




10 June 2022



Tēnā koe 

Thank you for your email of 6 April 2022 to the Ministry of Education requesting the following information:

1. *The total number of physical restraint incidents at New Zealand schools from August 1, 2017 to date.*
2. *The total number of physical restraint incidents at schools each calendar year from 2017 to date.*
3. *The number of physical restraint incidents broken down by school from August 1, 2017 to date.*
4. *The total number of students involved in restraints from August 1, 2017 to date.*

Your request has been considered under the Official Information Act 1982 (the Act).

I apologise for the significant delay in responding to your request.

The Ministry is committed to ensuring the safety of both students and staff in New Zealand schools. We provide a range of supports to assist schools to manage challenging behaviour. This includes the Understanding Behaviour, Responding Safely (UBRS) workshop, which is delivered as a whole-day training or in modules for whole school staff groups. It focuses on prevention and de-escalation strategies, and is delivered by regional staff experienced in behaviour management.

Ministry Learning Support specialists are available and provide support to schools for children and young people with high levels of challenging behaviour. However, there will be times where situations escalate and, on rare occasions, a student may need to be physically restrained to protect themselves and/or others.

Physical restraint is regulated via the Education and Training Act 2020 (ETA), which replaced the Education Act 1989. Part 3, subpart 3 of the ETA includes several changes to the previous physical restraint framework to make it clearer that teachers and authorised staff members may physically restrain when it is necessary to prevent imminent harm to the health, safety or wellbeing of a child, young person or to another person, and the teacher or staff member reasonably believes there is no other option available in the circumstances.

The ETA defines physical restraint as “physical force to prevent, restrict, or subdue the movement of the student’s body or part of the student’s body against the student’s will.” The addition of “against the student’s will” clarifies that physical contact for guiding, comforting or communicating with a student, that the student does not resist, would not be subject to the

conditions set out in section 99. Any restraint used must be reasonable and proportionate in the circumstances.

Under the Act, registered schools must report every instance of physical restraint to the Ministry using the Incident of Physical Restraint Form (IPR Form) provided in the Rules. The Guidelines explains the purpose of the Ministry gathering this information as follows:

- *The Ministry will use the information to provide appropriate support to schools and student when there are instances of physical restraint on students.*
- *The Ministry will also use this information to update the rules and guidelines to reflect evolving practice or address areas of concern.*

Situations involving physical contact happen in schools every day. Under the existing Act, examples of situations which do not constitute physical restraint, and do not have to be reported to the Ministry, include:

- Temporary physical contact (such as a hand on the arm, back or shoulders to remove a student from a situation to a safer place).
- Holding a student with a disability to move them to another location or help them get into 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, placing a hand on a younger student's back to guide them from one place to another does not need to be reported to the Ministry.
- Staff may hold the hand of a young student who is happy to have their hand held for a brief period of time.

We have provided the data for each part of your request as follows.

**Table 1: Total number of physical restraint incidents at schools from 01/08/2017 to 07/04/2022**

Number of Incidents
9609

**Table 2: Total number of physical restraint incidents at schools each calendar year from 01/08/2017 to 07/04/2022**

Year	Number of Incidents
2017	947
2018	2647
2019	2495
2020	1666
2021	1559
01/01/2022 to 07/04/2022	295

In response to part three of your request, we are withholding this in full under sections 9(2)(a) and 9(2)(ba)(ii) of the Act, as schools provide this information to the Ministry under an obligation of confidence and it protects the privacy of students.

**Table 4: Total number of students involved in restraints from 01/08/2017 to 07/04/2022**

Number of Students
4181

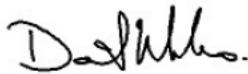
**Caveats:**

- *Data is live and subject to change.*
- *Physical restraint incidents with blank/invalid NSNs are excluded from this report.*

Please note, the Ministry now proactively publishes OIA responses on our website. As such, we may publish this response on our website after five working days. Your name and contact details will be removed

Thank you again for your email. If you have further questions please feel free to contact our media team in the first instance at [media.team@education.govt.nz](mailto:media.team@education.govt.nz). You have the right to ask an Ombudsman to review my decision on your request, in accordance with section 28 of the Act. You can do this by writing to [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz) or to Office of the Ombudsman, PO Box 10152, Wellington 6143.

Nāku noa, nā



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