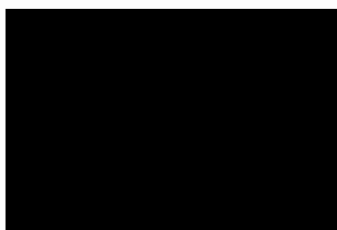


12 February 2020



Thank you for your email of 15 November 2019 to the New Zealand Police requesting the following information:

We appreciated the large file that you provided under the OIA request we made in 2017. I refer to DS BJ Cameron's Report which starts at 1-30 (file reference) in the file provided. On page 30-31 of his report (file ref: 1-59/60, 14.2, 14.3, 14.4, 14.5 and 15.6) he refers to documents produced by an advisory group, and refers the reader to (at page 5) and (as at page 6). We were not provided a copy of these documents referenced by DS BJ Cameron in his Police Report. We request a copy under the OIA request- especially given DS B J Cameron acknowledged we (the complainants) were instrumental in the development of these documents (1-60, 15.6).

This was subsequently transferred to the Ministry of Education for responding.

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

We have identified two documents in scope of your request:

- Guidance for New Zealand schools on the minimisation of physical restraint FINAL Draft version updated 2 August 2016 (Di)
- Transitional guidance for New Zealand Schools as we work towards the elimination of seclusion

These have been attached as **Appendix one** to the response.

These draft documents were developed by the Advisory Group which was established in June 2015 to develop national guidance on seclusion and restraint. The two draft August 2016 documents reflect the Advisory's Group's thinking at that point in time, but were never finalised or published.

As you are aware, in October 2016, the Minister for Education directed the Ministry to work on ending the use of seclusion in schools as soon as possible. The two sets of draft guidelines were combined into one document and amended to reflect the change in approach. On 3 November 2016, the Acting Secretary for Education wrote to all schools advising that the use

of seclusion was no longer acceptable and guidance (*Guidance for New Zealand Schools on Behaviour Management to Minimise Physical Restraint*) was issued.

It is important to note that the two sets of guidelines (attached as **Appendix one**) were superseded by the above document.

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. You have the right to ask an Ombudsman to review this decision. You can do this by writing to info@ombudsman.parliament.nz or Office of the Ombudsman, PO Box 10152, Wellington 6143.

Yours sincerely



Katrina Casey
Deputy Secretary
Sector Enablement and Support

APPENDIX ONE

Guidance for New Zealand schools on the
minimisation of physical restraint FINAL
Draft version updated 2 August 2016 (Di)

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Foreword

This guide has been developed to support schools to address some of the uncertainty staff experience when faced with a student exhibiting difficult behaviour that may escalate into a potentially dangerous situation.

The aim is to strengthen the good practice already happening in schools, with a focus on preventing the need for physical restraint.

Inclusive practices and safe environments for all learners are of paramount importance and at the heart of the guide is student and staff wellbeing.

Physical restraint is a serious intervention. The emotional and physical impact on the student being restrained and the person doing the restraining can be significant. There are legal and reputational risks if a student is harmed.

The decision about whether to use physical restraint rests with the professional judgement of the staff member(s) involved who will need to take into account their duty of care to students, their right to protect themselves and others from harm, and their obligation to act in a lawful way.

Physical restraint should only be used in emergency situations when the student's behaviour poses an imminent danger of physical injury to themselves or others.

The guide takes into account current international research and directions, and student's rights under the Bill of Rights Act 1990, the Education Act 1989, the United Nations Convention on the Rights of the Child 1989, the United Nations Convention on the Rights of Persons with Disabilities 2007, the National Administration Guideline 5, the Vulnerable Children Act 2014, the Health and Safety at Work Act 2016 and the Crimes Act 1961.

The guide has been developed by a cross-sector Advisory Group, including representatives from the Special Education Principals' Association of New Zealand, the New Zealand Principals' Federation, the New Zealand Educational Institute, the New Zealand School Trustees Association, the Secondary Principals' Association of New Zealand, the Post Primary Teachers Association, the Ministry of Health, the High and Complex Needs Unit, and the Ministry of Education.

Student and staff wellbeing

Physical restraint has been associated with injury and increased trauma to the student and the staff member responsible for the physical restraint.

The use of physical restraint may not only impact on a student's physical and emotional wellbeing, but also on that of the staff member using physical restraint. Therefore, the guide's focus is on staff and student safety and wellbeing.

If a staff member follows this guide when faced with making a decision about whether to use physical restraint or not, the risk of being hurt, or unintentionally hurting a student, will be minimized and the risk of legal liability mitigated.

What is Physical Restraint?

Physical Restraint is when a school staff member uses their own body to intentionally limit the movement of a student.

It is not:

- When a staff member has temporary physical contact, e.g. a hand on the arm, back or shoulders to remove a student from a situation to a safer place.
- When holding a student with a disability, to move them to another location, or help them to get in a vehicle or use the stairs.
- The practice of harness restraint, when it is necessary to keep a student and others safe in a moving vehicle, or when it is recommended by a physiotherapist or occupational therapist for safety or body positioning.

Note: Younger children, especially those in their first year of school, sometimes require additional help. For example, staff may 'shepherd' a group of younger children from one place to another, or hold the hand of a young child who is happy to have their hand held for a short time, or pick a child up to comfort briefly. This is not restraint.

Physical restraint use

- Physical restraint should be justifiable in the particular circumstances and should be a proportionate response to the level of risk. The minimum level of force necessary should be used to respond to the risk of imminent danger.
- Physical restraint should last only as long as necessary in order to prevent the imminent danger of physical injury and ensure the safety of all persons involved.

Imminent danger of physical injury

Physical restraint is a serious intervention. If there is any alternative to physically restraining a student, that alternative should be taken.

Physical restraint should only be used in emergency situations when:

- The student's behaviour poses an imminent danger of physical injury to other students, staff, themselves, or others.

- Preventative and de-escalation techniques have been attempted and have been ineffective in reducing the potential for injury.

What is imminent danger?

Staff will need to use their professional judgement to decide what constitutes 'imminent danger'. It may include the following situations:

- A student is moving in with weapon, or something that could be used as a weapon, and is clearly intent on using violence towards another person
- A student is physically attacking another person, or is about to.
- A student is throwing furniture, computers, breaking glass etc in close proximity to others who would be injured if hit
- A student is putting themselves in danger e.g. running on to a road, attempting to harm themselves.

Avoid using physical restraint to manage behaviour in the following circumstances:

- In response to behaviour that is disrupting the classroom but not putting anyone in danger of being hurt
- For refusal to comply with an adult's request
- In response to verbal threats
- When a student tries to leave the classroom/school without permission
- As coercion, discipline or punishment
- For property damage (unless the property itself could inflict bodily injury.)

To minimise the likelihood of injury to a student the following restraint holds should be avoided

- Prone (face-down) physical restraint
- Pressure points and pain holds
- Tackling, sitting, lying or kneeling on a student
- Pressure on the chest or neck
- Hyperextension of joints
- Headlocks
- Restraint when moving a student from one place to another (e.g. in a vehicle) when they are in an escalated state
- Physical restraint which inhibits the student's breathing, speaking or primary method of communication
- Using force to take/drag a student, who is resisting, to another location.

Monitor wellbeing throughout

- The physical and psychological state of the student being restrained should be continuously monitored by the person performing the restraint and others present.
- Staff should only apply physical restraint for the minimum amount of time necessary and stop as soon as the danger has passed.
- The physical and psychological wellbeing of both the student and the staff member who applied the restraint should be monitored for the rest of the school day due to the risk of shock, possible unnoticed injury, or delayed

effects

- Parents/caregivers should be contacted on the same day, as soon as possible following the incident involving physical restraint, so that they can monitor their child's wellbeing at home
- If the student is in a residential school or home the residential team must be informed so the student's wellbeing can be monitored after school.

What are preventative and de-escalation techniques?

The following strategies can be used for the unexpected, 'one-off' incidents as well as students who regularly present with high risk behaviours. Please note that these are general suggestions. For students with high risk behaviours an Individual Behaviour Plan should be developed: tailored to the student's needs.

