



## **Physical Restraint Policy**

### **Objective 1**

#### **RATIONALE**

To act in accordance with the Education and Training Act 2020 and the 2023 Education

(Physical Restraint) Rules for Registered Schools in New Zealand.

The 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-authorised 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.

Definitions	<p>As defined in the Education and Training Act 2020:</p> <p><b>Physical restraint</b> 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><b>Harm</b> 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><b>Authorised staff member</b> 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><a href="#">Education and Training Act 2020</a> (Sections 99-101)</p> <p><a href="#">Education (Physical Restraint) Rules 2023</a></p> <p><a href="#">Health and Safety at Work Act 2015</a></p>
Review Schedule	Annually
Last reviewed – new policy 2023	

1. Any staff member who uses physical restraint must complete a staff physical restraint incident report. The Principal will place a copy of the form in the student's file and provide a copy to the student's teacher/s, parents and / or caregivers.

### **Keeping Records**

1. The school will keep written records of every instance of physical restraint of a student that is carried out under section 139AC of the Act.
2. Each record must be kept / archived for a minimum period of 7 years.

### **Training and support for Staff**

1. The Principal will ensure teachers and authorised staff members are both supported and trained.
  - ESL login for registered teacher – online training
  - MoE

Ratified by the Board: 9 August 2023

Signed on behalf of the Board:



Dr Lehan Stemmet Presiding Member

Date: 10 August 2023

Date for Review: August 2024