



## **Reducing Student Distress and Use of Physical Restraint Policy**

### **Outcome statement**

One of the objectives of the board is to ensure that the school is a physically and emotionally safe place for all students and staff.

This Policy is made in accordance with sections 99 to 101 Education Act 2020 (the “Act”) and the Education (Physical Restraint Rules) 2023 (the “2023 Rules”). For the purposes of this policy, “teacher” means a person holding a “teaching position” as defined in section 10 of the Act.

### **Policy**

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 must not physically restrain a student unless:

- the use of physical restraint is necessary to prevent imminent harm to the student or another person,
- the teacher or authorised staff member reasonably believes 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 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 teachers and subject to this policy must be trained to 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 by the Principal and all staff 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 all training required under rule 12 of the 2023 Rules 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) at appropriate intervals, 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.

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| 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>  |
| This policy is to be read in conjunction with the boards: | <ul style="list-style-type: none"> <li>• Health and safety policy</li> <li>• Child protection policy</li> <li>• Privacy policy</li> <li>• Emergency procedures</li> <li>• Reporting and monitoring policy and procedures</li> <li>• Concerns and complaints process</li> </ul>   |
| Procedures/supporting documentation                       | <p><a href="#">The Ministry of Education’s Physical Restraint Guidelines</a></p> <p>Appendix 1 of the <a href="#">Rules</a></p> <p>Suggested procedures/practices that cover:</p> <ul style="list-style-type: none"> <li>• the authorisation process</li> <li>• reducing and de-escalating student distress</li> <li>• training and support for staff</li> <li>• notifying and reporting on instances of physical restraint</li> <li>• monitoring the use of physical restraint</li> </ul>   |
| Review schedule:  | June 2029  |