
Ratified by B.O.T. **Date: 26 April 2023** **Review Date: 14 September 2023**

Signed by Chairman:

POLICY TITLE: **Physical Restraint Policy**

POLICY NUMBER: **41** **NAG'S REF: 5**

Outcome statement

This board is committed to a supportive and caring school environment where all students and staff are kept safe from harm and treated with dignity.

Except as authorised under this policy, no staff member may use any form of physical restraint on our students.

Our principal, teachers, and board-authorized staff members can only physically restrain a student as a last resort, where:

- the use of physical restraint is necessary to prevent imminent harm to the student or another person,
- there is a reasonable belief that there is no other option available in the circumstances to prevent the harm, and the physical restraint is reasonable and proportionate to the circumstances.

Delegations

The board delegates to the principal responsibility for:

- developing and implementing procedures and practices to prevent, plan for, and respond to student distress that meet the requirements of the Education (Physical Restraint) Rules 2023 and its amendments (“the 2023 Rules”), and
- recommending eligible non-teaching staff to the board for authorisation to use physical restraint according to requirements of the 2023 Rules.

Only the board can authorise non-teaching staff members to use physical restraint.

Expectations

All staff subject to this policy are trained to confidently apply prevention and de-escalation strategies, limiting the need to restrain a student physically according to the 2023 Rules and the relevant guidelines.

Board

The board requires:

- compliance with the 2023 Rules, and
- an evidence-based assurance from their principal that this policy is being followed.

Principal

The principal shall ensure:

- the implementation and compliance of this policy, including the completion of best practice training by all staff who are authorised to use physical restraint,

- operational compliance with the Education and Training Act 2020 and the 2023 Rules,
- all physical restraint incidents are immediately reported at the next board meeting,
- the board is informed of all relevant information (risks, trends, and impacts), and
- all non-teaching staff who may use physical restraint on a student have been authorised by the board.

Monitoring

The principal shall report to the board:

- on compliance, or the actions being taken to ensure compliance with this policy, the legislation, and the 2023 Rules on reducing student distress and use of physical restraint, and
- at every board meeting, all incidents, matters, or risks relating to this policy, ensuring that the non-identification and privacy of individual students is maintained.

The board shall monitor the use of physical restraint, looking for trends and any action that could be taken at the governance level to support reducing such incidents.

1. School policies.

- (1) By 7 May 2023, we at Lake Taupo Christian School will have a policy on reducing student distress and the use of physical restraint that has regard to the guidelines issued by the Secretary for Education under section 101 of the Act, including a process for managing complaints.
- (2) We at Lake Taupo Christian School will take reasonable steps to ensure that parents and caregivers, students, school staff and the school community know about the school's policies on reducing student distress and the use of physical restraint.

2. Authorisation of staff members who are not teachers.

- (1) An employer may authorise an employee, who is not a teacher, and who has been trained in accordance with Rule 12, to use physical restraint in accordance with section 99 of the Act.
- (2) Every authorisation under sub-clause
 - (a) Must be in writing.
 - (b) The employer must give the employee a copy of the authorisation.
 - (c) The employer may, by written notice to the employee, revoke an authorisation at any time

3. Information to be made available.

- (1) We at Lake Taupo Christian School will ensure that the following documents are available to the school community: (a) the guidelines issued by the Secretary for Education under section 101 of the Act; (b) the names and positions of any authorised staff members; and (c) the school's policy on reducing student distress and the use of physical restraint. <https://assets.education.govt.nz/public/MOE-Physical-Restraint-Rules-FINAL.pdf>

4. Keeping records.

- (1) We at Lake Taupo Christian School will keep written records of every instance of physical restraint of a student. (2) Any record must be kept for a minimum period of 10 years from the date of the last action.

5. Developing support plans for the prevention of physical restraint.

- (1) We at Lake Taupo Christian School will ensure a support plan for preventing student distress and de-escalating crisis situations is put in place for any student:
 - (a) who we identify as having a high likelihood of being involved in a crisis situation where physical restraint may be used on them; or
 - (b) who is subject to the use of physical restraint more than once in a term; or
 - (c) at the request of the student's parents or caregivers.
- (2) We at Lake Taupo Christian School will ensure the student's parents or caregivers are provide a written informed consent if a section on physical restraint is appended to the student's support plan.

