

## **RESPONDING TO VIOLENT & DANGEROUS CHILD BEHAVIOUR OF CONCERN POLICY**

### **Rationale**

- Children 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 children or staff, including hitting, biting, kicking, hair pulling
  - throwing furniture or other objects at other children and staff
  - a verbal threat of harm which you believe a child 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 child's disability.
- Interventions to prevent, de-escalate and respond to violent and dangerous child behaviours of concern can be broken into four categories:
  - prevention and early intervention
  - de-escalation
  - incident intervention
  - response and recovery
- Supporting children with challenging behaviours is an important part of ensuring all children have the opportunity to reach their potential regardless of their personal challenges, circumstances or ability.

The Department of Education and Training (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.
- The guidance provides a suite of resources, including a presentation for principals to deliver to staff and information for parents/carers. 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 Child**

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 child of the school from acts or behaviour dangerous to the member of staff, the child, or any other person.”
2. Physical restraint has been associated with injury and increased trauma to the child and the staff member responsible for the physical restraint.
3. School staff may only use physical restraint on a child when it is immediately required to protect the safety of the child 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
4. As with physical restraint, seclusion should only be used when it is immediately required to protect the safety of the child or any other person, as permitted by Regulation 15.
5. 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 children, 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.
6. 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.

7. 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 child or to respond to:
  - a child's refusal to comply with a direction, unless that refusal to comply creates an imminent risk to the safety of the child or another person
  - a child leaving the classroom/school without permission, unless that conduct causes an imminent risk to the safety of the child or another person
  - verbal threats of harm from a child, except where there is a reasonable belief that the threat will be immediately enacted
  - property destruction caused by the child unless that destruction is placing any person at immediate risk of harm.
8. Any restraint which covers the child's mouth or nose, in any way restricts breathing, takes the child 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.
9. Mechanical restraints should never be used in schools to restrict a child'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 Tarneit West Primary School (Interim Name) responds to dangerous and violent child behaviour of concern if applicable.
- To ensure the school is informed about DET's policy about child 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 school community are informed about the school's proposed management practices.
- To ensure school policies and practices align with DET policy and guidelines.
- To ensure the school complies with the legislative requirements of the Regulation 15 of the Education and Training Reform Regulations 2007.
- To ensure the school 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 child's body or part of their body. Physical restraint should only be used when it is immediately required to protect the safety of the child or any other person.

In some limited circumstances, it may also be necessary to restrain a child from violent or dangerous behaviours by secluding them in an area where such action is immediately required to protect the safety of the child or any other person.

Seclusion is the involuntary confinement of a child alone in a room or area from which the child 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 child in a non-locked setting, and is implemented for the purpose of calming.

### **Implementation**

- The safety and wellbeing of children is our highest priority.
- The principal will ensure:
  - school 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 schools to effectively manage behaviours of concern
- The school 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 school explicitly will prohibit child restraint as described in dot point 6 above, mechanical restraints and/or an exclusion room.
- 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 child behaviour of concern.
- Detailed guidance is available for school staff in the Guidance for Responding to Violent and Dangerous Student Behaviours of Concern publication.
- 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 must 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 must 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 staff member(s) involved in the incident must immediately notify the principal of the incident.
- A staff member should contact the student's parents/carers and provide them with details of the incident as soon as possible.
- The incident may need to be reported to:
  - the Security Services Unit (previously known as the Emergency Management Unit), see: [Reporting \(emergency and incidents\)](#)
  - EduSafe see: [Report an Injury, Incident or Hazard](#)
  - WorkSafe, see: [WorkSafe Notification](#).
- Following the use of restraint on a student, appropriate supports must be offered to the following people:
  - The student who has been restrained or secluded and their parents/carers. This may include participation in decisions involving the student's behaviour management, Student Support Group meetings, the development of a student Behaviour Support Plan, and involvement of Student Support Services. For policy advice on the prevention of endangering behaviour and promoting positive behaviours see: [Student Engagement and Inclusion Guidance](#)
  - 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.
- A written record of the incident and the physical restraint or seclusion used must be made by the principal as soon as practicable. This record should be added to a student's file on CASES 21 or SOCS as appropriate. The record should detail:
  - the name of the student/s and staff member/s involved
  - date, time and location of the incident
  - names of witnesses (staff and other students)
  - what exactly happened (a brief factual account)

- any action taken to de-escalate the situation
- why physical intervention was used (if applicable)
- the nature of any physical intervention used
- how long the physical intervention lasted
- names of witnesses (staff and other students)
- the student’s response and the outcome of the incident
- any injuries or damage to property
- immediate post incident actions, such as first aid or contact with emergency services
- details of contact with the student’s parent/carer
- details of any post-incident support provided or organised
- 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.
- Post-incident, the school will consider the preventative and de-escalation strategies that might reduce the likelihood of an incident happening again. For example – reviewing and amending the student’s Behaviour Support Plan, consider the training needs of staff working closely with the student/s involved in the incident.
- For further information about the guidance and resources, the school will refer to the website below.
- Please refer also to the school’s Duty of Care Policy, the Accident Recording & Reporting Policy, Emergency & Incident Reporting Policy, Risk Management Policy, the Student Engagement Policy and the Child Safe Standards.

**Evaluation**

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

<u>Ratification Date</u>	<u>Review Date</u>	<u>Policy Number</u>	<u>Version Number</u>	<u>Date Produced</u>
October 2017	2020	68	1	September 2017

References:  
 Restraint of Student, School Policy Advisory Guide  
 Responding to Violent and Dangerous Student Behaviours of Concern (the guidance)  
 Guidance resources on EduGate  
 Principal Practice Leader