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**Transitional guidance for New Zealand schools
as we work towards the elimination of seclusion**

FINAL Draft version

updated 2 August 2016 (Di)

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Foreword

Seclusion is an extremely serious intervention. It is potentially traumatic and can harm a student's wellbeing. It can also have serious legal implications for anyone who puts a student into seclusion.

This guide is a step on the path towards eliminating the use of seclusion in New Zealand schools. Its aim is to strengthen the good behaviour support practices already happening in schools as we move to eliminate seclusion over the next three years.

This guide aims to help the few schools that still use seclusion to minimise the physical, emotional, psychological and legal risks involved. It gives a set of procedures to follow when seclusion is identified as a necessary part of a student's Individual Behaviour Plan.

Use this guide to make an informed decision about seclusion

Student and staff wellbeing is at the heart of this guide. The overall goal is to promote safe, inclusive learning environments that foster the wellbeing and education of all students.

Staff must use their professional judgement when they decide whether to use seclusion. They must consider their duty of care to students, their right to protect themselves and others from harm, and their obligation to act lawfully.

Developing the guide: expertise from throughout the sector

An Advisory Group from across the sector developed the guide. They agree that seclusion should be eliminated. The research consensus is that this practice is risky and potentially harmful, physically and psychologically. The research also emphasises that eliminating seclusion is both desirable and achievable. In line with evidence-based practice, it recommends focusing on interventions that are strengths-based and positive to prevent the need for seclusion.

For an extremely small number of students, however, seclusion may be the only option available until more appropriate support can be provided. Seclusion may happen in rare situations when proactive de-escalation strategies and safe physical restraint are not enough to manage imminent danger. This guide has been developed for those rare situations.

Schools should contact the Ministry after every incident of seclusion. The Ministry will support your school to explore other options.

The group included representatives from the Special Education Principals' Association of New Zealand, the New Zealand Principals' Federation, the New Zealand Educational Institute Te Riu Roa, the New Zealand School Trustees Association, the Secondary Principals'

Association of New Zealand, the Post Primary Teachers Association, the Ministry of Health, the High and Complex Needs Unit, and the Ministry of Education.

The guide takes into account current international research and directions. And it respects students' rights under the Bill of Rights Act 1990, the Education Act 1989, the United Nations Convention on the Rights of the Child 1989, the United Nations Convention on the Rights of Persons with Disabilities 2007, the National Administration Guideline 5, the Vulnerable Children Act 2014, the Health and Safety at Work Act 2016 and the Crimes Act 1961.

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Organisations represented on the cross-sector Advisory Group



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High and Complex Needs Unit



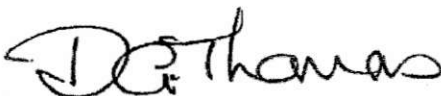
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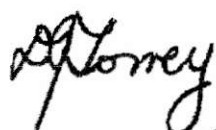
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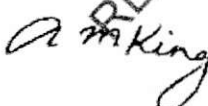
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The purpose of this guide

Student and staff wellbeing come first

This guide focuses on staff and student safety and wellbeing.

By following this guide, a staff member who faces a decision about whether to seclude a student can minimise the risk of harm to a student's physical and emotional wellbeing. They may also mitigate the risk of legal liability.

Seclusion has been associated with trauma and injury (sometimes self-inflicted). All staff must be aware of the possible effects of seclusion on a student's wellbeing. They must also understand that seclusion is an emergency strategy, only for use when all alternatives to de-escalate the situation have been exhausted, including safe physical restraint.

What is seclusion?

Seclusion is when a student is involuntarily placed alone in a room, at any time or for any duration, from which they cannot freely exit. The door may be locked, blocked or held shut.

When used in this way, seclusion has no therapeutic value and in no way promotes mental and physical wellbeing.

Using a "sensory" or calm-down room is not seclusion if the student can leave freely

You may use a "sensory" or calm-down room that is provided as part of an Individual Behaviour Plan to a student with additional needs. They could be on the autistic disorder spectrum or have other sensory difficulties. They may use the room when they feel overwhelmed, and are able to freely leave at any time.

