# Case studies

Schools are expected to create positive school climates for learning by using school wide positive behaviour supports and teaching social emotional skills. See: [Framework for Improving Student Outcomes](https://edugate.eduweb.vic.gov.au/edrms/project/fiso/SitePages/Home.aspx) (FISO) for more information.

Schools are expected to intervene early to prevent problem behaviour becoming behaviour of concern. Schools are also expected to take deliberate steps to create and maintain child safe organisations and protect students from all forms of abuse. See: [Child Safe Standards Policy](https://www2.education.vic.gov.au/pal/child-safe-standards/policy) for more information.

# Six commonly reported incidents

The purpose of the following case studies is to describe the Department’s expectations for how the Restraint and Seclusion Policy should be applied by staff using six commonly reported scenarios.

Not every behavioural scenario can be described in this document, nor can these scenarios include how different circumstances and contexts might influence professional judgments and decisions made by school staff.

## Physical restraint and seclusion incidents

School staff should ensure they are familiar with the Restraint and Seclusion Policy and Guidelines so they understand the limited circumstances when physical restraint and seclusion can be used. For instance: 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 to the Incident Support and Operations Centre (ISOC) on 1800 126 126; communicated to the parents/carers of the student involved; documented, followed by the provision of support to student/s and staff involved, and reviewed so that a plan to reduce the likelihood of the incident happening again can be made. See [Guide for Conducting a School-Based Review](https://www.education.vic.gov.au/PAL/restraint-seclusion-guide-for-conducting-school-based-review-meeting.docx).

## Disruptive behaviour

20% of restraint and seclusion reports relate to disruptive behaviour by a student.

Ryan’s behaviour is described by his school as ‘disruptive’ and ‘non-compliant’. His teacher says he is often ‘agitated’. He has been physically restrained during a recent ‘anger episode’.

If Ryan was physically restrained during a recent ‘anger episode’ *because he was about to throw a chair at a group of his peers*, the actions of Ryan’s teacher are likely to comply with the Restraint and Seclusion school policy. Physical restraint is permitted within Victorian government schools when immediately required to protect the physical safety of a student or another person.

However, if Ryan’s teacher physically restrained him *because he was having an ‘anger episode’*, Ryan’s teacher is likely to have acted in breach of the Restraint and Seclusion school policy. The Restraint and Seclusion School Policy says that school staff must never use seclusion or physical restraint as a behaviour management technique, for convenience, as retaliation, or to discipline or punish a student.

## Aggression towards staff

60% of restraint and seclusion reports relate to a student being aggressive towards staff.

Abby has limited verbal communication skills but will swear, hit, kick, bite, and spit at staff if she is asked to stop a task or not leave a room. Abby has been physically restrained numerous times and has injured staff in this process. Abby requires supervision when moving between classrooms.

The Restraint and Seclusion School Policy says that staff must not use physical restraint to respond to a student’s refusal to comply with a direction, unless that refusal to comply creates an imminent risk to the physical safety of the student or another person.

Further, the Restraint and Seclusion School Policy says that staff must not stop a student leaving a classroom without permission, unless the student’s conduct causes an immediate risk of harm to the safety of the student or another person.

In this case, it is unlikely the physical restraint of Abby was within policy parameters.

## Use of weapon and aggression towards another student

50% of restraint and seclusion reports relate to a student being aggressive towards another student. Approximately 8% of restraint and seclusion reports relate to a student using a weapon.

Sixteen-year-old Max broke his pen by stabbing his desk. Max then attempted to stab the student next to him with the broken pen. The classroom teacher blocked Max’s attempt to stab the student by pushing his hand away from the other student.

This scenario describes a student attempting to harm another with a weapon. In this instance, blocking Max’s action is an appropriate ‘least restrictive measure’ to use in the circumstance. Max’s teacher used a protective physical intervention to block, deflect and redirect Max’s action. A protective physical intervention allows a student to freely move away so it is not physical restraint.

Later the same day two staff intervene in a physical fight between the same two students. After issuing clear directions to the students to stop the fight, the staff move towards the students exerting their authority. Eventually, the two staff take the students’ shoulders and forcefully pull them away from each other as they begin to punch each other. The staff used physical restraint to restrict and subdue the students’ behaviour.

School staff are required to take reasonable steps (i.e. use their authority and be proactive) to reduce the risk of physical harm arising from student physical fights, but staff should only physically intervene (i.e. stand between two students or physically try to restrain them from hurting one another) if it is safe and reasonable to do so. This will vary from incident to incident.

