



**Restraint, Seclusion, Suspension and Expulsion
POLICY**

Interventions to protect safety

Where a student's behaviour poses an imminent threat of physical harm or danger to themselves or others and all less restrictive means of intervention to address harmful behaviours of concern have been exhausted, then physical intervention, restraint or seclusion must be considered. In line with Regulation 25 of the Education and Training Reform Regulations 2017 a school may take any reasonable action that is immediately required to restrain or seclude a student of the school from acts or behaviour that is dangerous to the member of staff, the student, or any other person; this can include but is not limited to:

- self-injuring behaviour, such as hitting/kicking walls, head-banging, cutting
- aggression towards other students or staff, such as hitting, biting, kicking, hair pulling, throwing furniture or other objects at students or staff
- a verbal threat of harm which is reasonably believed a student will immediately enact
- running onto a road or near some other hazard

The school will make all reasonable attempts to ensure all reasonable measures are taken to prevent, de-escalate and respond to behaviours that can cause physical harm or danger to themselves or others and so avoid the use of physical intervention, restraint or seclusion when dealing with student behaviours.

Student Support Plans will never include restraint or exclusion.

Seclusion and physical restraint must be used only as a last resort in an emergency where there is an imminent threat of physical harm or danger to the student or others and does not form part of a behaviour management strategy or support plan for any student. The school explicitly prohibits mechanical restraints, prone restraint (holding a student face down) and supine restraint (holding a student face up). All restraint incidents must trigger a review of the student's behaviour support plan and is documented as an Incident. Restraint or seclusion should be discontinued as soon as the immediate danger has dissipated (Refer to *Education and Training Reform Regulations 2017, Regulation 25 — Restraint from Danger in Restraint and seclusion: the law* for further information).

Seclusion is the solitary confinement of a student in a room or area (e.g. a garden) from which their exit is prevented by a barrier or another person. When used by a staff member in immediate response to behaviours of concern, seclusion may also include situations where a student is left alone in a room or area and reasonably believes they cannot leave that room or area even if they would physically be able to, i.e. it is not locked

Seclusion does not include timeout; individual learning spaces; or calm spaces. It does not include or refer to situations such as supervised in-school suspensions, detentions, or situations where the student can freely exit an area or other situations which are not a response to behaviours of concern. In the vast majority of cases, the only time that a student will be in a room on their own in response to behaviours that cause harm to self or others is when a room has been evacuated, leaving the student alone.

Physical restraint in this context means the use of physical force to prevent, restrict or subdue movement of a student's body or part of their body. Students are not free to move away when they are being physically restrained. Physical restraint should only be used when it is immediately required to protect the safety of the student or any other person. In some limited circumstances, it may also be necessary to restrain a student from imminent dangerous behaviours by secluding them in an area where such action is immediately required to protect the safety of the student or any other person.

Any incident of physical restraint and seclusion will be reported to the Department of Education and Training Incident Support and Operations Centre (ISOC). Parents/carers will be informed as soon as practicable following an incident in which physical restraint or seclusion has been used with their child. Appropriate supports will be offered to all affected students and staff, including, but not limited to, physical and psychological needs and ongoing monitoring and recovery support.

Suspensions and Expulsion

Suspension refers to the process of excluding a student from the standard instruction or educational opportunities being provided to other students at the school for part of a day, a full day or multiple days. Suspension is a serious disciplinary measure and the Principal will consider alternative interventions and supports for students before proceeding to suspension as the appropriate action.

The Principal may suspend a student if, while engaged in any school-related activity they:

- behave in such a way as to pose a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person
- fail to comply with any clear and reasonable instruction of a staff member so as to pose a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person
- consistently behave in an unproductive manner that interferes with the wellbeing, safety or educational opportunities of any other student
- cause significant damage to or destruction of property
- commit or attempt to commit or is knowingly involved in the theft of property
- possess, use or sell or deliberately assist another person to possess, use or sell illicit substances or weapons
- consistently engage in behaviour that vilifies, defames, degrades or humiliates another person based on age, breastfeeding, gender, identity, impairment, industrial activity, lawful sexual activity, marital status, parent or carer status or status as a carer, physical features, political belief or activity, pregnancy, race, religious belief or activity, sex, sexual orientation, personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes or other factors.

The school acknowledges that the Public Records Office of Victoria requires suspension records to be destroyed one year after the student leaves the school.

Expulsion refers to a student being permanently excluded from attending a school.

The Principal may expel a student if, while attending school or travelling to or from school or engaged in any school activity away from the school (including travel to or from that activity):

- the student does anything for which they could be suspended; and
- the student's behavior is of such magnitude that, having regard to the need of the student to receive an education compared to the need to maintain the health, safety and wellbeing of other staff and students at the school and the need to maintain the effectiveness of the school's educational programs, an expulsion is the only available mechanism

When expulsion is unavoidable, the Principal has a responsibility to demonstrate that expulsion is the most appropriate measure and that all other reasonable measures consistent with a staged response have been implemented in good faith by the school without success. In determining whether to expel a student the Principal must determine that expulsion of the student is appropriate to:

- the behaviour for which the student is being expelled;
- the educational needs of the student;
- any disability or additional learning needs of the student;
- the age of the student; and
- the residential and social circumstances of the student.

