

INCORPORATING RISK MANAGEMENT IN A SPECIFIC STUDENT BEHAVIOUR MANAGEMENT PLAN

Overview

There are occasions where a student's behaviour exposes themselves and/or others to substantial risk of injury.

Education Queensland has responsibility to mitigate the risk of injury to students and staff under a number legal and moral obligations including:

- Department of Education Queensland Manual (DOEM) *SM-05 Student Management*

Section 1.1:

It is well settled in law that Education Queensland and its employees owe students a duty of care to prevent:

- a) students injuring themselves;
- b) students injuring other students; or
- c) students injuring others e.g. staff or members of the public

- Obligations are also prescribed in the *Workplace Health & Safety Act 1995*;

Section 28:

- (1) An employer has an obligation to ensure the workplace health and safety of each of the employer's workers at work.
- (2) Also, an employer has an obligation to ensure his or her own workplace health and safety and the workplace health and safety of others is not affected by the way the employer conducts the employer's undertaking.

- Obligations at the school level are discharged by:

- a) Following the relevant guidelines made available by Education Queensland (see list of related documentation, Attachment C)
- b) Adopting a risk management strategy in relation to the student behaviours. This is achieved by working collaboratively with relevant personnel e.g. Guidance Officer, Principal, class teacher, parent/s, other agency staff, Workplace Health & Safety Officer.

Considerations

1. When managing the process, consideration must also be given to other legislation with sometimes competing priorities:

- *Anti-Discrimination Act 1991*
- *Education (General Provisions) Act 1989*
- *Commonwealth Privacy Act 1988*

2. All staff who have contact with the student need to be made aware of the behaviour that may place the student themselves or other persons at risk. Student groups may also need to be made aware of some of the procedures in place to manage the risk.

3. It is important that those informed understand that the risk is associated with the behaviours rather than the student. These behaviours will generally be brought about by a medical condition or other circumstances beyond the student's control.

4. It is often appropriate to inform relevant members of the wider school community. The emphasis should be on the disorder/behaviours rather than the student. This wider participation requires the cooperation of student's parents but will result in increased understanding of the issues involved, improved cooperation from other parents and greater empathy displayed towards the student in question.

Process

The risk management process will follow:

- An Education Plan, whether broad-based or individual (IEP)
- A Behaviour Management Plan, school or individual

1. Who Participates

An inclusive approach to the risk management plan will produce the best results. Contributions from some people may take little time to gather but be very useful for the process, for example interviewing the bus driver to check on the student's behaviour when in transit. Other people with a more significant involvement will participate in the whole process. The Coordinator should be in a position to arrange implementation of any control measures deemed necessary. Persons who often contribute to these processes include:

- Teacher/s
- Teacher Aide
- Head of Special Education Services (HOSES)
- Principal or nominee
- Parent/s
- Staff from other Agencies (e.g. Health)
- Advisory Visiting Teacher (AVT)
- Guidance Officer

2. Completing the Risk Management Process Form

Attachment A is one risk assessment form suitable for this process. Attachment B is an example of a completed risk assessment.

Column 1 - **Phases:**

- Break down the day into manageable parts/situations (e.g. getting to school, unstructured time, general class, sport, travel to town library, known teacher replaced with supply teacher)

Column 2 - **Behaviour:**

- For each phase identify what behaviours may manifest. This hazard identification will be assisted by documents already in place.
- *Attachment C lists a range of possible sources of information.*

Column 3 - **Consequences, assess the risk:**

- what harm may result and to whom (the risk)
- consider the frequency of exposure and the consequences

Column 4 - **Current control measures:**

- detail what practices are currently in place to reduce the **frequency** or **consequences** of injury

Column 5 - **Yes/No:**

- decide as a group if the existing control measures are adequate

Column 6 - **Further controls:**

- discuss **as a group** what further controls are possible



At this stage consider risk versus educational outcome. Does the visit to the library justify the risk involved?

- check each new control measure to ensure it does not actually introduce a **new risk**
- identify and document **who** puts each new control in place and in what time frame

When considering 'further controls' start at the top of the 'hierarchy of control' (see Attachment A, point 3 – on page 4). The 'higher' the control measure the more reliable the control.

Normally risk management will draw on a range of controls including the least reliable, 'Administrative Controls'. Irrespective of what controls are put in place, affected staff should participate in the process, be fully informed, and where required, receive training to implement control measures. The lack of ownership experienced if this collaborative approach is missing will result in poor management of risk and consequential personal injury.

3. Review – The risk assessment should be reviewed if any of the following occurs:

- an incident where staff or students are injured
- any staff member considers the level of risk has become unreasonable
- a change in staff or student mix
- a new activity is introduced
- the student's circumstances or behaviour changes
- there is new information on the student that may influence the risk assessment
- at regular intervals as determined by staff completing this risk assessment

This step is essential to ensure:

- compliance with the *Workplace Health and Safety Act 1995*
- the process remains current
- internal audit requirements are met
- knowledge gained is available to others engaging in similar assessments
- staff involved improve their skills through a review process

Results

By following the sound risk management strategies outlined, school management will be well positioned to:

- provide the best practical protection to staff, students and others
- increase staff and school community empathy towards students with errant behaviour
- motivate staff and the school community to provide a positive response to student management challenges
- organise personnel and resources effectively to carry out associated tasks
- allow staff in contact with students to participate in decision-making that influences the way they perform their duties
- improve communication within the school and the school community
- protect Education Queensland from any adverse effects of injury or property loss
- monitor the success of the risk management process

