**HEPBURN Primary School**

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**Established 1864 No. 767**

**Physical Restraint Policy**

**Rationale:**

Regulation 15 of the Education and Training Reform Regulations 2007 provides that:

“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.”

**Implementation:**

**When physical restraint or seclusion may be used:**

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.
* 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.

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).

**When physical restraint or seclusion should not be used:**

* Physical restraint and seclusion should not be used unless immediately required to protect the safety of the student or any other person (see above).
* 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.

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.

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.

**Mechanical restraint:**

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.

**How to restrain:**

If applying physical restraint in the limited circumstances set out above, staff must:

* use the minimum force required to avoid the dangerous behaviour or risk of harm
* only restrain the student for the minimum duration required and stop restraining the student once the danger has passed.
* Staff should ensure the type of restraint used is consistent with a student’s individual needs and circumstances, including:
* the age/size of the student
* gender 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, including any experience of trauma
* any other medical conditions of the student
* the likely response of the student
* the environment in which the restraint is taking place.

Staff should monitor the student for any indicators or distress. Staff should talk to the student throughout the incident, making it clear to the student why the physical restraint is being applied. Staff should also calmly explain that the physical restraint will stop once it is no longer necessary to protect the student and/or others.

The Department has issued detailed guidance for schools and staff to assist with responding to violent and dangerous student behaviours. This guidance includes information about legal obligations, resources for training, and fact sheets for parents, see [Guidance for Responding to Violent and Dangerous Student Behaviours of Concern](http://www.education.vic.gov.au/school/principals/participation/Pages/behaviourofconcern.aspx).

Policy reviewed and ratified by School Council on March 28th 2017