of 282 participants through a mixed methods research process including:

- An online survey to Principals (or senior school officials) in all schools regarding the use of restrictive practices in an educational setting n=234;
- Focus groups and semi-structured interviews with n=20 parents/carers who had direct lived experience and n=19 with no direct experience of restrictive practices in educational settings;⁸ and
- A Professional Focus Group with nine health and social care professionals, educationalists, and academics regarding the use of restrictive practices in an educational setting.

⁵ DE(2021) Circ/2021/13 [Interim Guidance on the Use of Restraint and Seclusion in Educational Settings](#). (Accessed August 2021)

⁶ *Ibid.*

⁷ *Ibid.*

⁸ Engagement with parents and carers was facilitated by four key partner organisations; ICARS, Mencap NI, Parent Action and Parenting NI who supported the participants throughout NICCY’s research.

Advisory Group

NICCY established an advisory group to inform and advise NICCY during all stages of the Review. Membership included professionals from education, academia, Northern Ireland Public Services Ombudsmen (NIPSO), the Community and Voluntary Sector (CVS) and parents and carers with lived experience of restrictive practices. Its purpose was to:

- Support the development of the Terms of Reference for the Review;
- Advise NICCY on the methodology and research design; and
- Support the interpretation of data collected and the development of recommendations.

Report Findings

The information in the report was thematically analysed into the following areas:

1. Policy guidance and legislation;
2. Understanding and knowledge of restrictive practices in educational settings;
3. Experiences and perspectives of restrictive practices in educational settings; and
4. Educational culture and accountability.

1. Policy Guidance and Legislation

Throughout the Review there was clear evidence of the need for urgent changes in policy, guidance, and legislation on restraint and seclusion. Currently 72% (n=157) of schools who responded to NICCY's survey on restrictive practices in educational settings stated they had never received guidance on creating a policy on physical interventions. Furthermore, while 51% (n=102) of schools stated they had a policy on physical interventions that included the use of restraint, only 10% (n=17) had a similar policy on seclusion. This report has identified legislative gaps in the 'use of reasonable force'; unclear guidance to schools on initial reporting and recording/monitoring of incidents of restrictive practices; and deficiencies in the current policy regarding the complex support needs of some pupils and collaboration with other professionals, such as Allied Health Professionals and Social Workers.

NICCY welcomes the upcoming DE Review of Restraint and Practices in Educational Settings as a real opportunity to affect positive change and support some of the most vulnerable children in Northern Ireland. Moving forward, any new policy and guidance which DE produces must ensure regional standards are established, minimising the use of restrictive practices across all educational settings. They must incorporate a child-centred focus approach that ensures that all children are protected regardless of their background, status, additional needs or disability.

The new guidance must also be accompanied by a supporting training framework, to ensure protection of children in all settings and systemised cooperation across all relevant Departments, including DE, Department of Health (DoH), Department of Justice (DoJ) and the Department for Communities (DfC).

For this reason, it is imperative that the training includes information on the Children's Services Cooperation Act (NI) 2015, human rights standards under the UNCRC, United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and Articles 3 and 5 of the European Convention on Human Rights (ECHR).

Complaints

This report has highlighted several deficiencies in the current complaints process in educational settings, most notably in relation to the role of the Board of Governors. Whilst some are very effective, the Board of Governors for several schools appear to have little understanding and knowledge of the appropriate use of restrictive practices, and there is a lack of accountability in relation to their decisions on complaints concerning these practices.

Parents have described a power imbalance in the complaints process, feeling like their concerns are not taken seriously regarding the use of restrictive practices on their child. DE and the Education Authority (EA) must provide more guidance to schools about communicating with parents in relation to complaints and how these should be undertaken. Furthermore, educational and health staff in schools must be given support to raise public interest concerns in relation to matters such as the inappropriate use of restraint and seclusion.

Parents and carers reported that the complaints process was often stressful, lengthy, and had limited outcomes. They reported a lack of available information and communication in relation to the process, including how to make a complaint in the first place, and felt in many cases the BoG demonstrated their own lack of knowledge and understanding of restrictive practices.

