

Notice of Meeting and Agenda

Renfrewshire Council Joint Negotiating Committee for Teaching Staff

Date	Time	Venue
Tuesday, 14 May 2024	14:00	Corporate Meeting Room 2, Renfrewshire House,

MARK CONAGHAN
Head of Corporate Governance

Membership

Representing Renfrewshire Council Management

Councillor E Rodden; Councillor J Paterson; E Henry (Interim Head of Education); G Lyons (Interim Head of Education); J Colquhoun, Education Manager (Development); K Henry, Head Teacher, St Andrews Academy; J Houston, Head Teacher, Mossvale Primary School; A Hall, Education Manager (Development); M Thomas, Education Manager (Development) (all Education and Childrens' Services); and M Boyd, Head of People & Organisational Development (Finance and Resources)

Representing Renfrewshire Council Teaching Staff

K Fella/M Russell (Joint Secretary), JP Tonner, T Millar, Y Murray, D Tollan, B Kelly and P Quinn (all EIS); R Kane(SSTA); and L Gibson (NASUWT) and D Baxter (EIS - Adviser to Teachers' Side).

Further Information

A copy of the agenda and reports for this meeting will be available for inspection prior to the meeting at the Customer Service Centre, Renfrewshire House, Cotton Street, Paisley and online at <http://renfrewshire.cmis.uk.com/renfrewshire/CouncilandBoards.aspx>

For further information, please email democratic-services@renfrewshire.gov.uk

Items of business

Apologies

Apologies from members.

Declarations of Interest and Transparency Statements

Members are asked to declare an interest or make a transparency statement in any item(s) on the agenda and to provide a brief explanation of the nature of the interest or the transparency statement.

1 Chairperson

Consider the appointment of a Chairperson for this meeting.

2 Membership Update

Verbal Update by the Joint Secretary (Management Side).

3 Minute of Previous Meeting

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Minute of previous meeting, held on 26 March 2024.

4 Matters Arising

Matters arising from the Minute of the previous meeting, held on 26 March 2024.

5 Action Log

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6 Education Scotland Inspections of Renfrewshire Schools

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Report by Interim Head of Education.

7 Violence and Aggression Policy

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Report by Interim Head Of Education.

8 Removal of Teacher Exchange Scheme

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Report by Interim Head of Education.

9 Inclusion Update

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Report by Interim Head of Education.

10 Flexible Working

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Report by Joint Secretary (Teachers' Side).

11 In Service/Public Holidays and Part-Time Contracts

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Report by Joint Secretary (Teachers' Side).

12	Payroll and Salary Overpayments	52 - 53
	Report by Joint Secretary (Teachers' Side).	
13	Managing Absence	54 - 54
	Report by Joint Secretary (Teachers' Side).	

Minute of Meeting Renfrewshire Council Joint Negotiating Committee for Teaching Staff

Date	Time	Venue
Tuesday, 26 March 2024	14:00	Corporate Meeting Room 2, Renfrewshire House,

PRESENT

Representing Renfrewshire Council Management

Councillor J Paterson; E Henry and G Lyons, both Interim Head of Education (Childrens' Services); and M Boyd, Head of People & Organisational Development and S Fanning, Principal HR & OD Adviser (both Finance & Resources).

Representing Renfrewshire Council Teaching Staff

K Fella (Joint Secretary), B Kelly, Y Murray, M Russell, D Tollan and JP Tonner (all EIS); R Kane (SSTA); and P Binns (NASUWT).

IN ATTENDANCE

D Low, Democratic Services Manager and D Cunningham, Committee Services & Licensing Officer (both Finance & Resources).

APOLOGIES

Councillor Rodden; A Hall, M Thomas and J Colquhoun, all Education Managers (Development); K Henry, Head Teacher, St Andrews Academy; J Houston, Head Teacher, Mossvale Primary School; L Gibson (NASUWT); T Millar (EIS) and D Baxter, Adviser to Teachers' Side (EIS).

DECLARATIONS OF INTEREST AND TRANSPARENCY STATEMENTS

There were no declarations of interest or transparency statements intimated prior to the commencement of the meeting.

ORDER OF BUSINESS

It was advised that Item 6 of the Agenda had been withdrawn and would be considered at a future meeting of the Renfrewshire Joint Negotiating Committee.

1 CHAIRPERSON

In accordance with the terms of the local recognition and procedure agreement, which stated that the Chair of the Committee should alternate between the two sides comprising the Renfrewshire Council Joint Negotiating Committee for Teaching Staff, it was agreed that Mr John Paul Tonner would chair this meeting of the Renfrewshire Council Joint Negotiating Committee for Teaching Staff.

DECIDED: That Mr John Paul Tonner chair this meeting of the Renfrewshire Council Joint Negotiating Committee for Teaching Staff.

2 MINUTE OF PREVIOUS MEETING

There was submitted the Minute of the meeting held on 6 February 2024.

DECIDED: That the Minute be approved

3 MATTERS ARISING

Under reference to Item 4 of the Minute, Violence and Aggression Update, the Principal HR & OD Adviser informed JNC members that he had not received notification of any specific issues in terms of reporting incidents on Business World (BW). There followed a general discussion on reporting incidents using BW and it was agreed that Members would notify the Principal HR & OD Adviser of any problems for these to be addressed.

Under reference to Item 5 of the Minute, JNC/20 Scheme for the Appointment of Temporary Teachers to Permanent Posts, the Teachers' Side queried whether the submission date change been updated on the SNCT website. It was advised that A Hall, Education Manager (Development), would action this.

Under reference to Item 6 of the Minute, Mobile 'Phone use in Schools, it was advised that G Lyons, Interim Head of Education would take this area of work forward.

Under reference to Item 7 of the Minute, ASN Provision, it was agreed that the Joint Secretaries would meet to discuss this further.

Under reference to Item 8 of the Minute, In-Service Days and Time for Trade Union Meetings, it was raised that time for trade union meetings on in-service days was not applied consistently across all establishments. The Interim Head of Education advised that she had emailed a reminder of this requirement to all Head Teachers and that she would discuss this with the Teachers' Side separately to identify specific cases where this time was not being provided.

DECIDED:

- (a) That Members of the JNC would notify the Principal HR & OD Adviser of any problems reporting incidents via Business World;
- (b) That the amendment to the submission date for JNC/20 applications be updated on the SNCT website;
- (c) That the review of the Mobile Phone Use in Schools policy be taken forward;
- (d) That the Joint Secretaries would meet to discuss ASN Provision; and
- (e) That the Interim Head of Education would discuss specific examples with the Teachers' Side where time for Trade Union meetings had not been provided

4 **ACTION LOG**

The action log for the JNC was submitted.

DECIDED: That the updates to the action log be noted

5 **TRANSITION OF CHILDREN AND YOUNG PEOPLE WITH ADDITIONAL SUPPORT NEEDS - PART ONE**

There was submitted a report by The Interim Head of Education relative to the provision of an update to Members of the JNC on the revised Transition of Children with Additional Support Needs Policy which was approved by the Education and Children's Services Policy Board on 14 March 2024.

There was a general discussion around the various stages of transition and the challenges faced due to the increased number of pupils who required ASN support coupled with the reduced numbers of ASN teachers and support staff. The improved number of Early Years pupils in enhanced transition as a result of the early detection of support requirements was highlighted by the Interim Head of Education.

DECIDED: That the content of the report be noted.

6 **LOCAL GOVERNMENT BUDGET AND MAINTENANCE OF TEACHER AND SUPPORT STAFF NUMBERS**

There was submitted a report by the Joint Secretary (Teachers' Side) relative to Renfrewshire Council's Revenue Budget and Council Tax 2024/25 which was approved at the Council meeting on 29 February 2024.

The report highlighted statements made by the Director of Finance & Resources regarding the maintenance of teaching and support staff numbers. The Teachers' Side sought assurances: that all conditions related to maintaining staffing numbers would be satisfied.

The Interim Head of Service confirmed that the 2024/25 Budget set out no change to teacher and support staff numbers but highlighted that this was also subject to factors such as recruitment processes and the retention of staff.

DECIDED:

- (a) That the 2024/25 Budget set out no change to teacher and support staff numbers;
and
- (b) That otherwise the content of the report be noted.

7 DATE OF NEXT MEETING

Members were asked to note that the next meeting of the Renfrewshire Council Joint Negotiating Committee for Teaching Staff was scheduled to be held at 2.00pm on 14 May 2024.

