

Parliamentary Bureau – Designation of a Bill at Stage 1

Restraint and Seclusion in Schools (Scotland) Bill

Introduction

1. The Restraint and Seclusion in Schools (Scotland) Bill was introduced in the Parliament on 17 March by the member in charge, Daniel Johnson MSP.

Discussion

2. The Bill makes provision about the use of restraint and seclusion by education providers in both state and independent schools.
3. The Bill requires—
 - the Scottish Ministers to issue guidance to education providers about the use of restraint and seclusion in schools,
 - schools to inform parents after there has been an incident of restraint or seclusion,
 - education providers to record all incidences and inform the Scottish Ministers about the number of incidences,
 - the Scottish Ministers to prepare a report with this information collated from all education providers, and
 - the Scottish Ministers to maintain a list of persons who provide training on the use of restraint and seclusion which meets such standards as the Scottish Ministers may approve.
4. The Bill falls within the remit of the following committees—

Education, Children and Young People Committee

The remit of the Education, Children and Young People Committee includes consideration of matters within the responsibility of the Cabinet Secretary for Education and Skills who has responsibility for school standards, the teaching profession and inclusive education. The Bill relates to the use of restraint and seclusion in schools and the Committee's remit is therefore engaged.

Local Government, Housing and Planning Committee

The remit of the Local Government, Housing and Planning Committee includes matters of local government finance falling within the responsibility of the Cabinet Secretary for Finance and Local Government. There will be a cost to education authorities associated with implementing the duties set out in the Bill, including having regard to the requirements of the guidance. Accordingly, the Committee's remit is engaged.

5. It is understood that the Education, Children and Young People Committee has the main interest in the Bill.
6. We are not aware of any interest of any other committee in being formally designated as a secondary committee. Lack of formal designation does not, of course, prevent the committee from considering the Bill if it subsequently decides to do so.

Recommendation

7. The Bureau is invited to consider recommending to the Parliament by motion that it agrees, under Rule 9.6.1, that the Education, Children and Young People Committee be designated as lead committee.

8. A draft motion can be found below.

Draft Parliamentary Bureau motion on the Restraint and Seclusion in Schools (Scotland) Bill:

Designation of Lead Committee – That the Parliament agrees that the Education, Children and Young People Committee be designated as the lead committee in consideration of the Restraint and Seclusion in Schools (Scotland) Bill at Stage 1.

Parliamentary Business Team
March 2025