
Carmel College Operational Policy 08: Reducing student distress and use of physical restraint policy

Special Character statement

Our college is the Catholic Church in action, an authentic expression of the Church's mission. Therefore, our role as a Catholic college is, above all, to be a place where every member of this learning community can encounter the living God and our focus is on helping to form Christ in the lives of others. We do this through the Catholic and Mercy traditions.

Outcome statement

This Board is committed to a supportive and caring school environment where all students and staff are kept safe from harm and treated with dignity.

To minimise the effect of challenging behaviour, the Board of trustees shall ensure that effective processes and procedures are in place around the management of student behaviour and the use of physical restraint.

Scoping

This policy applies throughout the school.

All staff are required to familiarise themselves with Ministry of Education guidelines for registered schools in New Zealand on the use of physical restraint and to undertake appropriate professional development.

Except as authorised under this policy, no staff member may use any form of physical restraint on our students.

Our principal, teachers, and board-authorized staff members can only physically restrain a student as a last resort, where:

- the use of physical restraint is necessary to prevent imminent harm to the student 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.

The Board will ensure that any incident of physical restraint is notified to parents or caregivers and reported to the Ministry of Education. The Board will ensure that parents or caregivers are notified if physical restraint is an element in a student's individual behaviour plan.

Complainants with concerns regarding use of physical restraint must follow the school's prescribed concerns and complaints procedure.

Definition

As defined in the Education and Training Act 2020:

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 against the student's will.

Harm means harm to the health, safety, or well-being of the student or another person, including any significant emotional distress suffered by the student or the other person.

Authorised staff member 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.

Delegations

The board delegates to the principal responsibility for:

- developing and implementing procedures and practices to prevent, plan for, and respond to student distress that meet the requirements of the Education (Physical Restraint) Rules 2023 and its amendments ("the 2023 Rules"),
- ensuring that adequate staff training and support is in place to support these procedures and practices,
- the reporting of incidents of physical restraint to parents, caregivers and the Ministry of Education
- notification to parents and caregivers if an element of physical restraint is in a student's individual behaviour plan
- recommending eligible non-teaching staff to the board for authorisation to use physical restraint according to requirements of the 2023 Rules if required.

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

Expectations and limitations

1. Physical restraint is defined as using force to prevent, restrict or subdue the movement of a student's body or part of the student's body and is a serious intervention.
2. Staff shall be well versed in prevention and de-escalation strategies used to limit the need to physically restrain a student.
3. Use of physical restraint is limited to teachers or authorised staff members and only where:
 - a. there are reasonable grounds to believe that there is a serious and imminent risk to the safety of a student or of any other person
 - b. the restraint used is reasonable and proportionate in the circumstances.
4. Authorised staff are employees authorised by their employer (the Board of trustees) to use physical restraint.
5. Teachers and staff members who are authorised to physically restrain students shall receive suitable training and support.

6. Seclusion of students is prohibited. Seclusion of students is defined as placing a child or student in a room involuntarily, alone and from which they cannot (or believe they cannot) freely exit.

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 2023 Rules and the relevant guidelines.

Board

The board requires:

- compliance with the 2023 Rules, and
- an evidence-based assurance from their principal that this policy is being followed.

Principal

The principal 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 2023 Rules,
- all physical restraint incidents are immediately reported to the Board Chair,
- 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.

Procedures/supporting documentation

This policy is to be read in conjunction with the boards:

1. Health and safety policy
2. Child protection policy
3. Privacy policy
4. Emergency procedures
5. Reporting and monitoring policy and procedures
6. Concerns and complaints process

Monitoring

Any instances, matters or risks in relation to this policy shall form part of the principal's Board of Trustees' report, taking care that individuals cannot be identified.

The principal shall inform the Board chair of any restraint incidents at the time that they occur, as well as providing an annual report to the whole Board on the use of physical restraint in the previous year, identifying trends and making recommendations for improvement.

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

The principal shall report to the board:

- on compliance, or the actions being taken to ensure compliance with this policy, the legislation, and the 2023 Rules on reducing student 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 students 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.

Legislative compliance

[Education and Training Act 2020](#) (Sections 99-101)

[Education \(Physical Restraint\) Rules 2023](#)

[Health and Safety at Work Act 2015](#)

Procedures/supporting documentation

[The Ministry of Education's Physical Restraint Guidelines](#); Appendix 1 of the [Rules](#)

Suggested procedures/practices that cover:

- the authorisation process
- reducing and de-escalating student distress
- training and support for staff
- notifying and reporting on instances of physical restraint
- monitoring the use of physical restraint

Date reviewed:	May, 2023	Next Review:	May, 2024
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