

Port Ahuriri School

Physical Restraint Policy

Rationale

The Education Act 1989, (Section 139AD) defines physical restraint as using physical force to prevent, restrict or subdue the movement of a student's body or part of the student's body.

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.

Purpose

To comply with Section 139AD of the Education Act, 1989 and provide an environment where all staff, students and parents are aware of:

- the use of physical restraint in schools
- the employees authorised to use physical restraint
- the circumstances in which physical restraint may occur
- the follow-up mechanisms should such an event occur.

Identification of When Physical Restraint May Need To Be Used

Physical restraint is a serious intervention. The emotional and physical impact on the student being restrained and the person doing the restraining can be significant. There are legal and reputational risks if a student is harmed. The first aim should be to avoid needing to use physical restraint. Use preventative and de-escalation techniques to reduce the risk of injury. Use physical restraint only when:

- The teacher or authorised staff member reasonably believes that the safety of the student or of any other person is at serious and imminent risk.
- The physical restraint response must be reasonable and proportionate in the circumstances:
- Use the minimum force necessary to respond to the serious and imminent risk to safety.
- Use physical restraint only for as long as is needed to ensure the safety of everyone involved.

Teachers and authorised staff members will need to use their professional judgement to decide what constitutes "a serious and imminent risk to safety". These situations are examples.

- a student is moving in with a weapon, or something that could be used as a weapon, and is clearly intent on using violence towards another person
- a student is physically attacking another person, or is about to
- a student is throwing furniture, computers, or breaking glass close to others who would be injured if hit
- a student is putting themselves in danger, for example running onto a road or trying to harm themselves

Avoid using physical restraint to manage behaviour in these situations:

- to respond to behaviour that is disrupting the classroom but not putting anyone in danger of being hurt for refusal to comply with an adult's request
- to respond to verbal threats
- to stop a student who is trying to leave the classroom or school without permission as coercion, discipline or punishment
- to stop a student who is damaging or removing property, unless there is a risk to safety.

Who Can Use Physical Restraint

- Physical restraint should only be applied by teachers and authorised staff.
- A non-teacher authorised by the Board to use physical restraint must be informed in writing by the Board.
Note: There may be situations when an unauthorised staff member intervenes and physically restrains a student, for example when there are no teachers or authorised staff nearby. The Education Act 1989 will not cover the intervention of an unauthorised staff member who physically restrains a student.
- If teachers and authorised staff members do not have the skills or confidence to safely restrain a student, call for help.

- After all alternatives have been explored staff should call the police when a student cannot be managed safely and the imminent danger to students, staff or themselves remains.

All staff should be aware that physical restraint is a serious intervention to be used when no other, less severe, options are available.

Reporting

- Staff must complete an incident report.
Use the form attached as **appendix 1** to these guidelines, or other suitable template.
The staff members involved in the physical restraint should sign the incident report, as well as the Principal or Principal's delegate.
Put the completed forms on the student's file, and make them available to the student's teacher and parents or caregivers.
This must be completed as soon as possible and always within 24 hours
- All incidents of physical restraint must be reported to the Ministry of Education and the employer.
Use the form attached as **appendix 2** to these guidelines.
Complete the form and email it to physical.restraint@education.govt.nz. Provide a copy of the form to the employer.
Note: If the Principal applied the restraint, a delegated senior management team member should sign off the report.
- Debriefing forms should be completed by the Principal or delegate.
- Information on physical restraint incidents will be shared with the Board of Trustees via the Principal's report, in a session that excludes the public.

Follow Up

After an incident involving physical restraint:

- The staff member and the student are to be checked regularly to ensure they are not in shock.
- Parents or caregivers are to be informed the same day the incident occurred.

Debriefing the Incident

Debriefing staff

- A debriefing session will be held with staff involved, the Principal or Principal's delegate, and another member of staff not involved in the physical restraint incident, within two days of the incident.
- In the debriefing, focus on the incident, the lead-up to it, the different interventions used that were unsuccessful in de-escalating the behaviour, and what could have been done differently.
- If Ministry or RTLB practitioners are part of the student's team, involve them in the debriefing process.
- If the police were involved in the incident, invite them to participate in the debriefing session.
- The Principal is responsible for facilitating the debriefing unless they are the person who applied the physical restraint. If this is the case, a suitable senior leader in the school should take this role.

Debriefing parents or caregivers

- Parents or caregivers are to be offered a separate debriefing as soon as practically possible, preferably within two days of the incident.
- The Principal is responsible for facilitating the debriefing unless they are the person who applied the physical restraint. If this is the case, a suitable senior leader in the school should take this role.

Managing complaints from parents

- It is understandable that some parents may feel upset if their child has been physically restrained. The school will follow the policy on responding to parent complaints.
- If the complaint cannot be easily resolved the school will contact the local Ministry of Education, Education Advisor.