Identifying when you may need to use seclusion

Use seclusion only where there is "imminent danger of physical injury"

Seclusion is a serious intervention. If there is any alternative to secluding a student, use that alternative. Only use seclusion in emergency situations when:

- it is part of an Individual Behaviour Plan
- the student's behaviour poses an imminent danger of physical injury to other students, staff, themselves or others
- you have used preventative and de-escalation techniques and not been able to reduce the risk of injury.

What is "imminent danger of physical injury"?

You will need to use your professional judgement to decide what constitutes "imminent danger". These situations are examples.

- A student is moving in with a weapon, or something that could be used as a weapon, and is clearly intent on using violence towards another person.
- A student is physically attacking another person, or is about to.
- A student is, for example, throwing furniture, computers, or breaking glass close to others who would be injured if hit.
- A student is putting themselves in danger, for example running onto a road or trying to harm themselves.

These situations do not pose imminent danger

Avoid using seclusion to manage behaviour in the following circumstances:

- to respond to behaviour that is disrupting the classroom but not putting anyone in danger of being hurt
- for refusal to comply with an adult's request
- to respond to verbal threats
- to stop a student who is trying to leave the classroom or school without permission
- as coercion, discipline or punishment
- for damaging property unless this could cause injury.

Guidance if you have to use seclusion

- Seclusion should be justifiable in the circumstances and it should be proportionate to the level of risk.
- When a student has been placed in seclusion, work towards getting them out of seclusion as soon as possible.
- Only permit designated staff members who are trained in physical restraint and seclusion procedures, and in emergency first aid, to seclude a student.
- A staff member must monitor the student's physical and emotional wellbeing continuously. They must be able to see and hear the student at all times.
- Offer water to the student during and after seclusion.
- End seclusion as soon as the conditions or behaviours which caused the need for seclusion stop, and the imminent danger is no longer present.

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- Thank the student for calming down, ask if they need any help, and reassure them that they can come back to class when they are ready.
 - Monitor the physical and psychological wellbeing of both the student and the staff member who administered seclusion for the rest of the school day. There may be shock, possible unnoticed injury and delayed effects.
 - As soon as possible on the same day, after the seclusion period is over, the staff member who secluded the student must complete an incident report. An example template is at the back of this guide.

Get help if these things happen

- If the student remains highly anxious and distressed, with no signs of de-escalating, seek suitable help from someone who may be able to support them. This could be, for example, the parents or caregivers or a staff member who has a positive relationship with the student.
- If the student starts self-harming, safely physically restrain them (in line with the Physical Restraint guide) and call the emergency services.

Contact parents or caregivers during or after seclusion

- Contact parents or caregivers while their child is in seclusion, or as soon as possible afterwards. The only exception is if the student's Individual Behaviour Plan says they do not wish to be contacted during. If you cannot contact them during seclusion, contact them on the same day so they can monitor their child's wellbeing at home.
- If the student is in a residential school or home, inform the residential team so they can monitor the student's wellbeing after school.
- Tell parents or caregivers how the incident was handled in line with the Individual Behaviour Plan and this guidance document.

The seclusion room

In rare situations, when seclusion is part of an Individual Behaviour Plan, the room used for seclusion must provide for the student's welfare.

- The seclusion room must have an unbreakable observation window so the student can be monitored, watched and heard continuously. It must have adequate ventilation and lighting.
- The room must be reasonably sized, have soft, fixed furnishings and be free of potential safety hazards.

Use preventative and de-escalation techniques first

Your first aim is to avoid the need to seclude the student.

Use the following strategies for unexpected "one-off" incidents, as well as for students who regularly present with high-risk behaviours. These are general suggestions. For students with high-risk behaviours, have an Individual Behaviour Plan developed, tailored to the student's needs.

Preventative techniques

Understand the student

- Get to know the student and identify potentially difficult times or situations that may be stressful or difficult for them.
- Identify the student's personal signs of stress or unhappiness and intervene early.
- Monitor wider classroom/playground behaviour carefully for potential areas of conflict.