Joint Negotiating Committee For Teachers – Action Log

Date of JNC Meeting	Report	Action to be taken	Officer responsible	Due date <small>(default date is the date of the next meeting unless either the report or the Joint Secretaries suggests an alternative date)</small>	Status <small>(this section requires to be completed by the two Joint Secretaries to be included as an update at the next meeting)</small>
6 February 2024	Item 2 Minute of Previous Meeting	Amend Item 9 of the Minute of 14 November 2023 to include reference to “the number of specialist ASN staff”	Clerk	6 February 2024	Actioned 15/02/24 Amended by Clerk and Minute published
6 February 2024	Item 3 Matters Arising	(a) Set up working group to discuss JNC/15 Grievance Procedures (b) Discuss provision of an action tracker (c) Standard Circular access work (d) Safeguarding triggers in SEEMIS	(a) E Henry - Interim Head of Education (b) Clerk and Joint Secretaries (c) J Colquhoun -Education Manager (Development) (d) E Henry - Interim Head of Education	26 March 2024 26 March 2024 26 March 2024 26 March 2024	To be arranged for Term 4 Actioned Meeting 01/03/24 Tracker on agenda next meeting. To be arranged for Term 4

		(e) Let's be Heard Covid Enquiry update	(e) M Thomas - Education Manager (Development)	26 March 2024	
6 February 2024	Item 4 Violence and Aggression Update	(a) Provide examples of BW glitches (b) Update on national H&S working group	(a) Teachers' Side (b) Principal HR&OD Adviser	Ongoing Ongoing	
6 February 2024	Item 5 JNC/20 Scheme	Change submission date to 30 November	All	Ongoing	
6 February 2024	Item 6 Mobile Phone Use	(a) Staff advised that policy would be reviewed (b) Working group to be set up to facilitate review of policy (c) Mobile phone policy reissued to schools with caveat that phones can only be used as directed by staff	G Lyons - Interim Head of Education	Ongoing	
6 February 2024	Item 7 ASN Provision	(a) Discuss specific ASN issues	(a) E Henry - Interim Head of	26 March 2024	Actioned

			Education with Teachers' Side as required		
		(b) Meet to discuss ASN support	(b) Joint Secretaries	26 March 2024	
6 February 2024	Item 8 In Service Days and Time for TU Meetings	Headteachers to be reminded of the need for time for union meetings during in-service days	EH - Interim Head of Education	26 March 2024	Actioned
26 March 2024	Item 3 Matters Arising	(a) Notify Principal HR&OD Adviser of any BW issues with reporting incidents	Teachers' Side	14 May 2024	
		(b) JNC/20 submission date updated on SNCT website	AH – Education Manager (Development)	14 May 2024	ACTIONED
		(c) Review of Mobile Phone Use in Schools Policy	GL – Interim Manager of Education and Teachers' Side	14 May 2024	Ongoing
		(d) ASN Provision Meeting	Joint Secretaries	14 May 2024	ACTIONED
		(e) Discuss time for Trade Union meetings not being provided	EH – Interim Head of Education and Teachers' Side	14 May 2024	Update required from Teacher's side

Renfrewshire Joint Negotiating Committee for Teachers

To: Renfrewshire Joint Negotiating Committee for Teachers

On: 14 May 2024

**Report by
Interim Head of Education**

Education Scotland Inspections of Renfrewshire Schools

1. Summary

- 1.1 In academic session 2022/23, 5 primary schools and 2 secondary schools were inspected by HM Inspectors, Education Scotland as part of a national sample of education. In the current academic session 2023/24, to date, 4 primaries and 1 secondary have been inspected.
- 1.2 HM Inspectors of Education inspect quality and improvement of education across Scotland's schools using specific quality indicators (QIs) and the six-point scale as set out in How good is our school? (4th edition) (HGIOS4) quality improvement framework.
- 1.3 There are two models for school inspections of this kind; a full model where 4 quality indicators are evaluated (see below) and a short model where only 2 of the 4 quality indicators are evaluated (QIs 2.3 and 3.2).

Quality Indicator 1.3	Leadership of Change
Quality Indicator 2.3	Learning, teaching and assessment.
Quality Indicator 3.1	Ensuring wellbeing, equity and inclusion.
Quality Indicator 3.2	Raising attainment and achievement.

- 1.4 Six Renfrewshire schools had a full model inspection and six had the short model. Where a school receives gradings of 'Satisfactory' or better, it is considered to be a positive inspection. All Renfrewshire schools inspected have received a positive inspection report.

For the 12 schools inspected, the gradings were as follows:

Quality Indicator	Very Good	Good	Satisfactory
QI 1.3 Leadership of Change	83%	17%	
QI 2.3 Learning, teaching & assessment	33%	67%	
QI 3.1 Ensuring wellbeing, equity and inclusion	67%	33%	
QI 3.2 Raising attainment and achievement	25%	67%	8%

- 1.5 Comparing the Renfrewshire gradings to the national picture for session 2022/23, shows that the percentage of our schools achieving 'Very Good' and 'Good' gradings are greater than the national figures. This is particularly significant for QIs 1.3 and 3.1 where the percentage of Renfrewshire schools achieving 'Very Goods' are more than double that of the national figure for QI 1.3 and almost double for QI 3.1.
- 1.6 Common strengths emerging from Renfrewshire inspection reports:
- Senior leaders are effective in guiding the strategic direction and pace of change to improve outcomes for children and young people.
 - Staff teams know children and families well and have a good understanding of the social, economic and cultural context of the school community.
 - Staff teams work well together to create nurturing and inclusive learning environments where children and young people can thrive and achieve.
 - Children and young people are very proud of their schools and are confident and happy in school.
 - Staff across schools are committed to engaging in professional learning to improve learning and teaching.
 - Supporting and improving children's and young people's wellbeing continues to be a high priority. Developing emotional wellbeing and resilience is a strong focus.
 - Working effectively with parents and partners, staff teams provide a range of effective supports to reduce barriers to the learning of children and young people.
- 1.7 During inspections, HM Inspectors seek to identify highly effective practice to be shared more widely to promote improvement.

In Barsail primary school, inspectors identified the following:

'The highly effective approaches to developing staff, children's and parents' knowledge and understanding of the language of wellbeing and nurturing values is worth sharing more widely. The principal teacher, supported by psychological services, leads very well the high quality work promoting a consistent approach to developing very positive relationships. This translates the vision, values and aims into reality. This consistent approach to developing and promoting positive relationships is highly-effective in supporting improvement and recovery from the impact of COVID-19. All staff have developed appropriate skills successfully to support children's social and emotional wellbeing. Staff have created an inclusive approach to teaching and learning as a result. All staff reinforce this inclusive approach in the respectful and encouraging interactions they have with children at all times. They use and model appropriate language to support children to speak openly about their feelings and resolve any disagreements when they occur.'

In St. Mary's Primary School, inspectors identified the following:

'Across the school, children engage very well in their learning. Lessons are motivating and challenging. Teachers plan interesting contexts for learning and throughout lessons, provide opportunities for children to learn in a variety of ways. Teachers support children very well to understand what they are learning and how they will know if they have been successful.'

- 1.8 Individual inspection reports provide the detail of a variety of different next steps identified for our schools. These are being taken forward through the improvement planning process and monitored by link Education Managers through the quality improvement framework.

2. Background

- 2.1. In Scotland, scrutiny activity is a crucial tool which supports improvement, as well as providing assurance and public accountability. The scope of Education Scotland inspection activities at a local level provides a unique evidence base drawn from observing practice at first hand across the country.
- 2.2. HM Inspectors of Education inspect quality and improvement of education across Scotland's schools using the quality indicators (QIs) and the six-point scale as set out in How good is our school? (4th edition) (HGIOS4) quality improvement framework.

6-point scale

Excellent	-	outstanding and sector-leading
Very Good	-	major strengths and very few areas for improvement
Good	-	important strengths within the school's work yet there remains some aspects which require improvement
Satisfactory	-	strengths within this aspect of the school's work just outweigh the weaknesses
Weak	-	important weaknesses
Unsatisfactory	-	major weaknesses which require immediate remedial action

- 2.3. Following a pause to inspections due to the pandemic, Education Scotland's routine programme of inspection of schools and early years settings resumed in September 2022. Children's Services welcomes the process of audit undertaken by Education Scotland as supportive to continuous improvement in Renfrewshire's education establishments.

Renfrewshire schools inspected since September 2022:

- Barsail PS
- Cochrane Castle PS
- Auchenlodment PS and ELCC
- West PS and ELCC
- St. Mary's PS and ELCC
- Park Mains High School
- St. Benedict's High School
- Bishopton PS
- St. Margaret's PS and ELCC
- Brediland PS
- Williamsburgh PS and ELCC
- Trinity High School

3. Recommendation

- 3.1. JNC is asked to note the very positive outcomes in relation to inspections of Renfrewshire primary and secondary schools by HM Inspectors, Education Scotland, over the last 2 academic sessions.

Renfrewshire Joint Negotiating Committee for Teachers

To: Renfrewshire Joint Negotiating Committee for Teachers

On: 14 May 2024

Report by
Interim Head of Education

Violence and Aggression Policy

1. Summary

- 1.1. The purpose of this paper is to update the members on the revised Violence and Aggression Policy prior to the Education and Children's Services Policy Board on 23 May 2024.

2. Background

- 2.1. Employees have the right to work in a safe and secure environment. Renfrewshire Council has a duty of care under the Health and Safety at Work Act 1974 to ensure the health, safety, and welfare of employees at work. This policy provides clear structures to ensure that employees are protected from violence and aggression and relates to the prevention, management and reporting of violent incidents in establishments.

3. Recommendation

- 3.1. It is recommended that JNC approves the attached revised policy.

