*Charles La Trobe P-12 College takes a zero-tolerance approach to child abuse and is fully committed to ensuring that its strategies, policies, procedures and practices meet all* ***Child Safety Standards as specified in Ministerial Order No. 870 (2015).***

Rationale

* Students can sometimes behave in a way that is violent or dangerous. Examples of violent or dangerous behaviours of concern include but are not limited to:
* self-injuring behaviour, such as hitting/kicking walls, head-banging
* attacking other students or staff, including hitting, biting, kicking, hair pulling
* throwing furniture or other objects at students and staff
* a verbal threat of harm which you believe a student will immediately enact
* running onto a road or near some other hazard
* Incidents of violent or dangerous behaviour may occur following a period of escalating behaviour or may occur without any notice. In some cases such behaviour may be associated with a student’s disability.
* Interventions to prevent, de-escalate and respond to violent and dangerous student behaviours of concern can be broken into four categories:
* prevention and early intervention
* de-escalation
* incident intervention
* response and recovery
* Supporting students with challenging behaviours is an important part of ensuring all students have the opportunity to reach their potential regardless of their personal challenges, circumstances or ability.
* The DET has developed policy and guidance regarding responding to violent and dangerous behaviours of concern and reducing the incidence of restraint and seclusion. The guidance was released in November 2015, when all Principals and school staff were asked to familiarise themselves with the guidance, policy and resources, and ensure that school policy and practices were aligned with the policy and guidance at that time.
* The guidance provides a suite of resources, including a presentation for Principals to deliver to staff and information for parents. The guidance emphasises the importance of early intervention and was developed with the University of Melbourne and in close consultation with key stakeholders. Please see the links below.

Restraint of a Student

1. Regulation 15 of the Education and Training Reform Regulations 2007 states:

“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.”

1. 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:

* 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

1. 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, as permitted by Regulation 15.
2. 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). In taking into account the Charter, staff should consider the [Guidance for Responding to Violent and Dangerous Student Behaviours of Concern](http://www.education.vic.gov.au/school/principals/participation/Pages/behaviourofconcern.aspx).
3. 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.
4. 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

1. 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.
2. Mechanical restraints should never be used in schools 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.

Purpose

* To ensure that Charles La Trobe College responds to dangerous and violent student behaviour of concern if applicable.
* To ensure the College is informed about DET’s policy about student restraint including that it is only used when certain conditions are met and that appropriate standards and procedures are followed.
* To ensure staff and the College community are informed about the College’s proposed management practices.
* To ensure policies and practices align with DET policy and guidelines.
* To ensure the College complies with the legislative requirements of the Regulation 15 of the Education and Training Reform Regulations 2007.
* To ensure the College complies with the requirements of Child Safe Standards 2 & 3.

Definitions

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. 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 safety and wellbeing of students is our highest priority.
* The Principal will ensure:
* College policy and practices are aligned with the guidance
* staff have the opportunity to engage in professional development
* staff are aware of the Department resources available on eduGate to support them to effectively manage behaviours of concern
* The College will update the Student Discipline/Student Engagement Policies to ensure that restraint and seclusion is only used in accordance with the Regulation 15 of the Education and Training Reform Regulations 2007 as detailed above.
* The College explicitly will prohibit student restraint as described in dot point 6 above, mechanical restraints and/or an exclusion room.
* Student Behaviour Support Plans will not include restraint or exclusion as described in dot point 6 above.
* Professional learning will be provided for all staff in relation to dealing with violent and dangerous student behaviour of concern.
* Detailed guidance is available for staff in the [Guidance for Responding to Violent and Dangerous Student Behaviours of Concern](http://www.education.vic.gov.au/school/principals/participation/Pages/behaviourofconcern.aspx) publication.
* If a student has been physically restrained or secluded, the actions as described in the links below will be followed. In summary, the actions are:
* report the restraint or seclusion
* provide support for those involved
* maintain records of the incident
* plan for the future
* For further information about the guidance and resources, the College will refer to the website below.
* Please refer also to the *Child Safe Policy, Duty of Care Policy*, the *Accident Recording & Reporting Policy, Emergency & Incident Reporting Policy, Risk Management Policy* and the Student *Engagement Policy*.

Evaluation

This policy will be reviewed as part of the school’s three-year review cycle or if guidelines change (latest DET update late May 2017).

Ratification

This update was ratified by the College Council on 15th February, 2018.

References:

* [Restraint of Student, School Policy Advisory Guide​](http://www.education.vic.gov.au/school/principals/spag/governance/Pages/restraint.aspx)
* [Responding to Violent and Dangerous Student Behaviours of Concern (the guidance)](http://www.education.vic.gov.au/school/principals/participation/Pages/behaviourofconcern.aspx)
* [Guidance resources on EduGate​](https://edugate.eduweb.vic.gov.au/collaboration/attendanceengagementparentbehaviour/vadb/Pages/Home.aspx)
* [Principal Practice Leader](http://www.education.vic.gov.au/about/department/Pages/seniorpractitioner.aspx%E2%80%8B)
* [www.education.vic.gov.au/school/principals/spag/governance/Pages/restraint.aspx](http://www.education.vic.gov.au/school/principals/spag/governance/Pages/restraint.aspx)