Respect the student

- Demonstrate a supportive approach: "I'm here to help."
- Be flexible in your responses: adapt what you're doing to the demands of the situation.
- Be reasonable: a reasonable action, request or expectation deserves a reasonable response.
- Promote and accept compromise or negotiated solutions, while maintaining your authority.
- Take the student seriously and address issues quickly.

Preserve the student's dignity

- Address private or sensitive issues in private.
- Avoid the use of inappropriate humour such as sarcasm or mocking.

De-escalation techniques

Safety first – create space and time

- Remove the audience – ask other students to take their work and move away.
- Give the student physical space.

- Name the emotion in a calm even voice: "You look really angry", "I can see that you are very frustrated"...
- Wait.

Communicate calmly

- Talk quietly, even when the person is loud.
- Try to remain calm and respectful.
- Monitor your own body language and allow the student the opportunity to move out of the situation with dignity.
- Focus on communicating respect and your desire to help.
- Keep verbal interactions respectful.
- When appropriate, give the student clear choices and/or directions to help them feel more secure and regain control.

Think ahead in case the situation escalates

- If escalation occurs, move further away.
- Make sure you have an exit plan.
- Constantly reassess the situation.
- Send for help if necessary.

What may escalate the behaviour

- Threatening the student.
- Arguing or interrupting.
- Contradicting what the student says – even if they are wrong.
- Challenging the student.
- Trying to shame the student or showing your disrespect for the student.

An Individual Behaviour Plan

If seclusion is being considered as an emergency strategy, it should be part of a comprehensive Individual Behaviour Plan. It should be a short-term measure while the support team develops more appropriate methods to support the student.

The team supporting the student, including the parents or caregivers, should all agree that seclusion is necessary before it becomes part of a student's Individual Behaviour Plan.

The plan must outline the preventative and de-escalation strategies which, if successfully implemented, would prevent the need for seclusion.

The plan must make clear that seclusion is an extreme, last-resort intervention to prevent an imminent danger to other students, staff or the student themselves. It must say to use seclusion only when preventative and de-escalation techniques have not reduced the potential for injury. These techniques include removing other students and staff from the area, calling for help, and using safe physical restraint.

The plan must fully document the seclusion purpose and process. The plan must be approved by the team supporting the student, and they must monitor and review it regularly.

The plan must be tailored to the student's individual needs and characteristics, including:

- the student's ability to understand what is happening and why
- any impairments the student has, for example physical, intellectual, neurological, behavioural, sensory (visual or hearing) impairments, or impairments to communication
- any mental health issues or psychological conditions the student has, particularly any history of trauma or abuse
- any other medical conditions the student may have
- the student's likely response to preventative, de-escalation and physical restraint techniques
- the environment in which the restraint is taking place.

The team should include the parents, caregivers and, if appropriate, the student.

- Parents or caregivers should help make decisions about their child and agree to the support interventions.
- Parents or caregivers must be fully informed if seclusion is part of the student's Individual Behaviour Plan. They must be told how seclusion will be applied in line with this guide. The team must get their consent.
- The parents or caregivers may say that they do not want to be contacted during a period of seclusion. Document this on the plan.
- Before obtaining consent for seclusion, the student and parents need to see the seclusion room and be told the school's policies and procedures on seclusion.

All relevant professionals, parents and caregivers must have a copy of the plan, signed off by the Principal (or Principal's delegate) and the student's parents or caregivers. If the student is enrolled in a residential school, the residential staff there must also have a copy.

Training in safe responses

For the whole school

A training package, *Understanding Behaviour – Responding Safely*, has been developed for New Zealand schools. It includes a full-day workshop for all staff and ongoing support afterwards. The training can be delivered in modules rather than a full day if this is a better option for your school. The focus is on preventative and de-escalation techniques. Contact your local Ministry of Education district office for information about this training.

For the team supporting the student

When a student has had to be secluded, the Ministry of Education will provide support to help avoid further use of seclusion.

- Contact the Ministry for help after the incident. They will give you support as soon as possible to develop alternative ways of managing challenging behaviour.
- If the team already has support from RTLB or the Ministry, tell the case worker. They can help the team to strengthen the preventative and de-escalation components of the Individual Behaviour Plan.