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Please note that this policy is for use by all staff and is the guidance for managing and recording incidents of violence and aggression in any educational establishment including, early years establishments/nursery classes and flexible learning resources – from here on in the term “establishment” will be used to describe all.

This document replaces the “Managing Violence and Aggression in Education Establishments”.

This agreement should be read in conjunction with Renfrewshire Council’s [Violence and Aggression Policy 2001](#)

1.0 Introduction

The Council's definition of violence or aggression at work is:

“Any incident in which an employee is abused, threatened or assaulted in circumstances relating to their work, involving an implicit or explicit challenge to their safety, wellbeing or health.”

Renfrewshire Council

As with the Health and Safety Executive's definition, the Council definition of violence and aggression at work covers a wide-ranging set of behaviours including verbal abuse, threats, intimidation and harassment, cyber bullying and stalking and, of course, physical attacks.

- Physical assault is the intentional application of force by one person on another, without lawful justification, resulting in injury or personal discomfort for example damage to glasses, dental work etc.
- Non-physical assault is the use of inappropriate language or behaviour causing distress and/or constituting harassment.
- Unacceptable behaviour including for example - loud or intrusive conversations or shouting, offensive sexualised behaviour or gestures, physical posturing and unwanted email, telephone or from other electronic devices and from social media communication. (Online Abuse Guidance - Appendix 7)

These descriptors are not exhaustive or ordered according to importance. The term 'incident' will be used throughout the remainder of this policy to encompass either physical and non- physical assault, abuse, or harassment.

Employees have the right to work in a safe and secure environment. Renfrewshire Council has a duty of care under the Health and Safety at Work Act 1974 to ensure the health, safety, and welfare of employees at work.

[The Health and Safety at Work Act 1974](#)

[The Management of Health and Safety at Work Regulations](#)

[The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations](#)

[Safety Representatives and Safety Committees Regulations 1977 \(a\)](#)

[Health and Safety \(Consultation with Employees\) Regulations 1966 \(b\).](#)

2.0 Scope

Violence or aggression at work by one employee against another is not discussed in this policy. The procedures within Renfrewshire Council's, [Violence and Aggression Policy 2001](#) should be followed where acts of violence and aggression against employees are carried out by other employees. Where this situation arises, employees also have access to the Council's [Equality and Diversity at Work Policy](#). Further advice on grievance or equality procedures can be sought from either trade union representatives or the Human Resource Team.

Certain employees can be identified as being particularly vulnerable to risks that are associated with violence or aggression from children or young people presenting with distressed/dysregulated behaviours which could arise due to the nature of their disability. These could include, for example where employees work:

- in Additional Support Needs establishments;
- with children or young people who present with social, emotional, behavioural difficulties;
- on a one-to-one basis with children or young people;
- alone; and or
- Where an individual child or young person has been identified as being predisposed to violence or aggression.

For these children and young people, risk assessments should have been carried out along with a challenging behaviour risk assessment as part of the child planning process – this information should be shared with all staff.

Note:

For these children and young people there may be a requirement for establishment leadership teams to be supported in how to carry out risk assessments, as advised by the Health and Safety team, [Health-and-Safety-Inspections-in-Schools](#) in relation to child or young person behaviour which could result in harm. This should also be supported by Educational Psychology, with regards to approaches which reduce risk. Such risk assessments should be child centred.

3.0 Responsibilities

Corporate Directors, Heads of Service and Education Managers along with head teachers/heads of centres are responsible for the safety of all the establishment employees. They do this by ensuring arrangements are in place to implement, monitor and review this policy and make effective arrangements to minimise the risk of violence and aggression at work. Employees are also responsible for their own safety and should follow the Council's guidance and systems for the management of violence and aggression.

Employers have a duty, under Managing Health and Safety at Work Regulations (1999), to assess risks of injury and ill health to which employees and others are exposed. The duties cover the reasonably foreseeable risks of violence and aggression. The assessment of risk should be

ongoing for children and young people as they access all areas of education. For most this will consist of discussions and decisions between employees, parents/carers and the child or young person and may not require any formal recording or may be recorded on pastoral notes which link to the child's establishment record. For children and young people who demonstrate behaviours that are challenging and concerning, formal risk assessment procedures must be actioned from the earliest realisation and recorded on the single and multiagency child's plan, in accordance with Health and Safety Executive Recommendations.

[Risk Assessment Templates](#)

[Challenging Behaviour Risk Assessment](#)

The aim is to safeguard the health, safety, and welfare of employees at all times by:

- reducing the risk of violence and aggression against employees;
- making sure that arrangements are in place to assess the risk of violence and aggression against employees;
- providing appropriate training and information for employees for example, as part of the annual update on the first In-service day establishment staff will receive an update covering relevant information and training opportunities.
- making sure management standards are applied consistently;
- providing appropriate support to employees following a violent incident;
- maintaining robust recording and management systems for all violent incidents including those that fall within Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013; and
- making sure that employees who have experienced or witnessed incidents are confident to report them, have them taken seriously and dealt with effectively.

This policy provides clear structures to ensure that employees are protected from violence and aggression and relates to the prevention, management and reporting of violent incidents in establishments. Appendix 1 provides details of what an employee can do if they do not feel the policy is being followed in their establishment.

This policy should be read in conjunction with other related [Renfrewshire Council policy documents](#).

4.0 Strategies to Minimise the Risk of Violence & Aggression Against Employees

These core guiding principles (appendix 2) sit within the context of a staged intervention framework on promoting positive relationships. They have a sound research base and are central to the work we are undertaking within Children's Services Getting It Right for Every Child (GIRFEC) policy refresh.

5.0 Physical Interventions

Duty of care

Education providers owe a duty of care to their pupils⁶ and staff in relation to their physical emotional and mental wellbeing. They have a duty to take reasonable care to prevent any harm that can be foreseen. Similar duties are placed on education providers under Health and Safety legislation.

Appendix 1 highlights the preventative approaches that can be taken to meet the needs of children and young people and lower the risk of harm to themselves or others arising from distressed behaviour. It also highlights the de-escalation and co-regulation strategies that should be considered ahead of physical interventions if an unexpected risk of harm arises. Examples of what constitutes physical interventions can be found in Appendix 3 Training is available for this. Nevertheless, it is accepted that there are situations when the use of restraint may be the only viable option available to staff to prevent a greater injury or harm for example when a child is running into a busy road it is reasonable to physically intervene to stop them being hit by a vehicle.

A person entrusted with the care of a young child may be required to restrict the child's actions to ensure their welfare and safety or the welfare and safety of others. If the restraint is consistent with ordinary acceptable parental restrictions upon the movements of a child of that age and understanding this will generally be lawful.

Physical intervention therefore should only be used as a last resort, to prevent harm, with the minimum necessary force, and for the minimum necessary time and when other strategies have been tried and found to be unsuccessful or when the risks of not employing an intervention outweigh the risks of using reasonable force. In practice, the principle of last resort means that physical intervention should only be considered where no less restrictive options are viable.

Appendix 3 provides examples of physical intervention and restraint.

There is no legal definition of 'reasonable force' so it is not possible to set out comprehensively when it is reasonable to use force, or the degree of force that may be reasonably used. It will always depend on all circumstances of the case. There are two relevant considerations:

- The use of force can be regarded as reasonable only if the circumstances of the particular incident warrant it. The use of any degree of force is unlawful if the particular circumstances do not warrant such use.
- The degree of force employed must be in proportion to the circumstances of the incident and the seriousness of the behaviour or the consequences it is intended to prevent. The degree of force and the duration of its application should always be the minimum needed to achieve the desired result.

It is a criminal offence to use physical force, or to act in a way that leads another person to fear the use of force, unless the circumstances give rise to a 'lawful excuse' or justification for the use of that force. Such justification may be to prevent an injury to oneself or to others or to prevent serious damage to property. In these circumstances, a reasonable amount of force may be used.

All instances of physical intervention must be recorded in accordance with policies.

Employees in mainstream establishments are not permitted to access training in restraint. The training calendar provides details of promoting positive behaviour training, de-escalation training and this will continue to be updated.

Employees should be aware that in certain circumstances, even in the face of physical assault, the use of force to protect oneself could result in criminal charges being made.

6.0 Management of Incidents

IMMEDIATELY Following an incident, the overriding concern should be for the wellbeing of the employee and any others involved.

Establishments should have a process in place to ensure that employees can access support in the event of an incident. Suitable arrangements should be put in place in the event of senior management being out of the building so that there is a clear and consistent approach which all employees are made aware of. The details of this should also be displayed on a staff notice board.

Police Involvement

Depending on the gravity of the incident, Police assistance or notification may be required. Such contact should in normal circumstances be made by the supervisor/line manager or equivalent on duty. However, in some emergency situations, where this is not possible and Police assistance is required to defuse a situation, any employee on duty should contact the Police immediately direct to summon assistance. The supervisor/line manager or equivalent should be advised of any such incident as soon as possible in order that the appropriate reporting mechanism can be put in place.

