

Submitted to Statutory Guidance On The Reduction And Management Of Restrictive Practices In Educational Settings In Northern Ireland
Submitted on 2023-11-01 17:24:44

Introduction

1 Please select the box that best describes you:

Trade Union Representative

If Other, please specify:

2 If you are responding on behalf of an organisation please specify below. (Optional)

Organisation:
INTO

3 Name (optional)

Name :
Nuala O'Donnell

Children's Rights Centred

4 To what extent do you agree or disagree that the guidance is Children's Rights Centred?

Neither agree nor disagree

Understanding Behaviours

5 To what extent do you agree or disagree that the guidance includes reference to understanding of behaviours and what they are communicating?

Disagree

Additional Comments (optional):

This consultation is centred on the premise of an individual child and the support that individual requires. Unfortunately in mainstream schools today there are multiple children in very class with additional needs, sometime with multiple classroom assistants. This has very different implications for the teacher in the class in getting to understand the behaviour of each child and what they are communicating. The guidance does not take account of these situations or the fact that teachers require the input from support services to understand many behaviours and what these are communicating. A teacher will likely have a class of 30+ children, all of whom may have different behaviours and the teacher is required to deliver the Northern Ireland curriculum to all of the pupils as best they can while dealing with multiple behaviours and trying to understand what they are communicating, which is too often an impossible task. The guidance does not offer any support or reference to class teachers in these situations.

Restrictive Practices

6 To what extent do you agree or disagree that the guidance is clear on what restrictive practices should NEVER be used?

Strongly disagree

Additional comments (optional):

The guidance is not CLEAR in relation to what restrictive practices should NEVER be used, some statements refer to practices never to be used, except..... and in fact is not clear on what other restrictive practices should be used and when/in what context. this is the information that is required for teachers to enable them to best support all the children in their class. It also needs to be clear for Classroom Assistants, Supervisors, other staff, Parents and pupils so that everyone understands what can be used and in what circumstances.

Supportive Practices

7 To what extent do you agree or disagree that the guidance is clear on what supportive practices are and when these should be used?

Strongly disagree

Additional comments (optional):.

As stated in the last response, the guidance is NOT clear on what supportive practices can be used and when. There is a lack of reality in the guidance, schools do not have the time or resources to 'develop their own training' as proposed in the guidance, nor would that be appropriate on these issues. To

effect this guidance every teacher in every school would require intensive training on 'Team Teach'. There would also need to be a very clear definition of de-escalation and what this means in different circumstances. The examples in the Appendices do not provide this. It is totally unrealistic that a pupil can simply wander at will out of a classroom, firstly they would have to have a dedicated classroom assistant for the full day, something which is very hard to achieve currently for any pupil, and secondly this scenario takes no account of the teacher's duty to deliver the NI curriculum to this child. IN addition there are the other pupils in the class to be considered and their reactions to this child's behaviour. The supportive practices suggested require a significant amount of resources and reduction in class sizes which are unlikely to be deliverable in the foreseeable future.

Understanding Behaviours of Concern and the Development of Behaviour Support Plans

8 To what extent do you agree or disagree that the guidance highlights the importance of understanding behaviours of concern and the development of behaviour support plans

Neither agree nor disagree

Additional comments (optional):

It is highlighted but in a vacuum, it doesn't take account of the reality of classrooms today and the multiple behaviours and additional needs therein.

Last Resort Circumstances

9 To what extent do you agree or disagree that the guidance highlights the last resort circumstances when reasonable force can be used?

Neither agree nor disagree

Additional comments (optional):

Again this is highlighted but not explained what/when the last resort is, how you identify that. This is very subjective, given the varying circumstances that arise in any classroom on any given day, and leaves teachers, classroom assistants and other staff vulnerable to potential complaints and disciplinary action, which is not acceptable. Teachers need protection in carrying out their roles in an everchanging environment. This guidance provides none of this.

Pupils' Care Plans

10 To what extent do you agree or disagree that the guidance includes measures that ensure the recording of supportive practices in pupils' care plans?

Agree

Additional comments (optional):

Planning and Training

11 To what extent do you agree or disagree that the guidance highlights planning and training that prevents escalation and addresses crisis situations if they arise?

Strongly disagree

Additional comments (optional):

The guidance may highlight this but it is unrealistic about the time and resources required to implement it, particularly in the current financially strained times, with little or no actual support for the teachers and staff to support the students in their care.

As said previously the guidance appears to be premised on an individual child, in a small class, with one to one support provided. Unfortunately this is rarely the case in reality, with a real lack of support for schools and parents in supporting all the children who require it.

Alignment with Departments of Health and Justice

12 To what extent do you agree or disagree that the guidance details the legislative and policy context, provides clear definitions of restrictive practices and supportive practices, aligned as far as possible with those of the Departments of Health and Justice?

Strongly disagree

Additional comments (optional):

The guidance is written in such a way as to align with the departments of Health and Justice but does not take cognisance of the realities of education in schools and other education establishments today.

There is no guidance on what a school should do if a parent doesn't agree/sign their agreement with the supportive practices the school considers are necessary.

Roles and Responsibilities

13 To what extent do you agree or disagree that the guidance outlines the roles, responsibilities and accountabilities of school staff, health professionals, Principals, Board of Governors, the Education Authority, parents/carers, children and young people and the Department itself?