Good practice following an incident involving seclusion

After an incident involving seclusion, take these steps to ensure everyone involved stays safe, future incidents can be prevented if possible, the parents or caregivers know, and the incident is reported.

- Check the staff member and the student regularly to ensure they are not in shock. Support them as necessary.
- Ensure the parents or caregivers of the student are told as soon as possible after the incident, so they can monitor the student's wellbeing at home.
- If the student attends a residential school, ensure the residential team manager is told, so the student's wellbeing can be monitored after school.
- Reflect formally on why the incident occurred that resulted in the student being secluded. Consider what might have prevented it, and what might need to change to minimise the likelihood of it happening again.

- Consider whether all preventative and de-escalation strategies were used according to the Individual Behaviour plan and whether the seclusion procedure was followed.
- Write an incident report for the team directly supporting the student.
- Review the Individual Behaviour Plan and make decisions as a team about what needs to be strengthened to minimise the likelihood of a similar incident.
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Reporting the incident

- Write up every seclusion incident in an incident report and reflect on it (see the example of a reporting template at the end of this guide).
- Get the incident report signed off by the staff involved in the seclusion, and the Principal (or Principal's delegate).

Debriefing the incident

Debriefing staff

- Hold a debriefing session with involved staff, the Principal or Principal's delegate, and another member of staff not involved in the physical restraint incident. Hold it within two days of the incident.
- In the debriefing, focus on the incident, the lead-up to it, the different interventions used that were unsuccessful in de-escalating the behaviour, and what could have been done differently.
- If Ministry or KTLB practitioners are part of the student's team, involve them in the debriefing process.
- If the police were involved in the incident, invite them to participate in the debriefing session.
- Write notes from the debrief along with next steps or actions.

Debriefing parents or caregivers

- Offer the parents or caregivers a separate debriefing as soon as practically possible, preferably within two days of the incident.
- At this meeting, give them the opportunity to discuss the incident. Invite them to become active partners in exploring alternatives to seclusion. If appropriate, involve the student in this debriefing session.

- Write notes from the debriefing along with next steps or actions.

Adapting the Individual Behaviour Plan

- Hold a meeting as soon as possible. Involve the team supporting the student, including the parents or caregivers, and the residential team manager if the student is enrolled in a residential school. Use the meeting to review the Individual Behaviour Plan and the seclusion processes followed in the incident.
- In the updated plan, identify ways to prevent the need to use seclusion in the future.
- Incorporate in the plan the suggestions of parents or caregivers and, if appropriate, the student.
- If a behaviour specialist from the Ministry or RTLB service is supporting the team around the student, involve them in the review of the plan.
- Put all relevant documentation in the student's file, and copy it to the student's teacher and parents or caregivers.

School policies on seclusion

- Each school should develop policies on seclusion that follow this guide. Make policies available for all parents and caregivers.
- Provide a clear complaints process for the students, parents and caregivers.
- Review the policy as part of the school's annual review cycle.

Governance responsibilities

Collect data in accordance with the Privacy Act 1993. Full details are at www.legislation.govt.nz/act/public/1993/0028/latest/DLM296639.html.

Promote the minimisation of seclusion

The Principal or Principal's delegate is responsible for:

- promoting the goal of eliminating the use of seclusion through a focus on alternative strategies
- ensuring appropriate training is provided that aligns with the goal of eliminating seclusion in schools.

Monitor and report the use of seclusion

The Principal or Principal's delegate is responsible for:

- monitoring the use of seclusion in the school (to include gathering and analysing information, identifying trends, and checking that documentation about each incident is complete)
- collating information about seclusion in a report and sharing data on seclusion regularly with the Board of Trustees via the Principal's report at Board meetings – do this in a public-excluded session
- managing any complaints and feedback.

Oversight by the Board of Trustees

The Board of Trustees is responsible for governance oversight.

- The school should contact the Ministry after every seclusion incident. The Ministry will support your school to explore other options.
- The ERO may review a school's use of seclusion, as they would any other school operation or procedure.

