

SPSO decision report

Case: 201402212, North Lanarkshire Council
Sector: local government
Subject: special educational needs - assessment & provision
Outcome: not upheld, recommendations

Summary

Ms C's daughter has special needs and attended a special school where her behaviour meant she had to be restrained on a regular basis. In March 2014 her daughter was injured and severely bruised whilst being restrained. Ms C herself suggested a different type of restraint for use on her daughter. The school agreed to use this method of restraint and trained staff in this technique. However, Ms C then complained about the council using the original type of restraint and also about the council's subsequent investigation into her complaint.

We noted that the restraint technique used was an approved method of restraint suitable for situations such as this. We noted that the school did change the restraint technique to be used on Ms C's daughter to one which Ms C herself had requested, and they carried out training to ensure staff were fully trained on this new technique. We fully accepted, as had the school and council, that her daughter was injured during this restraint but, as trained staff used an approved restraint technique, in line with the school and council's policies, we did not find evidence of administrative failing in this case. We also noted the investigation carried out by the council into Ms C's complaint was reasonable and found no evidence of administrative failure in the way it was carried out. As a result, we did not uphold the complaints.

Recommendations

We recommended that the council:

- ensure that the school takes steps to ensure that separate incident forms are completed by all staff who are involved in future incidents where force is used, as required by their Therapeutic Crisis Intervention (Restraint) Policy.