Following these two incidents, the principal’s delegate reported the incident on eduSafe Plus, the department’s online incident reporting and hazard management system, spoke with the parents of both students, asked the staff involved to document the incidents, and scheduled a meeting for the following day to review both incidents with relevant staff.

## Damage to property and evacuation of classroom

20% of restraint and seclusion reports relate to a student damaging property and approximately 10% of restraint and seclusion reports relate to classrooms being evacuated.

If Jack’s teacher has physically restrained him because she is protecting other students in the classroom from physical harm and there has been no alternative in the circumstances, her actions are likely to comply with the Restraint and Seclusion school policy. Physical restraint is only permitted within Victorian government schools when immediately required to protect the safety of a student or another person.

Jack regularly tips over classroom tables and throws chairs. He will also pick up items like scissors and threaten to harm his peers. Jack’s teacher has physically restrained him and evacuated the classroom on several occasions to keep the other students safe.

Jack’s teacher must not, however, use physical restraint in response to Jack damaging or destroying school property, unless Jack’s behaviour causes an immediate risk of harm to the safety of himself or another person. For example, if Jack throws a chair against a window and there is no one nearby who could be injured by the chair or broken glass, then physical restraint would not appropriate. But, if students are seated at desks near the window, then restraining Jack would be appropriate.

Evacuating a classroom of all students except Jack leaves him vulnerable to seclusion. The definition of seclusion is: “leaving a student alone in a room or area from which they are prevented from leaving by a barrier or another person. This includes situations where a door is locked as well as where the door is blocked by other objects or held closed by another person”. If Jack was left by himself in the classroom and he could not freely exit, then he was secluded. If he could exit, then he was not secluded. If a staff member remained in the classroom with him, then he was not secluded.

## Injury to self

10% of restraint and seclusion reports relate to a student injuring themself.

Bobby has profound intellectual disability and displays challenging behaviour, including screaming, and banging his head. Staff find Bobby’s behaviour distressing. Staff hold Bobby to prevent his head banging and to minimize the immediate injury he might cause himself.

In this instance staff appear to be physically restraining Bobby to prevent him injuring himself. Physical restraint is permitted within Victorian government schools when immediately required to protect the safety of a student or another person. If, however, there is no foreseeable risk of physical harm, then the physical restraint would not be likely to be permitted by the policy.

## Absconding from school

10% of restraint and seclusion reports relate to a student absconding from a classroom or school. This is less frequent than many schools believe is the case.

Laura scratches and hits herself causing bruises and bleeding. She has also kicked staff multiple times over recent weeks. On several occasions, staff members have attempted to stop Laura from hurting herself by holding her arms and not letting her move. Laura has also left the school grounds without permission several times. Some staff have attempted to stop Laura from leaving the school grounds, others have followed her until one of her parents arrives.

If staff physically restrain Laura because she is injuring herself – causing tissue damage such as bruising, lacerations and bleeding – their actions are likely to be reasonable and comply with the Restraint and Seclusion school policy. This is because, staff are permitted to use physical restraint and seclusion where there is an imminent threat of physical harm or danger to a student or another person. Physical restraint must be discontinued as soon as the immediate danger has passed.

If staff have physically restrained Laura as she is leaving the school grounds without permission to prevent her, for instance, from being hit by a car, their actions would also likely be considered reasonable and comply with the Restraint and Seclusion school policy. If Laura leaves the school grounds, or a school-approved activity, without permission school staff must:

* take all reasonable steps to discharge their duty of care to Laura (that is, take reasonable steps to reduce the risk of reasonably foreseeable harm)
* notify Victoria Police if there is a reasonable concern for her safety or the safety of others
* notify Laura’s parents or carers as soon as reasonably possible
* report the incident on eduSafe Plus, the department’s online incident reporting and hazard management system, or call the Incident Support and Operations Centre (ISOC) on 1800 126 126.

However, school staff are not permitted to physically restrain a student attempting to leave school grounds without permission if there is no imminent threat of physical harm or danger. This is because, when there is no imminent risk of physical harm, physically restraining a student is unlikely to be considered reasonable in the circumstances and there may be less restrictive ways of responding to the situation.

