

## Sacred Heart Girls' College

### PHYSICAL RESTRAINT POLICY

#### POLICY 25

##### PURPOSE

The purpose of this Policy is to minimise the effect of challenging behaviour, and to ensure the safety of students and staff. The Physical Restraint Policy adds to existing behaviour management policies and procedures. The policy adheres to the belief that all students at Sacred Heart Girls' College (SHGC) are acknowledged as being made in the image and likeness of God, therefore, they have innate dignity. This policy deals specifically with the use of physical restraint.

##### SCOPE

- SHGC endeavours to provide a safe physical and emotional environment for all students and staff.
- This policy applies to all SHGC staff.
- The use of physical restraint can only be used by teachers and authorised staff members.

##### DEFINITIONS

“**Authorised staff**” refers to an employee of a SHGC who is authorised by the employer to use physical restraint in accordance with this section. 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. For the purposes of this policy, authorised staff also refers to any person with Limited Authority to Teach, and relief teachers employed by the SHGC.

“**Employer**” means the SHGC Board of Trustees, or private School Manager.

“**Harm**” includes, but is not limited to, significant physical and/or emotional harm and applies not only to the student in question but to other persons as well.

“**Imminent Harm**” is an immediate threat that a person will cause and/or suffer harm which jeopardises the health and safety or wellbeing of themselves or others if protective action is not taken immediately.

“**Physical Restraint**” is a serious intervention of force used to prevent, restrict or subdue the movement of a student's body or part of the student's body, against the student's will.

“**Seclusion**” is the placing a student in a room involuntarily, alone and from which they cannot (or believe they cannot) freely exit.

“**Significant Emotional Distress**” is harm that is caused by the intentional acts of one person that significantly affects the emotional wellbeing of another person, to such an extent that they need intensive support to cope and recover.

“**Staff**” refers to any person working at, for, with, or on behalf of, SHGC and includes, but is not limited to, teaching and non-teaching staff employed directly by SHGC, irrespective of whether they are paid or voluntary, or whether they are working on a full time, part time, casual, or temporary basis, as well as any persons contracted or invited to provide services to children in the care of SHGC, and the Board of Trustees. “Staff” extends to includes parent helpers, and volunteers.

“**Student**” refers to any person who is enrolled, or has at the relevant time been enrolled, at SHGC.

“**Teacher**” means a person who holds a registered teaching position

## **GUIDELINES**

### Managing Challenging Behaviour

1. SHGC recognises that at times there will be students who have complex needs and may present with challenging behaviours.
2. Where students exhibit behaviour that is challenging, this can pose a risk to both that individual, student and to other students in terms of their learning and physical and emotional wellbeing.
3. Where a student has a known behavioural issue or previous behaviour problems have arisen during the student’s schooling, SHGC encourages the student’s parent or caregiver to make that information known at the time of enrolment or as soon as possible. This enables SHGC to:
  - (a) Provide the best support it can for the student to enable the student to achieve to his or her academic potential
  - (b) Minimises the risks of outbursts or issues which may negatively impact the student’s academic and/or social development
  - (c) Put in place an individual behaviour plan if required, in consultation with the student and his/her parent/caregiver. If physical restraint is an element of any student’s individual behaviour plan, the Principal must ensure that the parent/caregiver of the student is notified when that plan is created
4. When it comes to students with challenging behaviour, individual care plans outlining specific difficulties and individual needs will be developed. SHGC will ensure that staff working with these students are provided with adequate training and support to keep themselves safe and to best support the individual student.

