



Nelson College for Girls Procedure Minimising Physical Restraint

As required by the Education and Training Act 2020 and in support of the National Education and Learning Priorities (NELP), Nelson College for Girls/Te Kura Tamawāhine o Whakatū 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 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, and minimising the use of physical restraint in schools. This includes eliminating unjustified physical restraint.

What is physical restraint?

Physical restraint, in the context of this procedure, 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 restraining guidelines and take further approved training modules in identifying stress triggers, understanding unmet needs, and preventing, minimising, and responding to student distress.

Nelson College for Girls/Te Kura Tamawāhine o Whakatū does not allow seclusion or unsafe physical restraining in response to student distress, either at school or in the boarding hostel.

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

Time out is an acceptable way to manage student behaviour. Time out means:

- Student voluntarily takes themselves to an agreed space or room to calm down, or
- A teacher prompts a student to work in another space.
- Teachers who use 'time out' must be very clear to the student that they are able to return to the classroom when appropriate.

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:

1. If physical restraint is necessary to prevent imminent harm, including a significant emotional distress to a student or another person.
2. If the teacher or authorised staff member reasonably believes there is no other option available in the circumstances for preventing harm.
3. If the physical restraining is reasonable and proportionate in the circumstances, and for the minimum amount of time.

Physical restraint rules

Nelson College for Girls/Te Kura Tamawāhine o Whakatū complies with the following requirements, as set out by the Ministry of Education (Physical Restraint) rules.

- **Policy requirements and availability to the community**

We have policies and procedures on reducing student distress and the use of physical restraint, and a process for managing complaints. Nelson College for Girls/Te Kura Tamawāhine o Whakatū manages all complaints, including those regarding physical restraint, through our Complaints policy. Where necessary, we follow up complaints with the Teaching Council, in accordance with their conduct and competence processes.

Our procedures 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.

- **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.

The board may authorise a staff member, who is not a teacher, to use physical restraining after they have completed physical restraint training. This must be in writing and the staff member must receive a copy of the authorisation.

- **Individual support plans**

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. We monitor the frequency of physical restraining 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.

- **Notifying the use of physical restraint**

After a situation involving physical restraint, we notify the following parties:

- 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. 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

Nelson College for Girls/Te Kura Tamawāhine o Whakatū 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.

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 carefully consider how to minimise the use of restraint.

Reporting physical restraint

We report every incident of physical restraint to the Ministry of Education using their online form.

Every staff member who uses physical restraint completes a staff physical restraint incident report. This is reported to the Principal and Senior Leadership Team. We keep an electronic copy of the form in the student's KAMAR file, and provide a copy to parents/caregivers of the student.

- **Staff training and support**

The board is responsible for ensuring:

- From 7 February 2024, teachers and authorised staff members have completed the online learning module about the physical restraint guidelines (Aramai He Tētēkura)
- The Principal holds an up-to-date database of all staff to ensure completion of the online learning modules.
- 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.

The Principal assures the board that all procedures relating to physical restraint have been followed, and that all requirements to notify, monitor, and report have been met. The Principal confirms that any non-teaching staff have been authorised in writing, and that staff authorised to apply restraint have received appropriate training and support.

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