

# FORDELL SCHOOL

## Reducing Distress and Physical Restraint Policy

### INTRODUCTION

The Fordell School Board are committed to a positive relationship management which encourages children to make positive behaviour choices. The key point is to safeguard the wellbeing of ākonga/student, staff, and others whenever behaviour management issues arise.

On rare occasions circumstances may result in a situation that requires some form of physical intervention by teachers and authorised staff. We regard the need for physical intervention as a last resort to ensure the health and safety of students and staff. **Seclusion is prohibited at Fordell School.**

### GUIDING PRINCIPLES

The manu tāiko is a sentry bird, the hōmiromiro. It has excellent skills of recognising and responding to distress in the forest. The manu tāiko reminds us of the principles that ensure our ākonga thrive in the environments we create with them. These principles consider the vision of Te Tiriti o Waitangi/The Treaty of Waitangi: that tangata whenua values and customs would be protected and all New Zealanders would have equitable rights under the law.

*Poipoia te pua atua – Nurture the potential of each student*  
*Rane ate rau o Tāne – Make abundant the interlocking branches*  
*He pakiaka e tū ai – And uphold the strengthening roots*  
*Kia taurite te tētēkura – Adapted to each student's unique needs*  
*E tipu, e rea – To grow and develop*  
*Tai atu ki te rangi – To their highest potential*

### GUIDELINES

#### What is physical restraint?

Physical restraint, in relation to an ākonga/student, means to use physical force to prevent, restrict, or subdue the movement of an ākonga/student (or part of the student's body) against the student's will.

#### When can physical restraint be used in schools?

Physical restraint can only be used by kaiako/teachers or authorised staff members, if **all three** of these conditions are met (and only as a last resort):

1. The physical restraint is necessary to prevent imminent harm, including significant emotional distress to the ākonga/student or another person.
2. You reasonably believe there is no other option available in the circumstances for preventing the harm.
3. The physical restraint is reasonable and proportionate in the circumstances. This means only applying as much force as is necessary, and for the minimum time necessary.

*\*\*There may be times when proactive steps need to be taken to ensure ākonga/student safety. E.g., reaching out to prevent ākonga/student from running onto a road or climbing somewhere that is unsafe.*

#### Who can use physical restraint?

Only authorised people can use physical restraint. Kaiako/teachers, including relief kaiako/teachers and people with a Limited Authority to Teach, are automatically authorised to use physical restraint under the Act. Other staff members, such as teacher aides, must be authorised by the Fordell School Board. The Act does not cover the intervention of an unauthorised staff member who physically restrains an ākonga/student.

## Mandatory training

Fordell School kaiako/teachers and authorised staff will complete all mandatory training modules on the updated physical restraint rules and guidelines within specified timeframes. All school staff will complete the first online training module covering legislation, rules, and guidelines by February 2024

## Using physical restraint as a last resort

Fordell School will use de-escalation techniques if an ākonga/student's behaviour is becoming out of control and/or poses a danger to themselves or others. However, in an emergency situation, it may be necessary to use physical restraint. This is a serious intervention that may cause physical or emotional harm to the student and the person using physical restraint. Physical restraint is a last resort and is only used when directly necessary to protect the health, safety, or wellbeing of the ākonga/student or another person. It may be necessary to move the people out of the area to de-escalate the situation and keep them safe. In some cases, it may be necessary to involve the police.

If physical restraint is warranted, the level of restraint should be proportional to the level of risk the student, or their behaviour poses and should end as soon as the safety of everyone involved is assured. The student's physical and psychological state should be monitored during the restraint. The ākonga/student, and the person who applied the physical restraint, should be monitored for signs of distress or shock in the aftermath of the incident.

A practical approach to recognise and respond to distress is detailed ***Aramai He Tētēkura/Arise our Future Generations: A guide to understanding distress and minimising the use of physical restraint***. It comes under the 3 headings:

- Mātaitia / Recognise
- Atawhaitia / Respond
- Whakawhenuatia / Restore

## Guidelines on the use of physical restraint

The Ministry of Education has issued ***Aramai He Tētēkura/Arise our Future Generations: A guide to understanding distress and minimising the use of physical restraint***. These guidelines outline relevant legislation about physical restraint and physical contact in schools and provides practical approaches to embed positive environments and experiences in all school settings.

