



# Board Policy | Physical Restraint |

## Introduction

1. The school seeks to provide a safe physical and emotional environment for students and staff.
2. Safety at school is a basic expectation for students and staff, as well as being a prerequisite for student success and academic achievement.
3. Policy to comply with relevant health and safety legislations, regulations, New Zealand standards, and in line with *our Code Our Standards (Code of professional responsibility and standards for the teaching profession)*.
4. Any State Integrated School Guidelines are to be followed.
5. According to Scripture people are made in the image and likeness of God (Gen 1:27) and we therefore enact this policy in a way that respects and values each individual as an image bearer of the creator.
6. As a State Integrated School, the Board requires that all aspects of this policy be guided by the Special Character Policy and compliant with relevant legislation.

## What is physical restraint, who can use it, and when?

Physical restraint is using force to prevent, restrict, or subdue the movement of the whole or part of a student's body against the student's will.

It is a severe intervention and should only be used as a last resort. Its use is limited to teachers and authorised staff members - both groups having been trained - and only when:

- physical restraint is necessary to prevent imminent harm to the student or another person,
- The authorised staff member reasonably believes there is no other option, and
- The physical restraint is reasonable and proportionate.

Upholding high standards for ethical behaviour is expected of all staff members. In the Middleton Grange School context routine and gentle restraint in the normal course of school life and towards an agreed end by parent and teacher is not considered 'severe intervention'. Some examples of 'routine and gentle' restraint include but are not limited to:

- New entrant/ junior primary transition of child from parent to teacher (with the approval of the parent/caregiver).
- Transition to another learning space (in situations where there is no physical harm to other students).
- Implementing an agreed response as part of a documented IEP (Individual Education Plan) or IBP (Individual Behaviour Plan).

### **Information to be made available**

Information regarding the use of physical restraint will be available to the school community, including the Ministry of Education guidelines, names of authorised staff members and this policy.

Records of incidents involving use of physical restraint will be kept for a minimum of 10 years.

Any guidelines issued under section 101 of the Education and Training Act 2020 and names/positions of authorised staff will be available for inspection at the school.

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

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

### **Notifying the use of physical restraint**

Any use of physical restraint must be reported to the Ministry of Education, the parents/caregivers of the student, and the Board.

### **Monitoring the use of physical restraint**

Monitoring the well-being of staff and students involved in any incident requiring the use of physical restraint must be in place.

Records will kept of the event [see Appendices] and must be analysed to identify trends. The School, via the Associate Principal, must check all documentation to ensure it is complete.

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

Any staff member who uses physical restraint and activates the reporting threshold must complete relevant forms [see Appendices] before the end of the day of the incident. Forms will be placed in the student's file and a copy provided to the parents/caregivers.

The school will report every incident of physical restraint that activates the reporting threshold to the Ministry of Education by emailing the relevant forms to [physical.restraint@education.govt.nz](mailto:physical.restraint@education.govt.nz).

Any record must be kept for a minimum of 10 years.

### **Training**

The school will ensure all teachers and other authorised staff are supported and trained.

### **Legislation**

[Education and Training Act 2020](#) (Sections 99-101)

[Education \(Physical Restraint\) Rules 2023](#)

[Health and Safety at Work Act 2015](#)

## Appendices

See <https://assets.education.govt.nz/public/Physical-Restraint-Guidelines.pdf>

### Definitions

- **Employer** means a board and the managers of a school.
- **Teacher** means a person who holds a teaching position.
- **Physical restraint** 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.
- **Harm** 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.
- **Authorised staff member** 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.

<b>MIDDLETON GRANGE SCHOOL BOARD</b>	
Board copy of the Policy to be signed by the Board Presiding Member	
<b>Name</b>	
<b>Position</b>	
<b>Signed</b> on behalf and with the authority of the Board	
<b>Date</b>	
<b>Next Review</b>	Annual Review / August 2024