### Physical Contact

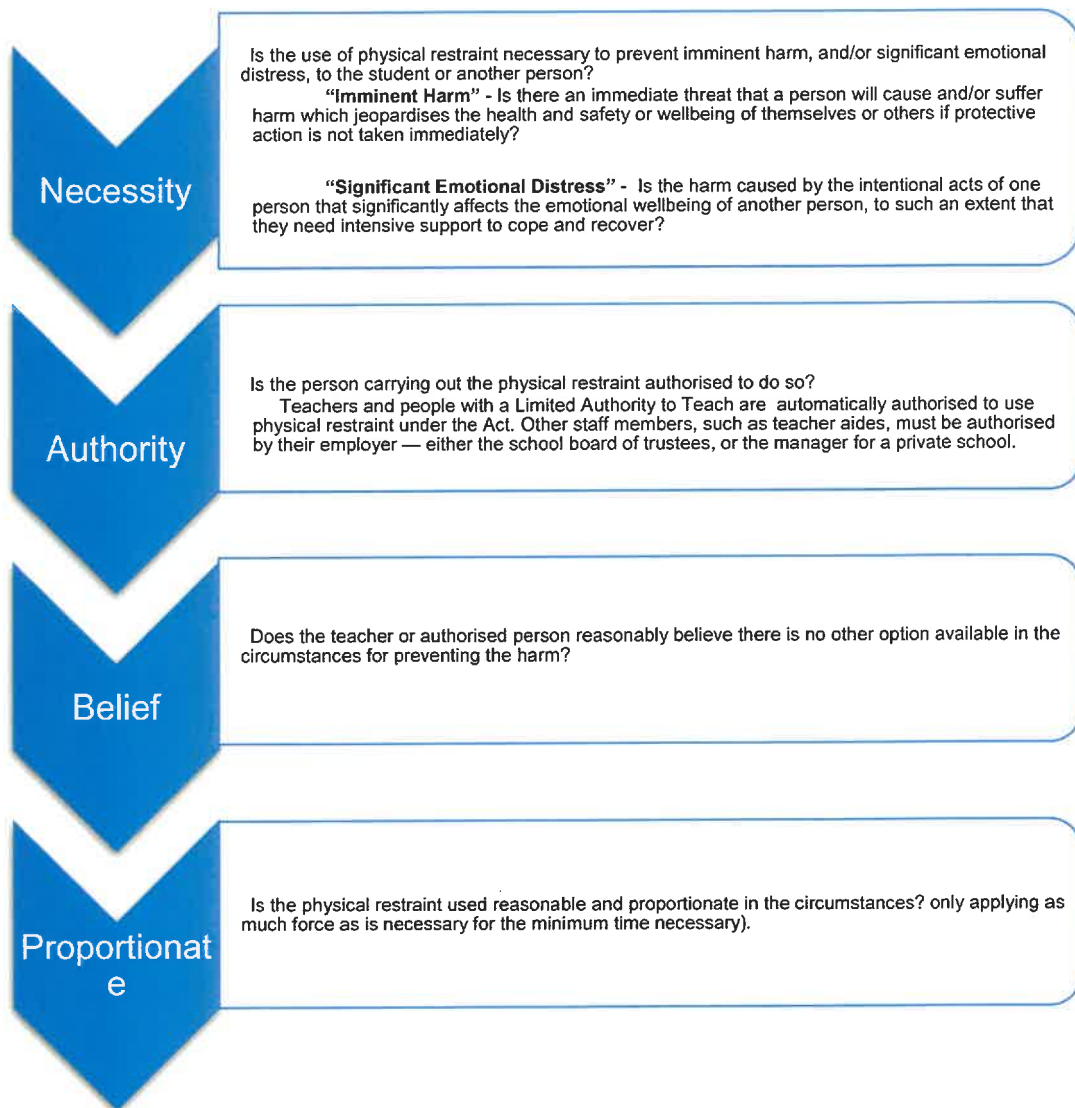
5. It is imperative that in all dealings with students, a balance is struck between the rights of the child and the need for intervention. When physical contact is made with a child this should be in response to their needs at the time, be of limited duration and appropriate to their age, stage of development, gender, ethnicity and background. Staff should always use their professional judgement, observe and take into consideration the student’s reaction and feelings.

### Physical Restraint

6. All forms of physical intervention should form part of a broader approach to the management of challenging behaviour. SHGC manages all student behaviour in

accordance with its pastoral care systems and places emphasis on preventative and de-escalation techniques, with alternatives to physical restraint to be used in preference.