## What to do after a situation involving physical restraint: reporting and monitoring

If physical restraint has been used, you have an obligation under the legislation to notify the following people:

- The Principal, or delegated person, as soon as possible. This will help to support the ākonga/student, staff and anyone else affected by the situation.
- Whānau/parents or caregiver as soon as possible. At a minimum before their child returns to their care/goes home. This enables them to understand what has happened and to monitor their child's wellbeing at home.
- The Ministry of Education via the online incident reporting form (accessed from the Community Portal). A copy of the notification will be kept in the school records, ensure it is kept secure, as per the Privacy Act 2020 and the Official Information Act 1982.
- The Fordell Board. Reporting the use of restraint and analysis of trends will be reported to the Fordell Board via the Principals Report at Board meetings (in committee minutes). If the Principal considers that the use of restraint was unjustified, they are responsible for following up with the Fordell School Board and subsequent reporting to the Teaching Council.

Fordell School will hold a debrief after the incident, examining the events leading up to it, the interventions used, and what could have been done differently. Whānau/families/caregivers whose child was involved in the incident should be invited to offer suggestions to avoid the use of restraint in the management of their child's behaviour.

### **Developing support plans for the prevention of physical restraint**

Fordell School, in collaboration with whānau/parents and caregivers, will ensure a support plan for preventing student distress and de-escalating crisis situations is put in place for any ākonga/student:

- who has been identified as having a high likelihood of being involved in a crisis situation where physical restraint may be used on them; or
- Who is subject of the use of physical restraint more than once in a term; or
- At the request of the ākonga/student's whānau/parents or caregiver.

Fordell School will ensure the ākonga/student's whānau/family or caregivers provide written informed consent if a section on physical restraint is appended to in the ākonga/student's support plan.

### **Keeping and disposal of records**

Fordell School will keep written records of every instance of physical restraint of an ākonga/student. Any record must be kept for a minimum period of 10 year from the date of last action, then it can be disposed of following the Ministry of Education's guidelines for disposal of records.

### **Concerns/Complaints**

Any concerns/complaints from whānau/parents/caregivers are dealt through Fordell School's concern and complaint processes, and the Ministry of Education is contacted for advice if necessary.

### **Seclusion is prohibited**

Seclusion is prohibited under section 98 of the Education and Training Act 2020. Seclusion is putting ākonga/student alone in a room they can't leave (or think they can't leave) against their will.

## **CONCLUSION**

Student and staff wellbeing and safety are of greatest importance.

## Supporting Documentation

- Aramai He Tētēkura / Arise our Future Generations: A guide to understanding distress and minimising the use of physical restraint.  
<https://assets.education.govt.nz/public/MOE-Physical-Restraint-Guidelines-FINAL-Web-singles.pdf>
- Minimising the use of physical restraint in New Zealand schools and kura  
<https://www.education.govt.nz/school/student-support/special-education/behaviour-services-to-help-schools-and-students/minimising-physical-restraint-in-new-zealand-schools-and-kura/>
- For parents and whānau physical restraint information: <https://parents.education.govt.nz/primary-school/your-child-at-school/using-physical-restraint-in-schools/>
- No Seclusion in schools:  
<http://www.education.govt.nz/school/managing-and-supporting-students/student-behaviour-help-and-guidance/seclusion/>
- Support Plan Template (Aramai He Tētēkura Appendix 2)
- Consent Form (Aramai He Tētēkura Appendix 3)
- Checklist – following an incident of physical restraint (Aramai He Tētēkura Appendix 4)
- Sample debrief form (Aramai He Tētēkura Appendix 5)
- Fordell School Relationship Management Policy
- Fordell School Concerns Policy
- Fordell School Complaints Policy
- Education and Training Act 2020
- Children’s Act 2014
- Health and Safety at Work Act 2015

Last Internal Review:		Term 1 2023	
Signed by Chairperson			
Approval: When the Board approved this Policy, it agreed that no variations of this Policy or amendments to it could be made, except with the majority approval of the Fordell School Board of Trustees.			
Policy Type	Health and Safety	Next Scheduled Review:	Term 1 2024 To be reviewed yearly

# Checklist – following an incident of physical restraint

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

# Physical Restraint Support plan

There are many ways a support plan can be developed—this is an example that covers key aspects of a support plan. This can be adapted as needed.

<b>Student name</b>	
<b>Date</b>	
<b>Next review date</b>	
<b>Team members</b>	
<b>Whānau/family information</b>	
<b>Strengths and needs</b>	
<b>Proactive strategies – learning environment, home environment, teaching and learning, peer relationships</b>	

Recognise and respond to signs of distress				
Stress Triggers	How the ākonga feels	What we see	Support, strategy, approaches and resources (minimising distress)	Calming techniques, physical contact (maximising wellbeing)
<b>Names of people who can help in situations of distress</b>				
<b>Any additional information</b>				

If the use of physical restraint has been identified as being part of this support plan, please complete the physical restraint consent form.

# Physical Restraint: 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:	/ /



# Physical Restraint: Sample debrief form

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

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