



# THE DONALDSON TRUST

---

Response to the Education, Children and Young People  
Committee's Call for Views on the *Restraint and  
Seclusion in Schools (Scotland) Bill*.

July 2025

## About Neurodiversity

Neurodiversity describes the diversity of humans' brains and minds. A person who is, for example, autistic is neurodivergent; they are in the neuro-minority, not the neuro-'typical' majority.

Other neurodivergences include: ADHD, dyscalculia, dyspraxia, dyslexia, dysgraphia, misophonia, Tourette's Syndrome, or differences in cognitive function.

## About Us

Our work is built on an understanding that neurodiversity is not a medical construct; rather, it lies at the intersection of culture, mind, identity formation, and socio-political action.

The Donaldson Trust envisages a society in which neurodivergent people are understood, accepted, treated fairly, and valued.

Though there is much work to be done, we believe there are genuine opportunities to change society for the better. We aim to be at the forefront of driving that change – and making a difference *with and for* neurodivergent people and their families.

As the *National Body for Neurodiversity*, we will seek to lead by example. We exist to strengthen the public's understanding of neurodiversity, develop excellence in practice, and help neurodivergent people find their voice.

Alongside neurodivergent people and our partners across the third sector and academia, we write, campaign, and persuade in order to shape the policies being made on the issues most important to neurodivergent people and families.

We improve outcomes and representation via *Connect*. Our training and consultancy is accessed by organisations looking to build a culture of neuro-inclusion. We continue to develop our free, online information, support, and guidance resources to neurodivergent people, families, and professionals alongside it.

We continue to support children, young people, and adults through a variety of services based at our Linlithgow campus, where we enable every neurodivergent person to realise their goals & aspirations:

- **Sensational Learning Centre (SLC)**

We offer individualised, skills-based learning to young people with Additional Support Needs, including sensory / communication differences, at our Grant-Aided Special School.

- **Vibe**

Our wellbeing service for neurodivergent people ages 12-18, Vibe offers warm, low arousal spaces for neurodivergent young people to thrive and achieve their personal goals. The service focuses on reducing anxiety, developing life skills, literacy, numeracy, and growing self-esteem / resilience.

Vibe's activities mirror the interests and skills of the young people enrolled with a wellbeing framework and personal programme of skills development.

- **Gate**

Donaldson's skills development and training offer for neurodivergent adults, Gate has been co-designed with those who benefit from it and offers a friendly environment where neurodivergent adults can relax and be themselves. Similar to other services, Gate takes an individualised approach to ensure trainees get the most from their time with us and achieve agreed goals and ambitions.

Trainees can learn skills through activities, or enrol in a vocational and accredited course, delivered by specialist staff / tutors. This includes art, cooking, and cybersecurity.

- **Treehouse**

Treehouse is a specialist wellbeing service offering bespoke, low-arousal environments to improve wellbeing and independence. Support is centred around individual studios, with the 'home-style' settings offering individualised spaces tailored to every person's needs. That allows people we support to participate in activities they co-design alongside their Wellbeing Practitioners.

--

Established in the 1850's, The Donaldson Trust (formerly Donaldson's School) has provided supported education and care throughout its history and has now established itself in the neurodivergence space.

The full range of services offered by the Trust is found here:

<https://www.donaldsons.org.uk/>

**Together, we'll  
find your *voice*.**

## Introduction

The Donaldson Trust welcomes this opportunity to respond to the Education, Children and Young People Committee's 'Call for Views' for Daniel Johnson's Member's Bill: the *Restraint and Seclusion in Schools (Scotland) Bill*. This Bill's relevance to neurodivergent learners, and neurodivergent wellbeing, cannot be over-stated – and represents but one area where significant reforms are necessary to improve outcomes for children and young people with ASN.

We commend Daniel Johnson MSP on securing this Bill's introduction prior to 2026. We commend, too, the longer-term campaigning of Beth Morrison and allies<sup>1</sup>, whose work to focus attention on the (highly emotive) themes this Bill now seeks to remedy has meant meaningful progress is now more likely.

We maintain an interest in this legislation from three perspectives: providers of school education via our Grant-Aided Special School (GASS); providers of a wellbeing service for neurodivergent children & young people disengaged with full-time mainstream education, and as allies of neurodivergent people through our ongoing campaigning and advocacy work.

