



Catholic College Sale

RESTRAINT AND SECLUSION POLICY

1.0 POLICY AUTHORITY

The Board of Catholic College Sale Limited ('the Board') governs the College. Based on the principle of subsidiarity and in keeping with the Board's Delegations Schedule, the Board delegates a broad range of duties, functions, powers and authority to the Principal of Catholic College Sale (CC Sale). This includes the effective implementation of this *Restraint and Seclusion Policy* and the compliance obligations outlined herein.

2.0 INTRODUCTION

The use of restraint or seclusion at CC Sale 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.

3.0 PURPOSE

This policy:

- Articulates how restraint and seclusion are defined and the circumstances for their acceptable use;
- Actively supports and promotes student and staff safety.

4.0 PRINCIPLES

- 4.1 Every effort should be made to avoid the use of physical restraint or seclusion.
- 4.2 Every person has a right to be safe.
- 4.3 Staff have a duty of care to take reasonable steps to protect students from risk of injuries or any harm that is reasonably foreseeable.
- 4.4 A whole school approach is adopted to support positive behaviour at CCS.
- 4.5 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.
- 4.6 Staff will be provided with information, instruction and training on preventative measures and interventions controls.
- 4.7 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)

5.0 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 a student 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. It 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.

6.0 PROCEDURES

6.1 Preventive Practices

Every effort should be made to prevent the need for the use of restraint or seclusion. It is important to remember that prevention is the best strategy. In making a decision 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.

6.2 Three Conditions for Restraint and Seclusion

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

- 1) Imminent threat of physical harm
- 2) Reasonable in the circumstances
- 3) No less restrictive means of responding.

Further information regarding each of these conditions is set out in the [DOSCEL Restraint and Seclusion Procedure](#).

6.3 Reporting and Recording Requirements

Staff involved in an incident of restraint or seclusion must, as soon as practically possible, notify the Principal or a member of the Leadership Team.

As with any serious incident, the Principal will contact the student's parents/carers as soon as possible following any incident of restraint or seclusion. Depending on the circumstances, the Principal may also need to contact the parents/carers of students involved in the incident.

After any incident of restraint or seclusion, staff must follow the incident management processes and complete a Record of Incident Form. The College will use this record as the basis for investigation, review and other follow-up actions as required.

7.0 EXPECTED OUTCOMES

- 7.1** The College will provide a safe learning and working environment for students and staff.
- 7.2** All staff will understand their duty of care in responding to escalated student behaviour.
- 7.3** Staff will promptly communicate with College leadership any instances of restraint or seclusion.

- 7.4 College leadership will promptly communicate with parents/carers.
- 7.5 Staff will clearly document any incidents of restraint or seclusion in a timely manner.

8.0 REFERENCES

DOSCEL Restraint and Seclusion Policy

DOSCEL Restraint and Seclusion Procedure

9.0 RELATED COLLEGE POLICIES

- Child Safety Code of Conduct
- Child Safety and Wellbeing Policy
- Child Safety Record Keeping Policy
- Child Safety Policy – Student Input Version
- Duty of Care Policy
- Emergency Management Policy and Plan
- Responding to and Reporting Child Safety Incidents and Concerns Policy
- Procedural Guidelines – Responding to and Reporting Child Safety Incidents and Concerns
- Student Behaviour Management Policy
- Student Behaviour Monitoring and Support Policy

10.0 MONITORING AND REPORTING

The Board is responsible for monitoring the implementation of this policy and for providing reports as required to the members of the company, i.e., the Bishop of Sale and the Provincial of the Marist Brothers Australia Limited (MSA Ltd).

The Principal is responsible for:

- Ensuring compliance with the obligations outlined in this policy;
- Assigning authority, responsibility and accountability at appropriate levels within the College for policy implementation and compliance;
- Providing delegated staff with the direction, support and resources necessary to fulfil policy requirements;
- Ensuring cyclic reviews of the policy and recommending to the Board any revisions that may be required to accommodate changes in legislation and diocesan directives;
- Reporting and escalating concerns, issues and policy breaches to the Board and working collaboratively with the Board to resolve them.

11.0 APPROVAL

Approved by	CC Sale Ltd Board
Person(s) Responsible	Principal
Date(s) Reviewed or Updated	June 2022
Next Review Date	June 2024