

**WHAT IS SECLUSION?**  
GUIDANCE FOR VICTORIAN  
GOVERNMENT SCHOOLS





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# CONTENTS

HUMAN RIGHTS.....	4
INDIVIDUAL LEARNING SPACES.....	5
SOME FREQUENTLY ASKED QUESTIONS .....	6
PREVENTION.....	7
DE-ESCALATION .....	8
DEBRIEF AND REVIEW .....	9
RESPONSES FOLLOWING SECLUSION.....	11
REPORT EQUALS SUPPORT.....	12
FOR MORE INFORMATION .....	13
REFERENCES AND FURTHER READING.....	14
KEY POINTS ABOUT SECLUSION .....	15



# HUMAN RIGHTS APPLY TO EVERYONE

All children and young people are entitled to quality education experiences, irrespective of the education and training institution they attend, where they live or their social or economic status. (*Education and Training Reform Act 2006*)

Every day our school principals and teachers demonstrate respect and support for the learning, strengths and needs of students from diverse linguistic, cultural, religious and socioeconomic backgrounds.

In Victoria, human rights are defined in the *Victorian Charter of Human Rights and Responsibilities (the Charter)*. Under the *Charter* Victorian government school students have their rights protected, including the right to protection of their best interests and freedom from discrimination. Victorian Government schools are required to take active steps to make sure that those rights are being upheld.

Both State and Commonwealth anti-discrimination laws place specific obligations on Victorian Government schools to respond to behaviours of concern arising as a result of a disability in a non-discriminatory way. This is achieved by providing Victorian Government school staff with strategies to respond to those behaviours that do not involve the use of restraint.

This guidance accompanies the *15 Principles for the Reduction and Elimination of Restraint and Seclusion in Victorian Government School (15 Principles)* adopted by the Department and provides teachers, support staff, and school leaders with practical guidance for reducing the use of **seclusion** in our schools in a way that is consistent with human rights and anti-discrimination legislation.

Human Rights *principles* underpin all areas relevant to restraint and seclusion and strongly influence both proactive strategies to prevent, minimise and eliminate behaviours of concern, and reactive strategies in response to those behaviours.

## GUIDANCE FOR THE USE OF INDIVIDUAL LEARNING SPACES

An individual learning space is where, on occasion, it is appropriate to support a student's individual learning or sensory needs in a quiet environment, with adult supervision and assistance. These individual learning spaces may be referred to in a number of ways (e.g. 'safe spaces' or 'chillout' rooms).

Schools may also set up sensory spaces for students to support them to meet sensory needs and support prevention and de-escalation of behaviours of concern<sup>1</sup>. Effective use of sensory spaces will require an understanding of the individual sensory and learning needs of each student. Sensory areas should, wherever possible, be developed in collaboration with someone with expertise in this area (e.g. Student Support Services and occupational therapists) and detailed in a plan.

### TIME OUT

As part of a planned response, it may be assessed that students need to be explicitly taught new behaviours (such as functional communication skills) to replace

behaviours of concern. To support this teaching, students may need time away from the situation that has been identified as maintaining or strengthening the current use of the behaviours of concern<sup>2</sup>.

This 'time out' response is a targeted and planned behavioural intervention to

1. prevent an escalation of behaviour and
2. support skill teaching.

**It is not to be used as a punishment.** If time out is used, it needs to be paired with a clear plan outlining explicit instruction of replacement behaviours, including specific goals, data measures to check progress and a plan to deliver personalised reinforcement to students as they develop replacement behaviours<sup>3</sup>.

The use of time out procedures without targeted teaching of new/replacement behaviours is not likely to be effective at changing the behaviour of concern or bringing about behaviour change.

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**If in the use of individual learning spaces, sensory spaces or time out a student has their freedom of movement restricted or exit prevented, this must be reported as an instance of seclusion.**

<sup>1</sup>Cummings, Grandfield, and Coldwell, "Caring with Comfort Rooms."

<sup>2</sup>Freeman and Sugai, "Recent Changes in State Policies and Legislation Regarding Restraint or Seclusion."

<sup>3</sup>Everett, "Time-Out in Special Education Settings."

## SOME FREQUENTLY ASKED QUESTIONS

School staff may be required to make quick decisions to support the safety and wellbeing of their students or colleagues. The following questions and answers are aimed at clarifying what must be reported as seclusion in situations that staff may find familiar.