Preventative

- Get to know the student and identify potentially difficult times or situations that may be stressful or difficult for them
- Identify the student's personal signs of stress or unhappiness and intervene early
- Demonstrate a supportive approach: "I'm here to help"
- Be flexible in your responses, adapt what you're doing to the demands of the situation
- Be reasonable: a reasonable action, request, or expectation, deserves a reasonable response
- Take the student seriously and address issues
- Promote and accept compromise or negotiated solutions, while maintaining your authority
- Address private or sensitive issues in private
- Avoid the use of sarcasm, inappropriate humour or mocking, etc
- Monitor wider classroom/playground behaviour carefully for potential areas of conflict.

De-escalation

Safety First – Create Space

- Remove audience / ask other students to take their work and move away
- Give the student physical space
- Name the emotion in a calm even voice "you look really angry", "I can see that you are very frustrated"....
- Wait
- Talk quietly even when the person is loud
- Try to remain calm and respectful
- Monitor your own body language and allow the student the opportunity to move out of the situation with dignity
- Focus on communicating respect and your desire to help
- Keep verbal interactions respectful
- When appropriate give the student clear choices and/or directions to help them feel more secure and regain control
- If escalation occurs – move further away
- Make sure you have an exit plan
- Constantly reassess the situation and send for assistance if necessary

What may escalate the behaviour:

- Threatening the student
- Arguing or interrupting
- Contradicting what the student says (even if they have got it wrong)
- Challenging the student
- Trying to shame the student or showing your disrespect for the student.

The Individual Behaviour Plan

When a student regularly presents with high risk behaviours and the team supporting the student agree that physical restraint may be needed as an emergency strategy to keep people safe, an individualised approach should be taken that is tailored to the student's needs.

The Individual Behaviour Plan should outline the preventative and de-escalation strategies which, if successfully implemented, would prevent the need for physical restraint. It should clearly state that physical restraint is only to be used when the student's behaviour poses an imminent danger of physical injury to themselves or others.

The team supporting the student should ensure the type of physical restraint used is consistent with the student's individual needs and characteristics, including:

- The age/size/gender of the student
- Any impairments the student has e.g. physical, intellectual, neurological, behavioural, sensory (visual or hearing) or communication
- Any mental health issues or psychological conditions of the student, particularly any history of trauma or abuse
- Any other medical conditions of the student
- The likely response of the student

Parents/caregivers should always be a member of the team:

- Parents/caregivers are able to help make decisions about their child and should agree to the interventions that will be put in place to support them.
- Parents/caregivers should be fully informed if physical restraint is identified in the student's Individual Behaviour Plan, including how it will be applied in accordance with this guide.
- Parents/caregivers should be informed as soon as possible on the same day about the incident and how it was managed in accordance with the guide.
- If the student is in a residential school or home the residential team should be informed so the student's wellbeing can be monitored after school

All relevant professionals and parents should have a copy of the Individual Behaviour Plan which should be signed-off by the Principal (or Principal's delegate) and the student's parents/caregivers.

The use of restraint should be regularly reviewed and monitored by the team supporting the student.

Training

For the team supporting the student

- The team directly supporting the student should be taught how to safely restrain the student when positive, preventative and de-escalation strategies have not been effective. Parents who have to use physical restraint in the home environment may wish to be part of this training. If there is a Ministry or RTLB practitioner on the team they should discuss the individualised training options available. If not, contact the Ministry for support.
- Some schools, with a high number of young people with intellectual disability / developmental delay who regularly present with potentially dangerous behaviour, should ensure a sufficient number of staff are trained in safe physical restraint to meet the needs of the specific student population in the school.
- Ideally physical restraint should only be applied by staff trained in its safe use, and trained in emergency first aid procedures (e.g. CPR).
- There may, however, be a situation where no trained person is in the vicinity. If an untrained adult feels they can use physical restraint safely (safe for them and safe for the student) they may use their judgement and decide to intervene.
- Staff members who do not have the skills or confidence to safely restrain a student should not intervene. It is preferable to remove the other students from the scene and call for assistance.
- The Police should be called when a student cannot be managed safely and the imminent danger to students, staff, or themselves remains after all other alternatives have been explored.

For the whole school

A training package, *'Understanding Behaviour – Responding Safely'*, has been developed for New Zealand schools. It includes a full day workshop for all staff and ongoing support afterwards. The focus is on preventative and de-escalation techniques. Contact your local Ministry of Education district office for information about this training.

Note: All staff should be made aware:

- That physical restraint should only be used in emergency situations and only when less restrictive interventions have been ineffective in stopping an imminent danger of physical injury to the student or others
- Of basic safe handling practices and the forms of physical restraint intervention that may compromise health and safety, including the serious physical risks associated with some physical restraint techniques. These include the risk of positional asphyxia, and sudden death.

After an incident (see appendices for sample templates)

Good practice involves:

- Checking regularly with the staff member concerned and the student to ensure they are not experiencing any shock reactions and providing support where necessary
- Ensuring the parent/caregiver(s) of the student are made aware as soon as possible after the incident that their child had to be restrained so their wellbeing can be monitored at home
- Ensuring the residential team manager is informed if the student attends a residential school, so the student's wellbeing can be monitored after school.
- Reflecting formally on why the incident that resulted in a student being restrained occurred, what might have prevented it, and what might need to change to minimise the likelihood of it happening again
- Considering whether all preventative and de-escalation strategies were implemented according to the Individual Behaviour plan and whether the restraint method used was safe
- Writing an incident report that is available to the team directly supporting the student
- Reviewing the Individual Behaviour Plan and making decisions as a team about what needs to be strengthened to minimise the likelihood of a similar incident.

Suggestions about what might be considered

Reporting

- Every physical restraint incident should be written up in an incident report and reflected on (see example of template)
- The incident report should be signed off by the staff members involved in the physical restraint and the Principal (or Principal's delegate)
- The parent/caregiver should be notified on the same day the incident occurred

Debriefing Staff

- A debriefing session should be held with involved staff, the Principal (or Principal's delegate), and another member of staff not involved in the physical restraint incident. This debriefing should be held within two days of the incident.
- The debriefing should focus on the incident, its antecedents, the alternative interventions used that were unsuccessful in de-escalating the behaviour, and what could have been done differently.
- If Ministry or RTLB practitioners are part of the student's team they should be part of the debriefing process.
- If the Police have been involved in the incident, then they should be invited to participate in the debrief session.
- Notes from the debrief should be written up along with next steps/actions

Parents

- The parent/caregiver should be offered a separate debriefing as soon as practically possible – and preferably within two days of the incident occurring.

- At this meeting they should be given the opportunity to discuss the incident and become active partners in the exploration of future alternatives to restraint. If appropriate, the student should be involved in this debrief
- Notes from the debrief should be written up along with next steps/actions

Adapting the Individual Behaviour Plan

- A meeting with the team supporting the student, including the parents/caregivers, and residential team manager if the student is enrolled in a residential school, should be held as soon as possible to review the Individual Behaviour Plan and the physical restraint processes followed
- The updated plan should identify ways to prevent the need to use physical restraint in the future
- Changes to the student's Individual Behaviour Plan should incorporate the suggestions of parents/caregivers and the student.
- If a behaviour specialist from the Ministry or RTLB service is supporting the team around the student they should be actively involved in the development and review of the plan.
- All relevant documentation should be included in the student's file, with copies made available to the student's teacher and the parents/caregiver.

School policies

- School policies on physical restraint, in line with this guide, should be developed and available for all parent(s)/ caregiver(s)
- There should be a clear complaints process for the student and parents/caregivers to follow if they want to make a complaint about the use of physical restraint.
- The policy should be included as part of the school's annual review cycle.

Responsibilities ¹

Promoting the minimisation of physical restraint

The Principal, or Principal's delegate, should be responsible for:

- Promoting the goal of minimising the use of physical restraint through a focus on alternative strategies.
- Ensuring appropriate training is provided that aligns with the goal of minimising physical restraint in schools.

