

Briefing for the Public Petitions Committee

Petition Number: [PE1709](#)

Main Petitioner: Claire Mooney

Subject: CCTV cameras and full time social work support in ASN schools

Calls on the Parliament to urge the Scottish Government to install CCTV cameras and establish full time social work presence in all additional support needs schools in Scotland.

Background

The background information provided by the Petitioner highlights her concern with restraint practices in ASN schools which is also the topic of an open petition, [PE1548](#). Specialist ASN schools and units within mainstream schools tend to cater for children and young people with complex additional support needs.

There are around 2,500 grant-funded and local authority schools. Of these, 135 are ASN¹ schools with a further 38 ASN schools in the independent sector.

In 2017, there were around 177,000 children with identified additional support needs, which represents around 25% of the total roll. The majority (97%) of pupils with identified ASN will spend all of their time in mainstream classes.² There were around 6,650 pupils in grant-funded and local authority ASN schools in 2017.³

Approaches to the delivery of specialist ASN education differs between local authorities. Some local authorities have no special schools and offer specialist settings within mainstream schools.⁴

Restraint

The Scottish Government's guidance document "Included Engaged and Involved, Part 2" (2017) states that education authorities should produce

¹Taken from the Scottish Government's [School contact details and summary statistics](#) 2017. The statistics refer to "Special Schools" and includes a small number of units.

² Scottish Government [Pupil Census 2017](#)

³ Scottish Government's [School contact details and summary statistics](#) 2017

⁴ Education Scotland, [Special schools and units](#)

guidance for their staff on physical intervention. The Scottish Government stated:

“It is only acceptable to physically intervene where the member of staff reasonably believes that if they do not physically intervene, the child or young person’s actions are likely to cause physical damage or harm to that pupil or to another person.”⁵

In March 2018, the Children and Young People’s Commissioner Scotland launched an investigation into the use of restraint and seclusion in schools. The Commissioner referenced [PE1548](#) in the [terms of reference for the investigation](#) and said:

“The Commissioner’s office has received a number of enquiries from parents of children with Additional Support Needs and/or disabilities. We are aware of concerns that have been expressed about the treatment of those children in school and in particular about the use of restraint [...] and seclusion techniques [...] as a response to behaviour management, without it seems considering adequately what may lie behind that behaviour or the individual child’s needs.”

CCTV

Schools or education authorities can choose to use CCTV cameras on their premises. Research by privacy campaigners in 2012 found that 90% of secondary schools across the UK used CCTV.⁶

In its 2018 conference, [the Scottish Secondary Teachers’ Association \(“SSTA”\) passed a motion](#) that accepted the use of CCTV to improve “the safety and security of the School building”. However, it called upon “Local Authorities to ensure that such technologies are not to be used to gather data for performance management purposes or capability procedures”.

CCTV recording within a school will have data protection implications, particularly regarding children; schools or education authorities would be required to undertake a Data Protection Impact Assessment.⁷ In response to the Scottish Government’s consultation on mandatory CCTV in abattoirs, the [ICO stated](#) that an important consideration is, “whether CCTV presents a necessary and proportionate interference with the individual’s right to privacy under Article 8 of the European Convention of Human Rights.”

Social work

The Scottish Government’s “Getting it right for every child” approach means that a number of agencies outwith education, such as NHS Boards and social work services, can be involved in supporting children and young people with additional support needs, where appropriate. The Scottish Government’s

⁵ Scottish Government, [Included Engaged and Involved, Part 2 \(p23\)](#)

⁶ Big Brother Watch [Class of 1984](#)

⁷ Information Commissioner’s Office, [General Data Protection Regulation \(GDPR\) FAQs for the education sector](#) (undated)

statutory guidance for ASN notes that approaches to support assessment and action for children with additional support needs tend to include discrete stages which may or may not include other agencies, depending on the needs of the child.⁸

For example, social work may be involved in developing and carrying out a co-ordinated support plan for a child. The Scottish Government reports that over 20,000 pupils with ASN are receiving support from social work.⁹

Scottish Government Action

The Scottish Government published '[Included, Engaged and Involved Part 2: A Positive Approach to Preventing and Managing School Exclusions](#)' in June 2017 which included information on seclusion and restraint, and also guidance on recording and monitoring such incidents.

Scottish Parliament Action

[PE1548](#) seeks national guidance on the use of restraint and seclusion in all schools.

Ned Sharratt
Senior Researcher
10 October 2018

SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However if you have any comments on any petition briefing you can email us at spice@parliament.scot

Every effort is made to ensure that the information contained in petition briefings is correct at the time of publication. Readers should be aware however that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

Published by the Scottish Parliament Information Centre (SPICe), an office of the Scottish Parliamentary Corporate Body, The Scottish Parliament, Edinburgh, EH99 1SP

⁸ Scottish Government, [Additional support for learning: statutory guidance 2017](#) (p34-36)

⁹ Scottish Government [Pupil Census 2017](#)