Physical Restraint – Management Guidelines

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Owner : DCE Systems & Support; Runanga Managers

Responsibility for these guidelines : Manager, HR; Runanga Managers

**These guidelines support the governance policy on Health and Safety: Employees, Contractors, Visitors, approved by the Board April 2016 and Health and Safety: Student, approved by Board August 2016.**

Compliance with and awareness of health and safety requirements and worker wellbeing underlies everything we do at Te Kura.

1. **Purpose**

These guidelines explain physical restraint and specify the responsibilities of management when an incident involving the use of physical restraint of students arises at Te Kura.

1. **Definition**

*Physical restraint* is using physical force to prevent, restrict, or subdue the movement of a student’s body or part of the student’s body.

*Seclusion*means placing a child or student in a room involuntarily, alone and from which they cannot freely exit, or believe they cannot freely exit.

*Time out* means a child or student voluntarily takes themselves to an agreed space or unlocked room to calm down; or a learning advisor prompts a disruptive child or student to work in another space.

*Learning Advisors* are people employed in a teaching position at Te Kura. This includes a person with a Limited Authority to Teach, and a relief teacher employed by the Te Kura.

*Authorised* *staff* are people apart from Learning Advisors who have been authorised in writing to use physical restraint.

1. **Guidelines for physical restraint**

The Learning Advisor/authorised staff are encouraged to use de-escalation techniques (see the Ministry of Education’s (the Ministry) [Guidelines](http://www.education.govt.nz/assets/Documents/School/Managing-and-supporting-students/Guidance-for-New-Zealand-Schools-on-Behaviour-Mgmt-to-Minimise-Physical-....pdf)) if a 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 and will only be used when there is a high likelihood that the student will injure a staff member, another student, themselves, or others. It may be necessary to move 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 will be proportional to the level of risk the student or their behaviour poses, and will end as soon as the safety of everyone involved is assured. The student's physical and psychological state will be monitored during the restraint. The student, and the Learning Advisor/Authorised staff who applied the physical restraint, will be monitored for signs of distress or shock in the aftermath of the incident.

Schools are prohibited by law from using seclusion to manage challenging student behavior and thus at no stage Te Kura staff will resort to this measure. In some situations, staff may use time out to manage student behavior. However, staff will be very clear when using time out – the child or student is free to come out of the room whenever they choose.

1. **Responsibilities**

**Regional Manager (RM)**

* The RM will notify the physical restraint incident to the Chief Executive (CE) immediately.
* The RM will sign the incident report form (see Appendix 1) and will ensure staff place a copy of that form on the student’s file and that the parent’s/caregivers are notified of the incident as soon as reasonably practicable on the day of the incident , and that a copy of the report is provided to the parent’s/caregivers and the student’s Learning Advisor.
* The RM will ensure the staff member has completed the H&S Incident Form on My Taangata.
* The RM will ensure that in the event of property damage, the staff member has notified Finance as soon as reasonably practicable.
* The RM will be present in a debriefing session held within two days of the physical restraint incident and will sign the debrief form (see Appendix 2).
* As the Ministry of Education (the Ministry) requires all incidents of physical restraint to be reported using an incident of physical restraint form (see Appendix 3), the RM will complete this form and send it to the HR Manager.
* The RMs will ensure all documentation in relation to physical restraint is stored confidentially and is easily accessible to the CE and Board.

**HR Manager**

* The HR Manager will send the completed incident of physical restraint form that the RM provides to the CE.
* The HR Manager will report on physical restraint incidents as part of health and safety obligations.

**CE**

* The CE will notify the physical restraint incident to the Board Chair immediately.
* The CE will send a copy of the completed incident of physical restraint form to the Ministry and will include a copy of the form in his report to the Board (in committee session).
* If a parent/caregiver makes a formal complaint about a physical restraint incident, the CE on behalf on the Board will handle the complaint fairly on its merits, and will protect the confidentiality of the individuals.
1. **Supporting documentation**

Behaviour and Learning at Advisories – Procedures for staff

Health and Safety Policy: Employees, Contractors and Visitors

Health and Safety Policy: Students

Education Act (1989); Part 11 Miscellaneous; Section 139: AC; AD; AE: Physical restraint in schools <http://www.legislation.govt.nz/act/public/1989/0080/latest/DLM175959.html>

Education Outside The Classroom (EOTC) – Staff Procedures

Ministry of Education [Guidelines](http://www.education.govt.nz/assets/Documents/School/Managing-and-supporting-students/Guidance-for-New-Zealand-Schools-on-Behaviour-Mgmt-to-Minimise-Physical-....pdf)

Privacy Policy

Recordkeeping – Procedures for Staff

Surrender and retention of property and searches of students – Procedures for Staff

Emergency Procedures for staff



Mike Hollings

Chief Executive

**Appendix 1**

Physical restraint incident report

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| --- | --- | --- | --- | --- |
| Report completed by | Date of incident |  | Date of report |  |
| Name of student |  |
| Date of birth |  |  | Gender M ☐F ☐ |
| Ethnicity |  |  |
| Time restraint started |  |  |
| Time restraint ended |  |  |
| Name/s of staff member/s administering restraint |  |
| Trained in safe physical restraint? | Yes □ No □ |
| Other staff /adults who witnessed |  |

|  |
| --- |
| Place where restraint occurred |
|  |
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| --- |
| Behaviour directed at |
| Staff member – name |  |
| Student – name  |  |
| Self – describe how they intended self-harm |  |
| Property – describe potential injury to self or others |  |

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| --- |
| Reason restraint was considered necessary |
| Imminent danger, serious risk of injury – describe |  |
| Actual injury – describe and attach injury form |  |

Reflection

Events leading to the incident

Describe what was happening before the behaviour started to escalate. What was the student doing? What do you think might have triggered the behaviour? How were other students reacting to the student?

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Behaviour of the student

What did you notice about the student’s behaviour that alerted you that they were struggling to cope? Think about the way they looked, for example facial expressions, physical signs, language.

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What did you try before the restraint?

Describe the alternative techniques and interventions tried to prevent the emergency, including a description of the de-escalation strategies you used. What was the response from the student?

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The restraint method used

Describe the nature of the physical restraint. Include the type of hold and number of people required.

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Monitoring

Describe how the student’s physical and emotional distress was monitored while they were restrained.

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After the restraint ended

Describe the mood of the student following the restraint. What help and support were they offered?

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If there’s a next time

What could be done differently in the future to prevent the need for restraint?

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How about you?

How are you feeling and what support do you need?

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Signature of person who applied the restraint Signature of Regional Manager

Appendix 2

Debriefing form for staff involved in physical restraint incident

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| Date of incident |  |
| Date of debriefing | Time of debriefing |
| Names of the people at the debriefing |
|  |
| Findings of debriefing |
|  |
| Next steps/actions |
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| Te Kura staff signature |
|  |  |
| Te Kura Regional Manager signature |
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Appendix 3

Incident of Physical Restraint Form

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| Information for the Ministry of Education and Te Aho o Te Kura Pounamu Board of Trustees |
| 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 applied the restraint receive any training prior to the incident? | Yes / No (delete one) If yes, what training? |
| Why was the use of physical restraint considered necessary? |
| Serious and imminent risk to the safety of the student or any other person – describe |  |
| Any other comments |  |

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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. |