

## What is restraint and seclusion?

Everybody has the right to move around freely. But sometimes people hurt themselves, hurt other people, or break things on purpose. These ways of behaving are called using “behaviours of concern”. Other people might want to stop the person from doing these things. Stopping people from doing things is called a “restraint”.

There are two different types of restraint:

- tablets or a medicine drink to change somebody’s behaviour, and
- straps and belts that stop people moving.

There is another way of stopping people from doing things. It is called seclusion. Seclusion is locking people in a room where they can’t get out.

### Tablets to change somebody’s behaviour

Tablets might be given to somebody to change their behaviour. The tablets might make the person calmer or sleepy. The person might take the tablets every day or they might just take them when they are doing behaviours of concern. This is sometimes called “chemical restraint”.

## **Straps or belts to stop people from moving**

Sometimes people use things to stop other people moving their body. It is okay to use belts and buckles in a car. It is okay to use a belt to stop somebody from falling out of their wheelchair. But, it is restraint if the strap or belt is used to stop somebody who wants to get up and move around or do things. This is sometimes called “mechanical restraint”.

## **Locking somebody in a room by themselves where they can't get out**

Sometimes people are locked in somewhere like a room or a garden. Sometimes people are left alone and can't move somewhere else. Sometimes people are put in a room where they can't get out. This is sometimes called seclusion. It is seclusion if the person can't open the door by themselves. It is seclusion if staff don't open the door when the person wants them to.

## **What are the rules of restraint and seclusion?**

Restraints are stopping people's rights. It is not fair to block people's rights. But sometimes restraint is the only choice left if someone is hurting themselves, hurting other people, or breaking things on purpose. Everybody who uses restraint has to follow rules.

These are some rules for restraint:

- there has to be proof that everything else has been tried first
- there has to be permission from the Authorised Program Officer
- the restraint has to be safe and used for a short time
- staff have to think about using other ways to help the person
- teams have to make choices about restraint and seclusion
- staff have to check if the person with a disability is okay with restraint or seclusion.

## **Proving that everything else has been tried**

People using restraint have to prove that they have tried to change the behaviour of concern without using restraints. They have to show that they have tried to help the person communicate better, feel better, not get angry, or not hurt other people.

If the person keeps using behaviour of concerns and there are no other options left, then people might be allowed to use restraints.

## **Permission to use restraint or seclusion**

People need special permission if they want to use restraint on a person with a disability. They need to write a behaviour support plan and ask the Authorised Program Officer if they can use restraint. They will need to let the Authorised Program Officer know what they want to do and why they want to do it. The Authorised Program Officer is a person in the disability service who has a special job to look at everybody's behaviour support plan.

## **Safe and short restraint**

Restraint must be done in a way that is as safe as possible for the person with a disability and the people that support them. Restraint is only allowed to be used for a short time. When people don't need restraint anymore it must be stopped.

## **Using other ways to help the person**

People using restraint need to show that they are still trying to help the person in other ways than restraint. They need to help the person learn new skills and new ways to solve problems. They need to find out why the person does behaviours of concerns. They need to try to fix the problem if they can.

## **Teams to make choices**

An important rule for restraint is having a team to make choices about restraint. The person with a disability should be involved in the choice. Family and other people important to the person should be involved in the choice. Sometimes doctors, psychologists, or other professionals can be involved. Some people may need an advocate too, particularly if they can't speak up for themselves.

An independent person (see handout on independent person) must be involved too. The independent person has a special job. They need to check if the person with a disability can understand the restraint and seclusion.

## **Checking if the person with a disability is okay with restraint or seclusion**

The final rule of restraint is checking if the person with a disability is okay with the restraint. People with a disability can complain if they are upset with their restraint.

## What to do if the person is upset with their restraint or seclusion?

Sometimes the person with the disability might be unhappy with their restraint. They can ask for it to be changed. They can ask for help from the Public Advocate. They can call the Office of the Public Advocate on 1300 309 337.

The person with a disability might want to talk to VCAT too. VCAT will look at the plan for restraint and seclusion. They will decide if it is fair or not. The person can call VCAT on 1800 133 055.

If the person wants to make a complaint they can talk to the Disability Services Commissioner. They can call the Disability Services Commissioner on 1800 677 342.

## How do I find out more about restraint or seclusion?

People at the Office of the Senior Practitioner can tell you more about restraint.

Telephone: 9096 8427

Email: [seniorpractitioner@dhs.vic.gov.au](mailto:seniorpractitioner@dhs.vic.gov.au)

Website: [www.dhs.vic.gov.au/ds/osp](http://www.dhs.vic.gov.au/ds/osp)

Do you want this in Braille? Do you want it on a CD to listen to? If you do, you can email [seniorpractitioner@dhs.vic.gov.au](mailto:seniorpractitioner@dhs.vic.gov.au). If you use the National Relay Service for your phone calls then ring 13 36 77. You can also see this paper on the internet at [www.dhs.vic.gov.au/ds/osp](http://www.dhs.vic.gov.au/ds/osp).