

Nunawading Christian College

Restraint and Seclusion Policy



Document Control

Revision Number	Implementation Date	Review Date	Description of Changes	Prepared By	Approved By
New Policy	August 2020	July 2023		Mark Roberts	NCC Exec School Council



Source of Obligation

The Victorian Registration Standards (sch 4 cl 12) require that the School must ensure that the care, safety and welfare of all students attending the School is in accordance with any applicable State and Commonwealth laws, and that all staff are advised of their obligations under those laws.

This includes having policies and procedures for when it may be necessary to use restraint or seclusion to protect the safety of a student and members of the School community.

Definition of Restraint

The Department of Education defines restraint to mean the use of physical force to prevent, restrict or subdue movement of a student's body or part of their body. Students are not free to move away when they are being restrained.

In some limited circumstances, restraint may also include restraining a student from imminent 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 solitary confinement of a student in a room or area (e.g. a garden) from which their exit is prevented by a barrier or another person. When used by a staff member in immediate response to behaviours of concern, seclusion may also include situations where a student is left alone in a room or area and reasonably believes they cannot leave that room or area even if they would physically be able to, i.e. it is not locked. The School will ensure that any student in seclusion confinement will be able to respond to an evacuation alarm.

Prone restraint involves holding a student face down and is not permitted at the School.

Supine restraint involves holding a student face up and is not permitted at the School.

Our Policy

It is the School's policy that:

- restraint and seclusion must only be used as a last resort in an emergency where there is an imminent threat of physical harm or danger to the student or others
- every instance of restraint or seclusion is reported and recorded through our Safety Incident Form
- in every instance of restraint, the breathing of the student should be visually monitored
- in every instance of seclusion the student must be visually monitored throughout the incident by a staff member to ensure that the seclusion is justified, time limited and that the student, and other students and staff are safe
- restraint or seclusion is not used except in situations where:
 - the student's behaviour poses an imminent threat of physical harm or danger to self or others

- where such action would be considered reasonable in all the circumstances
 - where there is no less restrictive means of responding in the circumstances
- restraint or seclusion should be discontinued as soon as the imminent danger has dissipated.

When Restraint Should Not Be Used

Restraint and seclusion should not be used as part of a behaviour support plan for a student, or 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 students unless that destruction is placing any person at immediate risk of harm.

Mechanical restraints should never be used unless the device is for a therapeutic purpose with written evidence of the prescription or recommendation of use, or if the restraint is required for safe travel in a vehicle.

When Restraint May Be Used

Staff may only use restraint or seclusion of a student in an emergency when there is an imminent threat of physical harm or danger to the student or others, and where such action would be considered reasonable in all the circumstances and there is no less restrictive means of responding in the circumstances.

It should only be used as a last resort and the decision about whether to use restraint or seclusion should be made in accordance with the staff member's own professional judgement.

NOTE: different and sometimes greater measures may need to be taken for younger students or students with disabilities to discharge this duty of care.

When applying restraint - considerations for staff

- must ensure that there is no risk to their personal safety during the application of restraint on a student.
- must use the minimum force required to avoid the dangerous behaviour or risk of harm to others and only restrain the student for the minimum duration required and stop restraining the student once the danger has passed

- should continue to engage with the student in a calm and measured way and explain why the restraint is being applied and that it will cease once the student is no longer a danger to themselves or others.
- should, where possible, alert an additional staff member that restraint of a student has been exercised and request support if needed.

NOTE: This alert should not cause a delay in the use of restraint if the student or others in the area are at immediate risk of harm.

- seek help from school leadership and other staff members to manage the incident
- move all other students in the vicinity to a safe distance away from the student exhibiting concerning behaviour
- if safe to do so, remove objects that may be used to cause harm away from the student
- follow response procedures set out in the school's emergency management plan, including calling emergency services on 000 if necessary.

The type of restraint used must be consistent with a student's individual needs and circumstances including their age, size, gender, anticipated response and any physical, mental or psychological conditions or impairments. It is understood that this will often require a judgement call by the staff member under pressure to respond in a specific situation.

Risks of physical restraint

Restraint has been associated with increased trauma to the student and to the staff member responsible for the restraint, and has at times, caused injury or death. Unreasonable use of physical restraint may amount to assault under criminal law.

Any restraint must not be used which:

- covers the student's mouth or nose
- restricts breathing
- takes student to the ground into the prone (lying flat with the face down, sometimes with the hands behind the head or neck) or supine position (lying with the face up); or
- involves the hyperextension of joints, or application of pressure to the neck, chest or joints
- holding a student's head forward, headlocks, choke holds or the application or pressure to the student's neck, chest, abdomen, joints or pressure points to cause pain
- take-downs which allow students to free-fall to the ground
- wrestling holds (including "full or half nelsons"), using a hog-tied position or straddling any part of student's body
- involves basket holds, bear hugs, "therapeutic holding".

Intervention in student fights

Duty of care obligations require school staff to use their authority and to be proactive where students are fighting, causing physical harm or danger, or threatening harm to others.

In the event of a physical fight the same considerations apply as they would with an individual student with behaviours of concern leading to physical harm or danger to self or others.

Intervention does not always have to be physical and can involve verbal intervention, physically approaching students (without being in striking distance), calling for support from other staff and contacting police.

Extra care should be taken under these circumstances to ensure that the staff member is not placing him/herself at risk (for example stepping between two students involved in an altercation). Staff are required to take reasonable care for their own health or safety, balancing this with their duty to intervene.

Fights need to be reported via the Schools incident reporting systems whenever they constitute a reportable incident. Any situation where a student is physically restrained or secluded does constitute a reportable incident.

Post event actions

After the application of restraint or seclusion, staff:

- where practical, will request that a qualified First Aid Officer conduct an examination of the student and the staff members involved in the incident.
- will, as soon as practicable after the event, verbally advise the most senior staff member on campus that a physical restraint action has been applied to a student.
- will report any negative or stress related issues that occur post event - either to the student or the restraining staff member - to a senior staff member on campus.
- will conduct a verbal debrief session with the Principal and relevant Head of School as soon as practicable after the event.
- will provide a written report on the incident for addition to the formal incident report as noted below.

The Head of School and/or the Principal, will determine the process for contact with the restrained students' parent/guardian. A decision to contact the parent/guardian will be made as soon as practicable after the restraint event.

The Head of School and/or the Principal, will determine the process for contact with any relevant external authorities or Government Agencies with respect to the action taken.

Only the Principal will respond to any non related agencies or media inquiries related to the incident.

The Principal, in consultation, will determine the level of post incident support to be supplied to the student or students, the immediate family of the student or students, and



the staff members involved in the incident. Peer support for the student cohort will be determined and applied as required.

When practicable, but no longer than 1 month after the event, the Principal will conduct a full post event review to determine any areas of improvement in the student welfare program for the school. This review will be attached to the incident report and all practical matters assigned to a relevant staff member for follow up and subsequent reporting.

Staff Training

Training for staff will occur annually at the start of the year.

Documentation

All instances of restraint or seclusion are recorded using the Safety Incident Form in the School Assurance platform (SolvSafety), and will be noted on the student record in SEQTA.

Any reports completed on the incident by external authorities will be recorded with the incident report.

Sources

State of Victoria (Department of Education and Training)'s 'The Principles for Reduction and Elimination of Restraint and Seclusion in Victorian Government Schools ("The Principles")'. The content of The Principles can be directly applied in an independent school setting.

<https://www.schoolgovernance.net.au/news/restraint-abuse-or-meeting-a-duty-of-care>