# Additional efforts may be required

If a school has reviewed an incident, or multiple incidents, and implemented a plan to reduce the likelihood of the incident happening again but finds the student’s challenging behaviour persist, the school may need to consider:

* whether school staff would benefit from coaching or support to address student behavioural challenges: including modifying the environment, resources and/or instruction, individualized instructions, or new skills to focus on. Helping students with their challenging behaviour lies in understanding the function of the behaviour for the student.
* reviewing its school-wide and class-based processes and procedures to ensure genuine attempts at engaging and sustaining the student in their learning have been implemented by the school, including considering the effect of peer and staff behaviour and reinforcement.
* whether a Functional Behaviour Assessment is required. A hypothesis about why the student’s challenging behaviour occur will inform the design of a Behaviour Support Plan. Research shows the most effective behaviour support strategies are those that are informed by a functional behaviour assessment, and one which emphasizes the teaching of new skills, reinforcement of the new skill, and the fidelity of the intervention by staff.
* seeking support from Student Support Services (SSS) or Health and Wellbeing Key Contact if the student requires further individualized, intensive interventions.

## Support

If you have found the content of this document distressing, contact the Department’s Employee Assistance Program on 1300 361 008 for free and confidential support.

## For further information

[OHS Management System (OHSMS) Overview — Employee Health, Safety and Wellbeing](https://www2.education.vic.gov.au/pal/occupational-health-and-safety-management-system-ohsms/policy)

[Behaviour Support Plan](https://www2.education.vic.gov.au/pal/behaviour-students/resources)

[Complaints — Parents](https://www2.education.vic.gov.au/pal/complaints/policy)

[Complex Matters Support Team](https://edugate.eduweb.vic.gov.au/sites/i/Pages/production.aspx#/app/content/3023/support_and_service_(schools)%252Fhuman_resources%252Fprincipal_health_and_wellbeing%252Fcomplex_matters_support_team)

[Duty of care policy](https://www2.education.vic.gov.au/pal/duty-of-care/policy)

[Edu Safe](https://edusafe.eduweb.vic.gov.au/login.aspx?ReturnUrl=%2fDefault.aspx%3fRedirect%3d1&Redirect=1)

[Employee Assistance Program](https://www2.education.vic.gov.au/pal/occupational-health-and-safety-management-system-ohsms/guidance/expert-supports)

[headspace counselling for secondary students](https://www.education.vic.gov.au/school/teachers/health/mentalhealth/Pages/headspace-counselling-secondary.aspx)

[Managing Trauma: A guide to managing Trauma following an incident](https://edugate.eduweb.vic.gov.au/sites/i/_layouts/15/WopiFrame2.aspx?sourcedoc=/sites/i/Shared%20Documents/Managing%20Trauma.pdf&action=default)

[Mental health training and support](https://www.education.vic.gov.au/school/teachers/health/mentalhealth/Pages/mental-health-training.aspx)

[Employee Wellbeing Response Team: Improved response to serious employee injury and complex safety incidents Fact Sheet](https://edugate.eduweb.vic.gov.au/sites/i/_layouts/15/WopiFrame2.aspx?sourcedoc=/sites/i/Shared%20Documents/FACTSHEETEmployeeWellbeingResponseTeam.pdf&action=default)

[Inclusive Classrooms: Supporting Student Behaviour blended learning course](https://www.deafeducation.vic.edu.au/professional-learning/template?eventtemplate=51-supporting-student-behaviour)

[Priority: positive climate for learning](https://www.education.vic.gov.au/school/teachers/management/improvement/Pages/priority3positiveclimate.aspx)

[PROTECT](https://www.education.vic.gov.au/about/programs/health/protect/Pages/default.aspx?Redirect=1)

[Report child abuse in schools](https://www.education.vic.gov.au/school/teachers/health/childprotection/Pages/report.aAspx)

[Reporting and Managing School Incidents (including emergencies)](https://www2.education.vic.gov.au/pal/reporting-and-managing-school-incidents-including-emergencies/policy)

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

[Student Support Services](https://www2.education.vic.gov.au/pal/student-support-services/policy)

[Students Absconding or Going Missing from School Policy](https://www2.education.vic.gov.au/pal/students-absconding/policy)

[Suicide Prevention and Response Policy](https://www2.education.vic.gov.au/pal/suicide-prevention-and-response/policy)

## Contact

Principal Behaviour Support Adviser

Inclusive Education Professional Practice

Schools and Regional Services

Email: restraint.seclusion@education.vic.gov.au