

Physical Restraint

What will we cover?



- Background
- The Act
- The Rules
- The Guidelines
- Training and support opportunities

What has changed?



Physical restraint is now regulated via a combination of the Act, rules and statutory guidelines. It is a legal requirement for schools to:

- comply with the Act and rules
- have regard to the guidelines.

What is physical restraint?



- The Act 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.

Who can use physical restraint in schools?



- Teachers or authorised staff members

When can physical restraint be used in schools?



A teacher or authorised staff member must not physically restrain a student unless—

- **(a)** 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
- **(b)** the physical restraint is reasonable and proportionate in the circumstances. [Section 139AC]

Do not use restraint ...



- for behaviour that is disrupting the classroom but not putting anyone at risk of injury
- for refusal to comply with an adult's request
- in response to verbal threats
- to stop a student who is trying to leave the classroom or school without permission
- as coercion, discipline or punishment
- for damaging property, unless this could cause injury

The Rules

Every employer must...

The rules [PDF, 847 KB]

Physical restraint is a serious intervention and when it is used schools now need to notify the Ministry of Education and the employer (board of trustees, sponsor of a partnership school kura hourua, or manager of a private school).

- Authorisation
- Notification
- Monitoring
- Reporting
- Keeping Records
- Training
- Policies

The guidelines

- Updated [Guidelines for Registered Schools in New Zealand on the Use of Physical Restraint \[PDF, 279 KB\]](#) are now available. These include strategies for preventative and de-escalation techniques.
- Schools must have regard to the guidelines

Guiding Principles



- Physical restraint is a serious intervention. The guidelines aim to minimise the use of physical restraint.
- If there is an alternative to physically restraining a student, use the alternative.
- All schools are required to provide a safe physical and emotional environment for students and staff.
- Teachers and authorised staff members must act reasonably and proportionately in the circumstances to achieve a safe environment for students and staff.
- Students' rights are protected under the Bill of Rights Act 1990.

Training for the whole school (UBRS)



- A training package, *Understanding Behaviour – Responding Safely*, has been developed for New Zealand schools
- The training package includes a full-day workshop for all staff and ongoing support after the workshop
- The focus is on preventative and de-escalation techniques

Decision making flow chart for use by schools when self assessing their behaviour management processes and practice in regard to the implementation of 'Guidance for New Zealand Schools on Behaviour Management to Minimise Physical Restraint'

Understanding Behaviour – Responding Safely

Whole school staff training to support behaviour management practice through prevention and de-escalation

What are our priorities?

1. Assurance

We want to ensure our school policies and procedures are aligned with the 'Guidance for New Zealand schools on behaviour management to minimise physical restraint'.

- Do we have a good understanding of the definition of restraint and why this practice needs to be minimised?
- Do we have any school policies and procedures on restraint and do they align with the new guidance?
- Do the ways in which we have managed recent incidents align with the new guidance?
- How do we currently report to the BoT about incidents?

2. Staff and student safety/wellbeing

We want to ensure that students and staff are learning and working in a safe environment

- How do we make student and teacher wellbeing and safety a priority in our school?
- How do we find out whether students and staff feel safe in this school?
- Are there systems and practices that we could implement to help make all students feel safer?
- When incidents have occurred in the past, how were these managed in ways that maintain the wellbeing, safety and dignity of those involved?

3. Improving teacher practice

We want to ensure our staff have the knowledge and skills they need to manage escalating and dangerous behaviour.

- How is improving teacher practice of managing escalating behaviour included in our strategic planning?
- How do we encourage pro-social behaviour at a whole school level?
- How are staff encouraged to increase their skills around effective classroom management?
- Do teachers at our school know and demonstrate appropriate and safe practice when managing escalating behaviour?
- Have teaching staff indicated that they would like more support or training in this area?
- Have we got a reliable data system in place to gather and analyse information about student's behaviour?

Reflection questions & next steps

(Before attending training consider the following actions)

- BoT and school leadership:
- Read the Guidance & discuss.
 - Review policies and procedures relating to this topic.
 - Review records of previous incidents, if any

- Staff & leadership consider:
- Systems for gathering data about wellbeing and student safety
 - Processes & procedures for capturing student voice
 - Results & data from surveys, SMS and/or incident reports

- Staff & leadership review and discuss:
- Whole school learning behaviour expectations
 - Staff experiences of dealing with escalating behaviour
 - Classroom practices currently used to prevent and manage escalating behaviour

How will this training help our processes & practice?

- Establish and maintain professional leadership on this topic
- Increase confidence that should a serious and/or dangerous behaviour incident occur it will be managed safely.
- Establish a team approach with oversight of this area of practice.
- Align your school's policy and procedures with the latest guidance to promote consistently safe practice.
- Use behaviour data to inform the systems and practices in place in your school

- Understand student and staff wellbeing issues in the school
- Provide assurances to your school community that the school has systems and procedures in place to support student safety and wellbeing.

- Understand why students engage in anti-social and dangerous behaviour and what conditions make this more likely.
- Understand their own thinking and emotions in the face of dangerous and escalating behaviour and how that influences their management of situations.
- Understand and practise the techniques that decrease the likelihood of dangerous behaviour occurring
- Understand and practise techniques for managing dangerous and escalating situations safely when they do occur.
- Feel more confident and competent when managing escalating behaviour

Training for the student's team

(Physical Intervention Training)



- When a Ministry Learning Support Practitioner is part of the team supporting the student the Ministry can provide training for the team on how to safely physically intervene in situations when preventative and de-escalation strategies have not been effective, and physical intervention is part of an Individual Behaviour Plan.

What about the data?



Initial observations since the rules came into effect are:

- Prevalence – about 10 incident reports a day are sent through for Ministry to follow up
- Overwhelmingly physical restraint is being reported in primary schools
- Some very young students are being physically restrained

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