Monitoring and reporting

The Principal, or Principal's delegate, should be responsible for:

- Monitoring the use of physical restraint in the school. This should include gathering and analysing information, identifying trends, and checking that documentation about each incident is complete.
- Collating information about physical restraint in a report and sharing data on physical restraint regularly with the Board of Trustees via the Principal's report at Board meetings. This should be done in a public-excluded session.
- Managing any complaints and feedback where there are concerns about physical restraint procedures.

Oversight

The Board of Trustees is responsible for governance oversight.

- If physical restraint has been used schools are encouraged to contact the Ministry of Education for advice and support.
- Physical restraint, as with any other school operation or procedure, may become a focus of an ERO review.

1. Note that data collection is to be undertaken in accordance with the Privacy Act 1993:
<http://www.legislation.govt.nz/act/public/1993/0028/latest/DLM296639.html>

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REPORTING TEMPLATES FOR PHYSICAL RESTRAINT

(Sample only – many schools will already have established processes to reflect on incidents where restraint has been used, and have good reporting processes)

1. Physical restraint incident report (staff)

- This should be completed by the staff member/s who restrained the student as soon as possible after the incident and within 24 hours
- The incident report should be signed off by the staff member/s involved in the physical restraint and any staff who witnessed the incident, and the Principal or Principal's delegate

NOTE: If the Principal applied the restraint a delegated senior management team member should sign off the report.

2. Physical restraint debriefing (staff)

- Within two days of the restraint incident a debriefing with the involved staff member/s should be facilitated by the Principal or delegate with another member of staff, who was not involved in the restraint, attending.
- If the student is receiving a Ministry or RTLB behaviour service, the case worker should be part of the debriefing process

NOTE: The Principal is responsible for facilitating the debriefing unless he or she is the person who applied the physical restraint. If this is the case an appropriate senior leader in the school will take this role.

NOTE: If police have been involved they should be invited to the staff debriefing

3. Physical restraint debriefing (parent/caregiver & student)

- The parent/caregiver should be notified and involved in discussion about the incident with the Principal or delegate as soon as practically possible so they can monitor their child's physical and emotional wellbeing at home
- They should be given the opportunity to discuss the incident and become active partners in the exploration of future alternatives to restraint.

NOTE: The staff member who applied the physical restraint should not be part of this meeting.

- Both debriefing forms should be attached to the Physical Restraint Incident Form, and any other forms that are relevant (e.g. Injury Form).
- Copies of these forms are to be placed in the student's file and made available to the student's teacher/s and the parent/guardian.
- Data on physical restraint incidents should be shared with the Board of Trustees via the Principal's report. This should be done in a public excluded session.

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PHYSICAL RESTRAINT INCIDENT REPORT

Report completed by:		Date of incident:		Date of report:	
Name of student:					
Date of birth:		Gender:	M <input type="checkbox"/> F <input type="checkbox"/>		
Ethnicity:					
Time restraint started:					
Time restraint ended:					
Name/s of staff member/s administering restraint:					
Trained in safe physical restraint?		Yes <input type="checkbox"/> No <input type="checkbox"/>			
Other staff /adults who witnessed:					

Location where restraint occurred:	
Classroom	
Corridor	
Assembly Hall	
Outdoor area	
Toilet block	
Administration area	
Other (identify)	

Behaviour directed at:	
Staff member (name)	
Student (name)	
Self (Describe intention to harm)	
Property (Describe potential injury to self or others)	

Reason restraint was considered necessary	
Imminent danger, serious risk of injury (describe)	
Actual injury (describe and attach injury form)	

Please turnover and complete the reflection section

REFLECTION

Events leading to the incident

Describe what was happening before the behaviour started to escalate. What was the student engaged in? What do you think might have triggered the behaviour? How were other students reacting to the student?

Behaviour of the student

What did you notice about the student's behaviour that alerted you that they were struggling to cope? Think about the way they looked (facial expressions, physical signs, language etc)

What did you try before the restraint?

Describe the alternative interventions used to prevent the emergency, including a description of the de-escalation strategies implemented. What was the response from the student?

The restraint method used

Describe the nature of the physical restraint. Include the type of hold and number of people required.

Monitoring

How was the student's physical and emotional distress monitored?

After the restraint ended

Describe the disposition of the student following the restraint. What help and support was offered to the student?

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If there's a next time

What could be done differently in the future to prevent the need for restraint?

How about you?

How are you feeling and what supports do you need?

Signature of person who applied the restraint:
Signature/s of staff witnesses (if applicable):

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PHYSICAL RESTRAINT DEBRIEFING (STAFF INVOLVED)

Date of incident:

Date of debriefing:

Those Present:

Time of Debriefing:

Findings of debriefing:

Next Steps/Actions:

Principal or Principal's delegate signature:

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PHYSICAL RESTRAINT DEBRIEFING (PARENT/CAREGIVER & STUDENT)

Date of incident:

Date of debriefing:

Time of Debriefing:

Those Present:

Parent/Guardian Comments and Suggestions

Student Comments and Suggestions

Next steps/actions agreed

Principal or Principal's delegate signature:

Parent/guardian signature:

Student signature:

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Transitional guidance for New Zealand schools as we work towards the elimination of seclusion

FINAL Draft version

updated 2 August 2016 (Di)

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Police
SIA Section
Private Bag 1924
Dunedin 9054

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Foreword

Seclusion is an extremely serious intervention. It is potentially traumatic and can harm a student's wellbeing. It can also have serious legal implications for anyone who puts a student into seclusion.

This guide is a step on the path towards eliminating the use of seclusion in New Zealand schools. Its aim is to strengthen the good behaviour support practices already happening in schools as we move to eliminate seclusion over the next three years.

This guide aims to help the few schools that still use seclusion to minimise the physical, emotional, psychological and legal risks involved. It gives a set of procedures to follow when seclusion is identified as a necessary part of a student's Individual Behaviour Plan.

Use this guide to make an informed decision about seclusion

Student and staff wellbeing is at the heart of this guide. The overall goal is to promote safe, inclusive learning environments that foster the wellbeing and education of all students.

Staff must use their professional judgement when they decide whether to use seclusion. They must consider their duty of care to students, their right to protect themselves and others from harm, and their obligation to act lawfully.

Developing the guide: expertise from throughout the sector

An Advisory Group from across the sector developed the guide. They agree that seclusion should be eliminated. The research consensus is that this practice is risky and potentially harmful, physically and psychologically. The research also emphasises that eliminating seclusion is both desirable and achievable. In line with evidence-based practice, it recommends focusing on interventions that are strengths-based and positive to prevent the need for seclusion.

For an extremely small number of students, however, seclusion may be the only option available until more appropriate support can be provided. Seclusion may happen in rare situations when proactive de-escalation strategies and safe physical restraint are not enough to manage imminent danger. This guide has been developed for those rare situations.

Schools should contact the Ministry after every incident of seclusion. The Ministry will support your school to explore other options.

The group included representatives from the Special Education Principals' Association of New Zealand, the New Zealand Principals' Federation, the New Zealand Educational Institute Te Riu Roa, the New Zealand School Trustees Association, the Secondary Principals'

Association of New Zealand, the Post Primary Teachers Association, the Ministry of Health, the High and Complex Needs Unit, and the Ministry of Education.

The guide takes into account current international research and directions. And it respects students' rights under the Bill of Rights Act 1990, the Education Act 1989, the United Nations Convention on the Rights of the Child 1989, the United Nations Convention on the Rights of Persons with Disabilities 2007, the National Administration Guideline 5, the Vulnerable Children Act 2014, the Health and Safety at Work Act 2016 and the Crimes Act 1961.

