

## **RESTRICTIVE INTERVENTIONS POLICY**

### **OUR VISION**

Wild Cherry School strives to educate and support the development and potential of each individual child, whilst fostering a creative and ethical community.

### **OUR VALUES**

- Fostering a desire in our students to aim for academic and artistic excellence by providing them with a rich, diverse, and integrated Steiner curriculum.
- Inspiring the children with a lifelong love of learning, a morality that strives for goodness, an appreciation of beauty, and a pursuit of truth.
- Developing respect, trust, and caring for themselves, each other, the broader community, and the earth.

### **PURPOSE**

Wild Cherry School affirms that a culture of positive behaviour, high levels of student engagement and respectful relationships are essential as prerequisites for student learning. The school is committed to avoiding the need for restrictive interventions or seclusion, but understands that, in exceptional circumstances, the use of such interventions as a last resort may be necessary in order to protect the student or others from harm.

The purpose of this Policy and related policy implementation documents is to provide students, staff and parents with clarity as to the application of any restrictive intervention within the context of the school's Duty of Care statement, Behaviour Management Policy and other related Policies.

This Policy sets out the principles and framework governing the school's approach to restrictive interventions. The Policy, together with the policy implementation documents listed in this document should be read and understood by all those connected to the school.

### **PRINCIPLES**

- Restrictive practices or interventions restrict the freedom of movement or rights of a student with the main purpose of protecting the student or others from harm.
- Restrictive practices will always be applied within the context of the school's Duty of Care, its Behaviour Management Policy, Individual Learning Plans and Behaviour Management Plans. In applying any restrictive practices, the school is committed to treating every student with care and compassion.
- Except in an emergency in which life may be in jeopardy, restrictive practices will never be used on their own and will only ever be applied as a last resort. However, the school is not able to guarantee it will never use restrictive practices or seclusion because it also has a duty of care to protect all students and staff from harm.
- The application of a restrictive intervention must not itself do harm.
- Restrictive practices will not be used as a punishment or to gain compliance in students.
- Restrictive practices will be non-discriminatory in their application.
- The frequency, duration and intensity of any restrictive practices will be minimised. Every incident of restraint must be discontinued as soon as possible.

- Corporal punishment is not permitted. Although not strictly a restrictive practice, its inclusion in this list of principles is for the avoidance of doubt.

#### **AIMS OF THE POLICY**

- To clarify the purpose of restrictive interventions and the circumstances under which they may or may not be applied.
- To identify types of restraint strategies that are legal and which are permitted by the school.
- To comply with the requirements for the registration of schools as set out by the Victorian Registration and Qualifications Authority (VRQA).

#### **LEGAL AND REGULATORY BASIS FOR COMPLIANCE**

- Education and Training Reform Regulations (2017)
- ‘A member of staff may take any reasonable action that is immediately required to restrain a student of the school from acts or behaviour that is dangerous to the member of staff, the student, or any other person.’
- VRQA Minimum Standards
- The Victorian Charter of Human Rights and Responsibilities (the Charter)
  - The Charter requires schools (and all other public bodies), to act consistently with the basic rights, freedoms and responsibilities of students.
  - The Charter includes ‘positive obligations to protect, respect and fulfil the rights of students in schools’.

#### **KEY DEFINITIONS**

- Schools have a **duty of care** to ensure the safety and wellbeing of students. In discharging this duty, School Leaders, teachers and other school staff are held to a high standard of care with regard to students. The duty requires School Leaders and teachers to take all reasonable steps to reduce the risk of harm to students, including the implementation of strategies to create a culture of positive behaviour. The duty is non-delegable, meaning that it cannot be assigned to another party.

Any restraint practices implemented within the school must meet this higher duty of care.

- Schools have access to a comprehensive range of **strategies to encourage positive behaviour** in the classroom, outside the classroom, when travelling to and from school, when engaged in activity programs and online.
- The circumstances under which it may be **necessary to use restrictive practices** to protect the safety of a student and members of the school community are:
  - when there is a high or immediate risk that the student’s behaviour will result in harm to themselves or to others
  - where such action would be judged to be reasonable

- as an intervention of last resort, when there is no other less restrictive intervention available or deemed likely to be effective in the circumstances.
- Examples of behaviours that might give rise to the need for restraint could include:
  - self-injuring behaviour, such as hitting or kicking walls, head-banging
  - aggression towards other students or staff, including hitting, biting, kicking, hair pulling
  - throwing furniture or other objects at students or staff
  - a verbal threat of harm that you reasonably believe a student will immediately enact
  - running onto a road or near some other hazard.

