

Use of Physical Restraint Procedures

Rationale

The school is committed to providing a safe physical and emotional environment for students. These factors are essential for students to thrive and succeed.

Situations may arise where a student or students risk harm to themselves or others. School staff require safe ways to manage these situations to the benefit of themselves and the student(s).

Guiding Principles

1. The Education Act 1989 139AC explains the limits on use of physical restraint in schools.
2. To protect the well-being of staff and students.
3. To provide guidelines for the use of physical restraint when it is seen as a last resort.
4. To provide guidelines on the notification, monitoring and reporting on the use of physical restraint.
5. To record any incidents of physical restraint and provide for debriefing of these incidents.
6. To monitor the emotional impact of such an event on staff and students.

Definitions

- **Authorised staff member** means an employee of a registered school who is authorised by the employer to use physical restraint in accordance with this section (an employee who works with children such as the Teacher Aide, Guidance Counsellor, Administration Staff and Grounds Staff).
- **Employer** means a board and the managers of a school
- **Physically restrain**, in relation to a student, means to use physical force to prevent, restrict, or subdue the movement of the student's body or part of the student's body
- **Teacher** means a person who holds a teaching position (the subject teacher, Senior Leadership, the Principal)

Procedures & Guidelines

1. All staff, including non-teaching, will be given authority to physically intervene when required as per the Physical Restraint Procedures.
2. A **teacher** or **authorised staff member** must not physical restrain a student unless:
 - a. The teacher or staff member reasonably believes that the safety of the student or of any other person is at serious and imminent risk; and
 - b. The physical restraint is reasonable and proportionate in the circumstances.
3. Situations which may need the application of physical restraint include:
 - a. Breaking up a fight;
 - b. Stopping a student from moving in with a weapon;
 - c. Stopping a student who is throwing furniture close to others who could be injured;
 - d. Preventing a student from running onto the road;
4. Physical restraint is seen as a last resort. Prevention and/or de-escalation techniques should be applied where appropriate first.

Processes for notifying, monitoring and reporting on the use of physical restraint

1. When Physical Restraint is used as an intervention the school must notify the Ministry of Education and the Board of Trustees. (The purpose for this is to allow the MOE to provide appropriate support to schools and students and to update the rules and guidelines if needed to address emerging issues).
 - a. Fill in the following form: [Download the form](#) [DOCX, 53 KB]; [Incident-of-Physical-Restraint-form-for-the-Ministry-of-Education-and-th...docx](#)
 - b. Send the form to physical.restraint@education.govt.nz
 - c. If there are queries about the rules send these to physical.restraint@education.govt.nz
2. PLD is available for staff: "Understanding Behaviour, Responding Safely". (Contact local MOE office).

Education (Physical Restraint) Rules 2017

1. Information to be made available:

The Board of Trustees must ensure that the following documents are available for inspection at the school:

- a. Any guidelines issued by the Secretary under section 139AE of the Act; and
- b. The names and positions of authorised staff members.

2. Authorisation of staff members who are not teachers:

- a. The BOT may authorise an employee, who is not a teacher, to use physical restraint in accordance with section 139AC of the Act.
- b. Every authorisation must be in writing.
- c. The BOT must give the employee a copy of the authorisation.
- d. The employee may, by written notice to the employee, revoke an authorisation at any time.

3. Notifying the use of physical restraint:

- a. Parents/Caregivers must be notified if physical restraint is an element of a student's Individual Behaviour Plan.
- b. A notification must include an explanation of how physical restraint will be applied in accordance within the Guidelines.
- c. Parents/caregivers must be notified as soon as possible on the same day about any incident of physical restraint, including how it was managed within the Guidelines.

4. Monitoring the use of physical restraint:

- a. For both the student physically restrained and the staff member who has used physical restraint, physical and psychological monitoring must be in place for the rest of the school day following an incident of physical restraint. This will be guided by the School Nurse and the Guidance Counsellor.
- b. The Deputy Principal will check all documentation is completed and that records are kept.
- c. The Deputy Principal will analyse all records to identify trends. This will be reported to the BOT.

5. Reporting and recording the use of physical restraint:

- a. The staff member who uses physical restraint must fill out the *Information for the Ministry of Education and the Employee Form*. [Download the form](#) [DOCX, 53 KB]; [Incident-of-Physical-Restraint-form-for-the-Ministry-of-Education-and-th...docx](#)
- b. A copy of the form must be placed in the student's file and a copy provided to the parents and/or caregivers.
- c. Any record must be kept for a minimum of 7 years.

6. Training and Support for staff

- a. Staff must feel suitably supported and trained.

7. School Policies

- a. The school must have a policy on managing challenging behaviour and using physical restraint that is consistent with the Guidelines.
- b. The school must take appropriate steps to ensure that parents, students, school staff and the community know about the school's policies for managing challenging behaviour and using physical restraint.

Delegations

The implementation of this policy is delegated to the Principal and the Senior Leadership Team.

Approved by the

Board of Trustees: _____ **Date:** _____