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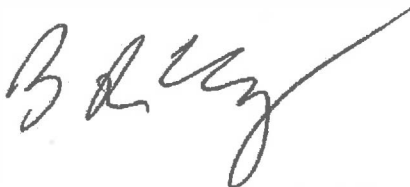
Organisations represented on the cross-sector Advisory Group



Bernadette Anne
High and Complex Needs Unit



Bruce Cull
Ministry of Education



Brian Coffey
Ministry of Education



David Pluck
Ministry of Education



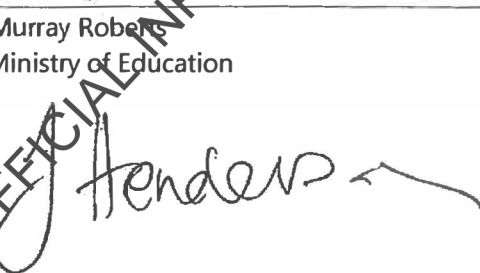
Di Thomas
Ministry of Education



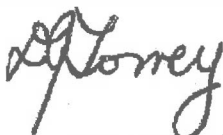
Murray Roberts
Ministry of Education



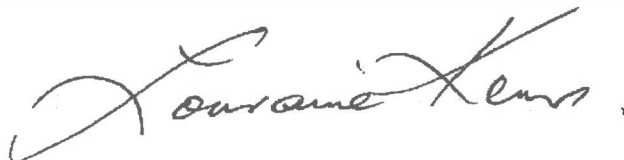
Colin Hamlin
Ministry of Health



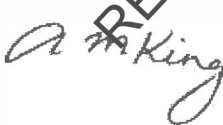
Justine Henderson
New Zealand Educational Institute



Denise Torrey
New Zealand Principals Federation



Lorraine Kerr
New Zealand School Trustees Association



Angela King
Post Primary Teachers Association



Patrick Walsh
Secondary Principals Association of New Zealand



Graeme Daniel
Special Education Principals' Association
of New Zealand

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The purpose of this guide

Student and staff wellbeing come first

This guide focuses on staff and student safety and wellbeing.

By following this guide, a staff member who faces a decision about whether to seclude a student can minimise the risk of harm to a student's physical and emotional wellbeing. They may also mitigate the risk of legal liability.

Seclusion has been associated with trauma and injury (sometimes self-inflicted). All staff must be aware of the possible effects of seclusion on a student's wellbeing. They must also understand that seclusion is an emergency strategy, only for use when all alternatives to de-escalate the situation have been exhausted, including safe physical restraint.

What is seclusion?

Seclusion is when a student is involuntarily placed alone in a room, at any time or for any duration, from which they cannot freely exit. The door may be locked, blocked or held shut.

When used in this way, seclusion has no therapeutic value and in no way promotes mental and physical wellbeing.

Using a "sensory" or calm-down room is not seclusion if the student can leave freely

You may use a "sensory" or calm-down room that is provided as part of an Individual Behaviour Plan to a student with additional needs. They could be on the autistic disorder spectrum or have other sensory difficulties. They may use the room when they feel overwhelmed, and are able to freely leave at any time.

Identifying when you may need to use seclusion

Use seclusion only where there is "imminent danger of physical injury"

Seclusion is a serious intervention. If there is any alternative to secluding a student, use that alternative. Only use seclusion in emergency situations when:

- it is part of an Individual Behaviour Plan
- the student's behaviour poses an imminent danger of physical injury to other students, staff, themselves or others
- you have used preventative and de-escalation techniques and not been able to reduce the risk of injury.

What is “imminent danger of physical injury”?

You will need to use your professional judgement to decide what constitutes “imminent danger”. These situations are examples.

- A student is moving in with a weapon, or something that could be used as a weapon, and is clearly intent on using violence towards another person.
- A student is physically attacking another person, or is about to.
- A student is, for example, throwing furniture, computers, or breaking glass close to others who would be injured if hit.
- A student is putting themselves in danger, for example running onto a road or trying to harm themselves.

These situations do not pose imminent danger

Avoid using seclusion to manage behaviour in the following circumstances:

- to respond to behaviour that is disrupting the classroom but not putting anyone in danger of being hurt
- for refusal to comply with an adult’s request
- to respond to verbal threats
- to stop a student who is trying to leave the classroom or school without permission
- as coercion, discipline or punishment
- for damaging property unless this could cause injury.

Guidance if you have to use seclusion

- Seclusion should be justifiable in the circumstances and it should be proportionate to the level of risk.
- When a student has been placed in seclusion, work towards getting them out of seclusion as soon as possible.
- Only permit designated staff members who are trained in physical restraint and seclusion procedures, and in emergency first aid, to seclude a student.
- A staff member must monitor the student’s physical and emotional wellbeing continuously. They must be able to see and hear the student at all times.
- Offer water to the student during and after seclusion.
- End seclusion as soon as the conditions or behaviours which caused the need for seclusion stop, and the imminent danger is no longer present.

- Thank the student for calming down, ask if they need any help, and reassure them that they can come back to class when they are ready.
- Monitor the physical and psychological wellbeing of both the student and the staff member who administered seclusion for the rest of the school day. There may be shock, possible unnoticed injury and delayed effects.
- As soon as possible on the same day, after the seclusion period is over, the staff member who secluded the student must complete an incident report. An example template is at the back of this guide.

Get help if these things happen

- If the student remains highly anxious and distressed, with no signs of de-escalating, seek suitable help from someone who may be able to support them. This could be, for example, the parents or caregivers or a staff member who has a positive relationship with the student.
- If the student starts self-harming, safely physically restrain them (in line with the Physical Restraint guide) and call the emergency services.

Contact parents or caregivers during or after seclusion

- Contact parents or caregivers while their child is in seclusion, or as soon as possible afterwards. The only exception is if the student's Individual Behaviour Plan says they do not wish to be contacted during. If you cannot contact them during seclusion, contact them on the same day so they can monitor their child's wellbeing at home.
- If the student is in a residential school or home, inform the residential team so they can monitor the student's wellbeing after school.
- Tell parents or caregivers how the incident was handled in line with the Individual Behaviour Plan and this guidance document.

The seclusion room

In rare situations, when seclusion is part of an Individual Behaviour Plan, the room used for seclusion must provide for the student's welfare.

- The seclusion room must have an unbreakable observation window so the student can be monitored, watched and heard continuously. It must have adequate ventilation and lighting.
- The room must be reasonably sized, have soft, fixed furnishings and be free of potential safety hazards.

Use preventative and de-escalation techniques first

Your first aim is to avoid the need to seclude the student.

Use the following strategies for unexpected "one-off" incidents, as well as for students who regularly present with high-risk behaviours. These are general suggestions. For students with high-risk behaviours, have an Individual Behaviour Plan developed, tailored to the student's needs.

Preventative techniques

Understand the student

- Get to know the student and identify potentially difficult times or situations that may be stressful or difficult for them.
- Identify the student's personal signs of stress or unhappiness and intervene early.
- Monitor wider classroom/playground behaviour carefully for potential areas of conflict.

Respect the student

- Demonstrate a supportive approach: "I'm here to help."
- Be flexible in your responses: adapt what you're doing to the demands of the situation.
- Be reasonable: a reasonable action, request or expectation deserves a reasonable response.
- Promote and accept compromise or negotiated solutions, while maintaining your authority.
- Take the student seriously and address issues quickly.

Preserve the student's dignity

- Address private or sensitive issues in private.
- Avoid the use of inappropriate humour such as sarcasm or mocking.

De-escalation techniques

Safety first – create space and time

- Remove the audience – ask other students to take their work and move away.
- Give the student physical space.

- Name the emotion in a calm even voice: "You look really angry", "I can see that you are very frustrated"...
- Wait.

Communicate calmly

- Talk quietly, even when the person is loud.
- Try to remain calm and respectful.
- Monitor your own body language and allow the student the opportunity to move out of the situation with dignity.
- Focus on communicating respect and your desire to help.
- Keep verbal interactions respectful.
- When appropriate, give the student clear choices and/or directions to help them feel more secure and regain control.

Think ahead in case the situation escalates

- If escalation occurs, move further away.
- Make sure you have an exit plan.
- Constantly reassess the situation.
- Send for help if necessary.

What may escalate the behaviour

- Threatening the student.
- Arguing or interrupting.
- Contradicting what the student says – even if they are wrong.
- Challenging the student.
- Trying to shame the student or showing your disrespect for the student.