Any employee involved in an incident relating to an act of violence and aggression has the right to refer the matter to Police for investigation to ensure their rights and interests are protected, irrespective of any other procedures. The employee's complaint or allegation should be taken seriously. As Council employees however, they are also entitled to expect the positive support and backing of their department where the incident occurred in connection with their activities as a council employee, which may involve the employee's supervisor/line manager or equivalent reporting the incident to the Police on the employee's behalf at the employee's request.

This support will include an employee who has experienced an act of violence and aggression being assisted in reporting the matter to police on their behalf at the staff member's request.

Employees should feel comfortable in contacting the Police for incidents involving non-physical acts of violence and aggression as the Police will consider any incident where fear and alarm has been raised. They will assess the situation and determine the appropriate course of action to be taken.

In the event that an employee is required to attend a Police Station to give a statement, the line manager/supervisor and/or employee representative may accompany the employee at the employee's discretion.

Victims of physical assault have the opportunity to apply for compensation to the Criminal Injuries Compensation Board. This provides statutory compensation to victims of violent crime whether or not the identity of the assailant is known or whether there have been criminal proceedings. Completion of a detailed violent incident report form and Police report on a violent incident is necessary to conform with the requirements of the Criminal Injuries Compensation Board, where an employee applies for such assistance.

New measures to tackle the harm caused by hatred and prejudice come into force 1 April 2024. The Hate Crime and Public Order (Scotland) Act will provide greater protection for victims and communities.

It introduces new offences for threatening or abusive behaviour which is intended to stir up hatred based on prejudice towards characteristics including age, disability, religion, sexual orientation, transgender identity and variations in sex characteristics. These extra provisions will add to the long-standing stirring up racial hatred offences, which have been in place UK-wide since 1986.

[Hate Crime and Public Order \(Scotland\) Act 2021 \(legislation.gov.uk\)](https://legislation.gov.uk)

Managing Incident Flow chart

Throughout the process - Support for Staff (appendix 7)

Renfrewshire Council offer a range of support to employees who have been subject to violence and aggression arising from their workplace. A debrief must be held as soon as possible after the incident to determine how best to support the employee's wellbeing. This could include being made aware of the Employee Assistance Programme (EAP) and how to access legal support.

Immediately following an incident – Are you okay?

Senior Managers in collaboration with the employee must decide on appropriate immediate actions to support the employee. Thus, ensuring that the employee is reassured, supported and confident that their needs will be met.

Debrief

Within 48 hours or sooner, if possible, the Head Teacher or representative should arrange a debrief with the employee to consider the incident and any matters arising from it: the employee has the right to be accompanied at any such meeting. A companion may be a fellow worker or a trade union official. A representative acting in a legal capacity will not be considered an appropriate companion.

Likelihood of Further Incidents

During the debrief, the Head Teacher or representative will agree appropriate actions with employee and will consider the likelihood of further incidents.

Low

If it is agreed that the likelihood of a further incident is low, then the reporting procedures through Business World will be followed through.

High

There should be mitigations in place in short term to support the staff member see below. Business World should be completed. In addition to this where appropriate, the Team Around the Child (TAC)/parent meeting could be convened to discuss the Risk Assessment/Child's Plan and make any appropriate adjustments. The section of the action plan referring to strategies to prevent further incidents **should be shared with all staff**. The issue of pupil confidentiality must be respected and as such the sharing of the full action plan will be proportionate.:

Reporting

The Health and Safety (H&S) Team will send a Violence and Aggression (V&A) Incident Report to the Head of Education each week. This will then be sent to the Education Manager (EM) Team to analyse their link school's V&A data. If repeated patterns or trends are identified the EM will contact the Senior Leadership Team from their link school to discuss possible supports required. The Locality Education Officer (EO) can be involved at this stage, if required. Any actions introduced at this stage will be shared with the H&S team by the EO and Plans/Risk Assessments will be updated in line with GIRFEC policy and Staged Intervention Framework with all staff involved in the plans.

This should be recorded on [Single and Multi-agency Child's Plan](#)

See **appendix 8** which exemplifies how to use this plan as a classroom action plan.

Examples of immediate actions following an incident

Immediate actions which could be considered by head of establishment or designated line manager include:

- first aid
- secure the environment e.g., remove dangerous objects/glass.
- discuss with member of staff if they are in a fit state to remain/or do they need to go home or spend some time on their own.
- ensure all staff have their allocated breaks.
- temporary move of child/young person from class/area
- contact child parent/carer to inform them of incident.
- use of cooperative teaching
- support from a key adult/staff member to support the child/young person
- De-brief with staff member(s) involved
- Ensure staff member has an appropriate place and access to ICT to complete V&A form on Business World
- Complete Single and Multi-agency Child's plan - Classroom Action Plan
- following [Standard-Circular-08 - Included Engaged and Involved - A-positive approach-to preventing and managing school exclusions](#)

This list is for illustration purposes only and not exhaustive.

7.0 Reporting and Recording Incidents

Employees should report all incidents and should not accept that violence or aggression is part of the job.

See Appendix 5 – Using Business World

Recording of incidents helps to build up a true picture of the risks and triggers for work related incidents and therefore helps in the monitoring and development of appropriate prevention strategies. It can contribute towards evidence which may be required should legal proceedings be initiated. Employees are encouraged to report and record incidents of violence and aggression and be aware of the process for doing so.

Note:

- It is the employee's responsibility to complete the Business World incident form correctly and **only if requested** by the employee should this be completed by a manager.
- Staff members can request support from management if required.
- It is not the responsibility of the manager to complete the form on behalf of the staff member unless explicitly asked to do by the employee.

It should be noted here that Business World does not allow the function to save as a PDF and so employees should take a note of the incident number for future reference. It is recommended that taking a screen shot of the content of the incident would ensure access to a hard copy.

The employee experiencing violence or aggression can choose to contact their appropriate trade union representative for further advice and support.

Tips on accurate reporting

The following is the advice from the [Violence and Aggression i-learn module](#)

- Record what happened.
- **Keep to the facts.** Record what you saw, heard, thought, and felt at the time. Include any specific words, such as swear words, and actions, such as "grabs", "squaring up".
- **Be as detailed as possible.** Statements such as "she was verbally abusive" or "...and then he became more aggressive" are not descriptive enough to tell us exactly what happened.
- **Be as factual as possible.** Factual record of events means that we can learn from what happened, make things safer and improve the way we work. It can also help to reduce the risk of either the organisation or an individual being sued or prosecuted.

The Health & Safety team will pick up the incident from Business World and, depending on the nature of the incident, may investigate it further, this should be completed within 14 days

If an employee is hospitalised or has to go home following an incident of violence or aggression, the appropriate Head of Service should also be notified who may involve of other teams as appropriate such as HR Health & Safety should be notified immediately.

Where an employee is absent for more than seven consecutive days as the result of a violent incident (this seven-day period does not include the day of the incident but does include weekends and non-establishment days) Renfrewshire Council's reporting procedures should be followed in line with the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013.

RIDDOR reports are completed by the Health & Safety Team after the establishment has reported the incident, all staff should be informed of this within 48 hours. [RIDDOR Reporting Flowchart Education](#) The Health and Safety Team will follow up the form if the employee has been absent since the violent or aggressive incident (in the case the form has been completed before the seven-day period is over).

8.0 Monitoring of Incidents

The Health and Safety (H&S) Team will send a Violence and Aggression (V&A) Incident Report to the Head of Education each week. This will then be sent to the Education Manager (EM) Team to analyse their link schools' V&A data. If repeated patterns or trends are identified the EM will contact the Senior Leadership Team from their link school to discuss possible supports required. The Locality Education Officer (EO) can be involved at this stage, if required. Any actions introduced at this stage will be shared with the H&S team by the EO and Plans/Risk Assessments will be updated in line with GIRFEC policy and Staged Intervention Framework with all staff involved in the plans. This should be recorded on [Single and Multi-agency Child's Plan](#)

Violence and aggression statistics will be reported to the Childrens Service's Health and Safety Committee and at the Corporate Health & Safety Committee for consideration. Trade union representatives attend these meetings. The data will be anonymised and will include, but not be limited to; volume of accidents/incidents, location/premises, time of incident and any other analysis of trends to inform future action. They will also create statistical responses to recognised bodies and for Freedom of Information (FOI) requests.

Links to Policies

In developing this policy there was significant engagement with employees, management and union representation and it stands that approval at boards means that this policy will be adopted into practice and reviewed annually. If you have concerns about how this policy is being implemented, then please speak to you line manager in the first instance. If you cannot do this, then seek support from your union representative.

[AHDS Support for Members](#)

[EIS Member Support](#)

[Legal Advice Line | GMB Union](#)

[NASUWT Contact Us](#)

[SLS Support Services](#)

[SSTA Service to Members](#)

[Member support and services | Get help | UNISON National](#)

[Contact Us - Unite The Union](#)

[GMB Scotland | Contact](#)

The following policies may also be a support.

Whistleblowing Policy

What whistleblowing is, who can report it, information, and guidance on whistleblowing, how to report it, what to tell us, what happens next, if a colleague makes a whistleblowing report to you. What whistleblowing is - If you work for or with the Council, you can report certain types of wrongdoing (whistleblowing) if it is in the public interest. 'In the public interest' means if it affects other people, such as our service users or members of the public.

