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Douglas Ross MSP
Convener
Education, Children and Young People
Committee
The Scottish Parliament
Edinburgh
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8 November 2024

Dear Convener,

Guidance publication: included, engaged and involved part 3: a relationships and rights-based approach to physical intervention in schools.

I am writing to inform the committee of today's publication of our children's rights-based guidance on the use of physical intervention in schools. The [guidance](#) forms the third part of the included, engaged and involved series and replaces the advice on physical intervention and seclusion in included, engaged and involved part 2.

The guidance is aimed at education authority, grant-aided and independent schools and reaffirms our position that restraint and seclusion must only ever be used as a last resort to prevent the risk of injury. The guidance has been developed in partnership with the [physical intervention working](#) group and I am very grateful to all members for their contributions to this important work. The guidance has been drafted in line with our responsibilities relating to the UNCRC (Incorporation) Act 2024 and provides advice on prevention, safeguards, training, reporting, recording and monitoring in relation to the use of restraint and seclusion.

We have also published our accompanying [Equality](#) and [Children's Rights and Wellbeing](#) Impact Assessments.

The publication of the guidance is part of the phase 1 delivery of our [Relationships and Behaviour Action Plan](#). The Scottish Government will work with Education Scotland, local government and partners to implement the guidance. As part of our original commitment, we will review the effectiveness of the guidance 1 year after publication.

I also recognise that there have been calls for further legislation. Alongside the publication of the new guidance, we are exploring options to strengthen the legal framework in this area.

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This includes my ongoing engagement with Daniel Johnson MSP on his proposal for a Member's Bill on the prevention of restraint and seclusion in schools.

I would be happy to keep the committee informed of developments in this area.

Yours sincerely,

JENNY GILRUTH

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