*Each of the examples that are identified as seclusion need to be reported to the Security Services Unit. Reporting seclusion will ensure the school receives support.*

Location	Is it seclusion if...	It is not seclusion if...
<b>Yard</b>	a student is restricted to the yard or section of the yard, alone with their exit prevented; or they believe they are unable to exit?  A: Yes. This is seclusion.	a student is alone in the yard without restricting their freedom to exit the yard space (i.e. back into buildings or other areas).
<b>Class</b>	a student is engaging in behaviours that are dangerous to themselves and others; and the room or area is evacuated; and the student is left alone and is unable to exit, or believes they are unable to exit; or believes they are unable to exit?  A: Yes. This is seclusion.	a student remains alone in the classroom and their movement is not restricted or their exit prevented and the student is aware they can leave.
<b>Hallway</b>	a student is in the hallway and doors and exits are blocked to prevent the student leaving the hallway or returning to class; or believes they are unable to exit?  A: Yes. This is seclusion.	a student is in the hallway and their movement from the hallway is not restricted or their exit prevented and the student is aware they can leave the area and/or return to class.
<b>Individual learning spaces</b>	a student is blocked (i.e. by a person, barrier, or door) from leaving an individual learning space; or believes they are unable to exit?  A: Yes. This is seclusion.	a student accesses an individual learning space, is supervised and experiences no restriction of movement.
<b>Time out</b>	a student is in a planned time out and their movement is blocked to prevent them from leaving time out; or believes they are unable to exit?  A: Yes. This is seclusion.	when a student is asked to move away from a space or area for a period of time and they have freedom to move into other spaces as needed.

When using an individual learning space or time out, staff must ensure that the student is aware that they are free to move around **and** leave the space.

## PREVENTION

School staff work hard to create effective and supportive learning environments for all of their students. If a student is engaging in behaviours of concern, changes to the learning environment may be necessary.

If changes have been undertaken already, then further revision and individualisation to better meet the needs of the student may be required. Some ideas<sup>4</sup>:



<sup>4</sup>Simonsen et al., "Evidence-Based Practices in Classroom Management."



## DE-ESCALATION

There are times that the best efforts in prevention may not be effective in preventing behaviour escalating. Recognising when a student's behaviour is escalating and responding early to address their concerns are essential in reducing the impact of the behaviour and keeping staff and students safe.

**If a student's behaviour is escalating but is not placing them or others at an imminent risk of physical harm, school staff should employ targeted de-escalation strategies to prevent behaviours from further escalation and to address the cause of the escalation.**

**Some recognised de-escalation strategies include:**

Keeping verbal instructions simple and minimal, using a calm tone of voice and clear, direct language or student's preferred method of communication (focusing on the behaviours you want them to display rather than the ones you don't).

Reinforce the desired behaviour or positive alternate behaviours when demonstrated.

Using active listening techniques (e.g. LEAPS - Listen, Empathise, Ask questions, Paraphrase and Summarise actions for moving forward).

Acknowledging the student's underlying or expressed emotion (e.g. anger/distress).

Providing take-up time for students to process verbal prompts or requests.

Problem solving with the student to address the cause of escalation if safe to do so.

Adopting a non-threatening body stance and body language (open, relaxed with hands down).

Allowing adequate personal space.

Using non-verbal cues.

Providing options (within limits) to help the student feel they are still in control of their decisions.

Allowing the student to access an alternative space with school staff that is less stimulating or removes access to the triggers of behaviour in order to problem solve or regulate. (Note: Students must never be forcibly removed or coerced to an alternate space).

**Important:** Effective de-escalation is dependent on the individual needs of the student at the time. If we are not careful, sometimes what we do to de-escalate can maintain or strengthen the behaviour (e.g. using an alternative work area, or break-away space, when a student finds particular work difficult may reinforce escape behaviour.)

**Reflective practice using data and evidence can help select the right de-escalation strategies.**

## DEBRIEF AND REVIEW

Prevention and de-escalation efforts may not always be successful when supporting students exhibiting behaviours of concern and staff may be required to respond to behaviours that pose a risk of harm to the student or to others.<sup>5</sup> Any incident must trigger a review of the event and the behaviour support strategies used through a debriefing and reflective process.