These are complaints that are considered whistleblowing:

- criminal offences like theft, fraud, bribery, corruption, or money laundering
- failure to comply with any legal or professional obligation or regulatory requirements.
- a miscarriage of justice
- danger to someone's health and safety, like workers or service users.
- damage to the environment
- you believe someone is covering up or withholding information about wrongdoing.

Personal grievances, for example bullying, harassment or discrimination, are not covered by whistleblowing law, unless they are in the public interest.

Grievance

Grievance Notification Form HR/GRV/2

JNC 15 (Teachers, Quality Improvement Officers, Educational Psychologists and Music Instructors)

Strategies to minimise distressed behaviours of children and young people.

Wellbeing of All

It is essential that the whole establishment community has a shared understanding of wellbeing and the dignity and worth of every individual. This promotes a culture and ethos of positive relationships. All of our establishments should be free from violence and aggression. Our establishments and centres are expected to be nurturing and inclusive and to foster a climate of mutual respect. This can only be achieved when pupils' needs are appropriately assessed and met. Renfrewshire Council's Education Staged Intervention Framework and assessment of needs should be fully implemented to promote a safe working environment for all employees and children.

Staff wellbeing should be recognised as a key factor in ensuring a nurturing, positive establishment environment. The quality of relationships within an education establishment can be seen to have a significant impact on employee wellbeing and their resilience along with their ability to manage and cope with the numerous challenges and stresses.

In line with the Council's Code of Conduct it is essential that there is meaningful recognition from managers at all levels of the demands of working within educational establishments. Effective leadership within establishments is crucial to ensuring that all employees are protected, and that staff wellbeing is high profile by embedding appropriate strategies and approaches within management systems and methods.

[Respect at Work Policy - Renfrewshire Website](#)

Senior leadership teams should create a culture where staff wellbeing is seen as a crucial aspect of the wellbeing of the wider establishment community and recognition is given to the importance of the link between work-life balance and positive mental health.

Inclusion

There must be clear values-driven leadership and shared communication to creating an inclusive and positive ethos in which positive relationships can thrive, which is endorsed by, and embedded across, the whole community. Inclusion entails children and young people being present, participating, achieving, and being supported. This is everyone's responsibility.

Being a Teacher in Scotland General Teaching Council Scotland (GTCS) Standards for Registration include "Demonstrating a commitment to motivating, and including all learners, understanding the influence of gender, social, cultural, racial, ethnic, religious and economic backgrounds on experiences of learning, taking account of specific learning needs and seeking to reduce barriers to learning."

The Scottish Social Services' Council (SSSC) Equality, Diversity and Inclusion Mainstreaming and Outcomes state "As a public body, we comply with the Equality Act 2010 and the Public Sector Equality Duty (PSED, or general equality duty). We pay due regard to the need to: • eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Equality Act 2010 • advance equality of opportunity between people who share a relevant protected characteristic and people who don't • foster good relations between people who share a relevant protected characteristic and people who don't."

Equity

Equity is at the heart of our approach to inclusion and promoting positive relationships. This ensures that each child and young person is given the right support, at the right time, in the right place from the right person when they need it.

Recognising and realising Children's Rights

All policies including this one should be underpinned by a rights-based approach. Getting it Right for Every Child and the Children and Young People (Scotland) Act requires every practitioner to familiarise themselves with and take account of the United Nations Convention of the Rights of the Child (UNCRC) in their day-to-day practice.

Relationships are at the heart of all we do.

Everyone within an establishment community is more likely to demonstrate positive behaviour where all relationships are respectful, rights based and where children are supported to develop positive behaviours.

Targeted approaches through Staged Intervention

There is a legislative requirement to support identified additional support needs through appropriate wellbeing assessment and planning, as set out in the refreshed Getting It Right for Every Child policy. Our strategy for embedding the Nurture Principles (Renfrewshire's Nurturing Relationships Approach) should also inform this approach, particularly 'All Behaviour is communication' and 'Children's Learning is understood developmentally.' Many children and young people will need specific targeted support to develop a repertoire of pro-social behaviours. Evidence demonstrates that it is important to teach appropriate social skills alongside managing behaviour.

Thorough assessment using the National Practice Model, particularly the Resilience Matrix, and more specific assessments such as the Boxall Profile can help establishments decide on what particular personalised support is required.

Training and Support

From time-to-time children and young people who present as distressed or dysregulated can be challenging to manage within classes and playrooms. This behaviour can occur on a continuum and be exacerbated by certain factors. It is therefore essential that the DHT Pupil Support/Support for Learning Coordinator ensures that employees are appropriately trained and supported to carry out their duties. This may also include working with specialist employees to construct appropriate risk assessments.

Where specialist staff, in conjunction with the DHT Pupil Support/Support for Learning Coordinator, establish the need for professional learning, this shall be arranged as a matter of urgency from amongst the specialist teams, including Educational Psychology to ensure that employees are fully equipped to fulfil their responsibilities. Where learning and development from external agencies is

identified, this too shall be provided. It is the responsibility of senior leaders to disseminate specialist information such as Suicide and Self Harm guidelines; it is the responsibility of employees to become familiar with policies or ask for support where they identify a gap in their skills or knowledge.

Child's Plan

Where a pupil requires support in the form of a Child's Plan, this must be constructed with the Team around the Child (TAC) and clearly reflect the views of the pupil and family. As members of the TAC, employees must also be fully involved in the rationale behind decisions and understand their role to support. Other employees who come into contact with the pupil must also be advised about risk management strategies.

Physical Interventions Terminology as per Included, Engaged and Involved Part 3

Practice	Definition	Recording and Reporting Expectations
Physical Intervention	<p>A physical act carried out with the purpose of influencing, modifying, or preventing the actions of a child or young person.</p> <p>Physical intervention includes direct physical contact & actions affecting the movement of a child or young person.</p>	<p>Physical intervention that does not involve restraint or withdrawal does not need to be recorded or reported.</p> <p>Physical intervention that involves restraint must always be recorded and its use reported, as outlined below.</p>
Restraint	<p>An act carried out with the purpose of restricting a child or young person’s movement, liberty and/or freedom to act independently.</p> <p>The different forms of restraint appear below</p>	<p>Recorded by establishment within 2 working days.</p> <p>Reported by establishment to parents/carers ASAP during the working day and exceptionally within 24 hours of restraint being used.</p> <p>Reported by establishment to Education Authority, managers of grant-aided school or the proprietor of the independent school within 2 working days.</p> <p>Post incident support and learning review is required.</p>
Physical restraint	<p>The use of direct physical force to restrict freedom of movement.</p>	<p>As per restraint recording and reporting.</p>
Mechanical restraint	<p>The use of equipment to restrict freedom of movement.</p>	<p>The use of equipment with a restrictive element does not need to be recorded or reported if its use was in line with agreed plan.</p> <p>Any use out with the agreed plan should be recorded and reported in line with other restraints.</p> <p>Post incident support and learning review: where outwith agreed plan, on the same basis as other restraints.</p>

Practice	Definition	Recording and Reporting Expectations
Seclusion	An act carried out with the purpose of isolating a child or young person, away from other children and young people, in an area from which they are prevented from leaving.	As per restraint recording and reporting
Staff-led withdrawal	Leading a child or young person away from a situation which they are finding challenging to a place where they have a better chance of regulating their emotions and behaviour.	<p>If used without the child or young person's consent, staff-led withdrawal should be recorded and reported in line with other restraints.</p> <p>If consent is given, its use should be recorded in the child's plan. Onward reporting not a requirement</p> <p>Post incident support and learning review: yes</p>
Pupil – led withdrawal	Where a child or young person temporarily moves away, at their request, from a situation which they are finding challenging to a place where they have a better chance of regulating their emotions and behaviour	<p>The use of pupil-led withdrawal should be recorded, and the child's plan updated as appropriate.</p> <p>Onward reporting not a requirement.</p> <p>Post incident support and learning review: on a need's basis.</p>

Legal framework for restraint in establishments

It is important to note that there are absolute legal prohibitions that apply to the use of restraint. These are summarised in the Equality and Human Rights Commission’s Framework for Restraint, which notes that it is never lawful to use:

- restraint with intent to torture, humiliate, distress, or degrade someone;
- a method of restraining someone that is inherently inhuman or degrading, or which amounts to torture;
- physical force (such as physical restraint) as a means of punishment; or
- restraint that humiliates or otherwise subjects a person to serious ill-treatment or conditions that are inhuman or degrading¹

Education authorities, the managers of grant-aided establishments and the proprietors of independent establishments should ensure that restraint is only used as a last resort, to prevent harm, with the minimum necessary force, and for the minimum necessary time. In practice, the principle of last resort means that restraint should only be considered where no less restrictive options are viable².

Equality Act 2010

Under the 2010 Act, education providers have a duty to make reasonable adjustments for disabled children and young people and must not discriminate against a child or young person in the provision of education, or by subjecting a child or young person to “any other detriment”². Discrimination can also arise when a child is treated unfavourably because of something that arises from their disability. The consequences of a disability include anything that is the result, effect or outcome of a child or young person’s disability.³ This can include a child or young person’s distressed behaviour if it arises from their disability.

