# Physical restraint, seclusion, & school boarding services

On 18 June 2021, the Education and Training Reform Amendment Regulations 2020 amended the Education and Training Reform Regulations 2017 to prescribe minimum standards for the registration of Government school boarding premises; and to prescribe the procedures and requirements for the registration of Government school boarding premises.

The amended regulations allow a member of staff of the provider of school boarding services at a Government school boarding premises to take any reasonable action that is immediately required to restrain a student boarding at the premises from acts or behaviour that are dangerous to the member of staff, the student, or any other person.

## Expectations of providers of school boarding services

The Department expects that providers of school boarding services at Government school boarding premises will comply with the following guidelines consistent with the [Restraint and Seclusion Policy](https://www2.education.vic.gov.au/pal/restraint-seclusion/policy):

1. Providers of school boarding services must take reasonable steps to minimise the risk of reasonably foreseeable harm to students.
2. Physical restraint and seclusion should only be used by providers of school boarding services when necessary to protect the safety of a student or another person. Any use of physical restraint or seclusion must respect the rights and dignity of children and young people and be in proportion to the risks involved.
3. The Department expects providers of school boarding services to understand that:

* every instance of physical restraint and seclusion must be reported as an incident on eduSafe Plus, the department’s online incident reporting and hazard management system, or by calling the Incident Support and Operations Centre (ISOC) on 1800 126 126
* no person, including parents/carers, clinicians, practitioners, teachers, or a student can authorise, consent to, or approve the use of physical restraint or seclusion whilst the student is at the Government school boarding premises
* when physical contact is used to block, deflect, or redirect a student's actions, or disengage a student's grip, this is a protective physical intervention not physical restraint
* Regulation 26C, Restraint from danger, of the Education and Training Reform Amendment Regulations 2020 should be referenced in any statement on student behaviour provided by a provider of school boarding services to a school
* students attending a school boarding premise must have access to areas where they can be alone if they wish, and be able to enter and exit these spaces freely
* on site staff of school boarding services must always know the whereabouts of students (or know how to find their whereabouts) in their charge
* students should be able to contact a member of staff at night.

## Essential Safety Measures (ESM)

Providers of school boarding services must maintain essential safety measures (fire and life safety items installed or constructed in a building). Ensuring essential safety measures operate satisfactorily intersects with some practices listed in the [Restraint and Seclusion Policy](https://www2.education.vic.gov.au/pal/restraint-seclusion/policy). Consistent with the [Restraint and Seclusion Policy](https://www2.education.vic.gov.au/pal/restraint-seclusion/policy):

* designated seclusion rooms are not permitted in Government school boarding premises
* areas that are primarily used for the purpose of seclusion are not permitted in Government school boarding premises
* preventing a student from leaving an area normally used by students with a locking mechanism is not permitted in Government school boarding premises
* doors and door handles installed in such a manner as to prevent a student from leaving a room unassisted are not permitted in Government school boarding premises.

## Safe access to, movement within, and egress from Government school boarding premises

Providers of school boarding services must ensure students have safe access to, and movement within, physical facilities (buildings, facilities, and grounds) provided at Government school boarding premises. Exceptions to this rule include:

* areas which might pose a health and safety risk for students, and the path of travel providing access only to these areas. For example: a swimming pool area without appropriate supervision
* areas where access would be inappropriate because of the particular purpose for which the area is used, and the path of travel providing access only to these areas. For example: a plant room within a swimming pool area
* if a school boarding premise enacts a ‘lock down procedure’ during which all doors and windows will be locked for a period. For example: if an intruder is violent and aggressive towards others on the school site or a snake is located around buildings and grounds.
* if the normal routine of the school boarding premise is to lock external doors overnight. For example: as a security precaution.

Newly built school boarding services, special, and special development school boarding services may need to consider additional factors to ensure students have safe access to, and movement within, their school boarding service including:

* the necessity of smoke/fire detection systems to deactivate magnetic locks
* automatic opening front door and security issues
* fencing types and security/containment issues.

Restricting a student’s egress from within, or from, a school boarding service is not permitted; exceptions are only granted in special circumstances.

Emergency exits must be accessible. They must be a single action opening door and operable from the inside only to maintain security. Emergency exits, and the paths occupants travel to reach the emergency exit, must have dimensions appropriate for the number, mobility, and other characteristics of buildings occupants and the function or use of the building.

Regular external exits must be simple to operate, kept fully functioning and clear of obstruction. In new school boarding services, external doors must have locks on them, however, the requirement of free egress still applies so doors must always be able to be opened from inside the building.

## For more information

[Essential Safety Measures Policy](https://www2.education.vic.gov.au/pal/essential-safety-measures/policy)

[Restraint and Seclusion Policy](https://www2.education.vic.gov.au/pal/restraint-seclusion/policy)

If you have any questions regarding Essential Safety Measures, please contact: essential.safety.measures@education.vic.gov.au

If you have any questions regarding seclusion, please contact: restraint.seclusion@education.vic.gov.au