An Individual Behaviour Plan

If seclusion is being considered as an emergency strategy, it should be part of a comprehensive Individual Behaviour Plan. It should be a short-term measure while the support team develops more appropriate methods to support the student.

The team supporting the student, including the parents or caregivers, should all agree that seclusion is necessary before it becomes part of a student's Individual Behaviour Plan.

The plan must outline the preventative and de-escalation strategies which, if successfully implemented, would prevent the need for seclusion.

The plan must make clear that seclusion is an extreme, last-resort intervention to prevent an imminent danger to other students, staff or the student themselves. It must say to use seclusion only when preventative and de-escalation techniques have not reduced the potential for injury. These techniques include removing other students and staff from the area, calling for help, and using safe physical restraint.

The plan must fully document the seclusion purpose and process. The plan must be approved by the team supporting the student, and they must monitor and review it regularly.

The plan must be tailored to the student's individual needs and characteristics, including:

- the student's ability to understand what is happening and why
- any impairments the student has, for example physical, intellectual, neurological, behavioural, sensory (visual or hearing) impairments, or impairments to communication
- any mental health issues or psychological conditions the student has, particularly any history of trauma or abuse
- any other medical conditions the student may have
- the student's likely response to preventative, de-escalation and physical restraint techniques
- the environment in which the restraint is taking place.

The team should include the parents, caregivers and, if appropriate, the student.

- Parents or caregivers should help make decisions about their child and agree to the support interventions.
- Parents or caregivers must be fully informed if seclusion is part of the student's Individual Behaviour Plan. They must be told how seclusion will be applied in line with this guide. The team must get their consent.
- The parents or caregivers may say that they do not want to be contacted during a period of seclusion. Document this on the plan.
- Before obtaining consent for seclusion, the student and parents need to see the seclusion room and be told the school's policies and procedures on seclusion.

All relevant professionals, parents and caregivers must have a copy of the plan, signed off by the Principal (or Principal's delegate) and the student's parents or caregivers. If the student is enrolled in a residential school, the residential staff there must also have a copy.

Training in safe responses

For the whole school

A training package, *Understanding Behaviour – Responding Safely*, has been developed for New Zealand schools. It includes a full-day workshop for all staff and ongoing support afterwards. The training can be delivered in modules rather than a full day if this is a better option for your school. The focus is on preventative and de-escalation techniques. Contact your local Ministry of Education district office for information about this training.

For the team supporting the student

When a student has had to be secluded, the Ministry of Education will provide support to help avoid further use of seclusion.

- Contact the Ministry for help after the incident. They will give you support as soon as possible to develop alternative ways of managing challenging behaviour.
- If the team already has support from RTLB or the Ministry, tell the case worker. They can help the team to strengthen the preventative and de-escalation components of the Individual Behaviour Plan.

Good practice following an incident involving seclusion

After an incident involving seclusion, take these steps to ensure everyone involved stays safe, future incidents can be prevented if possible, the parents or caregivers know, and the incident is reported.

- Check the staff member and the student regularly to ensure they are not in shock. Support them as necessary.
- Ensure the parents or caregivers of the student are told as soon as possible after the incident, so they can monitor the student's wellbeing at home.
- If the student attends a residential school, ensure the residential team manager is told, so the student's wellbeing can be monitored after school.
- Reflect formally on why the incident occurred that resulted in the student being secluded. Consider what might have prevented it, and what might need to change to minimise the likelihood of it happening again.

- Consider whether all preventative and de-escalation strategies were used according to the Individual Behaviour plan and whether the seclusion procedure was followed.
- Write an incident report for the team directly supporting the student.
- Review the Individual Behaviour Plan and make decisions as a team about what needs to be strengthened to minimise the likelihood of a similar incident.
- Write an incident report for the team directly supporting the student.
- Review the Individual Behaviour Plan and make decisions as a team about what needs to be strengthened to minimise the likelihood of a similar incident.

Reporting the incident

- Write up every seclusion incident in an incident report and reflect on it (see the example of a reporting template at the end of this guide).
- Get the incident report signed off by the staff involved in the seclusion, and the Principal (or Principal's delegate).

Debriefing the incident

Debriefing staff

- Hold a debriefing session with involved staff, the Principal or Principal's delegate, and another member of staff not involved in the physical restraint incident. Hold it within two days of the incident.
- In the debriefing, focus on the incident, the lead-up to it, the different interventions used that were unsuccessful in de-escalating the behaviour, and what could have been done differently.
- If Ministry or RTLB practitioners are part of the student's team, involve them in the debriefing process.
- If the police were involved in the incident, invite them to participate in the debriefing session.
- Write notes from the debrief along with next steps or actions.

Debriefing parents or caregivers

- Offer the parents or caregivers a separate debriefing as soon as practically possible, preferably within two days of the incident.
- At this meeting, give them the opportunity to discuss the incident. Invite them to become active partners in exploring alternatives to seclusion. If appropriate, involve the student in this debriefing session.

- Write notes from the debriefing along with next steps or actions.

Adapting the Individual Behaviour Plan

- Hold a meeting as soon as possible. Involve the team supporting the student, including the parents or caregivers, and the residential team manager if the student is enrolled in a residential school. Use the meeting to review the Individual Behaviour Plan and the seclusion processes followed in the incident.
- In the updated plan, identify ways to prevent the need to use seclusion in the future.
- Incorporate in the plan the suggestions of parents or caregivers and, if appropriate, the student.
- If a behaviour specialist from the Ministry or RTLB service is supporting the team around the student, involve them in the review of the plan.
- Put all relevant documentation in the student's file, and copy it to the student's teacher and parents or caregivers.

School policies on seclusion

- Each school should develop policies on seclusion that follow this guide. Make policies available for all parents and caregivers.
- Provide a clear complaints process for the students, parents and caregivers.
- Review the policy as part of the school's annual review cycle.

Governance responsibilities

Collect data in accordance with the Privacy Act 1993. Full details are at www.legislation.govt.nz/act/public/1993/0028/latest/DLM296639.html.

Promote the minimisation of seclusion

The Principal or Principal's delegate is responsible for:

- promoting the goal of eliminating the use of seclusion through a focus on alternative strategies
- ensuring appropriate training is provided that aligns with the goal of eliminating seclusion in schools.

Monitor and report the use of seclusion

The Principal or Principal's delegate is responsible for:

- monitoring the use of seclusion in the school (to include gathering and analysing information, identifying trends, and checking that documentation about each incident is complete)
- collating information about seclusion in a report and sharing data on seclusion regularly with the Board of Trustees via the Principal's report at Board meetings – do this in a public-excluded session
- managing any complaints and feedback.

Oversight by the Board of Trustees

The Board of Trustees is responsible for governance oversight.

- The school should contact the Ministry after every seclusion incident. The Ministry will support your school to explore other options.
- The ERO may review a school's use of seclusion, as they would any other school operation or procedure.

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Reporting templates for seclusion of a student

(Sample only – many schools will have established processes to reflect on incidents, and have good reporting processes)

Instructions

1. Attach the debriefing forms and any other relevant form (eg, Injury Form) to the Seclusion Incident Form.
2. Place copies of these forms in the student's file. Make the copied forms available to the student's teacher/s and the student's parents or guardians.
3. Share data on seclusion incidents with the Board of Trustees via the Principal's report. Only share this data in a session that excludes the public.

1. Seclusion incident report (staff) (see report with red bar at the top)
 - The staff member/s who put the student into seclusion should complete this as soon as possible after the incident and within 24 hours.
 - The incident report should be signed off by the staff involved, any staff who witnessed the incident, and the Principal or Principal's delegate.

Note: If the Principal put the student into seclusion, a delegated senior management team member should sign off the report.

2. Seclusion debriefing (staff) (form with blue bar)
 - Within two days of the incident, a debriefing with the staff involved should be held by the Principal or Principal's delegate. Another member of staff who was not involved in the seclusion should attend.
 - The team around the student, including team members from other agencies, should be part of the debriefing process.

