



## Physical Restraint Policy

Reviewed by Cambridge High School Board February 2024

### Minimising Physical Restraint

As required by the Education and Training Act 2020 and in support of the National Education and Learning Priorities (NELP), Cambridge High School promotes a schoolwide culture of wellbeing to ensure the school is a physically and emotionally safe place for all students and staff. This includes understanding, recognising, and safely responding to **student distress**, and minimising the use of physical restraint.

The physical restraint rules set out in this policy comply with the Education (Physical Restraint) Rules and the framework for physical restraint set out by the Education and Training Act 2020 (s. 101). This policy aligns with physical restraint rules and guidelines, but this information does not equate to the training required to safely use physical restraint. The only people who can use physical restraint at Cambridge High School are teachers and authorised staff (i.e. non-teaching staff that the school has authorised to use physical restraint) who have the relevant training. This training includes the mandatory online learning module (which must be completed by 7 February 2024) and physical holds training.

This physical restraint policy also aligns with Aramai He Tētēkura: A guide to understanding distress and minimising the use of physical restraint, which provides a practical approach for recognising and understanding student distress, providing **acceptable physical contact** (on page **Error! Bookmark not defined.**), and minimising the use of physical restraint in schools. This includes eliminating unjustified physical restraint.

We follow Aramai He Tētēkura, which was developed in response to the disproportionate use of physical restraint on Māori, disabled, and younger students. The school complies with these guidelines to give effect to **Te Tiriti o Waitangi** and its principles, in support of achieving equitable outcomes for all students.

### How we define and use physical restraint at Cambridge High School

#### ► What is physical restraint?

Physical restraint, in the context of this policy, means to use physical force to prevent, restrict, or subdue the movement of a student (or any part of their body) against their will. In line with Aramai He Tētēkura, teachers and authorised staff complete mandatory online modules to understand the physical restraint guidelines and take further approved training modules in identifying stress triggers, understanding unmet needs, and preventing, minimising, and responding to student distress.

Authorised staff in the context of physical restraint describes school staff who are not teachers, and who are part of a team supporting a student where imminent harm is likely. These staff members can be authorised by the school according to the Education (Physical Restraint) Rules, which state:

An employer may authorise an employee, who is not a teacher, and who has been trained in accordance with Rule 12, to use physical restraint in accordance with section 99 of the Act.

- **Ministry of Education | Te Tāhuhu o te Mātauranga: Education (Physical Restraint) Rules 2023**



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- ▶ See Rule 5: Authorisation of staff members who are not teachers

Cambridge High School does not allow seclusion or unsafe physical restraint in response to student distress.

### Seclusion

Seclusion is prohibited under the Education and Training Act 2020 (s. 98) and is defined in Aramai He Tētēkura as putting a student alone in a room or space against their will, which they cannot (or think they cannot) leave.

### Unsafe physical restraint

We do not use unsafe physical restraint techniques under any circumstances. Unsafe physical restraint techniques include:

- restraint that restricts breathing or communicating, including speaking and sign language
- face-down restraint
- immobilising through pressure points and pain holds
- actions such as tackling, sitting, lying on, or kneeling on a person
- headlocks or putting pressure on the chest or neck

bending joints backwards.

#### ▶ **When can physical restraint be used?**

Teachers and authorised staff members may only use physical restraint if all three of these conditions are met, and only as a last resort.

If physical restraint is necessary to prevent imminent harm, including significant emotional distress to a student or another person.

In the context of relevant legislation, significant emotional distress 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 and recover.

- ▶ **Ministry of Education | Te Tāhuhu o te Mātauranga: Aramai He Tētēkura**

▶

In the context of relevant legislation, imminent harm is an immediate threat that a person will cause and/or suffer harm which jeopardises the health, safety, or wellbeing of themselves or others if protective action is not taken immediately.

- ▶ **Ministry of Education | Te Tāhuhu o te Mātauranga: Aramai He Tētēkura**

If the teacher or authorised staff member reasonably believes there is no other option available in the circumstances for preventing harm.

If the physical restraint is reasonable and proportionate in the circumstances. This means only applying as much force as is necessary, and for the minimum amount of time necessary. Cambridge High School staff take proactive steps to ensure student safety. This may include using physical restraint to prevent harm, for example to stop a student from running onto a road, or coming into contact with a hazardous item.



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### Physical restraint rules

Cambridge High School complies with the following requirements, as set out by the Education (Physical Restraint) Rules. References are provided for how each area relates to an associated rule.

