

## RESTRAINT AND SECLUSION POLICY

### 1.0 INTRODUCTION

This policy sets out the way in which restraint and seclusion is addressed at Marist-Sion College Warragul (**Marst-Sion College**) and in schools operated by the Diocese of Sale Catholic Education Limited (**DOSCEL**). It establishes the responsibilities of staff when determining whether it is appropriate to use any form of restraint or seclusion.

The use of restraint or seclusion in schools should only be used as a **final recourse**. This policy establishes the responsibilities of staff when determining whether it is appropriate to use any form of restraint or seclusion.

### 2.0 PURPOSE

This policy:

- 2.1 Articulates how restraint and seclusion is defined and the circumstances for its acceptable use
- 2.2 Provides procedures to support staff in circumstances where restraint and/or seclusion is appropriately used to ensure the safety of all
- 2.3 Actively promotes student and staff safety.

### 3.0 PRINCIPLES

- 3.1 Every effort should be made to avoid the use of physical restraint or seclusion.
- 3.2 Every person has a right to be safe.
- 3.3 Staff have a duty of care to take reasonable steps to protect students from risk of injuries or any harm that is reasonably foreseeable.
- 3.4 A whole school approach is adopted to support positive behaviour.
- 3.5 Staff must take reasonable care for their own health and safety when confronted with challenging student behaviours and should only physically intervene if they are confident that they can do so without placing their own health and safety at risk. Staff will be provided with information, instruction and training on preventative measures and interventions controls.
- 3.6 The policy is guided by the following legislation:
  - *Child Wellbeing and Safety Act 2005* (Vic.)
  - *Disability Discrimination Act 1992* (Cth)
  - *Disability Standards for Education 2005* (Cth)

- *Education and Training Reform Act 2006* (Vic.)
- *Equal Opportunity Act 2010* (Vic.)
- *Occupational Health and Safety Act 2004* (Vic.) (OHS Act)

## 4.0 DEFINITIONS

**Dangerous forms of restraint:** any form of physical intervention that restricts breathing, relies on locks or pain for control, or causes undue discomfort. Examples of dangerous forms of restraint include:

- any restraint which covers the student's mouth or nose, and in any way restricts breathing;
- the application of pressure to a student's neck, chest, abdomen, joints or pressure points to cause pain or which involves the hyperextension of joints;
- holding a student's head forward, headlocks, choke holds;
- take-downs, which allow students to free-fall to the ground whether or not in a prone position (holding a student face down) or supine position (holding a student face up) or otherwise wrestling holds (including 'full or half nelsons'), using a hog-tied position or straddling any part of a student's body;
- basket holds, bear hugs, 'therapeutic holding'.

**Duty of Care:** every teacher and school authority owes students in their care a duty to take reasonable measures to protect them from risks of injuries or harm that are reasonably foreseeable.

**Dynamic Risk Assessment:** an on-the-spot assessment, informed by staff professional judgement, to determine whether to use restraint or seclusion.

**Least Restrictive Intervention:** a practice that:

- a) is not more restrictive or intrusive than necessary to prevent a person from inflicting harm on themselves or others; and
- b) is applied no longer than necessary to prevent harm or danger.

**Mechanical and Chemical Restraints:** *Mechanical restraint* refers to the use of a device to prevent, restrict or subdue a person's movement for the primary purpose of influencing that person's behaviour.

*Chemical restraint* refers to the use of medication primarily to control or subdue behaviour and which is not being used to treat an underlying physical or mental illness, or a physical condition.

**Protective Physical Interventions:** protective physical interventions involve physical contact to block, deflect or redirect a student's actions, or to disengage from a student's grip. In these situations, the student remains free to move away.

**Restraint:** unless otherwise stated, 'restraint' refers to 'physical restraint'. Physical restraint means the use of physical force to prevent, restrict or subdue the movement of a student's body, or part of their body, where the student is not free to move away.

**Safe Place, Time Out, Chill Out Rooms:** the practice of using a safe place, quiet place, time out or chill out room (referred to as 'safe place' in this section) for students does not amount to seclusion. Exit to a safe place is a planned intervention to be used as part of an overall approach to supporting a student exhibiting complex behaviour. The use of a safe place should form part of a student's Intensive Support Plan. It is used to assist students to settle and return to a state of calm, so they are more actively able to participate academically and socially. The use of a safe place can be either teacher-directed or self-directed and takes place in a setting that is not locked and enables visibility and supervision.

**Seclusion:** seclusion is the solitary confinement of a student in a room or area from which their exit is prevented by a barrier or another person (and does not include any practice implemented in accordance with clause 4.7). Seclusion includes situations where a person is left alone in a room or area and reasonably believes they cannot leave that room or area, even if they may physically be able to (e.g. the door is not locked). In extreme circumstances, e.g. in response to behaviours that cause harm to self or others, teachers will respond by exiting other students from learning spaces to ensure their safety, thereby secluding an individual student.

## 5.0 EXPECTED OUTCOMES

- 5.1 Marist-Sion College will provide a safe learning and working environment for students and staff.
- 5.2 All staff will understand their duty of care in responding to escalated student behaviour.
- 5.3 All staff will understand and adhere to the 'Three Conditions for Restraint and Seclusion'.
- 5.4 Staff will promptly communicate with school leadership any instances of restraint or seclusion.
- 5.5 Marist-Sion College will follow outlined processes and promptly report any incident of restraint or seclusion to DOSCEL.
- 5.6 Marist-Sion College will follow outlined processes and promptly communicate with parents/carers.
- 5.7 Staff will clearly document any incidents of restraint or seclusion in a timely manner.

## 6.0 REFERENCES

Diocese of Sale Catholic Education Limited (2020). *Whole School Approach to Positive Behaviour Support: Intensive*. Warragul: Diocese of Sale Catholic Education Limited.

## 7.0 RELATED POLICIES AND DOCUMENTS

- Behaviour Management Policy
- Child Protection and Safety Policy
- Critical Incident Policy
- Pastoral Care Policy
- Guide to Reporting Conduct under the Reportable Conduct Scheme
- Emergency Management Plan
- DOSCEL Safe and Sound Practice Guidelines (Occupational Violence): Guidelines for School Principals
- DOSCEL Whole School Approach to Positive Behaviour Support: Intensive

## 8.0 REVIEW

**Implementation Date:** October 2020

**Review Date:** October 2022