

Physical Restraint

The use of physical restraint is relatively rare in New Zealand schools and should be avoided wherever possible. There are however times when things risk getting out of control, other options have been exhausted and someone needs to step in.

Section 139AC of the Education Act (Update) Amendment Act 2017 says that a teacher or authorised staff member can use physical restraint if they reasonably believe the safety of the student or of any other person is at serious or imminent risk, and the physical restraint must be 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
- Preventing a student from running onto a road.

The rules have requirements for schools to notify, monitor and report on the use of physical restraint.

Physical restraint is a serious intervention and when it is used schools need to notify the Ministry of Education and the employer (Board of Trustees). This new requirement allows the Ministry of Education to provide support to schools and students and update the rules and guidelines if needed to address emerging issues.

In the event of physical restraint having been required a 'Staff physical restraint incident report form' (Appendix 1) must be completed and a copy kept in the student's file. An 'Information for the Ministry of Education and the employer form' must also be completed and a copy sent to the Ministry of Education at physical.restraint@education.govt.nz. Queries about the rules can be emailed to the same address.

Staff can receive **training in this area**, a workshop, *Understanding Behaviour, Responding Safely*, is available to all schools. It focuses on prevention and de-escalation strategies and is run by experienced behaviour management specialists (who also offer ongoing support). Any school interested in the workshop should contact their local Ministry of Education office.

Some of the students with the most challenging behaviours will have specific physical intervention and restraint techniques in their individual student plans. Where the Ministry is part of the team supporting such a student, specific training for staff in using those techniques is available.

Full Ministry of Education Guidelines are available at <https://www.education.govt.nz/assets/Documents/School/Managing-and-supporting-students/Guidance-for-New-Zealand-Schools-on-Behaviour-Mgmt-to-Minimise-Physical-....pdf>.

Reviewed: DECEMBER 2020

Appendix 1

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	Yes / No (delete one)		

<p>applied the restraint receive any training prior to the incident?</p>	<p>If yes, what training?</p>
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Why was the use of physical restraint considered necessary?

<p>Serious and imminent risk to the safety of the student or any other person – describe</p>	
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<p>Any other comments</p>	
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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.