Debriefing should be non-judgemental, focused on the facts of the incident<sup>6</sup>. Prompts can include, but are not limited to:

Any incident that has led to the seclusion of a student must trigger a review of the behaviour support strategies.



In situations where the initial review determines that the behaviours of concern were likely to be an isolated event, then monitoring of current interventions and follow-up supports to staff and the student may be enough.

In instances where the behaviour of concern is recognised as being repeated or increasing in frequency or severity, then the creation of a behaviour support plan or a detailed review of the current behaviour support plan is required.

## BEHAVIOUR SUPPORT PLANNING AND FURTHER ASSESSMENT

Completing an accurate picture of the individual needs of the student may require specialist support to assist school staff and inform the development of behaviour support plans. Multidisciplinary, comprehensive assessments will ensure that school staff are able to best meet the functional needs of students, teach relevant replacement behaviours, or identify medical needs.

These assessments may include: functional behavioural assessment, environmental assessments, medical assessment, mental health assessment, assessment for learning difficulties, speech and language assessments, and occupational therapy assessments among others.



<sup>5</sup> Simonsen et al., "Ethical and Professional Guidelines for Use of Crisis Procedures."

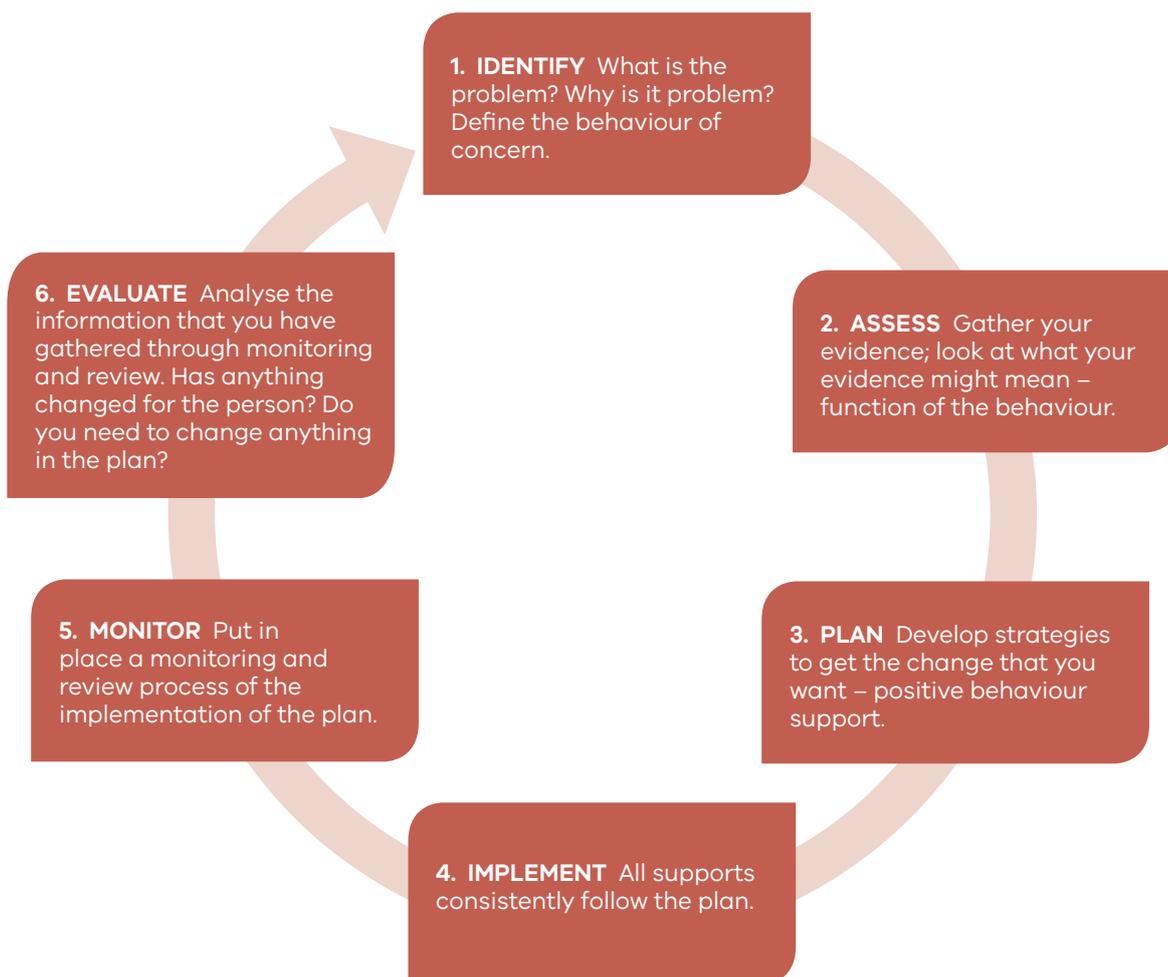
<sup>6</sup> LeBel et al., "Restraint and Seclusion Use in US School Settings."

