

Restraint and Seclusion in Schools (Scotland) Bill – Call for Views (11 July 2025) – Stage 1

RCSLT Scotland response

1. Do you agree with the Bill's approach, why?

We welcome this Bill and what it seeks to achieve. Restraint and seclusion should not be used as everyday responses to routine, potentially developmentally-appropriate dysregulation and distress in education settings. We also agree with the [Children & Young People's Commissioner Scotland](#) that there is a need for a consistent legal framework covering restraint and seclusion in all settings, including education, care (including secure care) and health services.

Children learn to communicate from infancy and continue to hone and polish their skills into adulthood. Communication development is a crucial process occurring in tandem with other intertwined physical, cognitive and emotional advances. Communication allows children to interact, build nurturing relationships and to understand themselves ([Giving Voice to All of Scotland's Children](#), 2025).

Children who have a communication need may find it difficult to have meaningful interactions and relationships which can lead to challenging behaviour. It's important that these communication needs are addressed first, with the help of a highly skilled speech and language therapist before taking measures that could make the situation worse.

We agree that the Bill would address the gaps in legal protections and recording practices around the use of seclusion and restraint in education settings; and that having a sufficient regulatory framework without legislation is not likely to respect, protect and fulfil children's rights, nationally, and in line with the requirements under the UNCRC (Incorporation) (Scotland) Act 2024.

Having a legal framework to determine and regulate the use of seclusion and restraint across all settings and services for children would be in the best interests of children and would allow for the closest monitoring of practice for all professionals who may use restraint or seclusion, or train others to use the same.

We agree with the Children & Young People's Commissioner's statement around the use of definitions, particularly the use of "child" and "young person". We are supportive of unified language around the definition of a child so that it is compliant with the UNCRC. A clear language and understanding of definitions and terms can contribute to equitable and consistent practice for children, regardless of the setting they are in.

2. Do you think the timescale for informing parents is reasonable?

We agree with the Children & Young People's Commissioner that "within 24 hours" as a blanket statement does not go far enough. We support the Commissioner's suggestion that it should be "as soon as practically possible" but would also add "and must be within a 24-hour period."

We would welcome an addition of how any recorded restraint or seclusion practices will be shared and communicated to children, as well as the way their parents/legal

guardian's or caregivers are informed. To protect the language and communication rights of children, they should have an awareness that seclusion and restraint may be used and there should be a child-friendly, developmentally appropriate debrief offered in more than one mode of communication to children to help them understand any restraint or seclusion that has happened. This is in keeping with Article 42 – Knowledge of their rights. Children will need to understand what happened and what their rights are, in certain instances of the use of restraint or seclusion.

3. Do you agree this information should be recorded, collated and reported to Parliament annually?

We are supportive of annual recording – for continued learning development across the workforce and future policy and legislative response and planning.

4. What do you think about maintaining a list of training providers on the use of restraint and seclusion in schools?

We believe guidance and training should be put in place primarily to promote ways to avoid the use of restraint and seclusion.

Speech and language therapists have a unique contribution to the development of national, trauma-informed training practices and development for the workforce. They are skilled practitioners working across children's general developmental phase, as well as being highly trained and expert in understanding communication strengths and needs. They can impart techniques that contribute to the least restrictive practices and uphold children's rights and trauma-informed care and education. Good communication partners and environments can mitigate the risk in any perceived escalation of behaviour that challenges or presents a risk of harm to the child's self or others.

5. Any other comments?