Unfavourable treatment, such as physical restraint, will not amount to discrimination arising from disability if the establishment can show that the treatment is lawful and proportionate⁴.

However, the Equality and Human Rights Commission technical guidance (5.38⁵) states that, in a case involving disability, if an establishment has not complied with its duty to make relevant reasonable adjustments, it will be difficult for it to show that the treatment was proportionate. Reasonable adjustments for a child or young person’s distressed behaviour arising from their disability would include the consideration and use of less restrictive or preventative approaches and de-escalation or co-regulation strategies, before a physical restraint is used.

¹ EHRC - Human rights framework for restraint (p.5)

² Technical Guidance for Establishments in Scotland (equalityhumanrights.com), 3.31 and 6.1

³ Technical Guidance for Establishments in Scotland (equalityhumanrights.com), 5.44-46

⁴ Technical Guidance for Establishments in Scotland (equalityhumanrights.com), 5.48

⁵ Technical Guidance for Establishments in Scotland (equalityhumanrights.com), 5.38

Education providers must therefore ensure that they comply with the provisions of the 2010 Act in relation to any use of physical restraint in establishments.

Duty of care

Education providers owe a duty of care to their pupils⁶ and staff in relation to their physical wellbeing. They have a duty to take reasonable care to prevent any harm that can be foreseen. Similar duties are placed on education providers under Health and Safety legislation. Appendix 1 highlights the preventative approaches that can be taken to meet the needs of children and young people and lower the risk of harm to themselves or others arising from distressed behaviour. It also highlights the de-escalation and co-regulation strategies that should be considered ahead of restraint if an unexpected risk of harm arises. Training is available for this. Nevertheless, it is accepted that there are situations when the use of restraint may be the only viable option available to staff to prevent a greater injury or harm.

A person entrusted with the care of a young child may be required to restrict the child's actions to ensure their welfare and safety. If the restraint is consistent with ordinary acceptable parental restrictions upon the movements of a child of that age and understanding this will generally be lawful.

Protection from assault

The criminal law of assault is relevant to the use of physical restraint in establishments. The common law crime of assault, in short, is a deliberate attack upon another person, whether or not actual injury is inflicted. No particular degree of force is required. What matters in the context of restraint is the question of intent. Restraint, if used inappropriately, excessively, or harmfully, could result in a charge of assault being brought.

Human Rights Act 1998

¹Under the Human Rights Act, public authorities can only interfere with a child or young person's Article 8 rights (the right to respect for private life, which includes respect for physical integrity), where it can demonstrate that its action is lawful, necessary, and proportionate in order to:

- protect national security;
- protect public safety;
- protect the economy;
- protect health or morals;
- prevent disorder or crime, or
- protect the rights and freedoms of other people⁷

Any physical restraint would have to meet this test.

Standards in Scotland's Establishments etc. Act 2000

Section 16 of the Standards in Scotland's Establishments etc. Act 2000 prohibits corporal punishment in establishments and subsection (4) is relevant to the use of a physical restraint:

- 16 No justification for corporal punishment (...)
- (4) Corporal punishment shall not be taken to be given to a pupil by virtue of anything done for reasons which include averting—

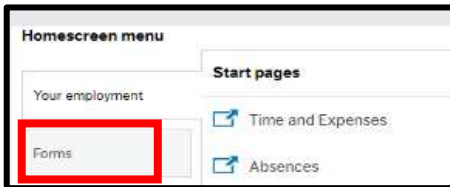
- an immediate danger of personal injury to; or
- an immediate danger to the property of,
- any person (including the pupil concerned).

⁶ At common law and under statute including The Establishments (Safety and Supervision of pupils) (Scotland)

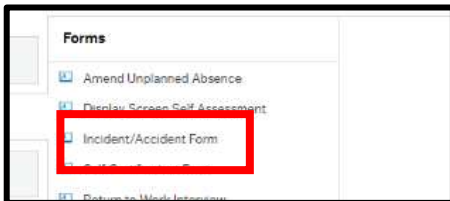
Regulations 1990 (legislation.gov.uk)

⁷ Article 8: Respect for your private and family life | Equality and Human Rights Commission (equalityhumanrights.com)

Using Business World



Log in and Select FORMS



Select – incident/accident form.

The screenshot shows the 'Incident/Accident Form' page. At the top, there is a search bar for 'Incident/Accident Form' with a dropdown menu showing '[NEW]' and '[OLD]'. Below this are tabs for 'Information', 'People Involved', 'Incident Details', and 'Manager's Assessment'. The 'Information' tab is active, showing the following content:

INCIDENT POLICY & PROCEDURES

All accidents, incidents, or near misses that take place within the organisation, and its areas of responsibility, must be reported and investigated to determine what action may be required to prevent a recurrence.

[Employee & Line Manager Guidance](#)

WHO NEEDS A FORM?

- A separate form must be completed for each injured person.
- If nobody is injured, just complete one form for one of the employees or non-employees involved.

WHO COULD THE 'PERSON' INJURED or INVOLVED BE?

- An employee/resource (any type of employee, agency worker, apprentice, or trainee)
- A non-employee (school pupil, parent, customer, client, member of the public, contractor, or visitor and so on).

WHO CAN COMPLETE A FORM FOR THE 'PERSON'?

- Employees - all employees can complete a form for themselves or complete a form on behalf of any other person.
- Managers - any line manager can complete a form for one of their team.
- Non-employees - cannot complete a form.

PLEASE ensure you look out for emails or alerts in BW/ERP just in case the form you completed is required for more information.

ATTACHING ADDITIONAL DOCUMENTS

- You should not attach any additional documents to your form until you have completed all questions on the form first and have run out of space.
- You can attach any photos/drawings when required.

LINE MANAGER'S RESPONSIBILITIES

Before completing the Manager's Assessment tab, you must:

- Read the full guidance on reporting incidents and complete the Learn Course.
- Notify Health & Safety immediately by phone or email if the incident is RIDDOR Reportable (Reporting of Injuries, Diseases & Dangerous Occurrences Regulations)
- Ensure ALL relevant tabs/sections/questions of the form are completed in full by the employee, where applicable.
- Chase-up any forms that are sent back to the employee for amendment.
- Discuss the incident with all parties, including any other managers/supervisors at the incident location, where appropriate.

After the above is carried out, you must:

- Complete the Manager's Assessment tab.
- List all actions you have taken, or intend to take, to prevent a recurrence and support the employee, where required.
- Ensure forms are submitted as quickly as possible to meet the timescales set out by RIDDOR.

FURTHER INFORMATION

FURTHER GUIDANCE & ADVICE

- Employees - should contact their line manager for advice in the first instance.
- Managers - should contact a member of the Health & Safety Team, or send an email to healthandsafetyenquiries@nrfwshre.gov.uk

Answer questions and remember if reporting a violent or aggressive incident YOU MUST complete the V&A section on the form.

Wellbeing Support for Staff

Those who have experienced an incident will require empathetic support. Some may require support to rebuild their confidence. Where required, employees should seek medical advice and may wish to contact a relevant agency such as Victim Support Scotland. Managers and employees should also consult Renfrewshire Council's Policy for Managing Critical Incidents and Trauma through Human Resources. [For an up to date list of support services, click here to access Renfrewshire's Signposting Resource for Staff.](#)

An employee can also access guidance and support through their trade union representative.

The employee experiencing violence and/or aggression should be encouraged to contact their appropriate trade union representative for further advice and support if required.

[AHDS Support for Members](#)

[EIS Member Support](#)

[Legal Advice Line | GMB Union](#)

[NASUWT Contact Us](#)

[SLS Support Services](#)

[SSTA Service to Members](#)

[Member support and services | Get help | UNISON National](#)

[Contact Us - Unite The Union](#)

[GMB Scotland | Contact](#)

Occupational Health

Heads of establishments or their designated deputies are encouraged to seek occupational health advice if they have any concerns regarding an employee's health.

An employee may need particular physical or mental health support to recover from an incident.

The council's occupational health provider can advise managers on all matters regarding employee health and fitness. In addition, they are uniquely positioned to give advice regarding an employee's capability to work in relation to their health. Advice given by occupational health can assist in employment decisions and this, in turn, can assist in making suitable arrangements in the workplace or to the employees working pattern or where an employee is absent, to initiate a return to work, where possible.

Further guidance is available from the Occupational Health Service who can be contacted at:

Sir James Clark building Abbey Mill Business
Centre Paisley
PA1 1TJ

or by telephone:
General Enquiries: 0141 212 6970

Counselling Support

“Timefortalking” operate a confidential counselling service which is available to all employees. This includes access to a free, confidential 24-hour telephone help line.

The telephone number is: 0800 970 3980

There is a downloadable app and a portal for employees on the timefortalking website.