Strongly disagree

Additional comments (optional):

It appears from the guidance that the responsibility and accountability mainly lie with schools which are not equipped (financially or otherwise) to fulfill these responsibilities and accountabilities.

Schools need to be provided with sufficient finances and resources to be able to do so.

Mandatory Recording and Reporting

14 To what extent do you agree or disagree that the guidance provides for the mandatory recording and reporting of all incidents of physical restraint/reasonable force by educational settings?

Neither agree nor disagree

Additional comments (optional):

The guidance provides a tick list and pro forma but does not take account of the time required to complete them, or the complexities within schools to allow this to happen in 'a timely manner',. Nor does it address in any way the stress for the teachers and other school staff in dealing with these 'crisis incidents'.

Exemplars of Practices

15 To what extent do you agree or disagree that the guidance includes exemplars of positive, preventative and early intervention practices identified by the Education and Training Inspectorate?

Neither agree nor disagree

Additional comments (optional):

The exemplars provided are not reflective of current situations within the vast majority of schools in the North. Exemplars of situations in large classes with multiple pupils with behaviour and other issues are required for a realistic and useful exemplar for schools. How the grim realities of issues that arise in classrooms all across the North can be dealt with under this guidance and an SEN provision, which is practically non-existent, is what is required here, not the rose-tinted glasses versions. As a Teacher union, we regularly receive calls for advice on how to deal with real life situations, where support is not available, from EA, DE or the employing authorities.

Training and Resources

16 To what extent do you agree or disagree that the guidance includes details of training and resources available for educational settings, from the Education Authority, in relation to handling behaviours of concern?

Neither agree nor disagree

Additional comments (optional):

The resources are detailed but many are not actually available or relevant. Much of the training provided by EA is online and is not appropriate for these types of situations, in real live classrooms. Unfortunately the advice and support is not there when schools need it.

Informing Parents/Carers of Incidents

17 To what extent do you agree or disagree that the guidance outlines the requirement for educational settings to immediately inform parents/carers of any incident followed up with a formal report which should include measures to support the child and staff and prevent further incidents?

Agree

Additional Comments (optional):

The guidance does not take account of the realities of a school environment, in relation to the time and resources required to include measures to support the child and staff and prevent further incidents. This may require a Risk Assessment, advice and support from one or more external agencies, which is unlikely to be immediately available.

Parents should not be given unreasonable expectations, which can cause unnecessary stress and problems for them and the school. There is not the only child in the school and schools have multiple demands on their time and resources all the time.

Complaints Process

18 To what extent do you agree or disagree that the guidance outlines the complaints process and links to the Department's Safeguarding and Child Protection Guidance which includes advice on the escalation of safeguarding and child protection concerns?

Strongly disagree

Additional comments (optional):

Whistleblowing Procedures

19 To what extent do you agree or disagree that the guidance outlines whistleblowing procedures?

Strongly disagree

Additional comments (optional):

Parents are informed of the school's complaints procedures, including access to the Ombudsman, annually in the schools' complaints procedures. There is no need for schools to remind them of this or whistleblowing as it could be seen to be encouraging people to do this rather than using the schools' internal procedures to address any concerns they may have.

Consultation

20 To what extent do you agree or disagree that the guidance was developed in consultation with schools, professional bodies, children and young people and parents/carers.

Strongly disagree

Additional comments (optional):

There are no teachers or Teacher unions on either the RSWG or the Reference group, despite the fact that they are probably the group most likely to be affected by and responsible for implementing this guidance.

The views of the Teacher unions, on behalf of thousands of teachers have not been taken into account or reflected in this guidance, nor it appears has there been any cognisance taken of the pupils in schools who don't require support but are affected by the behaviour of those who do.

Measures to Ensure Mandatory Recording and Reporting of Restraint

21 To what extent do you agree or disagree that the guidance includes measures to ensure mandatory recording and reporting of restraint?

Strongly disagree

Additional comments (optional):

As stated previously the guidance does not provide for the time and resources to ensure this.

Additional Comments

22 Please provide any additional comments you may have.

Any other additional comments (optional) :

The aspirations which this guidance seeks to achieve are admirable but they fall down on the practicalities and unfortunately therefore they are likely to remain just that - aspirational.

The guidance is based on an ideal situation where classes in schools are small, appropriate support is available from EA and other outside agencies, psychologists, therapists, counsellors, etc on demand.

The reality is and has been for many years, that the support required in schools is just not available. In fact with the recent budget cuts, the situation in schools has become significantly worse. For years now, access to educational psychologists has been difficult, because there just aren't enough of them in the system or being trained. Schools are struggling to get pupils assessed and even when they succeeded in doing so and funding for a classroom Assistant is approved, they are then struggling to fill the post because CAs can earn as much or more stacking shelves in TESCOs.

The support from EA has been decreasing at an alarming rate over the past few years with schools reporting not being able to get anyone to speak on the phone, never mind, visit their school to support or train them.

A reality check is needed. All pupils in Northern Ireland have a right to be 'happy, learning and succeeding in school' but DE and EA must resource and support schools and teachers to enable them to fulfill this vision in the Department of Education's Corporate Plan 2023-2028 - Every Child.

There must be regular mandatory quality training for ALL teachers on the Reduction and Management of Restrictive Practices in Educational Settings in Northern Ireland which details the Do's and Don'ts of crisis situations, which is properly funded and resourced.

Additional Information

23 If you would prefer your response to remain confidential, please tick this box

Remain Confidential:
No