Behaviour support planning is not a linear pathway, but rather, a cycle of continuous improvement enabled by reflective staff practice. This is outlined in the behaviour support planning cycle<sup>7</sup>.

The process of continuous reflection and improvement is data-driven and focused on understanding the underlying triggers and causes of behaviour from the perspective of the individual student within their school environment. This will support the selection of interventions that are directly connected to the needs and skill deficits of the student.

Assessments must be completed by staff appropriately qualified in administering the relevant assessment.

Engaging your school's Student Support Services (SSS) will be an important step if repeated prevention efforts have been unsuccessful in addressing behaviours of concern. Consultation with the family or carers through a Student Support Group (SSG) meeting is critical, as active involvement of the student and their parents or carers throughout the behaviour support planning is an important step to supporting the development of successful plans.



<sup>7</sup>Behaviour Support Plan Toolkit.

## CONSIDER A SCHOOL-WIDE FRAMEWORK TO SUPPORT PREVENTION

School-wide positive behaviour support (SWPBS) provides a coherent school-wide framework that supports school communities to establish systems and processes that are focused on the prevention of student behaviours of concern. The Department is committed to supporting Victorian government schools to implement SWPBS.

For further information on SWPBS in Victoria or for support in implementing SWPBS in your school go to [www.education.vic.gov.au/swpbs](http://www.education.vic.gov.au/swpbs)

## RESPONSES FOLLOWING AN INSTANCE OF SECLUSION

In addition to the requirement for schools to report incidents that involve the seclusion of a student to the DET Security Services Unit, it is important that there is a detailed written record kept at school level of any incident where a student has been secluded. This may be useful for planning to prevent future incidents and responding to inquiries or complaints about school responses to student behaviours of concern.

A comprehensive outline of incident recording is available at <http://www.education.vic.gov.au/school/teachers/studentmanagement/Pages/responserecovery.aspx>

### **The detailed record needs to be made as soon as possible after the incident.**

Written records should be added to a student's file on CASES21 or SOCS as appropriate.

The parents/carers of a student involved in an incident of seclusion must be notified on the day of the incident, as soon as is practicable after the event. When communicating details of an incident involving seclusion, consider what happened, when, where and with whom.

It is important to consider privacy obligations when communicating with families.



# REPORT EQUALS SUPPORT

**School reports of incidents involving seclusion of students will result in the Area making contact with the school to review the incident and ensure that supports for the student and school are provided.**

## **FURTHER FOLLOW-UP ACTION:**

In response to an incident involving the seclusion of a student, follow up actions must be taken for the student, any staff involved and potentially other students.

These include:

- Reporting any instance of seclusion to the DET Security Services Unit on 9589 6266.
- Consider relevant follow-up supports for the student who has been secluded (e.g. counselling, debriefing or advocacy). These supports may be provided through SSS staff and may require the arrangement of augmentative and alternative communication for non verbal students.
- Notify parents/carers of any support services being offered to their child.
- Consider what supports (e.g. counselling or debriefing) need to be offered to other affected school community members. This may include arranging augmentative and alternative communication for non verbal students.
- Depending on the nature of the incident, consider if it is appropriate to apply student disciplinary measures.
- Make an EduSafe report if the incident involved harm or risk of harm to a staff member.
- Encourage affected school staff members to contact the Employee Assistance Program for counselling support.
- Consider if any additional support is required for staff at the school level (e.g. time release to engage in behaviour support planning).
- Consider training needs of staff working closely with student/s involved in the incident and contact the Health, Wellbeing & Specialist Services Manager or the Inclusion, Access and Participation Manager in your Regional Office for advice on training options and suitable providers (i.e. Managing Challenging Behaviours or Prevent-Teach-Reinforce online modules).
- Consideration should be given to whether an occupational violence risk assessment is necessary. An occupational violence risk assessment checklist is available from WorkSafe or schools can contact the Department's Occupational Health and Safety (OHS) Advisory Service.