Notes: The Principal is responsible for facilitating the debriefing unless they are the person who implemented the seclusion. If this is the case, an appropriate senior leader in the school will take this role. If police have been involved, they should be invited to the staff debriefing.

3. Seclusion debriefing (parent or caregiver and, if appropriate, the student) (form with green bar)
 - The parents or caregivers should be notified and involved in discussion about the incident with the Principal or Principal's delegate as soon as practically possible so they can monitor their child's physical and emotional wellbeing at home.
 - The parents or caregivers should be given the opportunity to discuss the incident and become active partners in exploring alternatives to seclusion.

Note: The staff member who put the student into seclusion should not be part of this meeting.

Seclusion incident report

Report completed by	Date of incident	Date of report
Name of student		
Date of birth	Gender M <input type="checkbox"/> F <input type="checkbox"/>	
Ethnicity		
Time seclusion started		
Time seclusion ended		
Name/s of staff member/s administering seclusion		
Other staff or adults who witnessed		

Place where behaviour that resulted in seclusion occurred	
Classroom	
Corridor	
Assembly hall	
Outdoor area	
Toilet block	
Administration area	
Other (identify)	

Behaviour directed at	
Staff member – name	
Student – name	
Self – describe how they intended self-harm	
Property – describe potential injury to self or others	

Reason seclusion was considered necessary	
Imminent danger, serious risk of injury – describe	
Actual injury – describe and attach injury form	

Please turn over and complete the reflection section.

Reflection

Events leading to the incident

Describe what was happening before the behaviour started to escalate. What was the student doing? What do you think might have triggered the behaviour? How were other students reacting to the student?

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Behaviour of the student

What did you notice about the student's behaviour that alerted you that they were struggling to cope? Think about the way they looked, for example facial expressions, physical signs, language.

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What did you try before the seclusion?

Describe the alternative techniques and interventions tried to prevent the emergency, including a description of the de-escalation strategies implemented. What was the response from the student?

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Did you use physical restraint?

Did you have to physically restrain the student? If so, what prompted you to decide to seclude the student?

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Getting the student to seclusion

Describe the methods used to get the student to seclusion. How many staff were involved?

Monitoring

Describe how the student's physical and emotional distress was monitored while they were in seclusion.

Releasing the student from seclusion

Describe when and why the decision to end seclusion was made.

After the seclusion ended

Describe the mood of the student when they were released from seclusion. What help and support were they offered?

If there's a next time

What could be done differently in the future to prevent the need for seclusion?

How about you?

How are you feeling and what support do you need?

Signatures of staff who
put the student into seclusion

Signatures of staff witnesses (if applicable)

Seclusion incident debriefing form (staff involved)

Date of incident	
Date of debriefing	Time of debriefing
Names of people at the debriefing	
Findings of debriefing	
Next steps/actions	
Principal or Principal's delegate signature	

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Physical restraint debriefing form – parents or caregivers, student

Date of incident	
Date of debriefing	Time of debriefing
Names of the people at the debriefing	
Findings of debriefing	
Parent or caregiver – comments and suggestions	
Student – comments and suggestions	
Next steps/actions agreed	
Signatures	
Principal or Principal's delegate:	
Parents or caregivers:	
Student:	

Guidance for New Zealand schools
on the
minimisation of physical restraint

FINAL Draft version

updated 2 August 2016

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Physical restraint incident report A

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Physical restraint debriefing form – parents or caregivers, student.....C

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Foreword

This guide has been developed to help schools address the uncertainty staff experience when faced with a student exhibiting difficult behaviour that may escalate into a dangerous situation.

The guide's aim is to strengthen the good practice already happening in schools, and avoid the need for physical restraint.

Student and staff wellbeing is at the heart of this guide. Inclusive practices and safe environments are of greatest importance for all learners.

Physical restraint: a last resort

Physical restraint is a serious intervention. The emotional and physical impact on the student being restrained and the person doing the restraining can be significant. There are legal and reputational risks if a student is harmed.

Staff must use their professional judgement when they decide whether to use physical restraint. They must consider their duty of care to students, their right to protect themselves and others from harm, and their obligation to act lawfully.

Physical restraint should only be used in emergency situations when the student's behaviour poses an imminent danger of physical injury to themselves or others.

Developing the guide: expertise from throughout the sector

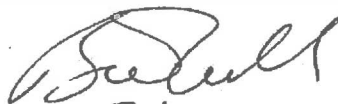
An Advisory Group from across the sector developed the guide. The group included representatives from the Special Education Principals' Association of New Zealand, the New Zealand Principals' Federation, the New Zealand Educational Institute Te Riu Roa, the New Zealand School Trustees Association, the Secondary Principals' Association of New Zealand, the New Zealand Post Primary Teachers Association, the Ministry of Health, the High and Complex Needs Unit, and the Ministry of Education.

The guide takes into account current international research and directions. And it respects students' rights under the Bill of Rights Act 1990, the Education Act 1989, the United Nations Convention on the Rights of the Child 1989, the United Nations Convention on the Rights of Persons with Disabilities 2007, the National Administration Guideline 5, the Vulnerable Children Act 2014, the Health and Safety at Work Act 2016 and the Crimes Act 1961.

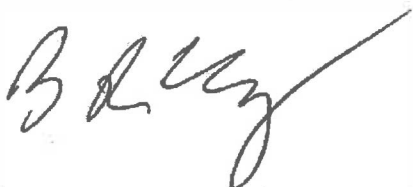
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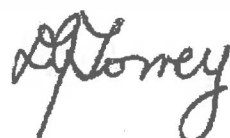
Murray Roberts
Ministry of Education



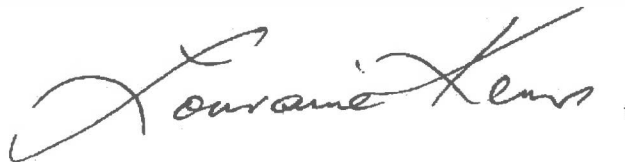
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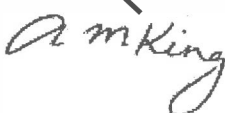
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Angela King
Post Primary Teachers Association



Patrick Walsh
Secondary Principals Association of New Zealand



Graeme Daniel
Special Education Principals' Association
of New Zealand

The purpose of this guide

The purpose of this guide is to provide school staff with safe ways to manage potentially dangerous situations where a student may need to be physically restrained.

Its aim is to minimise the use of physical restraint. Where there is imminent danger of physical injury, the first response is to prevent or de-escalate the situation. This guide gives generic techniques for doing so.

It gives options for responding if prevention or de-escalation do not work.

The guide describes how to incorporate physical restraint into an Individual Behaviour Plan if necessary. It covers who to involve in the decision-making, including parents and caregivers.

The guide directs staff to training in techniques for managing potentially dangerous situations and applying physical restraint safely.

And it suggests how to debrief and report a situation involving physical restraint.

Student and staff wellbeing come first

Physical restraint affects the wellbeing of both the student and the staff member who applies it. It is associated with injury and increased emotional trauma to them both.

Therefore, this guide focuses on staff and student safety and wellbeing. It gives techniques for preventing and de-escalating potentially dangerous situations.

If you follow this guide when deciding whether or not to use physical restraint, you will minimise the risk of hurting a student or being hurt yourself. And the risk of legal liability can be mitigated.

What is physical restraint?

Physical restraint is when a school staff member uses their own body to deliberately limit the movement of a student.

Match physical restraint to the situation

- Only use physical restraint where it is justifiable in the particular circumstances.
- Respond only proportionately to the level of risk.
- Use the minimum force necessary to respond to the risk of imminent danger.
- Use physical restraint only for as long as is needed to prevent the imminent danger of physical injury and ensure the safety of everyone involved.

You may need to physically help students

The following are not examples of physical restraint.

- 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 to get in 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 children, especially in their first year of school, sometimes need additional help. For example, you may "shepherd" a group of younger children from one place to another. You may hold the hand of a young child who is happy to have their hand held for a short time. You may pick a child up to comfort briefly. This also is not restraint.