Overall, the Donaldson Trust is supportive of this legislation; in particular, the Trust is **very supportive of the proposal to develop statutory guidance** that governs use of restraint and seclusion in schools.

**We believe it is vital that restrictive practice is used only as the 'last resort'** – i.e., where there exists a significant, immediate threat to the safety of those involved. Guidance and resource prepared in connection with the legislation going forward must be framed around the immediate reduction, leading to **elimination**, of restraint and seclusion in schools.

Most importantly, there must be concerted shifts to **humanistic approaches** – and away from behaviourist approaches – when responding to 'behaviour of concern', as behaviours are a product of external stimuli; for example, the

---

<sup>1</sup> "Family's fight to end restraint and seclusion in schools reaches Holyrood", *STV*.

environment or others' behaviour<sup>2</sup>. Humanistic practice considers the whole person, neurodivergent or not; it incorporates a person's thoughts, feelings, and experiences into responses to a 'behaviour of concern'.

The Donaldson Trust have imbedded *Synergy*<sup>3</sup> in our practice, a framework that offers practical strategies to understand and respond to 'behaviours of concern'. That is achieved via a model of mentoring, with ongoing guidance and support. *Synergy*'s focus is on narrative, culture, and educator – not the learner's behaviours. Through self-awareness and reflection, the framework enables proactive support to be implemented. Reshaping the narrative and culture is fundamental as this enables reflection, planning and responses to behaviour that support de-escalation.

We know that educators across Scotland want to be able to meet the needs of neurodivergent pupils effectively, and in ways that respect their identities and autonomy. To deliver it, educators require more resources from Scottish and local government, including training and support on de-escalation – for instances where it is necessary. They require clearer direction, too, which can be achieved by delivering guidance on a statutory footing.

## Questions

### 1. Do you agree with the Bill's approach? Why?

We are pleased that the Bill, as introduced, is largely in keeping with the initial proposals consulted on by the Member in June '23<sup>4</sup>. Production of statutory guidance remains a key priority for us, as we know it is for many of the third-sector organisations in the children's rights and neurodivergence space. The Bill's Section 2(7) is clear that the obligations placed on duty-bearers as part of the Scottish Government's future guidance are statutory.

---

<sup>2</sup>*"Synergy – a novel programme for changing perspectives in understanding and responding to 'behaviours of concern'", AT-Autism.*

<sup>3</sup> <https://www.atautism.org/the-synergy-programme/>

<sup>4</sup> <https://www.parliament.scot/-/media/files/legislation/proposed-members-bills/daniel-johnson-final-cd.pdf>

We believe Section 2(2), on the content of guidance, can be strengthened in order to ensure guidance produced is clear on restraint and seclusion being the ‘last resort’ – and only considered in response to a significant, immediate threat to safety. Scottish Government guidance must include a statement – included in the body of the guidance, and not its foreword – from the Minister who issues stating that:

- Behaviourist approaches – such as Positive Behavioural Support (PBS) – are not appropriate for supporting neurodivergent children & young people<sup>5</sup>, including in education settings. They have a weaker evidence base<sup>6</sup> with respect to outcomes for neurodivergent people and are of concern to many autistic self-advocates.
  - Such approaches are fundamentally focused on modifying observable behaviour, rather than understanding and then supporting the whole person.
  - Finding the need for change in a child's behaviour can wrongly suggest that being different is a problem, making it seem like people who think differently need to be ‘fixed’ or made to fit in. That framing fails to respect neurodivergence as a natural variation and valid difference; instead, it pathologises neurodivergence.
  - Behavioural approaches stand in direct tension with a range of international rights standards, including the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), which emphasises autonomy, dignity, and full inclusion<sup>7</sup>.
  - They are misaligned, too, with the ‘Guiding Principles’ in the Scottish Government’s existing non-statutory guidance<sup>8</sup>.

---

<sup>5</sup> 2017, Mottron L., “*Should we change targets and methods of early intervention in autism, in favor of a strengths-based education?*”, *European Child & Adolescent Psychiatry*.

<sup>6</sup> 2020, Rodgers M, Marshall D, Simmonds M, Le Couteur A, Biswas M, Wright K, et al., “*Interventions based on early intensive applied behaviour analysis for autistic children: a systematic review and cost-effectiveness analysis.*”, *Health Technology Assessment*.

