

Section E (NAG 5) SAFE, PHYSICAL AND EMOTIONAL ENVIRONMENT

Policy: **Physical Restraint**

Date of Review: **April 2023**

Reviewers: **Olivia Fugmann (Associate Principal)**

GOAL

The purpose of this policy is to safeguard the wellbeing of students, staff, and others whenever behaviour management issues arise. The College is committed to a supportive and caring school environment where all students and staff are kept safe from harm and treated with dignity.

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.

OBJECTIVES

To provide guidelines and procedures for the following:

- Identify who and when physical restraint may be used
- The authorisation process
- Mandatory training and support for staff
- Notifying and reporting on instances of physical restraint
- Monitoring the use of physical restraint

GUIDELINES

The College has procedures in place for managing student behaviour. The key point is to safeguard the wellbeing of students, staff, and others whenever behaviour management issues arise.

Guidelines on the use of physical restraint

The Ministry of Education has issued Aramai He Tētēkura | Arise our Future Generations: A guide to understanding distress and minimising the use of physical restraint. These [guidelines](#) outline relevant legislation about physical restraint and physical contact in schools, and provide practical approaches to embed positive environments and experiences in all school settings.

Students with high-risk behaviour should have an individual behaviour plan in place. Key staff members and parents/caregivers are involved in the development of the plan. All staff working with the particular student are fully briefed on the agreed protocols in the plan, and all staff are made aware that there is an individual behaviour plan in place for the student.

Staff use de-escalation techniques (see the guidelines above) if a student's behaviour is becoming out of control and/or poses a danger to themselves or others. Physical restraint is a last resort and is only used when directly necessary to protect the health, safety, or wellbeing of the student or another person. This is a serious intervention that may cause physical or emotional harm to the student and the person using physical restraint. It may be necessary to move people out of the area to de-escalate the situation and keep them safe. In some cases, it may be necessary to involve the police.

What is physical restraint?

Physical restraint, in the context of this policy, means to use physical force to prevent, restrict, or subdue the movement of a student (or any part of their body) against their will.

Waitakere College does not allow seclusion or unsafe physical restraint in response to student distress.

If physical restraint is warranted three principles will be considered:

1. The level of restraint should be proportional and reasonable; this means only applying as much force as necessary, for the minimum time necessary and should end as soon as the safety of everyone involved is assured.
2. Physical restraint will be used if necessary to prevent imminent harm, including significant emotional distress to other people.
3. The person reasonably believes there is no other option available in the circumstances for preventing the harm.

The student's physical and psychological state should be monitored during the restraint. The student, and the person who applied the physical restraint, should be monitored for signs of distress or shock in the aftermath of the incident.

Seclusion

Seclusion is prohibited under the Education and Training Act 2020 (s. 98) and is defined in Aramai He Tetekura as putting a student alone in a room or space against their will, which they cannot (or think they cannot) leave.

Staff authorisation

All teaching staff are authorised to apply restraint. Non-teaching staff can apply restraint if they have been authorised, in writing, by the board. Physical restraint applied by an unauthorised staff member is not covered by the Education and Training Act. In this case, other legislation or common law may apply.

1. The board may authorise a staff member who is not a teacher to use physical restraint after they have completed physical restraint training.
2. The board makes any authorisation as specified above in writing.
3. The staff member receives a copy of the authorisation.
4. The board may revoke an authorisation at any time in writing.

Mandatory training

The College teachers and authorised staff will complete all mandatory training modules on the updated physical restraint rules and guidelines. These staff will complete the first online training module covering legislation, rules, and guidelines by February 2024. In line with Aramai He Tetekura, teachers and authorised staff complete mandatory. Further approved training modules in identifying stress triggers, understanding unmet needs, and preventing, minimising, and responding to student distress, may also be taken and required.

Reporting

After a situation involving physical restraint, the school will notify the following parties:
Staff inform the Principal (or their delegate) as soon as possible in order to support students, other staff, and anyone affected by the situation.

The school notifies parents/caregivers as soon as possible after physical restraint has been used (at minimum before the student is returned to their care). Parents/Caregivers are 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).

The school notifies the Ministry of Education through the online incident reporting form or our student management system. We keep a secure copy of the notification, in line with the Privacy Act 2020 and the Official Information Act 1982.

The Principal reports the use of physical restraint and analysis of physical restraint trends to the board. Any complaints from parents are dealt with through the school's complaints process, and the Ministry of Education is contacted for advice if necessary.

Monitoring the use of physical restraint

The Ministry of Education requires all incidents of restraint to be reported using an online form (accessed from the Community Portal).

The Principal, or delegate, monitors the use of physical restraint and collates information about any incidents. The Principal shares this information with the board through the Principal's report at board meetings (in a public-excluded session).

The Principal assures the board that all procedures relating to physical restraint have been followed, and that all requirements to notify, monitor, and report have been met. The Principal confirms that any non-teaching staff have been authorised in writing, and that staff authorised to apply restraint have received appropriate training and support.

Staff training and support

The board is responsible for ensuring):

From 7 February 2024, teachers and authorised staff members have completed the online learning module about the physical restraint guidelines (Aramai He Tetekura).

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.

Teachers with a high likelihood of needing to use physical restraint are trained in appropriate physical holds by accredited physical restraint practitioners.

Every authorised staff member (who is not a teacher) has been trained in appropriate physical holds by accredited physical restraint practitioners before their authorisation.

Legislation

Education and Training Act 2020 Children's Act 2014

Health and Safety at Work Act 2015

Crimes Act 1961

Resources

[Ministry of Education](#) | Te Tāhuhu o te Mātauranga: Minimising the use of physical restraint in New Zealand schools and kura

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Chairperson

Principal

Date