



## **Student Restraint Policy**

### **Background**

At times students need to be restrained safely so they are not harming themselves, other children or adults. Restraining students is only used when certain conditions are met and that appropriate standards and procedures are followed.

At Huntingdale Primary School such incidences are rare. However, all staff need to understand the rights and responsibilities of students and staff in these situations.

### **Purpose**

To ensure:

- All staff, students and parents understand their rights and responsibilities in regards to restraining a student.
- The school follows the Department of Education and Training's (DET) policy which can be found in the publication *Guidance for Responding to Violent and Dangerous Student Behaviours of Concern*.
- That the school's policy is compliant with the Charter of Human Rights and Responsibilities Act 2006 (Vic), *Disability Discrimination Act 1992 (Cth)*, Education and Training Reform Regulations 2007 (Vic), Equal Opportunity Act 2010 (Vic) and Occupational Health and Safety Act 2004 (Vic)

### **Definitions:**

*Physical restraint* means the use of physical force to prevent, restrict or subdue movement of a student's body or part of their body. Physical restraint should only be used when it is immediately required to protect the safety of the student or any other person.

In some limited circumstances, it may also be necessary to restrain a student from violent or dangerous behaviours by secluding them in an area where such action is immediately required to protect the safety of the student or any other person.

*Seclusion* is the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. This includes situations where a door is locked as well as where the door is blocked by other objects or held closed by staff. It does not include timeout, which is a behaviour management technique that is part of a Behaviour Support Plan, involves the monitored separation of the student in a non-locked setting, and is implemented for the purpose of calming.



## Implementation

- The Principal has the overall responsibility of implementing this policy, but may delegate certain roles to suitably qualified staff.
- Restraint of a student is a last resort action. The Education and Training Reform Regulations 2007 provides that: "A member of staff of a Government school may take any reasonable action that is immediately required to restrain a student of the school from acts or behaviour dangerous to the member of staff, the student, or any other person."

### When physical restraint or seclusion may be used:

- Physical restraint has been associated with injury and increased trauma to the student and the staff member responsible for the physical restraint. School staff may only use physical restraint on a student when it is immediately required to protect the safety of the student or any other person noting that:
  - If at any time a student behaves in such a way that they present a danger to themselves or others, all others will be removed from the immediate area if possible. If this is not possible, the student is to be restrained and removed from the situation;
  - For physical restraint to be immediately required there should be no less restrictive action that could be taken to avert the danger in the circumstances;
  - Staff should use the minimum force needed to protect against the danger of harm;
  - Staff should apply the physical restraint for the minimum duration required and remove it once the danger has passed.
- As with physical restraint, seclusion should only be used when it is immediately required to protect the safety of the student or any other person.
- The decision about whether to use physical restraint or seclusion rests with the professional judgment of the staff member/s involved, who will need to take into account both their duty of care to their students, their right to protect themselves from harm and obligations under the *Charter of Human Rights and Responsibilities Act 2006* (the Charter).

### When physical restraint or seclusion should not be used:

- Physical restraint and seclusion should not be used unless immediately required to protect the safety of the student or any other person.
- Rooms or areas designed specifically for the purpose of seclusion or which are used solely or primarily for the purpose of seclusion are not permitted in Victorian government schools.
- Restraint and seclusion must not be included in a Behaviour Support Plan or be used as a routine behaviour management technique, to punish or discipline a student or to respond to:
  - A student's refusal to comply with a direction, unless that refusal to comply creates an imminent risk to the safety of the student or another person
  - A student leaving the classroom/school without permission, unless that conduct causes an imminent risk to the safety of the student or another person
  - Verbal threats of harm from a student, except where there is a reasonable belief that the threat will be immediately enacted
  - Property destruction caused by the student unless that destruction is placing any person at immediate risk of harm
- Any restraint which covers the student's mouth or nose, in any way restricts breathing, takes the student to the ground into the prone or supine position, involves the hyperextension of joints, or application of pressure to the neck, chest or joints, must not be used.



### **Mechanical restraint:**

- Mechanical restraints should never be used to restrict a student's freedom of movement, unless the restraint is for a therapeutic purpose with written evidence of the prescription / recommendation, or if required to travel safely in a vehicle.

### **How to Restrain:**

- If applying physical restraint in the limited circumstances set out above, staff must:
  - Use the minimum force required to avoid the dangerous behaviour or risk of harm
  - Only restrain the student for the minimum duration required and stop restraining the student once the danger has passed.
- Staff should ensure the type of restraint used is consistent with a student's individual needs and circumstances, including:
  - The age/size of the student;
  - Gender of the student;
  - Any impairment of the student e.g. physical, intellectual, neurological, behavioural, sensory (visual or hearing), or communication;
  - Any mental or psychological conditions of the student, including any experience of trauma;
  - Any other medical conditions of the student;
  - The likely response of the student;
  - The environment in which the restraint is taking place.
- Staff should monitor the student for any indicators or distress. Staff should talk to the student throughout the incident, making it clear to the student why the physical restraint is being applied.
- Staff should also calmly explain that the physical restraint will stop once it is no longer necessary to protect the student and/or others.

### **Actions after restraint has been used:**

- The follow up actions that must be undertaken after a student has been physically restrained or secluded include (see *Appendix 1*):
  - Report the physical restraint/ seclusion;
  - Provide supports for those involved;
  - Maintain records of the incident;
  - Plan for the future.

### **Resources:**

Guidance for Responding to Violent and Dangerous Student Behaviours of Concern:

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

**Reporting (emergency and incidents):**

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

Edusafe - **Report an Injury, Incident or Hazard:**

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

WorkSafe - **WorkSafe Notification:**

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



**Student Engagement and Inclusion Guidance:**

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

**Program for Students with Disabilities:**

<http://www.education.vic.gov.au/school/teachers/teachingresources/diversity/Pages/programsforstudentswithdisabilities.aspx>

**Evaluation**

This policy will be reviewed as part of the school's 3 year cycle or as needed to comply with DET policy changes.

**Certification**

This policy was endorsed by School Council at the meeting held on 15 November 2016.

Signed.....

*Principal*

Signed.....

*School Council President*