See also:

SM-05: Physical Restraint and Time Out Procedures Students with Disabilities

SM-06: Management of Behaviour in a Supportive School Environment Schools & Discipline

HS-07: Occupational Health and Safety

HS-10: Workplace Health and Safety – Curriculum



Attachment A

RISK MANAGEMENT FORM - STUDENT BEHAVIOUR

The Process –

1. Break down the day into phases (eg. getting to school, unstructured time, general class, sport, travel to town library, known teacher replaced with supply teacher)
2. For each phase –
 - identify what behaviours may manifest, what harm may result, and to whom - consider **consequences**
 - enter what practices you currently have in place to reduce the **frequency** or **consequences** of injury
 - discuss **as a group** what further controls are possible - consider risk versus education outcome (does the visit to the library justify the risk involved)
 - does the control measure actually introduce **new risk**?
 - identify & document **who** puts each control in place and in what time frame
3. When considering 'further controls' start at the top of the following 'hierarchy of control' - the higher on this list the more reliable the control.
 - Eliminate - the best option but often not practical
 - Substitute – e.g. lower risk activity with same educational outcome
 - Redesign – e.g. change the activity
 - Isolate – e.g. withdrawal area or timeout
 - Administrative controls – e.g. card warning system
 - Personal protective equipment – e.g. gloves

Review – this workplace health and safety risk assessment is to be reviewed if there is:

- an incident where staff or students are injured
- any staff member considers the level of risk has become unreasonable
- a change in staff or student mix
- a new activity is introduced
- the student's circumstances or behaviour changes
- there is new information on the student that may influence the risk assessment
- at regular intervals as determined by staff completing this risk assessment

You must do this step to complete the risk management process because: it's the law (*WH&S Act*), it is an internal audit requirement, it ensures the knowledge gained is passed on to others proposing to engage in a similar activity, the review process improves the skills of those staff involved.

Staff should be aware of DOEM :

LL06: Legal Liability Policy Statement and

SM-05: Physical Restraint and Time Out Procedures

CASE STUDY 4

Attachment A

Example Blank Risk Assessment Form



STUDENT NAME: _____

| Specific Phase e.g. toilet visit | Behaviour e.g. striking/biting or 'running' | Consequences Identify how this may cause harm. Think about likelihood & exposure | Current Controls What is in place to reduce the likelihood of injury occurring or severity? If adequate, enter 'Y' in the following column | Y/N | Further Controls To be implemented – include date and who is responsible. Check to make sure you have not introduced a new risk |
|--|---|--|--|------------|---|
| | | | | | |
| | | | | | |
| | | | | | |

Coordinator (HOSES, Guidance Officer, AVT, Teacher): _____

Principal: _____

Assessment Date: / /

CASE STUDY 4

Attachment B

An extract from a completed Risk Management Process Form

| Specific Phase e.g. toilet visit | Behaviour e.g. striking/biting or 'running' | Consequences Identify how this may cause harm. Think about likelihood & exposure. | Current Controls What is in place to reduce the likelihood of injury occurring or severity? If adequate, enter 'Y' in the following column. | Y/N | Further Controls To be implemented – include date and who is responsible. Check to make sure you have not introduced a new risk. |
|--|--|--|--|-----|---|
| Where a relief teacher takes over X's class. | Potential for violent behaviour directed at staff or students. Could include throwing objects such as chairs, desks. | Injury that could require first aid or medical treatment. Likelihood of serious injury increased where X has a negative perception about a particular student. | Male relief teachers recruited where possible. Where not possible X is removed to Unit where higher level of supervision is possible. | N | Where either option not practical arrangements made for X to continue schoolwork at home. Where X is removed to the Unit that arrangement will remain for a maximum of a half-day. Where time exceeds this, arrangements put in place as above. Deputy to arrange immediately. |
| Where X is under supervision at the Unit | As above | As above | At least two adults in attendance at the Unit | N | Procedure strengthened: If any staff member becomes isolated in the Unit they are to immediately notify Admin. Admin will make arrangements to provide immediate interim support. Deputy/HOSE to arrange immediately. |
| Break times (unstructured) | As above | As above. Potential for increased frequency of events and severity of injury as a consequence of greater access to students who X perceives as warranting assault. | X spends this time either in the Unit or outside in a defined area | N | Timetable arranged to enable male staff to be on hand for the unstructured breaks. This will reduce frequency of incidents and also should reduce the consequences of any assault through intervention. This intervention may involve physical restraint. Principal to coordinate and brief all relevant staff. New procedures to start Monday. |



Attachment C

Possible Sources Of Information

- A. Student profile
- B. Behaviour management profile
- C. Overview of behaviour incidents to date
- D. Medical reports
- E. Guidance Officer reports
- F. Other assessments from within Education Queensland
- G. External assessments from other Agencies
- H. Statistical data on behaviours exhibited over time
- I. Programming strategies for differing behaviour levels
- J. Analysis of behaviours exhibited from triggers through escalation to recovery
- K. Crisis management plan
- L. Behaviour management plan
- M. Attendance and timetabling plan
- N. General behaviour data collection sheets
- O. Incident/injury data collection sheets