Identifying when you may need to apply physical restraint

Use physical restraint only where there is "imminent danger of physical injury"

Physical restraint is a serious intervention. If you have an alternative to physically restraining a student, use it. Resort to it only when:

- the student's behaviour poses an imminent danger of physical injury to other students, staff, themselves or others
- you have used preventative and de-escalation techniques and not been able to reduce the risk of injury.

What is "imminent danger of physical injury"?

You will need to use your professional judgement to decide what constitutes "imminent danger". These situations are examples.

- A student is moving in with a weapon, or something that could be used as a weapon, and is clearly intent on using violence towards another person.
- A student is physically attacking another person, or is about to.
- A student is, for example, throwing furniture, computers, or breaking glass close to others who would be injured if hit.

- A student is putting themselves in danger, for example running onto a road or trying to harm themselves.

These situations do not pose imminent danger

Avoid using physical restraint to manage behaviour in these situations:

- to respond to behaviour that is disrupting the classroom but not putting anyone in danger of being hurt
- for refusal to comply with an adult's request
- to respond to verbal threats
- to stop a student who is trying to leave the classroom or school without permission
- as coercion, discipline or punishment
- for damaging property, unless this could cause injury

Guidance if you have to use physical restraint

What to do if prevention and de-escalation do not work

- Ideally, physical restraint should only be applied by staff trained in its safe use, and trained in emergency first aid such as CPR.
- There may be no one with training nearby. If, as an untrained adult, you feel you can use physical restraint safely – both for yourself and the student – use your judgement and intervene.
- If you do not have the skills or confidence to safely restrain a student, remove the other students from the scene and call for help.
- Call the police when a student cannot be managed safely and the imminent danger to students, staff or themselves remains after all alternatives have been explored.

Do not use these restraints

If you have to use physical restraint, avoid these restraint holds to minimise the likelihood of injuring a student:

- physical restraint that inhibits the student's breathing, speaking or main method of communication
- prone (face-down) physical restraint
- pressure points and pain holds
- tackling, sitting, lying or kneeling on a student

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- pressure on the chest or neck
- hyperextension (bending back) of joints
- headlocks
- using force to take/drag a student who is resisting to another location
- restraint when moving a student from one place to another – trying to get them into a van or taxi, for example – when they are in an escalated state, as this may escalate them further.

Monitor wellbeing throughout when applying physical restraint

- The physical and psychological state of the student being restrained must be continuously monitored by the person performing the restraint and other people present.
- Apply physical restraint only for the minimum time necessary and stop as soon as the danger has passed.
- Monitor the physical and psychological wellbeing of both the student and the staff member who applied the restraint for the rest of the school day. Watch for shock, possible unnoticed injury and delayed effects.
- Contact parents or caregivers on the same day, as soon as possible after the incident, so they can monitor their child's wellbeing at home.
- If the student is in a residential school or home, inform the residential team so they can monitor the student's wellbeing after school.

Use preventative and de-escalation techniques first

Your first aim is to avoid needing to use physical restraint.

Use the following strategies for unexpected "one-off" incidents, as well as for students who regularly present with high-risk behaviours. These are general suggestions. For students with high-risk behaviours, have an Individual Behaviour Plan developed, tailored to the student's needs.

Preventative techniques

Understand the student

- Get to know the student and identify potentially difficult times or situations that may be stressful or difficult for them.
- Identify the student's personal signs of stress or unhappiness and intervene early.

- Monitor wider classroom/playground behaviour carefully for potential areas of conflict.

Respect the student

- Demonstrate a supportive approach: "I'm here to help."
- Be flexible in your responses: adapt what you're doing to the demands of the situation.
- Be reasonable: a reasonable action, request or expectation deserves a reasonable response.
- Promote and accept compromise or negotiated solutions, while maintaining your authority.
- Take the student seriously and address issues quickly.

Preserve the student's dignity

- Address private or sensitive issues in private.
- Avoid the use of inappropriate humour such as sarcasm or mocking.

De-escalation techniques

Safety first – create space and time

- Remove the audience – ask other students to take their work and move away.
- Give the student physical space.
- Name the emotion in a calm even voice: "You look really angry", "I can see that you are very frustrated"...
- Wait.

Communicate calmly

- Talk quietly, even when the person is loud.
- Try to remain calm and respectful.
- Monitor your own body language and allow the student the opportunity to move out of the situation with dignity.
- Focus on communicating respect and your desire to help.
- Keep verbal interactions respectful.
- When appropriate, give the student clear choices and/or directions to help them feel more secure and regain control.

Think ahead in case the situation escalates

- If escalation occurs, move further away.
- Make sure you have an exit plan.
- Constantly reassess the situation.
- Send for help if necessary.

What may escalate the behaviour

- Threatening the student.
- Arguing or interrupting.
- Contradicting what the student says – even if they are wrong.
- Challenging the student.
- Trying to shame the student or showing your disrespect for the student.

An Individual Behaviour Plan

A student may present regularly with high-risk behaviour. Their support team may agree to include physical restraint in their Individual Behaviour Plan as an emergency strategy for keeping people safe. Making this part of their plan ensures an individualised approach that is tailored to the student's needs.

The Individual Behaviour Plan should outline the preventative and de-escalation strategies which, if successfully implemented, would prevent the need for physical restraint. It should clearly state that physical restraint is only to be used when the student's behaviour poses an imminent danger of physical injury to themselves or others.

The team supporting the student should ensure the type of physical restraint used is consistent with the student's individual needs and characteristics, including:

- the student's age, size and gender
- any impairments the student has, for example physical, intellectual, neurological, behavioural, sensory (visual or hearing) impairments, or impairments to communication
- any mental health issues or psychological conditions the student has, particularly any history of trauma or abuse
- any other medical conditions the student may have
- the student's likely response to preventative, de-escalation and physical restraint techniques.

Parents or caregivers should always be a member of the team developing the plan.

- Parents or caregivers must be able to help make decisions about their child and should agree to the interventions that will be put in place to support them.
- Parents or caregivers should be fully informed if physical restraint is identified in the student's Individual Behaviour Plan, including how it will be applied in accordance with this guide.
- Parents/caregivers should be told as soon as possible on the same day about the incident and how it was managed in accordance with the guide.
- If the student is in a residential school or home, the residential team should be told so the student's wellbeing can be monitored after school.

All relevant professionals and parents should have a copy of the Individual Behaviour Plan. It should be signed off by the Principal (or Principal's delegate) and the student's parents or caregivers.

The use of physical restraint should be regularly reviewed and monitored by the team supporting the student.

Training in safe responses

For the whole school

A training package, *Understanding Behaviour – Responding Safely*, has been developed for New Zealand schools. It includes a full-day workshop for all staff and ongoing support afterwards. The training can be delivered in modules rather than a full day if this is a better option for your school. The focus is on preventative and de-escalation techniques. Contact your local Ministry of Education district office for information about this training.

For the team supporting the student

- The team directly supporting the student should be taught how to safely restrain the student when positive, preventative and de-escalation strategies have not been effective. Parents who have to use physical restraint in the home environment may want to be part of this training. If there is a Ministry or RTLB practitioner on the team, they can discuss the individualised training options available. Otherwise contact the Ministry about training.
- Some schools have a high number of students with intellectual disability or developmental delay who regularly present with potentially dangerous behaviour. In

these schools, ensure that enough staff are trained in safe physical restraint to meet the needs of the student population.

The rest of the school staff should be made aware of these things.

- They must know that physical restraint should only be used in emergency situations, and only when less restrictive interventions have not ended imminent danger of physical injury to the student or others.
- They must know the basic safe handling practices. They must know the forms of physical restraint that may compromise health and safety, and the serious physical risks associated with some physical restraint techniques. These include the risk of asphyxia and sudden death.

Good practice following an incident involving physical restraint

After an incident involving physical restraint, take these steps to ensure everyone involved stays safe, future incidents can be prevented if possible, the parents or caregivers know, and the incident is reported.