Parents and carers explained their difficulty regarding their complaint concerning restrictive practices being used on their child to the BoG; if they were not content with the outcome, their only option was to raise a legal complaint, a safeguarding complaint or go to the Northern Ireland Public Service Ombudsman (NIPSO), all of which were difficult to undertake without any formal support. While some parents were aware of NICCY's Legal support role, others were unaware of this at the time they were going through the complaints process. A number reported trying to notify the EA but were disappointed when they were told the EA had no authority or legal duty over the decision-making processes of Boards of Governors.

2. Understanding and Knowledge of Restrictive Practices in Educational Settings

There is a need for a clearer and more consistent understanding of restrictive practices, their use in educational settings and the policy and legislative context. Practical guidance and training is required around the appropriate use of these practices and alternative therapeutic approaches to ensure seclusion is never used and that any form of restraint is only used as a measure of last resort.

Parents and carers were asked about their knowledge and understanding of the varied terms of restraint and seclusion in educational settings prior to their own child's experience. Consistently they told us they had no or little prior knowledge of restraint and seclusion occurring in an educational setting. Conversely, however, they had significant knowledge and understanding of restrictive practices applied in health and social care, albeit mostly within adult social care settings.

A number of issues were raised regarding the terminology and language used regarding restrictive practices in educational settings. Statements such as 'positive handling' and 'safe handling' were examples of where parents and carers felt the positive terminology masked difficult instances of restrictive practices. Often 'jargon terminology' was used and therefore the parent was unaware that restrictive practices were being used on their child.

Training

The survey of school principals included the question: "*Have relevant staff been provided training in relation to physical intervention?*" From the responses, there were apparent differences between mainstream and Special Schools. Only 31% (n=45) of respondents identified that staff in their school had received training in physical intervention.

Eighty-eight percent (n=14) of responses from Special Schools stated that staff had received training, compared to only 23% (n=28) of the schools who identified as being 'mainstream'.⁹

Children with additional needs often communicate distress through behaviours that may be considered disruptive in educational settings. Training is essential to support education professionals to understand children's needs and minimise the use of restrictive practices in response to a child's expression of distress.

⁹ NICCY (2021) Regional School Survey on the use of restrictive practices in educational settings

The training must not simply provide information on correct use of restrictive practices, but should be rights-based, child-centred, trauma-informed, and provide guidance on therapeutic interventions and de-escalation techniques. It must focus on increasing the capacity of staff to identify each child's communication and learning needs, and understand when, and how to, intervene. Finally, it must outline the importance of child and family-based approaches, involving the child's parents and carers in developing action plans in advance where there are any risks of physical interventions being required.

Training must be provided to all relevant staff, specifically teaching and classroom assistants, in all educational settings, and be incorporated into Initial Teaching Education (ITE) and Post Graduate Certificate of Education (PGCE) courses as well as early professional development and continuing professional development.

3. Experiences and Perspectives of Restrictive Practices in Educational Settings

From the personal experiences shared by parents/carers and teaching staff, the use of restrictive practices often results in extremely negative, long lasting traumatic experiences for all involved, most particularly for the child who experienced it first-hand. Evidence suggests there is a distinct lack of pastoral support available to help individuals who have experienced restrictive practice, with no consistent direction on how schools should communicate with parents regarding these incidents.

Parents and carers talked about their experiences of restraint and seclusion being used on their children, describing these as some of the most harrowing and upsetting experiences their children had experienced, causing long lasting trauma for the whole family and detrimentally affecting their children's mental wellbeing, self-efficacy and ability to learn.

These experiences are subject to the caveat that without systematic, regional reporting and monitoring, there is no way of knowing if these personal accounts are representative of the use of restrictive practices throughout educational settings across Northern Ireland.

Throughout all the qualitative research, every account of the use of restraint and seclusion was negative, with some parents and carers describing severe and detrimental impacts experienced by their children and all their family. Comments in relation to the impact on behaviour, mental health and withdrawal from family life were consistent throughout parents' accounts. Self-harm, suicide attempts and ideation and eating disorders were some of the more extreme manifestations of the adverse impacts on children.

