## LOGO - 2LINE-RASTER-SHADED-WELLINGTON

PHYSICAL RESTRAINT

PROCEDURE

**INTRODUCTION**

The school is required to provide a safe physical and emotional environment for pupils. Safety at school is a basic expectation for pupils and staff, as well as being a prerequisite for pupil success and academic achievement.

A teacher or authorised staff member must not physically restrain a student unless the teacher or staff member reasonably believes that the safety of the student or of any other person is at serious and imminent risk; and the physical restraint is reasonable and proportionate in the circumstances. Situations where it may be appropriate include breaking up a fight, stopping a student from moving in with a weapon, stopping a student who is throwing furniture close to others who could be injured, and preventing a student from running onto a road.

*Definitions:*

***authorised staff member*** *means an employee of a registered school who is authorised by the employer to use physical restraint in accordance with this section*

***employer*** *means a board and the managers of a school*

***physically restrain,*** *in relation to a student, means to use physical force to prevent, restrict, or subdue the movement of the student’s body or part of the student’s body*

***teacher*** *means a person who holds a teaching position*

**1.1 Information to be made available**

Any guidelines issued under section 139AE of the Act and names/positions of authorised staff must be available for inspection at the school.

**1.2 Authorisation of staff members who are not teachers**

An employer may authorise an employee who is not a teacher to use physical restraint. Such an authorisation must be in writing, and the employee must be given a copy. This authorisation can be revoked at any point by written notice.

**1.3 Notifying the use of physical restraint**

if physical restraint is an element of any pupil’s Individual Behaviour Plan, then the employer must take appropriate steps to notify the parents/caregivers. Such a notification must include an explanation of how the physical restraint will be applied within the guidelines. Parents/caregivers must be notified as soon as possible on the same day about any incident of physical restraint, including how it was managed within the guidelines.

**1.4 monitoring the use of physical restraint**

For both the pupil physically restrained and the staff member who has used physical restraint, physical and psychological monitoring must be in place for the rest of the school day on which the event has occurred. Records kept of the event [see 1.5 below] must be analysed to identify trends. The employer must check all documentation to ensure it is complete.

**1.5 Reporting and recording the use of physical restraint**

Any staff member who uses physical restraint must fill out the *Incident of Physical Restraint Form* [Appendix 1] which must be placed in the pupil’s file and a copy provided to the parents/caregivers. Employers must report every incident of physical restraint to the Ministry of Education by emailing the above form to [physical.restraint@education.govt.nz](mailto:physical.restraint@education.govt.nz). Any record must be kept for a minimum of seven years.

General notes: employers must ensure teachers and staff are trained as above.

Any policies and guidelines pertaining to physical restraint must be communicated to parents, students, staff and the school community.

**Review Responsibility:  *Principal, DP, SENCO***

**Date Confirmed: 31 October 2017**

**Principal: ......................................................**

Incident of Physical Restraint Form

|  |  |  |  |
| --- | --- | --- | --- |
| **Information for the Ministry of Education and the Employer** | | | |
| Completed by |  | | |
| Date of Incident |  | Date of Report |  |
| School name & number |  | | |
| Student’s National Student Number (no name) |  | Date of Birth |  |
| Gender |  | Year Level |  |
| Ethnicity |  | | |
| First time the student has been physically restrained? | Yes / No (delete one) | The student was physically restrained more than once during the day? | Yes / No (delete one)  If yes, how many times? |
| The student has an Individual Behaviour Plan? | Yes / No (delete one) | Physical restraint was a part of the plan? | Yes / No (delete one) |
| Were parents notified? | Yes / No (delete one) | | |
| Was anyone injured? | Yes / No (delete one)  If yes, describe | | |
| Was the staff member who applied the restraint a teacher or authorised staff member? | Yes / No (delete one)  If no, provide details | | |
| Role of staff member who applied the restraint | Teacher / Other (delete one)  If Other, describe role: | | |
| Did the staff member who applied the restraint receive any training prior to the incident? | Yes / No (delete one)  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 |  | | |

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| --- |
| **Required Action** |
| Complete the form above and email it to the Ministry of Education at mailto: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. |