



**Te Pākihi o Maru**

*Together growing hearts and minds*

## USE OF PHYSICAL RESTRAINT

### Outcome

Te Pākihi o Maru board is committed to a supportive and caring environment where all ākonga and staff are kept safe from harm and treated with dignity.

### Scoping

Except as authorised under this policy, no staff member may use any form of restraint on our ākonga. Our Tumuaki, kaiako and board-authorised staff members can only physically restrain ākonga as a last resort where:

- The use of physical restraint is necessary to prevent imminent harm to the child or another person.
- There is a reasonable belief that there is no other option available in the circumstances to prevent the harm, and
- The physical restraint is reasonable and proportionate to the circumstances.

### Delegations

The board delegates the Tumuaki the responsibility for:

- Developing and implementing procedures and practices to prevent, plan for, and respond to student distress that meet the requirements of the Physical Restraint Guidelines 2024 and the Education (Physical Restraint) Rules 2024, and
- Recommending eligible non-teaching staff to the board for authorisation to use physical restraint according to requirements of the 2024 Rules and Guidelines.

Only the board can authorise non-teaching staff members to use physical restraint.

### Expectations and limitations

All staff subject to this policy are trained to confidently apply prevention and de-escalation strategies, limiting the need to restrain a student physically according to the 2024 Rules and the relevant guidelines.

### Board

The board requires:

- Compliance with the 2024 Rules and Physical Restraint Guidelines, and
- An evidence-based assurance from their Tumuaki that this policy is being followed.

### Tumuaki

The Tumuaki shall ensure:

- The implementation and compliance of this policy, including the completion of best practice training by all staff who are authorised to use physical restraint.
- Operational compliance with the Education and Training Act 2020 and the 2024 Rules and Guidelines.
- All physical restraint incidents are immediately reported at the next board meeting.
- The board is informed of all relevant information (risks, trends and impacts), and
- All non-teaching staff who may use physical restraint on a student have been authorised by the board and have undertaken appropriate training as required by Rule 12.

## Monitoring

The Tumuaki shall report to the board:

- On compliance, or the actions being taken to ensure compliance with this policy, the legislation, and the 2024 Rules and Guidelines on reducing ākongā distress and use of physical restraint, and
- At every board meeting, all incidents, matters or risks relating to this policy, ensuring that the non-identification and privacy of individual ākongā is maintained.

The board shall monitor the use of physical restraint, looking for trends and any action that could be taken at the governance level to support reducing such incidents.

Definitions	<p>As defined in the Education and Training Act 2020:</p> <p><b>Physical restraint</b> is using physical force to prevent, restrict or subdue the movement of ākongā's body or part of their body against their will.</p> <p><b>Imminent harm</b> means 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 immediately taken.</p> <p><b>Significant emotional distress</b> means 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 or recover.</p> <p><b>Authorised staff member</b> means an employee of a registered school who is trained and authorised by the employer to use physical restraint in accordance with Section 99 of the Act.</p>
Legislation	<p>Education and Training Act 2020 (Sections 99-101)</p> <p>Education (Physical Restraint) Rules 2024</p> <p>Physical Restraint Guidelines</p> <p>Health and Safety Work Act 2015</p>
Procedures/supporting documentation	<p>The Ministry of Education's Physical Restraint Guidelines, Dec 2024 - Appendix 1 of the Rules. Suggested procedures/practices that cover:</p> <ul style="list-style-type: none"><li>• The authorisation process.</li><li>• Reducing and de-escalating ākongā distress.</li><li>• Training and support for staff.</li><li>• Notifying and reporting on instances of physical restraint.</li><li>• Monitoring the use of physical restraint.</li></ul>

## Procedures that support this Policy

Health & Safety Policy

Child Protection Policy

Privacy Policy

Emergency Procedures

Concerns and Complaints Procedure

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Presiding Member

Date