

**POLICY NO. WEL018**

**RESTRAINT OF STUDENT**

**Written by:** P. Licciardo

**Date approved by School Council:** 10/08/2105

**Definition:**

- In this policy, restraint means the use of physical force to prevent, restrict or subdue movement of a person's body or part of their body for the primary purpose of behavioural control.

**Rationale:**

- The physical restraint of a student is a matter often clouded in misinformation. The physical restraint of a student by staff can (and sometimes should) occur in certain circumstances, but is generally a measure of last resort to prevent an individual harming themselves or others.

**Aims:**

- To clarify misconceptions relating to the restraint of students, and to identify the circumstances by which the restraint of a student is the proper course of action.

**Implementation:**

- Regulation 15 of the Education and Training Reform Regulations 2007 states: *"A member of the 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."*
- The regulation authorises 'reasonable' action which is 'immediately' required to 'restrain' a student.
- In less serious cases, the reasonable action would involve a warning or instruction to the student not to proceed.
- In emergency cases where an imminent threat of injury to a student or others is reasonably predicted, and there is no reasonable alternative, the reasonable action may involve the physical restraint of the student.
- The object of the restraint is to avert the danger to themselves or another person. It should therefore be measured (i.e. reasonable in the circumstances) and removed once the danger has passed. Staff should make it clear to the student when and why the restraint is to be applied. Staff should also calmly explain that the restraint will stop once it is no longer necessary to protect the student and/or others.
- Examples of students being lawfully restrained by staff members may include restraining students from fighting after they have ignored instructions to do so, restraining a young student from running out of the school grounds onto a busy road, or restraining a student who is emotionally reacting in a way that they may injure themselves.
- It is not uncommon that parents will threaten legal action if ever their child is touched by a staff member. Such threats or the possibility of such threats should not prevent staff members from carrying out their duty of care.

- The staff member(s) involved in the restraint must immediately notify the principal of the incident, who will contact the parents, record the incident, and ensure follow-up support is provided to both the students and staff as required (including bystanders). Disciplinary action for students who have needed to be restrained may also be warranted.
- It is recognised that some students with intellectual or physical disabilities may at times have difficulty controlling their bodies, and therefore may need to have flailing limbs etc. guided or restrained by staff as a normal procedure.

**Guideline for action:**

***When restraint may be used:***

School staff may only use restraint on a student when all of the following conditions are met:

- the situation is an emergency and the danger of harm to the student and/or others is imminent;
- the restraint is used to prevent the student from inflicting harm on him/herself and/or others;
- there is no reasonable alternative that can be taken to avoid the danger

***When restrain should not be used:***

Restraint should not be used unless alternative measures to avoid the danger of harm have been exhausted.

Restraint should never be used in the following circumstances:

- to intentionally provoke or punish a student
- cause harm or injury to the student.

Restraint **should not** be used on a student in any of the following circumstances:

- to maintain good order or respond to a class disruption
- to respond to:
  - o a student's refusal to comply
  - o verbal threats from a student
  - o a student leaving the classroom or school without permission
  - o property destruction caused by the student

Restraint should not be used unless all of the following conditions are met:

- the situation is an emergency and the danger of harm to the student and/or others is imminent;
- the restraint is used to prevent the student from inflicting harm on him/herself and/or others; there is no reasonable alternative that can be taken to avoid the danger

### ***How restraint should be applied:***

If applying restraint, staff should only:

- use the minimum force required to avoid the danger of harm
- apply restraint for the minimum duration required and remove the restraint once the danger has passed.

It is also important for staff to consider the following factors:

- the age of the student
- the stature and weight of the student
- any impairment of the student e.g. physical, intellectual, neurological, behavioural, sensory (visual or hearing), or communication
- any mental or psychological conditions of the student
- any other medical conditions of the student
- the likely response of the student
- the environment in which the restraint is taking place.

Staff should talk to the student throughout the incident. Staff should make it clear to the student when and why the restraint is to be applied. Staff should also calmly explain that the restraint will stop once it is no longer necessary to protect the student and/or others.

It is also advisable that whenever possible:

- At least one other staff member is present to witness the restraint being used (this will lessen the opportunity for staff actions to be misconstrued).
- Only staff trained in using restraint should use restraint on a student.
- Parents/guardians are made aware of the Department's restraint policy.

### ***After restraint:***

Reporting of the restraint

**The staff member(s) involved in the restraint must immediately notify the principal of the incident.**

A staff member should contact the student's parents and provide them with details of the incident as soon as possible.

The incident may need to be reported to:

- DET Security Services Unit (previously known as the Emergency Management Unit) and or Worksafe

Providing supports for those involved

Following the use of restraint on a student, appropriate supports must be offered to following people:

- The student who has been restrained and their parents/guardians. This may include participation in decisions involving the student's behaviour management, student support group meetings, the development of a student behaviour management plan, and involvement of Student Support Services.
- Other students and staff members who were involved in or witnessed the incident. This may include a debriefing in relation to the incident, and counselling support.

Maintain records of the incident:

A written record of the incident and the restraint used must be made by the principal as soon as practicable. This record should detail:

- the name of the student involved
- date, time and location of the incident
- names of witnesses (staff and other students)
- the behaviour of concern that necessitated the action
- any other strategies used or attempted
- an outline of the physical restraint used
- the student's response and the outcome
- any injuries or damage to property
- actions taken after the incident.

The principal should also arrange for all staff who were involved/present at the incident to prepare a statement / record of their involvement or observations of the incident.

**Evaluation:**

This policy will be reviewed as part of the school's three-year review cycle