7. The use of physical intervention should always be avoided unless it is absolutely necessary to prevent a student from injuring themselves or others. It must only be used by teachers or authorised staff members when **all** three of the following conditions are met:
  - (a) The physical restraint is necessary to prevent imminent harm, including significant emotional distress, to the student or another person.
  - (b) The teacher/authorised staff member reasonably believes there is no other option available in the circumstances for preventing the harm.
  - (c) The physical restraint is reasonable and proportionate in the circumstances (only applying as much force as is necessary for the minimum time necessary).
8. The following types of restraints are unsafe, cause harm and must never be used:
  - (a) restraint that constrains breathing or communicating, including speaking and sign language
  - (b) face-down restraint
  - (c) immobilising through pressure points and pain holds
  - (d) using manoeuvres such as tackling, sitting, lying on or kneeling on a person
  - (e) headlocks or putting pressure on the chest or neck
  - (f) bending joints back.
9. Seclusion is never considered acceptable practice and is prohibited by section 98 of the Education and Training Act 2020.
10. Where physical restraint is required, the student's physical and psychological state should be monitored during the restraint, and in the aftermath of the incident, for signs of distress. The student's safety and wellbeing is the paramount consideration.



11. Following an incident of physical restraint, the following steps must be taken:

- (a) The Principal must be notified of the use of physical restraint as soon as possible after the event. This will help to support students, staff and anyone else affected by the situation.
- (b) Parents or caregivers must be notified as soon as possible after the use of physical restraint, at minimum before the student returns to their care. Parents or caregivers must be provided with a reasonable opportunity to actively participate in a debrief - within three working days or by mutual agreement.
- (c) The appropriate staff are to debrief the incident, focusing on the lead-up to it, the different interventions used that were unsuccessful in de-escalating the behaviour, and what could have been done differently.
- (d) The Ministry of Education must be notified via the online incident reporting form or the Student Management System
- (e) The SHGC Board of Trustees must be notified and the use of physical restraint reviewed. The Board shall monitor the use of physical restraint, looking for trends and any action that could be taken at a governance level to support reducing such incidents.

12. Written records of every instance of physical restraint must be kept and held securely for a minimum period of ten (10) years.
13. Refer to the *Education (Physical Restraint) Rules 2023* and the *Education and Training Act 2020*.

#### Training and Support

14. All staff are required to familiarise themselves with the SHGC Physical Restraint Policy, Child Protection Policy, and the Ministry of Education guidelines for registered schools in New Zealand on the use of physical restraint.
15. All staff must undertake appropriate, and mandatory, professional development on the appropriate use of physical restraint in line with timeframes under the Education Act 2020.
16. SHGC will incorporate physical restraint discussions into staff meetings and consult with staff on any changes to legislation.
17. Staff will be trained in techniques to manage situations, including the use of de-escalation techniques, and how to apply restraint safely. Trainings on managing challenging behaviour and physical restraint will be included in staff development days and staff will be updated on any changes to the policy in regular staff briefings.
18. Staff must be aware of their own wellbeing. It is recognised that working with cases involving challenging behaviour and the physical restraint of children can have an impact on the wellbeing of staff. Staff must advise the Principal of any wellbeing concerns that result from staff involvement with physical restraint cases, so they are able to receive the necessary support.

**This policy is subject to the following Legislation:**

- Care of Children Act, 2004
- Children's Act, 2014
- Crimes Act, 1961
- Education Act 1989
- Education and Training Act 2020
- Family Violence Act, 1995
- Health Information Privacy Code, 1994
- Human Rights Act, 1993
- Oranga Tamariki Act, 1989
- Privacy Act, 2020

**REVIEW:**

This policy will be reviewed a minimum of every three (3) years, and updated regularly, to ensure it is kept up to date with changes that may have been made to legislation, related policies and procedures, and in light of operational experience.

The overall responsibility for the review of this policy rests with the Sacred Heart Girls' College Board of Trustees, in consultation with the Principal.

*Approved by the Board at the meeting held on 4 September 2023*

A handwritten signature in blue ink that reads "A. Stecks". The signature is written in a cursive style and is positioned above a horizontal line.

