Restraint of Student Policy

Date Implemented: 13th May 2015
Author: Adrian Reeder
Approved By: College Council

Approval Authority (Signature & Date)

Date Reviewed: April 2016
Responsible for Review: Assistant Principal – Teaching and Learning

References
- Charter of Human Rights and Responsibilities Act 2006
- Disability Discrimination Act 1992 (Cth)
- Education and Training Reform Regulations 2007
- Equal Opportunity Act 2010
- Occupational Health and Safety Act

RATIONALE

To ensure the Seymour College community is informed about the Department’s policy about restraint including that restraint is only used when certain conditions are met and that appropriate standards and procedures are followed.

In this policy, restraint means the use of physical force to prevent, restrict or subdue movement of a person’s body or part of their body for the primary purpose of behavioural control.

Restraint from danger

A member of the 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.

Education and Training Reform Regulations 2007

GUIDELINES FOR ACTION

When restraint may be used:
School staff may only use restraint on a student when all of the following conditions are met:
- the situation is an emergency and the danger of harm to the student and/or others is imminent;
- the restraint is used to prevent the student from inflicting harm on him/herself and/or others;
- there is no reasonable alternative that can be taken to avoid the danger

When restrain should not be used:
Restraint should not be used unless alternative measures to avoid the danger of harm have been exhausted. Restraint should never be used in the following circumstances:
- to intentionally provoke or punish a student
- cause harm or injury to the student.
Restraint should not be used on a student in any of the following circumstances:

- to maintain good order or respond to a class disruption
- to respond to:
  - a student’s refusal to comply
  - verbal threats from a student
  - a student leaving the classroom or school without permission
  - property destruction caused by the student

Restraint should not be used unless all of the following conditions are met:

- the situation is an emergency and the danger of harm to the student and/or others is imminent;
- the restraint is used to prevent the student from inflicting harm on him/herself and/or others; there is no reasonable alternative that can be taken to avoid the danger

**How restraint should be applied:**

If applying restraint, staff should only:

- use the minimum force required to avoid the danger of harm
- apply restraint for the minimum duration required and remove the restraint once the danger has passed.

It is also important for staff to consider the following factors:

- the age of the student
- the stature and weight 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
- any other medical conditions of the student
- the likely response of the student
- the environment in which the restraint is taking place.

Staff should talk to the student throughout the incident. Staff should make it clear to the student when and why the restraint is to be applied. Staff should also calmly explain that the restraint will stop once it is no longer necessary to protect the student and/or others.

It is also advisable that whenever possible:

- At least one other staff member is present to witness the restraint being used (this will lessen the opportunity for staff actions to be misconstrued).
- Only staff trained in using restraint should use restraint on a student.
- Parents/guardians are made aware of the Department’s restraint policy.

**After restraint:**

Reporting of the restraint

_The staff member(s) involved in the restraint must immediately notify the principal of the incident._

A staff member should contact the student’s parents and provide them with details of the incident as soon as possible. The incident may need to be reported to:

- DET Security Services Unit (previously known as the Emergency Management Unit) and or Worksafe

Providing supports for those involved

Following the use of restraint on a student, appropriate supports must be offered to following people:

- The student who has been restrained and their parents/guardians. This may include participation in decisions involving the student’s behaviour management, student support group meetings, the development of a student behaviour management plan, and involvement of Student Support Services.
- Other students and staff members who were involved in or witnessed the incident. This may include a debriefing in relation to the incident, and counselling support.
Maintain records of the incident:
A written record of the incident and the restraint used must be made by the principal as soon as practicable. This record should detail:
- the name of the student involved
- date, time and location of the incident
- names of witnesses (staff and other students)
- the behaviour of concern that necessitated the action
- any other strategies used or attempted
- an outline of the physical restraint used
- the student’s response and the outcome
- any injuries or damage to property
- actions taken after the incident.

The principal should also arrange for all staff who were involved/present at the incident to prepare a statement / record of their involvement or observations of the incident.

REVIEW
- This policy will be reviewed as part of the college’s review cycle.

1. This policy will be made available on the College’s website.

2. This policy was ratified by College Council on 13/05/2015
## Guidelines for use of restraint

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Restrictive practice justified after all other strategies have been unsuccessful (least restrictive practices apply)</strong></td>
<td><strong>A restrictive practice is not justified and supervision and other strategies must be used</strong></td>
</tr>
<tr>
<td>• A student is engaging in behaviour that is a safety risk to themselves or others</td>
<td>• A student is not complying with instructions</td>
</tr>
<tr>
<td>• A student is destroying property in a way that places them at risk of injuring self or others</td>
<td>• A student is not participating in the program</td>
</tr>
<tr>
<td>• A student is self-harming</td>
<td>• A student has been oppositional or rude</td>
</tr>
<tr>
<td>• A student with poor road safety runs towards a road</td>
<td>• A student is damaging property but is not at risk of injuring self or others (NB: property can be moved, retrieved or made inaccessible).</td>
</tr>
<tr>
<td>• A student with poor safety awareness runs away from the group in public</td>
<td>• A student with good road safety runs out of school grounds</td>
</tr>
<tr>
<td>• A student is engaging in public or non-consensual sexual behaviours</td>
<td>• A student is not complying with getting on the bus to go home</td>
</tr>
<tr>
<td>• A student refuses to move or participate in the program and the need for 1:1 support reduces supervision of other students</td>
<td></td>
</tr>
</tbody>
</table>

### SAFETY RISK

- A student is not complying with instructions
- A student is not participating in the program
- A student has been oppositional or rude
- A student is damaging property but is not at risk of injuring self or others (NB: property can be moved, retrieved or made inaccessible).
- A student with good road safety runs out of school grounds
- A student is not complying with getting on the bus to go home
# Record of Restraint

<table>
<thead>
<tr>
<th>Date:</th>
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</thead>
<tbody>
<tr>
<td>Student name:</td>
<td></td>
</tr>
<tr>
<td>Person/s completing form:</td>
<td></td>
</tr>
<tr>
<td>Behaviour requiring restrictive practice:</td>
<td></td>
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<tr>
<td>Strategies trialled before restrictive practice:</td>
<td></td>
</tr>
<tr>
<td>Restrictive practice used (please describe in detail including location, length of time and student response):</td>
<td></td>
</tr>
<tr>
<td>Person/s using restrictive practice:</td>
<td></td>
</tr>
<tr>
<td>Name of witness/es:</td>
<td></td>
</tr>
<tr>
<td>Justification for restrictive practice:</td>
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<tr>
<td>Was the behaviour a danger to the student or others?</td>
<td></td>
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<tr>
<td>Was the student’s behaviour plan followed?</td>
<td></td>
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<tr>
<td>Signed by:</td>
<td></td>
</tr>
<tr>
<td>Principal signature:</td>
<td></td>
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</tbody>
</table>