

PE1548/H

Educational Institute of Scotland Letter of 23 April 2015

Petition PE1548

Restraint

EIS advice to members regarding physical restraint was approved by the Annual General Meeting in 2005.

In essence, the EIS is opposed to any requirement for teachers to be trained in physical restraint techniques. We accept that some may choose to engage in training, particularly in EBD/CLD schools.

Advice to EIS Members

Physical restraint techniques and training are more directly relevant to the duties of care workers and certain special needs auxiliaries than to teachers.

The Institute believes that employers should carry out risk assessments to identify potentially violent situations and appropriate strategies to prevent violent incidents occurring, thus minimising the need for staff to employ physical restraint techniques.

The Institute believes that where young children exhibit violent behaviour or pose a threat of violence, identified through a risk assessment procedure, the most appropriate placement is an EBD school or unit.

There can be no requirement for Institute members to be trained in physical restraint techniques and the Institute will provide full support to any member pressured by an employer to be trained in physical restraint techniques. Such training should be voluntary and is most relevant for members deployed in EBD schools and units. However, the Institute accepts that members can be involved in training to minimise the risk of violence and to deal with issues of immediate danger e.g. training in de-escalation techniques.

The Institute recognises that where there is an immediate danger to other persons or the possibility of physical assault upon themselves members may intervene physically. Should any member physically intervene in these circumstances they must be aware that any physical contact brings the risk of disciplinary action from the employer or criminal investigation and prosecution.

Intervention should be the last resort and other than in exceptional circumstance should only be considered following other measures to defuse the situation, following, wherever possible, the summoning of assistance and, wherever possible, following a clear warning.

Any action should be the minimum required in the circumstances to prevent a young person harming herself/himself, others or the member.

Where physical contact has occurred the member should report the incident to the head of establishment and branch representatives who shall, when necessary, contact the local association secretary.

Seclusion in Schools

The EIS is generally supportive of EBD or CLD schools as appropriate establishments for pupils whose behaviour is likely to lead to threatening behaviour. The EIS also supports the use of in-school units or bases to manage in-school behaviour. It is a matter of regret that the capacity of local authorities to support such provision has been reduced through budget pressures. Our AGM in 2006 noted the need for Councils to support teachers through additional staffing, both teaching and non-teaching, reduction in class sizes, curriculum flexibility and quality CPD as necessary steps to assist teachers to manage behaviour. While the EIS recognises that challenging behaviour can occur, the EIS is clear that schools should be safe places for teachers as well as pupils. The EIS encourages members to report violence or threats of violence to the police and is absolutely clear that violence, or threats of violence, is no part of a teacher's job.

Kingspark School, Dundee

It is a matter of regret that the briefing note accompanying the petition makes reference to this school. As the writer noted there was no reference in the petition to any concerns and the reference to a specific establishment which was subject to full Council, external scrutiny and police reports is unacceptable, particularly for individual members of staff who have been supported by the EIS and about whom the Council, external expert and police had no issue. If background information is set out it should be accurately reported. The concerns have been addressed following that process.

Conclusion

The EIS has no issue regarding the first premise of the petition, relating to the production of national guidance. The second premise is unclear. The phrase "non-educational" appears to be unclear in relation to schools.

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Assistant Secretary