

# GLADSTONE PRIMARY SCHOOL

## 36. PHYSICAL RESTRAINT AND SECLUSION POLICY

### RATIONALE:

The safety and protection of children and staff is at the heart of this policy. Seclusion and the use of physical restraint is to be avoided.

### PURPOSE:

To ensure that staff members are given the support and resources to de-escalate and avoid situations requiring physical restraint.

### GUIDELINES:

1. Seclusion is the act of secluding, i.e. shutting out or keeping apart from society. It is potentially traumatic and can harm a student's wellbeing. Any child that is to be given 'time out' at Whangarei Intermediate School will be placed in a location, which will be within sight of a suitable adult. This adult will be responsible for the wellbeing of the child.
2. Physical restraint is a serious intervention that may have an emotional and physical impact on a child and the person doing the restraining. There are legal and reputational risks if a student is harmed.
3. Staff need to use their professional judgment when they decide to use physical restraint. They should consider their duty of care to students, their right to protect themselves and others from harm, and their obligation to act lawfully.
4. If a student continues to exercise high-risk behavior then an Individual Behaviour Plan will be written to assist those working with the child. The plan will involve the child's parent / guardian and outline preventative and de-escalation strategies that will prevent the need for physical restraint.
5. All staff will be trained to effectively minimise the need for physical restraint. Training is available from the Ministry of Education.
6. If a student is restrained then the staff member involved is to advise the principal or deputy principal as soon as possible. Parents should also be informed.
7. Staff members are to refer to the document 'Guidance for New Zealand Schools on Behaviour Management to Minimise Physical Restraint' (MoE 2017) (summarised below).
8. All incidents involving restraint of a child will be reported to the Ministry of Education on the appropriate referral form unless there is an IBP (Individual Behaviour Plan) in place for the child.

### SUMMARY:

#### **Physical Restraint of Students**

(Sourced from MOE Guidelines published August 2017)

The use of physical restraint is relatively rare in our schools and should be avoided wherever possible. There are however times when things risk getting out of control, other options have been exhausted and someone needs to step in.

Section 139AC of the Education Act (Update) Amendment Act 2017 says that a teacher or authorised staff member can use physical restraint if they reasonably believe the safety of the student or of any other person is at serious or imminent risk, and the physical restraint must be reasonable and proportionate in the circumstances.

#### **What is serious and imminent risk to safety?**

The physical restraint provisions are intended to deal with the upper end of the spectrum of situations where teachers and authorised staff members have physical contact with a student. It is clear that, in these situations, the restraint is in response to a serious and imminent risk to safety.

Teachers and authorised staff members will need to use their professional judgement to decide what constitutes “a serious and imminent risk to safety”. These situations are examples.

- A student is moving in with a weapon, or something that could be used as a weapon, and is clearly intent on using violence towards another person.
- A student is physically attacking another person, or is about to.
- A student is throwing furniture, computers, or breaking glass close to others who would be injured if hit.
- A student is putting themselves in danger, for example running onto a road or trying to harm themselves.

### **These examples do not pose a serious and imminent risk to safety**

Avoid using physical restraint to manage behaviour in these situations:

- To respond to behaviour that is disrupting the classroom but not putting anyone in danger of being hurt
- For refusal to comply with an adult’s request
- To respond to verbal threats
- To stop a student who is trying to leave the classroom or school without permission
- As coercion, discipline or punishment
- To stop a student who is damaging or removing property, unless there is a risk to safety.

### **Acceptable Physical Contact**

Staff may need to physically support students. The following situations involving physical contact to support students happen in schools every day:

- Temporary physical contact, such as an open hand on the arm, back or shoulders to remove a student from a situation to a safer place.
- Supporting a student to move them to another location, or help them to get in a vehicle or use the stairs.
- The practice of harness restraint, when keeping a student and others safe in a moving vehicle, or when recommended by a physiotherapist or occupational therapist for safety or body positioning.
- Younger students, especially in their first year of school, sometimes need additional help. For example, you may “shepherd” a group of younger students from one place to another.
- Staff may hold the hand of a young student who is happy to have their hand held for a short time.
- Staff may pick a student up to comfort them.

### **Following an incident of physical restraint**

School leadership will monitor the wellbeing of any student who has been physically restrained and the staff member who has restrained the student for the remainder of that school day.

Some of the students with the most challenging behaviours will have specific physical intervention and restraint techniques in their individual student plans. Where the Ministry is part of the team supporting such a student, specific training for staff in using those techniques is available.

The rules have requirements for schools to notify, monitor and report on the use of physical restraint. Schools need to notify the parents, Ministry of Education and the Board of Trustees using the Incident of Physical Restraint form. The completed form should be sent to [physical.restraint@education.govt.nz](mailto:physical.restraint@education.govt.nz) Refer to the Appendices for the MOE Reporting Form.

Dave Shadbolt \_\_\_\_\_  
(Principal)

Fiona Barker \_\_\_\_\_  
(Chairperson)