For children who are non verbal, in describing the impact on their child, parents and carers consistently highlighted negative changes in their child's behaviour including night terrors. The research identified the need for more support to schools in relation to changing their approach to the use of restrictive practices including de-escalation methods, therapeutic interventions and the practical application of guidance. There was agreement on the need to identify systemic issues in addressing and alleviating pressures that cause distressing behaviours amongst children with additional needs.

4. Educational Culture and Accountability

Disability discrimination is not an issue particular to education, but is a societal issue that needs addressed, requiring cooperation from all relevant authorities. Furthermore, restrictive practices in educational settings cannot be resolved in isolation but need to be incorporated into a systematic review of how we support pupils with additional needs within our education system.

Parents and carers whose children had experienced restrictive practices in mainstream settings identified a lack of understanding of the environmental, social and/or emotional support required by children with additional needs, with schools focusing instead on 'bad behaviour', discipline and control.

It is critical that reasonable adjustments are understood and embedded in educational practice. A statement of special educational need should not be required to make reasonable adjustments for children with additional needs, and distressed behaviours should be acknowledged as communication requiring a therapeutic response, rather than 'bad behaviour' requiring punishment.

Unfortunately, many parents and carers reported that schools did not apply reasonable adjustments, particularly where the child did not have a statement in place and consequently the child did not receive the additional support they required.

Parents and carers whose children attend Special Schools felt that restrictive practices had become common interventions rather than a method of last resort and that the school's reputation was sometimes prioritised by Principals and BoG over the best interests of the pupils who had been subjected to restrictive practices.

Recommendations

A system-wide approach is required to address the challenges identified in this Review. It must involve evidence-based solutions and a joint commitment from all relevant departments and agencies to address existing gaps and weaknesses. Ultimately, all those working with vulnerable children must see them as children first and foremost, ensuring their best interests are the primary concern, their rights are protected, and they are provided with every opportunity to reach their full potential.

This Review has concluded that the current policy, guidance and legislative frameworks around the use of restrictive practice in educational settings are not fit for purpose and need immediate reform.

Policy, Guidance and Legislation

1. The Department of Education must create legislation which should include:
 - A provision to ban the use of seclusion in educational settings;
 - A provision to ban the use of any techniques which inflict pain on children;
 - A definition of restraint and clarity that this should only be used as a last resort;
 - Requirement for mandatory recording of all incidents of restrictive practices by educational settings; and that
 - The Education Authority undertakes an annual review on the use of restrictive practices across all settings which should include: the number of children who experienced restrictive interventions; the number of times each pupil experienced a restrictive practice; the type of de-escalation techniques and restrictive interventions used; how children and parents were involved and what support/training may be required.
2. The Department of Education must ensure that the legislative framework explicitly limits the use of restraint or force on a child so that it is only permitted to protect that child or others from immediate and serious harm.

The Department must review The Education (NI) Order, 1998 repealing Article 4 (1)(c) *'To prevent a pupil engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among any of its pupils'*.

3. The Department of Education should issue mandatory guidance on the use of restrictive practices in educational settings detailing the legislative and policy context, and outlining the roles, responsibilities and accountabilities of school staff, external professionals, Principals, Board of Governors, the Education Authority, (or other Governing Bodies) and the Department itself. This Guidance should be developed in consultation with schools, professional bodies, parents/carers, and children. They should:
 - o Provide further clarity on the legal definitions of 'restrictive practices' which should align to those of the Departments of Health and Justice;
 - o Change the use of terminology from 'challenging behaviours' to 'distressed behaviours';
 - o Ensure the provision of training; and
 - o Outline the requirement to immediately inform parents/carers of the incident following up with a formal report which should include measures to support the child and staff and prevent further incidents.
4. The Department of Education must establish regional standards on restrictive practices in schools including how to minimise their use and eliminate the use of seclusion. The policy must incorporate a rights-based, child-centred focus, ensuring that all children are protected, regardless of their background, status, additional needs, or disability.

Complaints

5. Within the revised guidance document for schools, the Department of Education should outline standards for responding to complaints, in line with Complaints Standards set out by Northern Ireland Public Service Ombudsmen (NIPSO). The guidance should also provide direction on providing pathways for staff (including health staff visiting the school) to raise concerns.
6. Parents should be informed of independent advocacy and support services, including peer advocacy, to assist in their complaint.

