

35. Reducing Student Distress and Use of Physical Restraint Policy

Purpose

The JHC 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-authorised 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
- 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.

Expectations

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
- regular evidence-based assurances from their Principal that this policy is being followed.

Principal

The Principal shall ensure:

- the implementation of and compliance with 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 at the next Board meeting
- the Board is informed of all relevant information (risks, trends, and impacts) at each Board meeting
- all non-teaching staff who may use physical restraint on a student have been authorised by the Board.

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Monitoring

The Principal shall report to the Board at each Board meeting:

- 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
- 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.

Concerns/Complaints

Any concern or complaints around the use of physical restraint can be addressed through our Complaints Policy (via our website).

Definitions	<p>As defined in the Education and Training Act 2020:</p> <p>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.</p> <p>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.</p> <p>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.</p>
Legislation	<p>Education and Training Act 2020 (Sections 99-101)</p> <p>Education (Physical Restraint) Rules 2023</p> <p>Health and Safety at Work Act 2015</p>
This policy is to be read in conjunction with the boards: (Available on our website)	<ul style="list-style-type: none">• Health and Safety policy• Emotional and Physical safety at school policy• Student Welfare – behaviour management policy• Disclosure of abuse policy• Privacy policy• Complaints policy
Procedures/supporting documentation	<p>The Ministry of Education's Physical Restraint Guidelines</p> <p>Appendix 1 of the Rules</p> <p>Suggested procedures/practices that cover:</p> <ul style="list-style-type: none">• 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

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