Online Abuse

Social media has made it very easy for us to communicate quickly and easily with family, friends, and colleagues, as well as sharing experiences and letting others know of our opinions and beliefs. These opinions and beliefs may be about world events or local affairs, politics or religion, interests, affiliations, organisations, products, people, and a wide variety of other topics. Our conversations and comments can be closely targeted or widely broadcast to the point that depending on the subject, they can go viral.

Unfortunately, social media is also widely used by abusers, for exactly the reasons listed above. Many perpetrators 'hide' behind the fact that they may not be able to be readily identified, saying things that they wouldn't consider saying face-to-face, which could be regarded as cowardly.

Online abuse takes several forms, and victims are not confined to public figures. They can do any job, be of any age, gender, sexual orientation or social or ethnic background, and live anywhere.

Examples of Online Abuse

- Cyberbullying
- Cyberstalking
- Trolling
- Creeping
- Doxing

[Visit Rensafe Online for more advice.](#)

If you are worried about a child, you can report concerns to the [CEOP Safety Centre](#) (run by the National Crime Agency).

[Report, Remove](#) can help you if you shared an image and want to remove it from the internet. This service is available for children and those over 18.

Classroom Action Plan

A classroom action plan can be created following a recorded incident of violence and aggression. There is single agency planning training which includes how to create a classroom action plan available throughout the year, this can be accessed through [CPD manager](#).

See exemplar below to support development of classroom action plans.

Action Plan (Stage 1b and beyond)								
Date	Wellbeing Indicator	SMART target/ intended outcome	Additional support/ strategies/actions/ interventions	Evidence of impact	Evaluation/ date completed	Next steps (If required)	Completed by	
	Please Select	Following this incident what are the agreed Classroom Action Target/s?	Classroom Action Strategy? What is the strategy - what interventions/ arrangements are required to support this target/s?	What evidence do you have that it has been successful?	Evaluation of the of the support/ strategy/ intervention and date of evaluation	Do you need to stop/start/adapt/ continue? Are other classroom supports required?	Name of class teacher Name of supportin g SLT	+
								-

Renfrewshire Joint Negotiating Committee for Teachers

To: Joint Negotiating Committee

On: 14 May 2024

**Report by
Interim Head of Education**

Removal of Teacher Exchange Scheme

1. Summary

- 1.1. Renfrewshire's Teacher Exchange Scheme provides a year-long experience in a different school and is designed to offer non-promoted, permanent teachers the opportunity for professional development, and also to support the Council to build capacity within its teaching workforce.

2. Background

- 2.1. Renfrewshire Council introduced the Teacher Exchange Scheme beginning school session 2016 – 2017. The scheme is offered annually (with the exception of session 2021-22) with applications due by the end of March each year.
- 2.2. Since the outset, only 3 successful exchanges have taken place between those who meet the eligibility criteria.
- 2.2. Application numbers have dropped over the years, with only 3 applicants expressing an interest for session 2024-25. None of these were able to be matched due to sector, pointage and denomination requests.

3. Recommendation

- 3.1. Members are asked to approve the withdrawal of the scheme due to lack of interest amongst eligible teaching staff.

Renfrewshire Joint Negotiating Committee for Teachers

To: Renfrewshire Joint Negotiating Committee for Teachers

On: 14 May 2024

Report by
Interim Head of Education

Inclusion Update

1. Summary

1.1. In August 2023, the Staged Intervention Framework and associated processes and plans were launched. This was following the GIRFEC Refresh which focused on bringing about improvements to support the wellbeing and learning of all our children and young people with additional support needs in mainstream school and early years establishments. The purpose of this paper is to update members on some of the main areas of progress since August 2023.

1.2. Our Inclusion Portfolio has a CLEAR mission.

By working collaboratively, we will:

- C** Improve **communication and collaboration** ensuring the rights of the child are front and centre
- L** Meet the wellbeing & **learning** needs of all our children & young people
- E** **Ensure** we provide **excellent** Children's Services support services using a robust quality improvement framework
- A** Invest in & develop **all** our people to improve outcomes for children
- R** Manage our **resources**

2. Background

2.1. Staged Intervention Framework

Since August 2023 we have continued to take forward the work of the GIRFEC Refresh and have now fully implemented the Staged Intervention Framework across all establishments in Renfrewshire. This includes early years classes and centres, funded providers, primary, secondary, and additional support needs schools. This framework makes clear that an inclusive approach to education supports an ethos of achievement and high expectation, recognises and respects diversity and sees differences between learners as opportunities for learning through a staged intervention approach. Staged Intervention is a framework that enables agencies to provide the most appropriate and least intrusive assessment, planning and support for any child or young person with wellbeing needs, including those with additional support needs. This framework ensures clear guidelines and a consistent approach to planning interventions to support children and young people with additional support needs.

2.2. Transition Policy

The revised Transition of Children with Additional Support Needs Policy Part 1 was approved by the Education and Children's Services Policy Board on 14 March 2024. This is a positive step to ensure consistent approaches to transition for all children and young people with additional support needs.

2.3. ADES Collaborative

Renfrewshire's Children's Services undertook Collaborative Improvement (CI) activity with representatives from Education Scotland and other local authorities from across Scotland in June 2023. The focus of this was on the recent work that has been undertaken to improve how we meet the needs of our children and young people with Additional Support Needs (ASN).

We were delighted when the following strengths were identified:

- The vision for inclusion was clear and well understood across agencies and within Education, in all the activities, practitioners demonstrated a clear understanding of what and how they would reach their ambition.
- The local authority has demonstrated an empowered approach to building capacity within their educational estate by drawing on peer-led and motivated "early adopters" to shape improvements.
- The local authority is making very effective use of relevant data sets to measure performance and impact.
- The direction of travel in relation to the flexible learning resources is in line with national and international thinking.
- Renfrewshire Nurturing Relationship Approaches (RNRA) is well understood across services/agencies and practitioners. There were clear examples of partnership working/multi-agency working.

2.4. Universal Approaches to Inclusion

We continue to work tirelessly to develop and upskill our workforce. We continue to focus on embedding the following universal approaches;

Renfrewshire's Nurturing Relationship Approaches (RNRA)

All Renfrewshire schools are now participating in RNRA. Its universal approaches are underpinned by the vision and values of our Renfrewshire's Nurturing Relationship Approaches (RNRA) which also permeates our Promoting Positive Relationships Policy.

Renfrewshire recognises that good teaching and learning begin with positive relationships. Relationships fulfil our most fundamental needs as humans – social connectedness. A nurturing approach recognises that positive relationships are central to both learning and wellbeing. Nurture is underpinned by **six guiding principles** and there is an expectation, through working with the Educational Psychology team that these will be understood by all and fully embedded in practice across all our schools and Early Learning & Childcare settings.

- Children's learning is understood developmentally.

- The classroom offers a safe base.
- The importance of nurture for the development of wellbeing
- Language is a vital means of communication.
- All behaviour is communication.
- The importance of transition in children's lives

The CIRCLE Framework

Almost all establishments are not trained in CIRCLE an Education Scotland resource which aims to empower education staff to support all pupils, to promote inclusive practice and to encourage effective collaboration between school staff, parents/carers, partner services and other agencies.

This resource focuses on 4 key areas

- Skills,
- Motivation,
- Structures and Routines,
- and Environment

Evaluating these four key areas using the CIRCLE resource will empower the practitioner to better meet the needs of all learners within their classroom and complements our authority-wide commitment to RNRA. For example, CIRCLE's Inclusive Classroom Scale, can be used at classroom and whole school level to review, reflect on and develop a positive learning environment for all.

These inclusive practices support all staff within education to develop positive, respectful relationships with children and young people and take account of the needs of individuals whilst planning for all.

Renfrewshire's Inclusive Classroom Environment (RICE)

A significant number of children have speech, language and communication needs (SLCN), but they fall into two groups. It is estimated that around 10% of all children have a long-term persistent SLCN, whereas upwards of 50% of children on school entry have more transient difficulties and, with the right support, are likely to develop age-appropriate skills. Around 7% of children in the UK have specific speech and language difficulties - others have SLCN as part of more generalised difficulties or another condition e.g. Autism. RICE is a partnership approach with Speech and Language Therapy which supports establishments to develop small tests of change in their environment to support children and young people with communication needs. Training is based on active, engaged learning and allows practitioners to apply skills between sessions. There is also a specific focus on children with need who are entering primary 1 and to support an inclusive approach, the RICE team are working with the receiving teachers. RICE can also be used as a whole establishment approach. Whole school training and support & development groups show an increase in practitioners confidence when supporting children with speech, language and communication needs.

2.5. Supporting Attendance

Supporting attendance continues to be a priority and we have introduced/improved the following interventions;

Emotionally Based School Avoidance (EBSA)

This was launched in August 2023. Emotionally based school avoidance is both a strategic support and a school based support for young people and their families to access school. Nationally, attendance has dropped post pandemic due to mental health issues and is often related to poverty and additional support needs.

We know in Renfrewshire that when schools plan individually for young people and put in supports as well as provide key relationships and a nurturing approach, that this raises the attendance rate for the most vulnerable.

There are also support and development groups for EBSA. This a community approach using the expertise of a range of services including CAMHS, Social Work, Eps and RAMH (which support adult mental health).

