

**USE OF PHYSICAL RESTRAINT
PROCEDURE****RATIONALE**

The Guidelines for Registered Schools in New Zealand on the use of Physical Restraint (the guidelines) are issued by the Secretary for Education under section 139AE of the Education Act 1989 (The Act). They supplement the legislation relating to limits on the use of physical restraint and the prohibition of seclusion. They explain the legislation (sections 139 AB to 139AE of the Education Act 1989) and the associated Education (Physical Restraint) Rules 2017 (the rules).

GUIDING PRINCIPLES

- **Principle 1:** Physical restraint is a serious intervention. These guidelines aim to minimise the use of physical restraint.
- **Principle 2:** If there is an alternative to physically restraining a student, use the alternative.
- **Principle 3:** All schools are required to provide a safe physical and emotional environment for students and staff. Parents, students and the public have a legitimate expectation that the school environment will be a safe environment that supports learning.
- **Principle 4:** The Education Act 1989 provides for the circumstances when teachers and authorised staff members may physically restrain a student. In exercising these powers, teachers and authorised staff members must act reasonably and proportionately in the circumstances to achieve a safe environment for students and staff.
- **Principle 5:** Students' rights are protected under the Bill of Rights Act 1990.

GOOD PRACTICE GUIDANCE:

Student and staff wellbeing come first Physical restraint affects the wellbeing of both the student and the staff member who applies it. It is associated with injury and increased emotional trauma to them both. These guidelines focus on staff and student safety and wellbeing. They provide staff with generic techniques for preventing and de-escalating potentially dangerous situations. For more information schools can request the Understanding Behaviour – Responding Safely training.

PROCEDURE

The Principal, teachers and authorised staff members will refer to the Ministry of Education, Guidelines for Registered Schools in New Zealand on the Use of Physical Restraint.

1. The Principal or nominee will promote the goal of minimising the use of physical restraint by:
 - Ensuring appropriate training is provided
 - Monitoring the use of physical restriction in the school
 - Collating information about physical restraint and report its use to the School Board
 - Managing any complaints regarding physical restraint in line with the Complaints Policy
2. Following an incident where a teacher or authorised staff member has physically restrained a student the incident will be reported to the Principal by:
 - Completing the staff physical restraint incident report form
 - Completing the staff reflection form
3. Following receipt of formal notification the Principal or nominee will:

- Invite the staff involved in physical restraint incident to a debrief
- Invite parents or caregivers, student to a restorative meeting if appropriate
- Complete the debriefing form for staff involved in physical restraint incident
- Complete the physical restraint debriefing form – parents or caregivers, student
- Complete the information for the Ministry of Education and the employer form

This procedure was issued by the Principal August 2020.

This procedure will be reviewed on / before August 2023.

PRINCIPAL

27 August 2020
DATE