



POLICY 5.11 Reducing student distress and use of physical restraint

Ratified at Board Meeting	3 May 2023
Next Review Due	2024

RATIONALE:

Aquinas College Board is committed to a supportive and caring school environment where all students and staff are kept safe from harm and treated with dignity. 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, including significant emotional distress, to the student or another person,
- if the principal, teacher or authorised staff member reasonably believes 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 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”), and
- recommending eligible non-teaching staff to the Board for authorisation to use physical restraint according to requirements of the 2023 Rules.

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

GUIDELINES:

All staff subject to this policy must be 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.

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

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 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.

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.

Complainants with concerns regarding implementing the College's Reducing student distress and use of physical restraint policy must follow the school's prescribed concerns and complaints procedure.

ASSOCIATED LEGISLATION / SUPPORTING DOCUMENTATION:

Definitions - 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 Aquinas College who is trained and authorised by the employer to use physical restraint in accordance with Section 99 of the Act.

Legislation

[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 Physical Restraint - Understanding the Rules and Guidelines
- notifying and reporting on instances of physical restraint
- monitoring the use of physical restraint