The school must schedule a meeting with the destination school of the expelled student and ensure that information relevant to the needs of the student is passed to the enrolling school in accordance with the

Information Privacy Act 2000.

In line with Ministerial Order 1125, no student aged 8 or younger will be expelled without the approval of the Secretary of the Department of Education and Training. This Order defines the grounds and process for suspensions, expulsions and appeals relating to expulsions of students in Victorian government schools. The Ministerial Order must be complied with in a manner which is consistent with the Charter of Human Rights and Responsibilities Act 2006.

Details around Suspensions and Expulsions are recorded in the school's student information database in the relevant student's document management system (DMS) and also added to the School's Incident Register.

Corporal punishment is prohibited in our school and will not be used in any circumstance.

Version history

<i>Version</i>	<i>Date</i>	<i>Author</i>	<i>Nature of Amendment</i>
1.0	October 2022	existing	
1.1	October 2022	N Johnson	Updated to new policy format. Procedure separated from policy, Procedure simplified and made clearer
2.0	19/10/22	N Johnson	Ratified by the Board

Review Plan

<i>Due date for next review</i>	<i>Date review completed</i>
October 2024	



**CASTLEMAINE STEINER SCHOOL
& KINDERGARTEN**

**Restraint, Seclusion, Suspension and Expulsion
PROCEDURE**

Restraint and Seclusion

When a student has had to be restrained or secluded in accordance with the Restraint, Seclusion, Suspension and Expulsion Policy, the following steps will be followed:

- Teacher immediately notifies the Principal and, as soon as possible that day, completes and submits an incident report
- Principal or Student Care Leader immediately checks the safety of all involved
- Principal contacts parent(s) of student(s) involved to notify them of the incident
- Principal gathers information about the incident
- Principal meets with Student Care Leader to evaluate the needs of the student(s) involved and the rest of the class.
- Principal makes a decision in relation to further actions in accordance with the CSSK Restraint, Seclusion, Suspension and Expulsion Policy and the CSSK Positive Behaviour Development (Discipline) Policy
- Principal and/or Student Care Leader meet with parent(s) to discuss steps taken and support available
- Student Care Leader will coordinate follow-up support for the rest of the class and relevant staff.
- If the incident involves physical restraint, the Principal reports to the Department of Education and Training Incident Support and Operations Centre (ISOC)
- All details are recorded on confidential student record

Suspension

When it is alleged a student has behaved in a manner which may warrant suspension, as detailed in the CSSK Restraint, Seclusion, Suspension and Expulsion Policy, the following steps will be followed:

- The teacher/staff member will immediately inform the Principal about the incident/behaviour
- The Principal will gather information about the incident
- The Principal will talk to the student, informing them of the allegation and providing them with an opportunity to give their perspective of events.
- The Principal will consider all information gathered before coming to a decision
- If the student is to be suspended, the Principal will meet with the parent(s) if possible, to provide information about the incident and to notify them of the decision to suspend the student. If a meeting is not possible, the Principal may communicate via telephone or email.
- Notification of suspension will be given in writing, with brief details of the reason, indication that the Principal has followed due process, details about the length and nature of the suspension (in school or at home) and details of how to appeal
- Parents/carers will be given an opportunity to appeal the decision. Appeals should be made directly to the Principal within 24 hours of written notification and preferably in writing, stating clearly the reasons for appeal.
- The Principal will record details of the incident and the outcome in the confidential student record.
- The Principal will notify the Chair of the Board of the suspension.
- The Student Care Leader will coordinate follow-up support for the student, class and relevant staff.

Expulsion

When it is alleged a student has behaved in a manner which may warrant expulsion, as detailed in the CSSK Restraint, Seclusion, Suspension and Expulsion Policy, the following steps will be followed:

- The teacher/staff member will immediately inform the Principal of the incident/behaviour
- The Principal will gather information about the incident
- The Principal will talk to the student, informing them of the allegation and providing them with an opportunity to give their perspective of events.
- The Principal will consider all information gathered and make a judgement about whether the incident/behaviour meets the requirements for expulsion (as listed in the CSSK Restraint, Exclusion, Suspension and Expulsion Policy) before coming to a decision
- If the student is to be expelled, the Principal will meet with the parent(s) if possible, to provide information about the incident and to notify them of the decision to expel the student. If a meeting is not possible, the Principal may communicate via telephone or email.
- Notification of expulsion will be given in writing, with brief details of the reason, indication that the Principal has followed due process and details of how to appeal
- Parents/carers will be given an opportunity to appeal the decision. Appeals should be made directly to the Principal within 48 hours of written notification and preferably in writing, stating clearly the reasons for appeal.
- The Principal will record details of the incident and the outcome in the confidential student record.
- The Principal will notify the Chair of the Board of the expulsion.
- The Principal will contact the student's destination school to ensure all appropriate information is passed on.