Understanding and Knowledge of Restrictive Practices in Educational Settings

7. Information regarding any policy, guidance and legislation on restrictive practices should be made publicly available and easy to understand, with alternative accessible formats available on request.

Training

8. Teacher training institutions and the Education Authority (EA) should provide mandatory training on restrictive practices to be used as a last resort by all educational staff, including classroom assistants and non-teaching staff (where relevant).

This should be accredited and/or subject to external independent training standards and should begin at Initial Teacher Education (ITE), at Post-Graduate Certificate Education (PGCE) levels and continue into Early Professional Development (EPD) and Continuous Professional Development (CPD).

9. Any new policy should be accompanied by an accredited training framework and supportive infrastructure to ensure schools have appropriate resources in place to support their pupils and staff in minimising the use of restrictive practices in educational settings.

10. Additional training should be made available on areas complementary to reducing restrictive practices including on:

- Effective communication;
- Mental health;
- Trauma;
- Disability awareness training (particularly focusing on Autism Spectrum Disorder (ASD) and learning disability);
- Managing distressed behaviours;
- Supporting children with additional needs with or without a Statement; and
- Children's rights.

Experiences and Perspectives of Restrictive Practices

11. Parents and carers should have an opportunity to receive support and training, to understand the use of de-escalation and therapeutic interventions, as well as restrictive practices. They should have the opportunity to develop capacity to ensure they and their children can contribute to the development of personalised learning plans and be provided with information on the complaints process.
12. Learning support plans or ‘communication passports’ should be in place for all children with additional needs, with a particular focus on children who are at risk of exhibiting behaviours that are distressing.
13. Social, emotional and practical support should be provided for all individuals who experience, witness or apply restrictive practices in educational settings, especially children, siblings, parents/carers, and classmates, as well as the staff member involved.

Educational Culture and Accountability

14. All educational settings should be informed by a UNCRC child’s rights framework and embed a culture of school values underpinned by the principles of inclusion, the best interests of children and respect for their human rights.
15. The Department Education and Education Authority should provide support to school leaders in school-based transformation work, as required, including changing culture and attitudes towards pupils with additional needs. Resources, training and sharing of good practice should be provided to ensure this happens.

The Northern Ireland Commissioner for Children and Young People (NICCY) commits to monitoring the implementation of these recommendations and will engage all relevant agencies to ensure improved outcomes for children and young people.

Parent's Poem

Childhood was perfect with a few wee friends.
Everything was fine when it all made sense.

Behaviours worsen, must be difficulties at home.
Phone call after phone call, please leave me alone.

Teachers and psychologists questioning your parenting,
giving you that look... like you're not worth anything.

Family and friends will soon disappear.
No party invitations from either of our peers.

Sadness and confusion on your little one's face.
Anger and loneliness are what I embraced.

Years with no answer, no support nor care.
Even now with a diagnosis I still worry and despair.

Bright and intelligent, she will do well,
but we don't understand her so we'll punish her as well.

Exclusions, suspensions, isolation and much more.
What's happened to this place, is there no care anymore?

No understanding, nurturing or empathy
has left my child feeling unwanted and empty.

Embarrassed, ashamed, even made to feel guilt.
Why can't you understand this isn't her fault.

No patience, no awareness or training yourselves.
A blade to her arm as she blames herself.

Broken and beaten by Authority figures.
Do you realise... you are now her triggers?

She will stim and mask even cry and roar
but if you give her a chance you will soon see her soar.