#### **PHYSICAL RESTRAINT**

- ‘The use of physical force to prevent, restrict or subdue the movement of a person’s body or part of their body. Students are not free to move away when they are being physically restrained.’
- Physical restraint is different from protective physical interventions. Protective physical interventions involve ‘physical contact that serves to block, deflect or redirect a student’s actions, or disengage from a student’s grip, but from which a student can move freely away’.
- Parent consent is not required for the use of physical restraint.

#### **SECLUSION**

- Seclusion is the solitary confinement of the student in a room or area from which their exit is prevented or from which the student believes they cannot leave.
- ‘Seclusion does not include time-out, safe space, or chill out rooms. It also does not include or refer to situations such as supervised in-school suspensions, detentions, exam situations, situations where the student can freely exit an area or other situations that are not a response to behaviours of concern.’

Seclusion is a last resort option and should only be used when all other options have failed, or when it is unsafe or unviable to use any other option.

#### **MECHANICAL AND CHEMICAL RESTRAINT**

- Neither mechanical restraint nor chemical restraint are considered a reasonable response to an emergency within a school context. The school will not under any circumstances use mechanical restraints, drugs or medication to restrain or control a student.

#### **PRE-AGREED RESTRICTIVE INTERVENTIONS**

- The school may include pre-agreed restrictive interventions within an Individual Learning Plan and/or Behaviour Management Plan when a student is known to have specific behaviour patterns. For example, a student with ADHD whose behaviour can include throwing furniture may have within their behaviour plan a de-escalation strategy (seclusion), whereby it is agreed that they will sit quietly at the back of a parallel class for 10 minutes.
- Pre-agreed restrictive practices should be negotiated with parents as part of the student’s Individual Learning Plan and Behaviour Management Plan discussions.

- Wild Cherry School will provide staff with appropriate **training** , raising awareness through discussion and the sharing of good practice.
- In the application of restrictive practices, Wild Cherry will identify and consider the needs of **vulnerable students or students with a disability**:
  - the school will make reasonable adjustments for students with disabilities. The school will inform all staff that restrictive practices ‘may amount to discrimination as a form of unfavourable treatment of a student because of their disability where reasonable adjustments have not been made’.
- The School will **record and monitor** the use of restrictive practices and seclusion, using every use of restrictive intervention as an opportunity for review. The written and detailed account of the incident will be recorded on the schools Accident and Incident Register and will be retained and may be called upon in response to a complaint or legal action.

Wild Cherry will record training undertaken and participating staff.

- Parents will be **notified** as soon as possible following an intervention and arrangements for consultation with their child’s Class Teacher arranged for the. preparation of an Individual Learning Plan or Behaviour Management Plan.

#### SCOPE

The application of this Policy is relevant to the governing Board, School Leaders, school staff, students, and parents.

#### ROLES AND RESPONSIBILITIES

- The governing Board and all staff are responsible for discharging the school’s duty of care to prevent harm to students and to staff.
- The governing Board is responsible for overseeing the Restrictive Interventions Policy.
- The School Leaders are responsible for ensuring that the Policy is implemented by all staff.
- The School Leaders are responsible for the provision of training and guidance in the use of restrictive practices.
- The School Leaders are responsible for ensuring restrictive practice incidents are recorded, monitored and reported appropriately to the governing Board.
- All staff in the school are responsible for familiarising themselves with the Policy and for following the school’s guidelines.

#### LINKS TO OTHER POLICIES

- Duty of Care
- Child Safe Standards
- Behaviour Management Policy
- Student Welfare Policy
- Equal Opportunity Policy and Anti-Harassment Policy

- Record Management Policy

#### **COMMUNICATION OF THE POLICY**

Wild Cherry School will publish for all staff, parents and students the principles of restrictive interventions that have been adopted by the school on our website, in the staff handbook, CRT handbook and school handbook.

#### **POLICY IMPLEMENTATION DOCUMENTS**

The documents setting out the strategies and actions required to implement this Policy are:

- guidance for staff in the use of restrictive practices.

#### **POLICY REVIEW**

The governing Board will review the Restrictive Interventions Policy biennially.

The governing Board will require the School Leaders to report on the implementation of the Restrictive Interventions Policy as part of the board's review of the Policy.

**Date Approved: 25 August 2022**

**Date for Review: 25 August 2024**