Locality Support Network (LSN)

This is a well-established platform that enables practitioners to discuss individual children and young people in their localities alongside colleagues from neighbouring schools, Educational Psychology and specialist support services. This can include discussions regarding interventions to support with attendance.

Whole Family Wellbeing Fund (WFWF)

The WFWF consists of 3 separate elements:

Community Family Wellbeing Team (previously Families First)

The staff supporting the community front door will work on a locality basis and receive referrals for families who live in that locality. They will work towards a family hub model, where a range of services, groups and supports will be available to parents in the one place by bringing a range of services together. This will be started by running parent drop ins and will be built on as the service develops. The Community Family Wellbeing Team will link closely with early years establishments and the third sector. They will work on a locality basis and teams will provide support across the following localities:

- Johnstone/Linwood/Villages
- Renfrew/Erskine/Bishopton/Gallowhill
- Paisley (excepting Gallowhill)

Schools Family Wellbeing Team

The staff supporting the schools front door will work on a locality basis and link directly with schools in that locality. They will work on a referral basis with families at stage 2 of the staged intervention process who require an

assessed family wellbeing service and intervention which will support attendance and attainment by dealing with family stress. The localities will be based around school clusters and will mirror the same localities as the Community Family Wellbeing Team.

Interrupted Learners Wellbeing Team

This team will work with children and young people who experience discontinuity in their education and where intensive family support is required to enable the family and young person to re-engage in learning and a positive pathway. The team will take referrals from the Education Support and Resource Group (ESRG)

Non- Violent Resistance (NVR)

NVR is also being used to support the attendance of young people with distressed behaviour, often in relation to significant additional support needs. Parental support to return young people to schools is being accessed via NVR parent groups.

2.6. Parent/Carer Complaints

Since the introduction of the Staged Intervention Framework in August 2023 there has been a noticeable decline in the number of parental complaints received in relation to meeting children and young peoples (CYP) needs.

Aug 2022 – March 2023 – Total of 155 complaints received. 27 of these were in relation to CYP needs not being met.

Introduction of Staged Intervention Framework August 2023

Aug 2023 – March 2024 – Total of 136 complaints received. 6 of these were in relation to CYP needs not being met

2.7. Parent Ambassador Group

Our Parent Ambassador Group continues to grow and has become a well established network of parents and carers with children and young people with ASN. This group has become an integral part of policy shaping and quality assurance of the GIRFEC Refresh. Following request from parents, the Parent Ambassador group received a session from Craig McFadyen, Education Advisor to CAMHS.

Education Manger, Susan Bell also presented to the group with regards to the Whole Family Wellbeing team and the group provided feedback on community and family supports.

2.8. Next Steps

Through partnership with other third sector services and our schools and early years establishments, we will continue to collate and create a suite of interventions to ensure children and families are supported appropriately and which are allocated equitably through our recently launched Request for Assistance mechanism.

We will continue to provide bespoke professional learning, as required, to support the development of the staged intervention framework. We have also developed training for our Additional Support Needs Assistants and Classroom Assistants which focuses on their role in supporting children and young people with additional support needs. This learning has been shaped by the workforce through the results of an audit which asked them to identify their training needs. Further universal learning sessions are planned and bespoke work will be provided, as requested.

Virtual School

We are currently working on a proposal for a Virtual School that will support all learners to engage in an appropriate learning pathway by supporting the continuity of their wellbeing and learning in order to achieve the following aspirational education outcomes:

- Attendance
- Attainment
- Engagement
- Positive Destinations
- Reduced Exclusions
- Wellbeing

Policy

Updating key policies in relation to Additional Support Needs continues to be a priority. Ensuring clear guidance and systems are in place across all establishments will promote more consistent approaches. Next term, we aim to launch our updated Inclusion Position Statement, Violence and Aggression Policy and Promoting Positive Relationships Policy.

We have introduced an additional support needs quality assurance framework that is currently being piloted through our triage system with our Education Officers. We will continue to develop this to ensure shared language, consistency and quality of plans across all establishments in Renfrewshire.

2.9. Conclusion

In summary, there continues to be a significant amount of development work being undertaken, with significant progress being made within this portfolio and there are strong plans in place to continue to ensure that our provision for children and young people with additional support needs is fair and equitable and that resources are deployed as close the child as possible.

3. Recommendation

- 3.1. JNC are asked to note the very positive progress the Inclusion Portfolio continues to make to improve outcomes for children and young people.

Renfrewshire Joint Negotiating Committee for Teachers

To: Renfrewshire Joint Negotiating for Teachers

On: 14th May 2024

Flexible Working

Report by

Joint Secretary (Teachers' Side)

Background

The benefits of flexible working to both employers and employees are clear and are outlined in the Council's Flexible Working Policy (revised 6/23); it can enable employers to attract and retain staff and for employees there are benefits in terms of work/life balance and improvements to health and wellbeing.

There are concerns being expressed however with regards to how Renfrewshire Council's Flexible Working Policy is being applied to teachers because many applications are being refused despite the onus being on managers to: *"always consider flexible working requests equally and fairly, seeking to approve applications unless there is a clear business reason for not doing so"*

There is also a particular concern that the discretion afforded Headteachers to agree temporary applications of up to twelve months is not being permitted and that every application is being treated as a permanent contractual variation despite the appendix which exemplifies one type of flexible working:

Voluntary reduced hours	Reduces the number of hours worked for an agreed period, reverting to their substantive contracted hours at the end of the agreed period.
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Many teachers feel that their applications are not being considered in line with the policy. Nor is there consistently across establishments.

Action

The Teachers' Side is seeking clarification around the application of the Flexible Working policy in schools to ensure that a consistent and fair approach is being adopted across all establishments and that teachers are not being arbitrarily denied the right to flexible working opportunities.

Renfrewshire Joint Negotiating Committee for Teachers**To: Renfrewshire Joint Negotiating for Teachers****On: 14 May 2024****In-Service Days/Public Holidays and Part-Time Contracts**

Report by

Joint Secretary (Teachers' Side)**Background**

An inconsistency in the formula to be applied when calculating part-time teachers' pro rata attendance at inservice days has been brought to the attention of the Teachers' Side. This has resulted in confusion in some quarters with regards to the contractual obligations of part-time teachers at in-service days.

Similarly, some part-time staff are experiencing an unexpected repayment of salary or 'days owed' to the Council in the final term of the session because they have not been made aware of their public holiday entitlement to plan from the start of session.

Action

The Teachers' Side is seeking a meeting with Management and HR/OD to discuss part-time teachers' commitments at in-service days. Moreover, the teachers' side would welcome an earlier sharing of the annual holiday reckoner- indicating holidays and closure days- to all teachers to specifically enable part-time staff to plan their contractual commitments in respect of inservice days and to be more aware of their holiday entitlement and enable better forward planning.

Renfrewshire Joint Negotiating Committee for Teachers

To: Renfrewshire Joint Negotiating Committee for Teachers

On: 14th May 2024

Payroll and Salary Overpayments

Report by

Joint Secretary (Teachers' Side)

Background

In recent months the issue of salary overpayments and onerous timescales for repayment have caused concern to many teachers who, faced with clerical errors in calculating their salary, are being asked to repay amounts over a fixed period which risks causing them some financial hardship.

Clearly the Council has an obligation to recoup all monies overpaid. In most cases though overpayments are due to administrative errors outwith the teacher's control and this is sometimes caused by changes in contract or post. Normally when an error is detected (and there seems to have been a rise in the number of cases lately) a negotiated settlement takes place to agree an affordable amount over a period that makes the repayment manageable for the teacher.

The ease of access to Businessworld, alongside inscrutable payslips that lack detail (especially for teachers in more than one location or on variable hours) are sometimes cited as a reason for possible misunderstandings.

In recent months, the tenor of communications emanating from payroll has become more insistent and less understanding of individual's financial stresses, expecting that the sum owed should be repaid over the same period as the overpayment was made- this may not always be possible and the Teachers' Side would seek to ensure that repayment schedules are more individualised, flexible and reflective of individual circumstances, especially considering that the cause of the error often lies with the Council.

Action

- Ultimately, fewer administrative errors would necessitate fewer overpayments having to be recouped by the Council. But, where overpayments do occur, the Teachers' Side is seeking a commitment that no repayment will be deducted from a teacher's salary without first reaching a mutually satisfactory agreement on an affordable repayment that does not cause undue financial hardship to the affected individual.
- Creation of an I-Learn module in how to access Businessworld payslips and input claims for additional expenses or payment to assist teachers with the process and so help to reduce future errors or highlight them at a much earlier stage.

Renfrewshire Joint Negotiating Committee for Teachers

To: Renfrewshire Joint Negotiating Committee for Teachers

On: 14th May 2024

Managing Absence
Report by
Joint Secretary (Teachers' Side)

Background

Renfrewshire Council has recently intimated in a staff newsletter distributed to all employees that there is a revised Managing Absence policy now in operation. Teachers were included in the communication despite the policy not being applicable to them.

Action

It be noted that there is a separate Managing Absence policy for teachers.