#### ► Policy requirements and availability to the community

We fulfil the requirement to have policies on reducing student distress and the use of physical restraint, and a process for managing complaints (Rule 4). Cambridge High School manages all complaints, including those regarding physical restraint, through our **Concerns and Complaints** policy. Where necessary, we follow up complaints with the Teaching Council, in accordance with their conduct and competence processes.

Our policies on reducing student distress and the use of physical restraint are available to the school community, and we are able to provide the names and positions of any staff members who are authorised to use physical restraint, if requested (Rule 6).

#### ► Authorisation of staff members

Under the Education and Training Act 2020, teachers, including relief teachers and people with a Limited Authority to Teach (LAT), are automatically authorised to use physical restraint. Other staff members, such as teacher aides, must be authorised by the board (Rule 5).

### Process for authorisation

The board may authorise a staff member who is not a teacher to use physical restraint after they have completed physical restraint training as set out by Rule 12.

The board makes any authorisation as specified above in writing.

The staff member receives a copy of the authorisation.

The board may revoke an authorisation at any time in writing.

#### ► Individual support plans

We have support plans in place for specific students to prevent distress and de-escalate crisis situations. See **Reducing Student Distress** (on page **Error! Bookmark not defined.**) for information about creating individual support plans.

We ensure we have support plans for students who meet any of the following criteria:

- the student is highly likely to be involved in a situation where physical restraint may be used
- the student has been physically restrained more than once in a term
- a support plan is requested for a student by their parents/caregivers.

We do not include physical restraint in a support plan unless all other possible strategies have been explored. Cambridge High School requires informed consent from parents/caregivers and whānau if physical restraint is included in a support plan (Rule 8). We monitor the frequency of physical restraint with the intention to minimise and, where possible, eliminate its use. The school notifies the Ministry of Education if physical restraint is part of a support plan.

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We provide comprehensive information about the details of an individual support plan to parents/caregivers and whānau so that they can make informed decisions about approving the plan.

This includes information about:

- the positions and holds that would be used, if physical restraint is needed
- the possible impacts of physical restraint and how these will be managed.
- Even if consent is not included in the plan, teachers and authorised staff may still use physical restraint if it is required to prevent imminent harm.
- ▶ **Ministry of Education | Te Tāhuhu o te Mātauranga: Aramai He Tētēkura (page 46 and Appendix 3: Sample consent form)**

### ▶ Notifying the use of physical restraint

After a situation involving physical restraint, we notify the following parties (Rule 9): Staff inform the principal (or their delegate) as soon as possible in order to support students, other staff, and anyone affected by the situation.

The school notifies parents/caregivers as soon as possible after physical restraint has been used (at minimum before the student is returned to their care). Parents/Caregivers are provided with a reasonable opportunity to actively participate in a debrief about the incident, including how it was managed with regard to the guidelines, within three working days of the incident (or later by mutual agreement).

The school notifies the Ministry of Education through the online incident reporting form or our student management system. We keep a secure copy of the notification, in line with the Privacy Act 2020 and the Official Information Act 1982.

The principal reports the use of physical restraint and analysis of physical restraint trends to the board.

If the principal considers that use of physical restraint was unjustified, they are responsible for following up with the board and subsequent reporting to the Teaching Council.

### ▶ Recording and monitoring physical restraint

Cambridge High School monitors our use of physical restraint, and complies with record keeping requirements. We keep written records of every instance of physical restraint of a student. We keep records for a minimum of 10 years from the date of last action (Rule 7). We take reasonable steps to ensure that any student who has been physically restrained and any staff member who has used physical restraint has their physical and psychological wellbeing monitored, so that appropriate support can be provided if there are adverse effects from the use of physical restraint.

We check for trends by monitoring and analysing records, particularly the increased use of physical restraint. If the trend shows increased use, we consider how to minimise use of restraint (Rule 10).

### ▶ Reporting physical restraint

Staff involved in an incident of physical restraint complete an incident report. The incident report and any other required information is submitted to the Ministry of Education through



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the Community Portal. We keep a copy of the physical restraint incident report in the student file, and provide a copy to parents/caregivers of the student (Rule 11).

### ► **Staff training and support**

The board is responsible for ensuring (Rule 12):

- from 7 February 2024, teachers and authorised staff members have completed the online learning module about the physical restraint guidelines (Aramai He Tētēkura)
- from 7 February 2025, teachers and authorised staff members are supported and trained in identifying stress triggers, understanding unmet needs, and preventing, minimising, and responding to student distress
- teachers with a high likelihood of needing to use physical restraint are trained in appropriate physical holds by accredited physical restraint practitioners
- every authorised staff member (who is not a teacher) has been trained in appropriate physical holds by accredited physical restraint practitioners before their authorisation.