*Presiding Member*

## Relevant Documents and Templates:

### Information for the Ministry of Education and for School Board Reporting

Information for Ministry of Education	Date of incident	dd/mm/yy	Date of report	dd/mm/yy
Name of School				
Student's National Student Number (no name) NSN				
Date of Birth	dd/mm/yy			
If the student was physically restrained more than once during the day, indicate how many times?				
Did the student have a support plan?	<input type="checkbox"/> yes <input type="checkbox"/> no			
Was physical restraint a part of the support plan?	<input type="checkbox"/> yes <input type="checkbox"/> no			
Who made the principal aware of the incident of physical restraint?	<input type="checkbox"/> Staff member <input type="checkbox"/> Student <input type="checkbox"/> Parent or Caregiver <input type="checkbox"/> Other			
Has the school notified the parents or caregivers?	<input type="checkbox"/> yes <input type="checkbox"/> no			
Please briefly describe the events that led to the use of restraint				

Was anyone injured due to the use of physical restraint?	<input type="checkbox"/> Staff member <input type="checkbox"/> Student <input type="checkbox"/> Other <input type="checkbox"/> No	
Does the student have a learning support need eg. disability, neurodivergency, specific learning difference (diagnosed or self identified)?	<input type="checkbox"/> yes <input type="checkbox"/> no	If yes, provide details
What is the role of the staff member who applied the restraint?	<input type="checkbox"/> Teacher <input type="checkbox"/> Other	If other, what is their role?
Was the staff member who applied the restraint authorised?	<input type="checkbox"/> yes <input type="checkbox"/> no	
Did the staff member who applied the restraint receive training in physical holds prior to the incident?	<input type="checkbox"/> yes <input type="checkbox"/> no	
Has a debrief meeting been organised?	<input type="checkbox"/> yes <input type="checkbox"/> no	

The Education (Physical Restraint) Rules 2023 require reporting of physical restraint incidents.

Complete the form via the Community Portal or email it to the Ministry of Education at [physicalrestraint.change@education.govt.nz](mailto:physicalrestraint.change@education.govt.nz). Provide a copy to the employer (school board or manager of a private school) and the parent or caregiver.

Note: The information in this form may be the subject of requests made under the Privacy Act 2020 and the Official Information Act 1982.

- Ministry of Education: A GUIDE TO UNDERSTANDING DISTRESS AND MINIMISING THE USE OF PHYSICAL RESTRAINT



# Sample consent form

If the use of physical restraint has been agreed to form part of a support plan, you will need to get consent from parents or caregivers. This form can be adapted to align with your school values and approaches.

Consent for including physical restraint in a support plan	
Name of student	
Teachers and authorised staff members working with the student who are trained to use physical restraint	
Physical holds that may be used, if necessary, to prevent imminent harm	
Any physical, health or psychological conditions that may be impacted by physical restraint and how these will be managed	
Any steps being taken to eliminate the use of restraint for this student	
Actions to be taken following an incident of physical restraint (must include notification of parents/caregivers and monitoring of student wellbeing)	
This form will be reviewed (circle one): weekly/monthly/every term/every six months/annually	
Signatures	Date
Principal or principal's delegate:	/ /
Parents or caregivers:	/ /

# Checklist – following an incident of physical restraint

TASK	COMPLETED	NOTES
Has the principal/delegated manager been notified of the incident?	<input type="checkbox"/>	
Have whānau been notified?	<input type="checkbox"/>	
Has a debrief with whānau been booked?	<input type="checkbox"/>	
Has the Ministry been notified via the online physical restraint reporting form?	<input type="checkbox"/>	
Has a review meeting been scheduled?	<input type="checkbox"/>	
Have any referrals been made?	<input type="checkbox"/>	
Does a support plan need to be developed or reviewed?	<input type="checkbox"/>	
Does your school policy on physical restraint need to be reviewed?	<input type="checkbox"/>	
Signed	<input type="checkbox"/>	
Date     /     /	<input type="checkbox"/>	

# Sample debrief form

This form can be adapted to align with your school values and approaches.

<b>Date of debrief</b>	
<b>Time of debrief</b>	
<b>Date of incident</b>	
<b>Attendees at the debrief</b>	
<b>Who was involved in the incident?</b>	
<b>What led up to the incident?</b>	
<b>What approaches/strategies were used - how effective were they?</b>	
<b>What would we do again or differently?</b>	
<b>Next steps/agreed actions</b>	
<b>Principal or principal's delegate signature</b>	<b>Date</b>
	/ /