

# NELSON PARK SCHOOL

## Nag 5: Health & Safety

### Physical Restraint Policy

#### Rationale

The Education Act 1989 provides for the circumstances when teachers and authorised staff members may physically restrain a student.

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

In exercising these powers, 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. The Nelson Park School Board of Trustees seeks to take all reasonable steps to develop high standards of behaviour in order to fulfil the charter expectation and the requirements of NAG 5.

#### Purpose

To provide a safe physical and emotional environment for students and staff. Parents, students and the public have a legitimate expectation that the school environment will be a safe environment that supports learning.

#### Guidelines

The Nelson Park School Board of Trustees will;

1. follow the procedure for authorising staff members, who are not employed as teachers, to use restraint in accordance with Rule 5 of the Education (Physical Restraint) Rules 2017 (see attached).
2. ensure that school practices are clear, follow the rules, are well-documented, explained to students in an age-appropriate way, and available to all teachers and authorised staff.
3. will ensure that staff who are designated to physically restrain students are suitably supported and trained for this task.
4. ensure that systems are in place to support the smooth running of the school. These include keeping written records and following requirements to notify, monitor and report on the use of physical restraint.
5. provide a clear complaints process for students, parents and caregivers
6. review the policy as part of the school's annual review cycle.
7. ensure that there are processes in place to inform parents when physical restraint has been used.

## Procedures:

1. Physical restraint can only be used by teachers or authorised staff members. This includes a person with a Limited Authority to Teach, and a relief teacher employed by the employer (e.g. board of trustees, sponsor or manager). All teachers are automatically authorised to act under the legislation. Authorised staff members are employees of a school authorised by their employer to use physical restraint.
2. Physical restraint is a serious intervention. All members of our school community – Board of Trustees, school leaders, teachers, staff, students and parents and whānau should have an understanding of the serious nature of physical restraint as an intervention, and when it is appropriate to use it. The Act limits the use of physical restraint by teachers or authorised staff members in schools to situations where:
  - the teacher or staff member reasonably believes that the safety of the student or of any other person is at serious and imminent risk;
  - the restraint used is reasonable and proportionate in the circumstances
3. The Principal will use the MOE (2016) *Guidance for New Zealand schools on Behaviour Management to Minimise Physical restraint*. This guide outlines processes for:
  - Identifying when physical restraint may need to be applied
  - guidance if physical restraint has to be used
  - using preventative and de-escalation techniques
  - training in safe responses
  - processes following an incident involving physical restraint
  - managing complaints from parents

Ratified: 28 March 2018

To be reviewed: March 2019

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Board of Trustees Chairperson