<sup>7</sup> <https://social.desa.un.org/issues/disability/crpd/convention-on-the-rights-of-persons-with-disabilities-crpd>

<sup>8</sup> 2024, “*Included, Engaged and Involved Part 3: A Relationships and Rights-based Approach to Physical Intervention in Schools*”, SG.

- In response to ‘behaviours of concern’, humanistic approaches are far more effective and inclusive of neurodivergent people, since these re-focus attention from the children and young people involved and onto other factors.
  - Autonomy, respect of difference, and dignity should underpin all education, especially children & young people with sensory and social-communicatory differences.

Section 2(2)(i), on training, should restate the above; in particular, it must be clear that all educators must be up-skilled in humanistic approaches, given the clear rise in awareness of neurodivergent need in recent years<sup>9</sup>. Scottish Government data shows a substantial rise in the number of pupils who have been identified as autistic, for instance.

We support the inclusion of the remaining paragraphs, (a) to (l), as drafted, alongside the additions and edits suggested in our remarks above.

Overall, the benefit of statutory guidance is clear: improving implementation with lines of responsibility apparent to everyone involved. In cases where the guidance is not adhered to, however, we are not sure if Section 2 is sufficient in its scrutiny of schools’ use of restraint and seclusion. Whilst paragraph (h) requires the Scottish Government to lay out in its statutory guidance school inspection processes, we believe the Scottish Government could be required to consult with stakeholders on what this inspection process would look like in practice.

We believe Section 2(6) should be amended such that Scottish Ministers are required to consult representatives of Grant-Aided Special Schools, GASS, in preparing or revising guidance. We believe this would be appropriate in light of the experience GASS have in supporting learners with a significant level of support need – and the in-house expertise enjoyed as a result of that. GASS

---

<sup>9</sup> 2025, *Pupil Census*, SG.

have existing representation in structures with responsibility for ASL policy in Scotland, such as the ASL Project Board <sup>10</sup>.

**2. Do you think this timescale for informing parents is reasonable?**

**3. Do you agree this information should be recorded, collated and reported to Parliament annually?**

We are pleased that three key duties (to inform, record, and report instances of restrictive practice), consulted on during the Bill's development, feature in the Bill text.

The Scottish Government's memorandum for the Committee – which we are pleased to see endorses the Bill's General Principles – notes the Bill proposal to have GASS report statistics on restraint / seclusion via the local authorities in which they are located <sup>11</sup>. We agree with the Scottish Government that this could impact the quality of data collected and agree that GASS could report directly, in keeping with GASS obligations on a whole range of other reporting measures.

Parents should be able to access information on the restraint and seclusion experienced by their children. Section 2(2)(f) could include requirements for a duty-bearers to report:

- Location
- Date
- Numbers of staff present
- Type (or types) of restrictive practice used; and the duration each of these was used for
- A written statement detailing measures (if any) undertaken to avoid use of restraint and/or seclusion
- A written statement outlining the reason for the use of restrictive practice

---

<sup>10</sup> <https://www.gov.scot/groups/additional-support-for-learning-project-board/>

<sup>11</sup> 2025, "CALL FOR VIEWS: RESTRAINT AND SECLUSION IN SCHOOLS (SCOTLAND) BILL", SG.

- All after-care measures implemented<sup>12</sup>.

We support Section 4, especially the requirement on the responsible Minister to provide a report that includes data on use of restraint and seclusion each summer. In addition to data, the Minister's report to Parliament should state the actions the Scottish Government has ongoing at that time to reduce use of restrictive practice – with a view to elimination. That report should reaffirm Scottish Government's commitments – made in the statutory guidance, as we propose – to ensuring neurodivergent people are understood, accepted, treated fairly, and valued.

#### **4. What do you think about maintaining a list of training providers on the use of restraint and seclusion in schools?**

Section 5(1)(a) should be amended to require that the Scottish Government consult publicly on the standards informing the criteria for inclusion on their list of approved training providers.

---

<sup>12</sup> We endorse the points made by National Autistic Society Scotland in this respect in their [previous response](#) to consultation on this legislation.



THE  
DONALDSON  
TRUST

**Contact:**

Address: The Donaldson Trust, Preston Road, Linlithgow, West Lothian,  
EH49 6HZ

Phone: 01506 841900

Email: [info@donaldsons.org.uk](mailto:info@donaldsons.org.uk)