- Check the staff member and the student regularly to ensure they are not in shock. Support them as necessary.
- Ensure the parents or caregivers of the student are told as soon as possible after the incident, so they can monitor the student's wellbeing at home.
- If the student attends a residential school, ensure the residential team manager is told, so the student's wellbeing can be monitored after school.
- Reflect formally on why the incident occurred that resulted in the student being restrained. Consider what might have prevented it, and what might need to change to minimise the likelihood of it happening again.
- Consider whether all preventative and de-escalation strategies were used according to the Individual Behaviour plan and whether the restraint used was safe.
- Write an incident report for the team directly supporting the student.
- Review the Individual Behaviour Plan and make decisions as a team about what needs to be strengthened to minimise the likelihood of a similar incident.

Suggestions about managing follow-up after the incident

Your school may already have its own processes. Use these best-practice suggestions as you wish to develop procedures that suit your needs.

Reporting the incident

- Tell the parents or caregivers the same day the incident occurred.
- Write up every incident of physical restraint in an incident report and reflect on it. See the templates at the end of this guide.
- Have the staff members involved in the physical restraint sign the report, as well as the Principal or Principal's delegate.
- Put the completed forms on the student's file, and make them available to the student's teacher and parents or caregivers.

Debriefing the incident

Debriefing staff

- Hold a debriefing session with involved staff, the Principal or Principal's delegate, and another member of staff not involved in the physical restraint incident. Hold it within two days of the incident.
- In the debriefing, focus on the incident, the lead-up to it, the different interventions used that were unsuccessful in de-escalating the behaviour, and what could have been done differently.
- If Ministry or RTLB practitioners are part of the student's team, involve them in the debriefing process.
- If the police were involved in the incident, invite them to participate in the debriefing session.
- Write notes from the debrief along with next steps or actions.

Debriefing parents or caregivers

- Offer the parents or caregivers a separate debriefing as soon as practically possible, preferably within two days of the incident.
- At this meeting, give them the opportunity to discuss the incident. Invite them to become active partners in exploring alternatives to restraint. If appropriate, involve the student in this debriefing session.
- Write notes from the debriefing along with next steps or actions.

Adapting the Individual Behaviour Plan

- Hold a meeting as soon as possible. Involve the team supporting the student, including the parents or caregivers, and the residential team manager if the student is

enrolled in a residential school. Use the meeting to review the Individual Behaviour Plan and the physical restraint processes followed in the incident.

- In the updated plan, identify ways to prevent the need to use physical restraint in the future.
- Incorporate in the plan the suggestions of parents or caregivers and, if appropriate, the student.
- If a behaviour specialist from the Ministry or RTLB service is supporting the team around the student, involve them in the review of the plan.
- Put all relevant documentation in the student's file, and copy it to the student's teacher and parents or caregivers.

School policies on physical restraint

- Each school should develop policies on physical restraint that follow this guide. Make policies available for all parents and caregivers.
- Provide a clear complaints process for the students, parents and caregivers.
- Review the policy as part of the school's annual review cycle.

Governance responsibilities

Collect data in accordance with the Privacy Act 1993. Full details are at www.legislation.govt.nz/act/public/1993/0028/latest/DLM296639.html.

Promote the minimisation of physical restraint

The Principal or Principal's delegate is responsible for:

- promoting the goal of minimising the use of physical restraint through a focus on alternative strategies
- ensuring appropriate training is provided that aligns with the goal of minimising physical restraint in schools.

Monitor and report the use of physical restraint

The Principal or Principal's delegate is responsible for:

- monitoring the use of physical restraint in the school (to include gathering and analysing information, identifying trends, and checking that documentation about each incident is complete)

- collating information about physical restraint in a report and sharing data on physical restraint regularly with the Board of Trustees via the Principal's report at Board meetings – do this in a public-excluded session
- managing any complaints and feedback.

Oversight by the Board of Trustees

The Board of Trustees is responsible for governance oversight.

- If physical restraint has been used, schools are encouraged to contact the Ministry of Education for advice and support.
- The ERO may review a school's use of physical restraint, as they would any other school operation or procedure.

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Reporting templates for physical restraint

(Sample only – many schools will have established processes to reflect on incidents where restraint has been used, and have good reporting processes)

Instructions

1. Attach the debriefing forms and any other relevant form (eg. Injury Form) to the Physical Restraint Incident Form.
2. Place copies of these forms in the student's file. Make the copied forms available to the student's teacher/s and the student's parents or guardians.
3. Share data on physical restraint incidents with the Board of Trustees via the Principal's report. Only share this data in a session that excludes the public.

1. Physical restraint incident report (staff) (report with red bar at the top)
 - The staff involved in restraining the student should complete this as soon as possible and within 24 hours.
 - The incident report should be signed off by the staff involved, any staff who witnessed the incident, and the Principal or Principal's delegate.

Note: If the Principal applied the restraint, a delegated senior management team member should sign off the report.

2. Physical restraint debriefing form (staff) (form with blue bar)
 - Within two days of the incident, a debriefing with the staff involved should be held by the Principal or Principal's delegate. Another member of staff who was not involved in the restraint should attend.
 - If a behaviour specialist from the Ministry or RTLB service is supporting the student's team, they should be part of the debriefing process.

Notes: The Principal is responsible for facilitating the debriefing unless they are the person who applied the physical restraint. If this is the case, a suitable senior leader in the school should take this role. If police have been involved they should be invited to the staff debriefing too.

3. Physical restraint debriefing (parents or caregivers and, if appropriate, the student) (form with green bar)
 - The parents or caregivers should be notified and involved in discussion about the incident with the Principal or Principal's delegate as soon as possible so they can monitor their child's physical and emotional wellbeing at home.
 - The parents or caregivers should be given the opportunity to discuss the incident and invited to become active partners in exploring alternatives to restraint.

Note: The staff member who applied the physical restraint should not be part of this meeting.

Physical restraint incident report

Report completed by	Date of incident	Date of report
Name of student		
Date of birth	Gender M <input type="checkbox"/> F <input type="checkbox"/>	
Ethnicity		
Time restraint started		
Time restraint ended		
Name/s of staff member/s administering restraint		
Trained in safe physical restraint?	Yes <input type="checkbox"/> No <input type="checkbox"/>	
Other staff /adults who witnessed		

Place where restraint occurred	
Classroom	
Corridor	
Assembly hall	
Outdoor area	
Toilet block	
Administration area	
Other (identify)	

Behaviour directed at	
Staff member – name	
Student – name	
Self – describe how they intended self harm	
Property – describe potential injury to self or others	

Reason restraint was considered necessary	
Imminent danger, serious risk of injury – describe	
Actual injury – describe and attach injury form	

Please turn over and complete the reflection section.

Reflection

Events leading to the incident

Describe what was happening before the behaviour started to escalate. What was the student doing? What do you think might have triggered the behaviour? How were other students reacting to the student?

Behaviour of the student

What did you notice about the student's behaviour that alerted you that they were struggling to cope? Think about the way they looked, for example facial expressions, physical signs, language.

What did you try before the restraint?

Describe the alternative techniques and interventions tried to prevent the emergency, including a description of the de-escalation strategies you used. What was the response from the student?

The restraint method used

Describe the nature of the physical restraint. Include the type of hold and number of people required.

Monitoring

Describe how the student's physical and emotional distress was monitored while they were restrained.

After the restraint ended

Describe the mood of the student following the restraint. What help and support were they offered?

If there's a next time

What could be done differently in the future to prevent the need for restraint?

How about you?

How are you feeling and what support do you need?

Signature of person who applied the restraint

Signatures of any staff witnesses

Debriefing form for staff involved in physical restraint incident

Date of incident	
Date of debriefing	Time of debriefing
Names of the people at the debriefing	
Findings of debriefing	
Next steps/actions	
Principal or Principal's delegate signature	

Physical restraint debriefing form – parents or caregivers, student

Date of incident		
Date of debriefing	Time of debriefing	
Names of the people at the debriefing		
Findings of debriefing		
Parent or caregiver – comments and suggestions		
Student – comments and suggestions		
Next steps/actions agreed		
Signatures		
Principal or Principal's delegate:		
Parents or caregivers:		
Student:		