

**UPDATES TO EDUCATION MANAGEMENT CIRCULARS AND GUIDANCE ON  
MANAGING DISTRESSED BEHAVIOUR, MANAGING VIOLENCE AND  
AGGRESSION AND EXCLUSIONS.**

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**1.0 EXECUTIVE SUMMARY**

- 1.1 The main purpose of this report is to provide Community Services Committee with an update on the refreshing of the *Managing Distressed Behaviour* Guidance and the Education Management Circulars 3.08 on *Exclusions* and 2.26 *Managing Violence and Aggression towards Staff*.

This documentation required to be updated to reflect national developments on Children's Rights and the United Nations Convention on the Rights of the Child, the National Additional Support for Learning Implementation Plan and The Promise as well as feedback from an ASN Tribunal in April of 2022 which highlighted some key areas for improvement.

There are no financial implications on the adoption of this updated documentation.

The recommendation is that these updates be noted.

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**2.0 INTRODUCTION**

2.1 There is a need for the guidance on *Managing Distressed Behaviour* to be updated in light of emerging national guidance. In 2018 a report was published by the Children's Commissioner, *No Safe Place- Restraint and Seclusion in Scotland's Schools*. This resulted in 22 recommendations being put forward to the Scottish Government on practice of seclusion and restrictive physical intervention in Scottish Schools. There was also a National Additional Support for Learning review- led by Angela Morgan which resulted in the National ASL Implementation Plan being developed. Alongside the development of The Promise which seeks to improve the experience of Care-Experienced Children and Young People, and UNCRC becoming legislative in Scotland there has been a requirement to review our documentation and update it accordingly to ensure children's rights are at the centre of decision-making processes across Education Services.

**3.0 RECOMMENDATIONS**

3.1 It is recommended that the Community Services Committee members note the updates to the attached documentation.

**4.0 DETAIL**

4.1 Since returning from lockdown periods there has been an increase in children showing distressed behaviour. There is a proportion of our younger children who are experiencing delays with the development of their social skills and the ability to regulate themselves and their emotions when interacting with other children. The review of the *Managing Distressed Behaviour Guidance* takes this into account by providing practice tools in the appendices which staff can use to guide them through the management of distressed behaviour in a child-centred and trauma-responsive way, building on the principles of a nurturing education.

- 4.2 There is an overlap of the processes and procedures when managing distressed behaviour in schools as, unfortunately, staff and children may become injured as a result of a distressed behaviour episode. Therefore, there is a need to update the Education Management circulars 2.26 *Managing Violence and Aggression towards Staff* and 3.08 *Exclusions* to align the processes and procedures with those in the guidance.

The Education Management Circulars 2.26 and 3.08 also required to be updated to reflect the national developments outlined in section 2.1 of this paper in regards to Children's Rights, the Additional Support for Learning Review and the implementation of The Promise.

- 4.3 In order to ensure that the updates to the Managing Distressed Behaviour Guidance and Management circulars 2.26 and 3.08 were appropriately informed by the voice of learners, a number of focus group activities took place with those who had been affected by previous policies and who would have valuable experience to share. The feedback received has been reflected in the policy updates attached.

## **5.0 CONCLUSION**

- 5.1 In light of the significant impact of the Covid-19 pandemic, the distressed behaviour our children and young people are experiencing, emerging issues around exclusion of children with additional support needs, a disability or with care experience, it is recommended that the updates to the documentation are noted and accepted.

## **6.0 IMPLICATIONS**

6.1 Policy - None

6.2 Financial - None

6.3 Legal – The statutory duties of the council will be met.

6.4 HR - None

6.5 Fairer Scotland Duty:

6.5.1 Equalities - protected characteristics – All legislative requirements will be met.

6.5.2 Socio-economic Duty- None

6.5.3 Islands - None

- 6.6 Climate Change - None
- 6.7 Risk – Appropriate consultation with Head Teachers and professional associations has taken place and mitigated potential risk.
- 6.8 Customer Service – improvement to provision will follow as staff will be following updated guidance to better meet the needs of the children and young people in Argyll and Bute.

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**APPENDICES**

Appendix A Guidance on Managing Distressed Behaviour

Appendix B Education Management Circular 2.26

Appendix C Education Management Circular 3.08