

**Consultation
Response Form**

Your name: Elizabeth Brimble, Director of
Qualifications, Registration and Fitness to Practise

Organisation (if applicable): Education Workforce Council

email / telephone number: 029 2046 0099

Your address: 9th Floor, Eastgate House
35-43 Newport Road
Cardiff
CF24 0AB

Reducing Restrictive Practices Framework		
1. Are the aims and purpose of the Framework as set out in the Introduction clear and easy to understand?		
Yes X	No <input type="checkbox"/>	Unsure <input type="checkbox"/>
Please comment: The introduction makes clear the intention of the framework which is based upon Welsh Government's expectation rather than a statutory framework.		
2. Does Chapter 1 set out information on a human rights framework for the reduction of restrictive practices in a way that is clear and useful?		
Yes X	No <input type="checkbox"/>	Unsure <input type="checkbox"/>
Please comment:		

3. Does Chapter 2 provide information about Positive behaviour support (PBS) in a clear and useful way?

Yes

No

Unsure

Please comment:

4. Does Chapter 3 explain the principles for practice to support the reduction of restrictive practice in a clear and useful way?

Yes

No

Unsure

Please comment:

The EWC notes the reference to ‘a whole organisational approach’ being key to the implementation of a reduction and maintenance in restrictive practices but crucially this has to be driven from the leadership team.

There are clearly defined expectations on the organisational lead and the restrictive practice champions or practice leads. The impression from the guide is that such a role would be an addition to an individual’s substantive role and, as such, it would seem to be key that appropriate time to undertake the role and regular training is crucial.

Paragraph 45 refers to the inappropriate use of restrictive practices. It should be noted with regards to the school sector (school teachers and support staff) that should such practice result in a disciplinary issue which leads to an employee leaving their employment, the employer has a legal responsibility to refer the person to the EWC. The EWC has a statutory duty as the regulator for the education workforce to consider a person’s conduct in such circumstances.

Paragraph 59 refers to the ‘regular review of training with regards to restraint’. The EWC’s experience of previous cases involving registrants and allegations of improper use of force or restraint have revolved around the quality and regularity of training provided – in some cases it has been clearly lacking. Defining within the guide what is expected by ‘regular’ may assist those practitioners who are accountable for adherence to the framework.

5. Does Chapter 4 explain the principles of the use of restrictive practices in a clear and useful way?

Yes X	No <input type="checkbox"/>	Unsure <input type="checkbox"/>
--------------	------------------------------------	--

Please comment:

6. Is the information included in the glossary and appendix useful?

Yes X	No <input type="checkbox"/>	Unsure <input type="checkbox"/>
--------------	------------------------------------	--

Please comment:

The glossary and appendix are clear and easy to use as points of reference.

7. We would like to know your views on the effects that the guidance would have on the Welsh language, specifically on

- i) opportunities for people to use Welsh; and
- ii) on treating the Welsh language no less favourably than English.

What effects do you think there would be? How positive effects could be increased, or negative effects be mitigated?

Please specify:

No comment

8. The Welsh Government is interested in understanding whether the proposals in this consultation document regarding this guidance will have an impact on groups with protected characteristics. Protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, and sexual orientation. Do you think that the proposals in this consultation will have any positive impacts on groups with protected characteristics? If so, which and why/why not?

Yes

No

No comment

9. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Please enter here:

The EWC has been pleased to be able to comment on the Framework consultation.

The document is clear and concise and roles and responsibilities well defined.

Referring to our response to Q4 above – in our casework, it is not just school teachers that have been referred to the EWC for misconduct to do with inappropriate touch, handling or restraint but also support staff and supply staff.

With supply staff, it is not apparent in the framework how the senior leadership team would be able to ensure that supply staff (teachers and support staff) are suitably trained in respect of reducing restrictive practices. It is not clear from the framework whether private supply agencies are included as ‘organisations’ – if they are not, the Welsh Government may want to consider widening the coverage to include them.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here: