

Form 4: Restraint and Seclusion Procedure



St Mary's Mooroopna Restraint and Seclusion Procedure

This Policy has been approved by the CES Limited Board for application in each Sandhurst Catholic School and must be customised for use in each particular School in accordance with the instructions outlined in this Framework.

This is a School which operates with the consent of the Bishop of Sandhurst and is owned and operated by Catholic Education Sandhurst Limited (CES Limited). This Policy forms part of the [CES Limited Student Behaviour Framework](#) which is available at www.smmooroopna.catholic.edu.au.

1. Background

This Procedure sets out how and when restraint and seclusion will be used in this school. It establishes the responsibilities of our staff when determining whether it is appropriate to use any form of restrictive intervention and the procedures to be followed to ensure safety of our students and staff.

Restraint and seclusion is a form of restrictive intervention that is permitted to be used at this school as a final recourse and only when certain conditions are met and standards and procedures followed.

This Procedure must be read in conjunction with the school's Restraint and Seclusion Policy.

2. Purpose

This procedural advice is intended to assist the school to reduce and eliminate the use of restraint and seclusion of students and to outline the circumstances when these methods of restrictive intervention may be applied by the staff to protect the safety of a student and/or members of the school community. It also includes procedures to be followed by our staff following an incident of restrictive intervention applied against a student.

3. Procedure

Prevention and early intervention

At times, students may behave in a way that could cause physical harm or danger to themselves or others. Incidents of behaviours of concern can result in distress for the students involved, those witnessing the incident, or their parents and staff members.

Behaviour can often be addressed by everyday interventions, proactive instruction and environmental planning. These everyday interventions are found in a schoolwide positive behaviour framework and implemented as universal strategies for all students.

For some students, behaviours of concern may emerge along with increases in frequency, severity or complexity, requiring a targeted planned intervention and specialist support. These levels of response form part of a multi-tiered schoolwide positive behaviour framework. (See Behaviour Framework.)

Use of Restraint and/or Seclusion

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.

The use of restraint or seclusion must not form part of any plan to support/manage student behaviour and must not be identified as an appropriate intervention. Restraint and seclusion are permitted only in limited emergency situations.

Every effort should be made to prevent the need for the use of restraint or seclusion. In deciding that any form of restraint or seclusion is required, staff should be aware that their actions may directly increase the risk of injury and trauma, both for the student and staff member.

Rooms or areas designed specifically for the purposes of seclusion or used solely or primarily for the purpose of seclusion are not permitted.

Three Conditions for Restraint and Seclusion

Restraint and seclusion must not be used except in a situation that satisfies the following three conditions:

1. there is an imminent threat of physical harm or danger to self or others
2. the use of restraint or seclusion would be considered reasonable in all the circumstances
3. there is no less restrictive means of responding in the circumstances.

Restraint or seclusion should be discontinued as soon as the immediate danger has dissipated.

Imminent threat of physical harm

The first condition is that the student's behaviour must pose an imminent threat of physical harm or danger to the student or to others (violence between students or from students directed at others – e.g; meltdowns, fights). A verbal threat from a student would not usually be sufficient to meet this condition unless there is an associated risk of imminent harm.

The physical harm or danger must be to the student (e.g; self-harm) or to another person (e.g; staff or another student). Damage to property alone is not sufficient to meet this condition.

Reasonable in the circumstances

The second condition is that it must be reasonable in all the circumstances to restrain or seclude the student. 'Reasonable' is taken to mean proportionate and necessary. Staff should consider whether the restraint/seclusion is proportionate to the harm it is intended to prevent.

When making the decision as to whether restraint or seclusion is reasonable, staff need to take account of all the circumstances, including:

1. the student's age, stage of development and year level
2. the student's physical presentation – weight and stature
3. the relevance of any disability, impairment (including mental health) or medical condition
4. the mental state of the student
5. the anticipated response of the student
6. the impact of the restraint on the relationship with the student
7. the environment in which restraint/seclusion is taking place, including any specific hazards
8. the form of restraint/seclusion that would be appropriate.

Once a school has become aware of the behavioural risk, it should put in place other strategies to prevent reoccurrence.

Restraint or seclusion should be discontinued as soon as the immediate danger has dissipated.

No less restrictive means of responding

Restraint or seclusion must be used only as a last resort, when all less-restrictive alternatives will not effectively maintain the safety of all. This does not mean that the staff member must have tried every other available alternative, but that they have considered the options and judged that the alternatives were less likely to succeed in the circumstances.

In the event that restraint or seclusion is used, the least restrictive form of restraint/seclusion must be used for the minimum time possible. The restraint/seclusion should cease as soon as

the immediate danger for the student or others has dissipated.

Dynamic Risk Assessment

The decision to use restraint or seclusion rests, and the nature of the restraint or seclusion to be used, as a matter of staff professional judgement. Such decisions are usually required to be made in times of high stress. Staff are encouraged to pause and conduct a 'dynamic risk assessment', that is; make an on-the-spot assessment of the likely outcomes of the available options before deciding which to choose. Staff are encouraged to balance the risks of any action they might take and assess which is the safest option in that particular circumstance.

Monitoring

Whenever restraint or seclusion is used, staff must monitor the student continuously to ensure that the restraint or seclusion continues to be used appropriately. For example; monitoring should be used to ensure that the restraint or seclusion is justified, time limited and that the student, and other students, are safe. In every instance of physical restraint, breathing must be visually monitored. Monitoring should also include communicating with the student when it is safe to do so.

Restraint/seclusion should be discontinued when the imminent threat of harm has passed, the action is no longer reasonable in the circumstances, or a less restrictive means of responding becomes available.

When Restraint/Seclusion should not be used

1. Behaviour management

Restraint or seclusion must not be included in any plan designed to support a student's behaviour and must not be used as a routine behaviour management technique or routine first response. Rooms or areas designed specifically for seclusion or used primarily for seclusion are not permitted.

Restraint or seclusion should not be used to punish or discipline a student.

Unless the Three Conditions for Restraint and Seclusion are satisfied, restraint/seclusion should not be used:

1. to respond to a class/school disruption
2. to maintain good order
3. as a response to:
 1. a student's refusal to comply
 2. verbal threats from a student
 3. a student leaving the classroom/school without permission
 4. property destruction caused by a student.

2. Dangerous forms of restraint

Any form of physical intervention that restricts a student's breathing, that relies on locks or pain for control, or causes undue discomfort should not be used. If, during an intervention, the presence of any of these is noticed, the technique should be ceased or modified at the soonest/safest opportunity.

3. Mechanical and chemical restraints

Staff should not use mechanical or chemical restraints as a means of controlling student behaviour in an emergency situation. Such action would not be considered reasonable in a school setting.

Reporting and Recording Requirements

Staff involved in an incident of restraint or seclusion must, as soon as practicable, notify the principal. As with any serious incident, the principal must contact the student's parents as soon as possible following any incident of restraint or seclusion. The principal should document that the parents have been notified. Depending on the circumstances, the principal may also need to contact the parents of other students involved in the incident.

Once the incident is over, the principal (or delegate) should:

1. Provide for the safety and wellbeing of those involved
2. Document the event as soon as possible using the [Record of Restraint and Seclusion](#)
3. Notify the student's parents as soon as practicable
4. Contact the relevant member of the CES Limited Executive Leadership Team
5. Consider what support needs to be offered to affected school community members
6. Notify parents/carers of any support services being offered to their child e.g., wellbeing services, student support services
7. Encourage affected staff to contact Employee Assistance Program for support
8. Consider any additional support required for staff at a school level
9. Review student's behaviour support needs and/or plan.

The principal retains a copy of the [Record of Restraint and Seclusion](#) for the school and provides a copy to the relevant member of the CES Limited Executive Leadership Team. This should be provided to the CES Limited Office on the same day as the incident.

CES Limited, and the Principal, will consider whether the use of restraint or seclusion amounts to 'reportable conduct' and therefore needs to be reported to the Commission for Children and Young People (CCYP) under the Reportable Conduct Scheme.

Training for Staff

If relevant, school staff must undergo training on an annual basis regarding recommended prevention and intervention measures for students exhibiting aggressive and violent behaviour that has the potential to inflict injury or harm on themselves and/or others.

Definitions

<p>Break space or equivalent</p>	<p>The practice of using a break space, chill out, time out or quiet place (referred to as 'break place' in this section) for students does not amount to seclusion. Exit to a break space is a planned intervention used as part of an overall approach to supporting a student exhibiting behaviour of concern. The use of a break space may form part of a plan to support a student's behaviour. It is used to assist students to settle and return to a state of calm, so they are able to participate academically and socially. The use of a break space can be either teacher-directed or self-directed and takes place in a setting that is not locked and enables visibility and supervision.</p>
<p>Duty of Care</p>	<p>Every teacher and school authority owe students in their care a duty to take reasonable measures to protect them from risks of injuries or harm that are reasonably foreseeable.</p>
<p>Dynamic Risk Assessment</p>	<p>An on-the-spot assessment, informed by staff professional judgement, to determine whether to use restraint or seclusion.</p>
<p>Dangerous forms of restraint</p>	<p>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:</p> <ul style="list-style-type: none"> 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'.

Least Restrictive Intervention	A practice that: is not more restrictive or intrusive than necessary to prevent a person from inflicting harm on themselves or others; and 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.
Physical restraint	In this policy, physical restraint means 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 physically restrained. 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 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.
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.
Seclusion	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.