

Policy Guidance, procedures, and Resources for the Reduction and Elimination of Restraint and Seclusion in Victorian Government Schools

In October 2015 the Department released the *Violent and Dangerous Student Behaviour of Concern Guidance* with the understanding that this guidance was to be reviewed. After an extensive consultation process, the revision is completed. The resulting document has been renamed *Policy Guidance Procedures and Resources for the Reduction and Elimination of Restraint and Seclusion in Victorian Government Schools*.

WHY DO WE NEED A POLICY AND GUIDANCE ON RESTRAINT AND SECLUSION?

All students should have the opportunity to learn in a safe, positive and supportive classroom environment. Sometimes behaviours of concern (behaviours causing harm to self or others), can occur and staff need to take steps to ensure that the student, other students and the staff are safe.

The law permits school staff to take reasonable action to restrain a student from behaviour that poses a threat to their own safety and/or to the safety of others (*Regulation 15 of the Education and Training Reform Regulations 2007 and common law duty of care*).

WHAT IS PHYSICAL RESTRAINT?

Physical restraint is the use of physical force to prevent, restrict or subdue the movement of a person's body or part of their body.¹ Students are not free to move away when they are being physically restrained.

Note: Physical restraint should not be confused with protective physical interventions, which involve physical contact that serves to block, deflect or redirect a student's actions, or disengage from a student's grip, but from which a student can move freely away.

¹ Adapted from Senior Practitioner Physical Restraint Direction Paper – May 2011

WHAT IS SECLUSION?

Seclusion is the solitary confinement of a person in a room or area from which their exit is prevented by a barrier or another person. When used by a staff member in immediate response to behaviours of concern, seclusion may also include situations where a student is left alone in a room or area and reasonably believes they cannot leave that room or area even if they would physically be able to, i.e. it is not locked².

Seclusion does not include timeout, safe space, or chill out rooms. It also does not include or refer to situations such as supervised in-school suspensions, detentions, exam situations, and situations where the student can freely exit an area or other situations that are not a response to behaviours of concern.

WHAT HAS CHANGED?

The *Policy Guidance, Procedures and Resources* provides clearer definitions of restraint and seclusion and has a stronger emphasis on the Victorian Charter of Human Rights and Responsibilities, as well as the understanding of and prevention of behaviours of concern.

The Department has adopted *15 Principles* to ensure that restraint and seclusion are reduced and eliminated in Victorian government schools.

WHAT IS THE SAME?

- Prone restraint and supine restraint remain strictly prohibited.
- Rooms or areas designed specifically or used solely or primarily for the purpose of seclusion are not permitted in Victorian government schools.
- Any use of restraint or seclusion **must be** reported.

DOES THE USE OF RESTRAINT AND SECLUSION NEED TO BE REPORTED?

Yes. Any use of restraint or seclusion must be reported to the DET Security Services Unit

² Adapted from Australian Psychological Society 2011 *Evidence based guidelines for reducing the need for restrictive practices in the disability sector*

UNDER WHAT CIRCUMSTANCES MIGHT RESTRAINT AND SECLUSION BE USED?

Physical restraint or seclusion must not be used except:

- where the student's behaviour poses an imminent threat of physical harm or danger to self or others; and
- 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.

Restraint or seclusion should be discontinued as soon as the immediate danger has passed.

CAN A SCHOOL USE CHEMICAL OR MECHANICAL RESTRAINT?

No. The use of a device (mechanical restraint) or a medication (chemical restraint) to influence behaviour would not be considered a reasonable action in response to an emergency situation within a school context.

ARE TEACHERS REQUIRED TO INTERVENE IN A FIGHT BETWEEN STUDENTS?

School staff should protect the safety of all students (including the student at risk of causing physical harm or danger to self or others), themselves and other staff. Intervention should be reasonable and proportionate to the situation, and have regard for the dignity of the student who is the focus of the intervention.

Where possible, staff members should:

- seek help from school leadership and other staff
- move all other students in the vicinity to a safe distance away from the student exhibiting concerning behaviour
- if safe to do so, remove objects that may be used to cause harm away from the student
- follow emergency response procedures set out in the school's Emergency Management Plan, including calling emergency services on 000 if necessary.

Intervention does not always have to be physical and can involve verbal intervention, physically approaching students, and calling for support from other staff. Staff are required to

take reasonable care for their own health and safety, which is balanced with their duty to intervene.

HOW CAN PARENTS/CARERS AND SCHOOLS WORK TOGETHER TO HELP PREVENT BEHAVIOURS OF CONCERN?

Parents/carers will often be able to:

- share critical information about a student's needs, preferences and the function of, and triggers for their behaviours
- provide details of others, such as health and support services, who may already be working with the student
- discuss strategies that have been successful at home and could be tried at school (agreeing on strategies at home and school will help to maintain consistency, promote positive behaviour and avoid confusion for the student).

When a student's behaviour has escalated to the point where the existing supports have not been effective in addressing the concerning behaviour it may be necessary to seek the support of other relevant professionals. A team of individuals who can work together to devise, implement and evaluate an individualised plan, known as a 'wrap around' service. In addition to supports within the student's life such as family, extended family, cultural or community supports, other professionals may be helpful.

WHAT PROFESSIONAL DEVELOPMENT IS AVAILABLE FOR SCHOOL STAFF?

Strengthening the capacity of principals, teachers, wellbeing professionals, allied health and education support staff to address student behaviours of concern is essential.

A range of professional learning opportunities is available to DET staff and can be found on Intranet

WHERE CAN I FIND OUT MORE INFORMATION?

<http://www.education.vic.gov.au/school/principals/participation/Pages/behaviourofconcern.aspx>

Alternatively, contact, Mandy Donley, Principal Practice Leader - Education mandy.donley@dhhs.vic.gov.au