<https://assets.education.govt.nz/public/Physical-Restraint/Support-plan.pdf>

<https://assets.education.govt.nz/public/Physical-Restraint/Consent-form.pdf>

<https://assets.education.govt.nz/public/Physical-Restraint/Checklist-following-an-incident-of-physical-restraint.pdf>

<https://assets.education.govt.nz/public/Physical-Restraint/Sample-debrief-form.pdf>

6. Notifying the use of physical restraint.

We at Lake Taupo Christian School will ensure that when a student has been physically restrained, the student's parents or caregivers are: (a) notified as soon as possible about the incident of physical restraint; and (b) provided with a reasonable opportunity to actively participate in a debrief about the incident, including how it was managed with regard to the guidelines, within three working days of the incident or later by mutual agreement.

7. Monitoring the use of physical restraint.

- (1) We at Lake Taupo Christian School will take reasonable steps to ensure that:
 - (a) any student who has been physically restrained; and
 - (b) any staff member who has used physical restraint, has their physical and psychological wellbeing monitored so that appropriate support can be provided if adverse impacts from the restraint occur.
- (2) ensure that the records kept under Rule 4 are analysed so that trends including increased use of physical restraint can be identified, and appropriate responses to minimise restraint, developed.

8. Reporting on the use of physical restraint.

- (1) We at Lake Taupo Christian School will report every incident of physical restraint to the Ministry of Education, including the information in Appendix 1, using the online form, our Student Management System, or by completing and emailing the form attached to these Rules as Appendix 1.
- (2) Every staff member who uses physical restraint must complete a staff physical restraint incident report. We at Lake Taupo Christian School will place a copy of the form in the student's file and provide a copy to the student's parents and/or caregivers.

How to complete a Physical restraint form. <https://assets.education.govt.nz/public/Physical-Restraint/Physical-Restraint-checklist-How-to-report-online.pdf>

9. Training and support for staff.

We at Lake Taupo Christian School will ensure:

- (a) from 7 February 2024, teachers and authorised staff members have completed the online module on the content of the Guidelines issued under section 101 of the Act;
- (b) from 7 February 2025, teachers and authorised staff members are supported and trained in identifying stress triggers, understanding unmet needs and preventing, minimising and responding to student distress;
- (c) teachers that the employer identifies as having a high likelihood of needing to use physical restraint are trained in appropriate physical holds by accredited physical restraint practitioners;
- (d) every authorised staff member (who is not a teacher) has been trained in appropriate physical holds by accredited physical restraint practitioners prior to their authorisation

Definitions	<p>As defined in the Education and Training Act 2020:</p> <p>Physical restraint is using physical force to prevent, restrict or subdue the movement of a student's body or part of the student's body against the student's will.</p> <p>Harm means harm to the health, safety, or well-being of the student or another person, including any significant emotional distress suffered by the student or the other person.</p> <p>Authorised staff member means an employee of a registered school who is trained and authorised by the employer to use physical restraint in accordance with Section 99 of the Act.</p>
Legislation	<p>Education and Training Act 2020 (Sections 99-101)</p> <p>Education (Physical Restraint) Rules 2023</p> <p>Health and Safety at Work Act 2015</p>
This policy is to be read in conjunction with the boards:	<ul style="list-style-type: none"> • Health and safety policy • Child protection policy • Privacy policy • Emergency procedures • Reporting and monitoring policy and procedures • Concerns and complaints process
Procedures/supporting documentation	<p>The Ministry of Education's Physical Restraint Guidelines Appendix 1 of the Rules</p> <p>Suggested procedures/practices that cover:</p> <ul style="list-style-type: none"> • the authorisation process • reducing and de-escalating student distress • training and support for staff • notifying and reporting on instances of physical restraint • monitoring the use of physical restraint