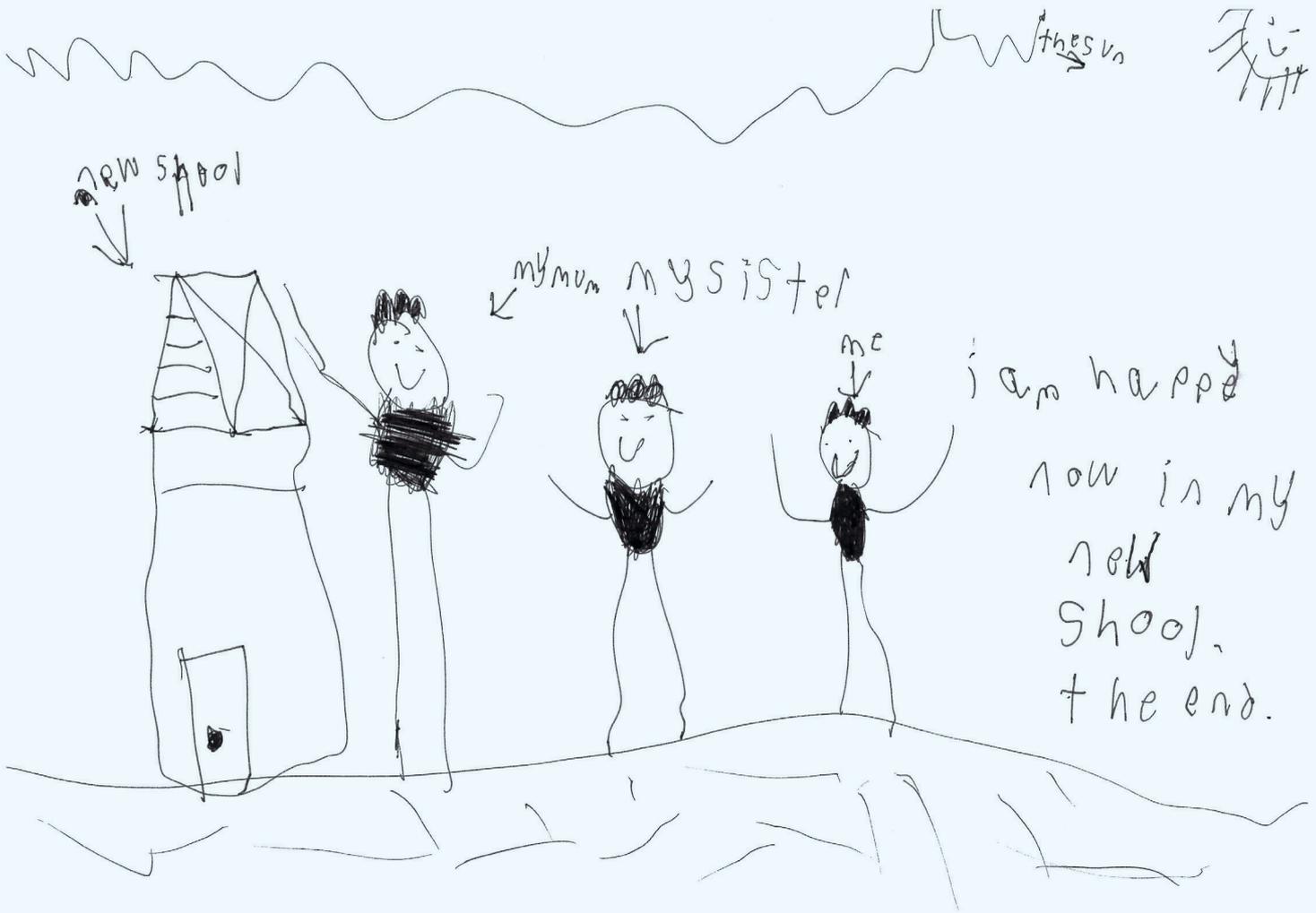
I'm tired and drained, I wish it would all go away
but the misunderstanding unfortunately will stay.

Her brain may be different, but it's not broken or wrong
and I will fight for her rights no matter how long.

I see her worth, I see her potential
I also see her challenges which are not intentional.

You don't see what I see but let me tell you it's there,
a beautiful young woman with so much love and care.

*Poem by a parent of a child who experienced multiple periods of restraint and seclusion
in mainstream Primary, Secondary and EOTAS settings.*



You can contact the Northern Ireland Commissioner for Children and Young People using the following details:

**Northern Ireland
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for Children and
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Legal Complaints Referral Form - if you need advice, assistance or wish to make a complaint please use the form at www.niccy.org/referralfom to contact a member of our Legal and Investigations team.

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