RESTRAINT OF CHILDREN POLICY

1. Rationale:

Regulation 15 of the Education and Training Reform Regulations 2017 provides that:

"A member of staff of a Government school may take any reasonable action that is immediately required to restrain a student of the school from acts or behaviour dangerous to the member of staff, the student, or any other person."

2. Aims:

- To outline the situations and processes to follow when the restraint or seclusion of a student may be required.

3. Implementation:

3.1 When physical restraint or seclusion should not be used

Physical restraint and seclusion should not be used unless immediately required to protect the safety of the student or any other person (see below).

Rooms or areas designed specifically for the purpose of seclusion or which are used solely or primarily for the purpose of seclusion are not permitted in Victorian government schools.

Restraint and seclusion must not be included in a Behaviour Support Plan or be used as a routine behaviour management technique, to punish or discipline a student or to respond to:

- a student's refusal to comply with a direction, unless that refusal to comply creates an imminent risk to the safety of the student or another person
- a student leaving the classroom/school without permission, unless that conduct causes an imminent risk to the safety of the student or another person
- verbal threats of harm from a student, except where there is a reasonable belief that the threat will be immediately enacted
- property destruction caused by the student unless that destruction is placing any person at immediate risk of harm.

Any restraint which covers the student's mouth or nose, in any way restricts breathing, takes the student to the ground into the prone or supine position, involves the hyperextension of joints, or application of pressure to the neck, chest or joints, must not be used.

3.2 When physical restraint or seclusion may be used

School staff may only use physical restraint on a student when there is an imminent threat of physical harm or danger to the student or others; and where such action (ie to physically restrain or seclude) would be considered reasonable in all the circumstances and there is no less restrictive means of responding in the circumstances.

As with physical restraint, seclusion should only be used when it is immediately required to protect the safety of the student or any other person, as permitted by Regulation 15.

The decision about whether to use physical restraint or seclusion rests with the professional judgment of the staff member/s involved, who will need to take into account both their duty of care to their students, their right to protect themselves from harm and obligations under the *Charter of Human Rights and Responsibilities Act* 2006.

3.3 Mechanical restraint

Mechanical restraints should never be used in schools to restrict a student's freedom of movement, unless the restraint is for a therapeutic purpose with written evidence of the prescription / recommendation, or if required to travel safely in a vehicle.

3.4 During Restraint

If applying physical restraint in the limited circumstances set out above, staff must:

- use the minimum force required to avoid the dangerous behaviour or risk of harm
- only restrain the student for the minimum duration required and stop restraining the student once the danger has passed.

Staff should ensure the type of restraint used is consistent with a student's individual needs and circumstances, including:

- the age/size of the student
- gender of the student
- any impairment of the student e.g. physical, intellectual, neurological, behavioural, sensory (visual or hearing), or communication
- any mental or psychological conditions of the student, including any experience of trauma
- any other medical conditions of the student
- the likely response of the student
- the environment in which the restraint is taking place.

Staff should monitor the student for any indicators or distress. Staff should talk to the student throughout the incident, making it clear to the student why the physical restraint is being applied. Staff should also calmly explain that the physical restraint will stop once it is no longer necessary to protect the student and/or others.

3.5 Actions after restraint has been used

This table explains the follow up actions that must be undertaken after a student has been physically restrained or secluded.

Action	Description
Reporting of the physical restraint/ seclusion	The staff member(s) involved in the incident must immediately notify the principal of the incident. A staff member should contact the student's parents and provide them with details of the incident as soon as possible. The incident may need to be reported to: • Incident Support and Operations Centre 1800126 126 • Edusafe see: Reporting Incidents and Hazards on eduSafe Plus • WorkSafe, see: WorkSafe Notification.
Providing supports for those involved	Following the use of restraint on a student, appropriate supports must be offered to the following people: • The student who has been restrained or secluded and their parents/guardians. This may include participation in decisions involving the student's behaviour management, Student Support Group meetings, the development of a student Behaviour Support Plan, and involvement of Student Support Services. For policy advice on the prevention of endangering behaviour and promoting positive behaviours see: Student Engagement and Inclusion • Other students and staff members who were involved in or witnessed the incident. This may include a debriefing in relation to the incident, and counselling support.

Action	Description
Maintain records of the incident	A written record of the incident and the physical restraint or seclusion used must be made by the principal as soon as practicable. This record should be added to a student's file on CASES 21 or SOCS as appropriate. The record should detail: • the name of the student/s and staff member/s involved • date, time and location of the incident • names of witnesses (staff and other students) • what exactly happened (a brief factual account) • any action taken to de-escalate the situation • why physical intervention was used (if applicable) • the nature of any physical intervention used • how long the physical intervention lasted • names of witnesses (staff and other students) • the student's response and the outcome of the incident • any injuries or damage to property • immediate post incident actions, such as first aid or contact with emergency services • details of contact with the student's parent/carer • details of any post-incident support provided or organised. The principal should also arrange for all staff who were involved/present at the incident to prepare a statement / record of their involvement or observations of the incident.
Plan for the future	Post-incident, the school should consider the preventative and de-escalation strategies that might reduce the likelihood of an incident happening again. For example – reviewing and amending the student's Behaviour Support Plan, consider the training needs of staff working closely with the student/s involved in the incident.

4. Evaluation:

- This policy will be reviewed as part of the school's ongoing policy and process review cycle.

References and Related Documents:

Related legislation and regulations

- *Charter of Human Rights and Responsibilities Act 2006 (Vic)*
- *Disability Discrimination Act 1992 (Cth)*
- *Education and Training Reform Regulations 2017 (Vic)*
- *Equal Opportunity Act 2010 (Vic)*
- *Occupational Health and Safety Act 2004 (Vic)*
- *Health Safety and Worksafe*

Department of Education resources

- *Restraint and Seclusion*
  https://www2.education.vic.gov.au/pal/restraint-seclusion/policy
- *Student Engagement and Inclusion*
  https://www2.education.vic.gov.au/pal-search?q=student+engagement+and+inclusion+guidance&page=1
- *Program for Students with Disabilities*
  https://www.education.vic.gov.au/school/teachers/learningneeds/Pages/psdhandbook.aspx

This policy was ratified by School Council in February 2021