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Reporting templates for seclusion of a student

(Sample only – many schools will have established processes to reflect on incidents, and have good reporting processes)

Instructions

1. Attach the debriefing forms and any other relevant form (eg, Injury Form) to the Seclusion Incident Form.
2. Place copies of these forms in the student's file. Make the copied forms available to the student's teacher/s and the student's parents or guardians.
3. Share data on seclusion incidents with the Board of Trustees via the Principal's report. Only share this data in a session that excludes the public.

1. Seclusion incident report (staff) (see report with red bar at the top)
 - The staff member/s who put the student into seclusion should complete this as soon as possible after the incident and within 24 hours.
 - The incident report should be signed off by the staff involved, any staff who witnessed the incident, and the Principal or Principal's delegate.

Note: If the Principal put the student into seclusion, a delegated senior management team member should sign off the report.

2. Seclusion debriefing (staff) (form with blue bar)
 - Within two days of the incident, a debriefing with the staff involved should be held by the Principal or Principal's delegate. Another member of staff who was not involved in the seclusion should attend.
 - The team around the student, including team members from other agencies, should be part of the debriefing process.

Notes: The Principal is responsible for facilitating the debriefing unless they are the person who implemented the seclusion. If this is the case, an appropriate senior leader in the school will take this role. If police have been involved, they should be invited to the staff debriefing.

3. Seclusion debriefing (parent or caregiver and, if appropriate, the student) (form with green bar)
 - The parents or caregivers should be notified and involved in discussion about the incident with the Principal or Principal's delegate as soon as practically possible so they can monitor their child's physical and emotional wellbeing at home.
 - The parents or caregivers should be given the opportunity to discuss the incident and become active partners in exploring alternatives to seclusion.

Note: The staff member who put the student into seclusion should not be part of this meeting.

Seclusion incident report

Report completed by	Date of incident	Date of report
Name of student		
Date of birth	Gender M <input type="checkbox"/> F <input type="checkbox"/>	
Ethnicity		
Time seclusion started		
Time seclusion ended		
Name/s of staff member/s administering seclusion		
Other staff or adults who witnessed		

Place where behaviour that resulted in seclusion occurred	
Classroom	
Corridor	
Assembly hall	
Outdoor area	
Toilet block	
Administration area	
Other (identify)	

Behaviour directed at	
Staff member – name	
Student – name	
Self – describe how they intended self-harm	
Property – describe potential injury to self or others	

Reason seclusion was considered necessary	
Imminent danger, serious risk of injury – describe	
Actual injury – describe and attach injury form	

Please turn over and complete the reflection section.

Reflection

Events leading to the incident

Describe what was happening before the behaviour started to escalate. What was the student doing? What do you think might have triggered the behaviour? How were other students reacting to the student?

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Behaviour of the student

What did you notice about the student's behaviour that alerted you that they were struggling to cope? Think about the way they looked, for example facial expressions, physical signs, language.

What did you try before the seclusion?

Describe the alternative techniques and interventions tried to prevent the emergency, including a description of the de-escalation strategies implemented. What was the response from the student?

Did you use physical restraint?

Did you have to physically restrain the student? If so, what prompted you to decide to seclude the student?

Getting the student to seclusion

Describe the methods used to get the student to seclusion. How many staff were involved?

Monitoring

Describe how the student's physical and emotional distress was monitored while they were in seclusion.

Releasing the student from seclusion

Describe when and why the decision to end seclusion was made.

After the seclusion ended

Describe the mood of the student when they were released from seclusion. What help and support were they offered?

If there's a next time

What could be done differently in the future to prevent the need for seclusion?

How about you?

How are you feeling and what support do you need?

Signatures of staff who
put the student into seclusion

Signatures of staff witnesses (if applicable)

Seclusion incident debriefing form (staff involved)

Date of incident	
Date of debriefing	Time of debriefing
Names of people at the debriefing	
Findings of debriefing	
Next steps/actions	
Principal or Principal's delegate signature	

Physical restraint debriefing form – parents or caregivers, student

Date of incident	
Date of debriefing	Time of debriefing
Names of the people at the debriefing	
Findings of debriefing	
Parent or caregiver – comments and suggestions	
Student – comments and suggestions	
Next steps/actions agreed	
Signatures	
Principal or Principal's delegate:	
Parents or caregivers:	
Student:	