# Child Safe Standards, physical restraint, and seclusion

The Child Safe Standards (the Standards) are compulsory minimum standards for all Victorian schools to ensure they are well prepared to protect children from abuse. The Victorian Registration and Qualifications Authority (VRQA) is responsible for ensuring school compliance with the Standards. Schools are required to comply with the Standards for registration.

The Department’s [PROTECT website](https://www.education.vic.gov.au/school/teachers/health/childprotection/Pages/default.aspx) provides schools with guidance about the Child Safe Standards and supports schools to comply with the relevant Ministerial Order 870 — Child Safe Standards — Managing the risk of child abuse in schools generally. The Department’s [Reportable Conduct policy](https://www2.education.vic.gov.au/pal/reportable-conduct-scheme/policy) provides schools with guidance about how to manage allegations of reportable conduct.

## The Standards

The following provides guidance as the Standards relate to physical restraint and seclusion.

Child Safe Standard 1: Strategies to embed an organisational culture of child safety, including through effective leadership arrangements

When embedding an organisational culture of child safety schools should include a specific commitment to reducing and eliminating incidents of physical restraint and seclusion, using relevant data effectively and reviewing support needs of students and staff.

Child Safe Standard 2: A child safety policy or a statement of commitment to child safety

Schools can communicate the Department’s [Restraint and Seclusion Policy](https://app-policy-det-vic-gov-au-production.lagoon.vicsdp.amazee.io/pal/restraint-seclusion/policy) to their school community by placing a link to it on their website.

Child Safe Standard 3: A Child Safety Code of Conduct

Schools should include references to restraint and seclusion as acceptable and unacceptable behaviour in their Child Safety Code of Conduct.

The Department recommends schools consider a ‘within-school procedure for reporting physical restraint and seclusion’.

Child Safe Standard 4: Screening, supervision, training, and other human resource practices that reduce the risk of child abuse

The principal must ensure the [Recruitment in Schools Guide](https://www.education.vic.gov.au/hrweb/careers/Pages/recruitinsch.aspx) is followed to ensure the school’s hiring practices are child safe.

Schools must ensure the [Restraint and Seclusion Policy](https://www2.education.vic.gov.au/pal/restraint-seclusion/policy) is included within induction-related material for new staff.

The principal must ensure non-school Department staff, such as allied health practitioners and NDIS-funded therapists, working with students and training providers engaged by the school, use child safe practices and are provided with a link to the Department’s [Restraint and Seclusion Policy](https://www2.education.vic.gov.au/pal/restraint-seclusion/policy)

.

Schools must reflect on and review incidents of physical restraint and seclusion and provide appropriate supervision, capacity building and staff support arrangements found necessary because of this process.

Child Safe Standard 5: Procedures for responding to and reporting suspected child abuse

School staff must report and act on disclosures, incidents or concerns that physical restraint and/or seclusion have placed a student at risk of harm or were used contrary to law and the Department’s [Restraint and Seclusion Policy](https://www2.education.vic.gov.au/pal/restraint-seclusion/policy).

School staff must understand their reporting obligations under the Department’s [Protecting Children — Reporting and Other Legal Obligations](https://www2.education.vic.gov.au/pal/protecting-children/policy).

Child Safe Standard 6: Strategies to identify and reduce or remove risks of child abuse

Schools must periodically undertake risk management assessments of their use of restraint and seclusion and develop strategies to respond to identified risks including training for staff or changes to processes. Examining the existing culture, behaviour and discipline-related data will indicate if there is a risk of disproportionate or inappropriate physical restraint and seclusion incidents occurring.

Child Safe Standard 7: Strategies to promote child participation and empowerment

Schools should facilitate student understanding of physical restraint and seclusion use.

Schools should provide students with the opportunity to raise complaints about the use of physical restraint or seclusion on themselves or their peers.

## Reporting

The use of physical restraint or seclusion outside the [Restraint and Seclusion Policy](https://www2.education.vic.gov.au/pal/restraint-seclusion/policy) may constitute reportable conduct.

Principals must notify the Employee Conduct Branch (ECB) as soon as possible after becoming aware of a reportable conduct allegation involving any employees, contractors, volunteers (including parents), allied health staff or school council employees. Reportable conduct allegations are any of the following:

* a sexual offence, sexual misconduct or physical violence committed against, with or in the presence of a child
* behaviour causing significant emotional or psychological harm to a child
* significant neglect of a child, or misconduct involving any of the above.

If a principal considers that a restrictive practice used by a school staff member was not appropriate in the circumstances or otherwise not compliant with the [Restraint and Seclusion Policy](https://www2.education.vic.gov.au/pal/restraint-seclusion/policy), they must report the incident:

* on eduSafe Plus or by calling the Incident Support and Operations Centre (ISOC) in accordance with Managing and Reporting School Incidents (including emergencies)
* to the Employee Conduct Branch (ECB) by telephone on 03 7022 0005 or by email via employee.conduct@education.vic.gov.au. ECB will provide advice and support in managing allegations in relation to the staff member’s conduct and will determine whether the matter needs to be reported to the Commission for Children and Young People by ECB under the Reportable Conduct Scheme – refer to [Complaints, Unsatisfactory Performance and Misconduct — Teaching Service](https://www2.education.vic.gov.au/pal/complaints-misconduct-and-unsatisfactory-performance/overview) and Reportable Conduct.

The Department is legally required to respond to allegations of child abuse and other child-related misconduct made against its employees. ECB will provide advice and support in managing allegations in relation to the staff member’s conduct and will determine whether the matter needs to be reported to the Commission for Children and Young People (CCYP) under the [Reportable Conduct Scheme](https://www2.education.vic.gov.au/pal/reportable-conduct-scheme/policy).

The Reportable Conduct Scheme does not change or replace other reporting obligations such as mandatory reporting. School staff have a range of legal and policy obligations with respect to protecting children and young people from abuse. See [Protecting Children — Reporting and Other Legal Obligations](https://app-policy-det-vic-gov-au-production.lagoon.vicsdp.amazee.io/pal/protecting-children/policy).

The *Children Youth and Families Act 2005* and Department policy require school staff to report to DHHS Child Protection any concerns that the staff have about a student’s health, safety or wellbeing where the child’s parents have not protected or are unlikely to protect the child from harm. The threshold for making these reports is deliberately low and a report is required, even if staff are unsure or have not directly observed child abuse. All reports to DHHS are made confidentially. See [Child Protection and Child Safe Standards](https://www.education.vic.gov.au/school/teachers/health/childprotection/Pages/identify.aspx) (PROTECT).

## Contact

Principal Behaviour Support Adviser

Inclusive Education Professional Practice

Schools and Regional Services

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