Reflection

- Reflect formally on why the incident occurred that resulted in the student being restrained. Consider what might have prevented it, and what might need to change to minimise the likelihood of it happening again.
- Consider whether all preventative and de-escalation strategies were used according to the Individual Behaviour Plan, if there is one, and whether the restraint used was safe.
- Review the Individual Behaviour Plan and make decisions as a team about what needs to be strengthened to minimise the likelihood of a similar incident.

Supporting Documents:

- Policy: Concerns and Complaints
- Guidelines for Registered Schools in New Zealand on the Use of Physical Restraint (August 2017)

Adopted: 6 November 2017

Appendix 1: Staff physical restraint incident report form

Report completed by:	Date of incident	Date of report
Name of student		
Date of birth	Gender	M F
Ethnicity		
Time restraint started		
Time restraint ended		
Name/s of staff member/s administering restraint		
Trained in safe physical restraint?	Yes	No
Other staff /adults who witnessed		

Place where restraint occurred	
Classroom	
Corridor	
Assembly hall	
Outdoor area	
Toilet block	
Administration area	
Other (identify)	

Behaviour directed at	
Staff member - name	
Student - name	
Self	
Property - describe the serious and imminent risk to the safety of self or others	

Reason restraint was considered necessary	
Serious and imminent risk to safety - describe	
Actual injury - describe and attach injury form	

Signatures

Principal or Principal's delegate	Staff member involved	Other staff (witnesses)
-----------------------------------	-----------------------	-------------------------

Place a copy of this form on the student's file.

Note: The information in this form may be the subject of requests made under the Privacy Act 1993 and the Official Information Act 1982.

Information for the Ministry of Education and the employer form

Information for Ministry of Education and the Employer: completed by		Date of incident	dd/MM/yy	Date of report	dd/MM/yy
Name of School					
Student's National Student Number (no name)					
Date of birth	dd/MM/yy	Year level	yy	Gender	M F
Ethnicity					
First time the student has been physically restrained?	Yes	No			
The student was physically restrained more than once during the day?	Yes	No	If yes, how many times?		
The student has an Individual Behaviour Plan?	Yes	No			
Physical restraint was a part of the plan?	Yes	No			
Were parents notified?	Yes	No			
Was anyone injured?	Yes	No	If yes describe		
Was the staff member who applied the restraint a teacher or authorised staff member?	Yes	No	If no, provide details		
Role of staff member who applied the restraint?	Teacher	Other	If other, describe role		
Did the staff member who applied the restraint receive any training prior to the incident?	Yes	No	If yes, what training?		
Why was the use of physical restraint considered necessary?					
Serious and imminent risk to the safety of the student or any other person - describe					
Any other comments					

Complete the form above and email it to the Ministry of Education at physical.restraint@education.govt.nz
Provide a copy to the employer (board of trustees, sponsor of a partnership school kura hourua, or manager of a private school)

Note: The information in this form may be the subject of requests made under the Privacy Act 1993 and the Official Information Act 1982.

Appendix 3: Staff reflection form

Events leading to the incident

Describe what was happening before the behaviour started to escalate. What was the student doing? What do you think might have triggered the behaviour? How were other students reacting to the student?

Behaviour of the student

What did you notice about the student's behaviour that alerted you that they were struggling to cope? Think about the way they looked, for example facial expressions, physical signs, language.

What did you try before the restraint?

Describe the alternative techniques and interventions tried to prevent the emergency, including a description of the de-escalation strategies you used. What was the response from the student?

The restraint method used

Describe the nature of the physical restraint. Include the type of hold and number of people required.

Monitoring

Describe how the student's physical and emotional distress was monitored while they were restrained.

After the restraint ended

Describe the mood of the student following the restraint. What help and support were they offered?

If there's a next time

What could be done differently in the future to prevent the need for restraint?

How about you?

How are you feeling and what support do you need? How about others?

Signature of person who applied the restraint

Signature of any staff witnesses

Note: The information in this form may be the subject of requests made under the Privacy Act 1993 and the Official Information Act 1982.

Appendix 4: Debriefing form for staff involved in physical restraint incident

Date of incident	dd/MM/yy	
Date of debriefing	dd/MM/yy	Time of debriefing
Names of the people at the debriefing		

Findings of debriefing

Next steps/actions

Principal or Principal's delegate signature

Note: The information in this form may be the subject of requests made under the Privacy Act 1993 and the Official Information Act 1982.

Appendix 5: Physical restraint debriefing form – parents or caregivers, student

Date of incident	dd/MM/yy	
Date of debriefing	dd/MM/yy	Time of debriefing
Names of the people at the debriefing		

Findings of debriefing

Parent or caregiver - comments and suggestions

Student - comments and suggestions

Next steps/actions agreed

Signatures		
Principal or Principal's delegate	Parents or caregivers	Student

Note: The information in this form may be the subject of requests made under the Privacy Act 1993 and the Official Information Act 1982.