## FOR MORE INFORMATION

### Student behaviours of concern

**Student Behaviour:**

<http://www.education.vic.gov.au/school/teachers/studentmanagement/Pages/studentbehaviour.aspx>

**Engagement Strategies and Support for Individual Students:**

<http://www.education.vic.gov.au/school/teachers/studentmanagement/Pages/engageindividuals.aspx>

**Engagement Support for Specific Groups of Students:**

<http://www.education.vic.gov.au/school/teachers/studentmanagement/Pages/specificsupport.aspx>

**Managing Challenging Behaviours****Professional Learning:**

<http://www.education.vic.gov.au/school/teachers/profdev/Pages/managebehaviours.aspx>

**School-Wide Positive Behaviour Support:**

<http://www.education.vic.gov.au/school/teachers/management/improvement/Pages/swpbs.aspx>

**School Policy and Advisory Guide – Restraint of Student:**

<http://www.education.vic.gov.au/school/principals/spag/governance/Pages/restraint.aspx>

**The Principles for Reduction and Elimination of Restraint and Seclusion in Victorian Government Schools:**

<http://www.education.vic.gov.au/school/teachers/studentmanagement/Pages/behaviourofconcern.aspx>

**Student Support Services:**

<http://www.education.vic.gov.au/school/parents/health/Pages/supportservices.aspx>

### Reporting

**Reporting Incidents and Hazards on eduSafe:**

<http://www.education.vic.gov.au/hrweb/safetyhw/Pages/reportinjuryhazard.aspx>

**Security Services:**

<https://edugate.eduweb.vic.gov.au/Services/Schools/Infrastructure/Emergency/Pages/default.aspx>

**Employee Safety and Support Services, OHS Advisory Service:**

<http://www.education.vic.gov.au/hrweb/safetyhw/Pages/employeeservices.aspx#link4>

**Employee Safety and Support Services, Employee Assistance Program, including Manager Assist:**

<http://www.education.vic.gov.au/hrweb/safetyhw/Pages/employeeservices.aspx#link4>

**WorkSafe Notification:**

<http://www.education.vic.gov.au/school/principals/spag/management/Pages/worksafe.aspx>

### Assessment of learning needs

**Learning Difficulties and Dyslexia:**

<http://www.education.vic.gov.au/school/teachers/teachingresources/discipline/english/reading/Pages/default.aspx>

### Individual Learning Spaces

**Victorian School Building Authority:**

<https://edugate.eduweb.vic.gov.au/sc/sites/Infonline/Policies%20Guidelines%20and%20Procedures/Individual%20Learning%20Spaces%20Policy%20Final.docx>

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# KEY POINTS ABOUT SECLUSION

## WHAT IS SECLUSION?

Solitary confinement of a person in a room or area (e.g. a garden) 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 locked.

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

In the vast majority of cases, the only time that a student should be in a room on their own in response to behaviours that cause harm to self or others is when a room has been evacuated, leaving the student alone.

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

The seclusion of a student significantly increases their risk of harm while also increasing the risk of harm to staff supporting them.

All instances of where a student is left alone in a room or area and is unable to exit must be reported as seclusion.

Seclusion is never a planned response. It cannot be part of a behaviour support plan. If a report of seclusion is made, strategies to prevent reoccurrence must be developed or reviewed.

Every instance of seclusion must be visually monitored throughout by a staff member to ensure that the seclusion is justified, time limited and that the student, and other students and staff are safe.

Seclusion is not effective at creating meaningful behaviour change and every instance of seclusion can undermine the professional relationship between the student and their teacher and the quality of the student's educational experience.

# REPORT EQUALS SUPPORT

**School reports of incidents involving restraint of students will result in Area contact with the school to review the incident and ensure that support for the student and school are provided.**

Behaviours of concern do not happen in isolation from the student's environment and current functional skills.

Effective interventions to support the student will involve staff modifying the learning environment and teaching new skills to their students.



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