

# Henderson South School

## PHYSICAL CONTACT/RESTRAINT WITH CHILDREN POLICY

### Rationale

This document is intended to give guidelines to teaching staff, parent helpers and others working with children in our school.

Given that physical contact is unavoidable, and indeed necessary to meet our responsibilities to provide a safe physical and emotional environment, these guidelines should be followed carefully to avoid any action by an adult being misconstrued.

This policy is distributed to all school staff, parent helpers and to all adults supervising Education Outside the Classroom.

This policy sits alongside the 139AC(2) Education Act. They supplement the legislation relating to limits on the use of physical restraint.

[Minimising physical restraint in schools and kura – Ministry of Education](#)

*Note: Although the word 'staff' is used throughout these guidelines, they are deemed to apply to all other adults as listed above.*

### Purposes

1. To maintain the safety and emotional and physical well-being of children and staff alike.
2. Ensure we have inclusive practices and a safe physical and emotional environment.
3. The Act defines physical restraint as using physical force to prevent, restrict, or subdue the movement of a student's body or part of the student's body.

### Overall Principles

It is not possible to lay out correct procedures for every possible situation and for every pupil, therefore we have set out some key principles and then given guidelines for some specific situations.

1. Children must never be subject to any form of abuse.
2. Henderson South School is part of the community and aspires to having a caring, family approach, but even in informal situations, we should never lower our standards of behaviour or allow the students to become over-familiar with adults.
3. We accept that there are times when there needs to be physical contact between a supervising adult and a child.
4. For that reason we do not advocate a total 'no-touch' policy.
5. Of paramount importance is that the children's needs for privacy, respect, safety, care and emotional warmth must be met.
6. There are times when ākongā feel overwhelmed and all staff need to notice when they are not coping and have a range of positive strategies to respond effectively to distress
7. Parents, students and the public have the right to know the school is safe from drugs, weapons, alcohol and cyber bullying

## Guidelines

### ***Common occurrences of physical contact***

There are some curriculum requirements or emergency procedures which may require physical contact between staff member and child. We accept and advocate that there is often a need for staff to give physical emotional comfort such as a hug or touch on the shoulder. The decision will be based on the age, needs, culture and personality of the pupil. At these times staff need to exercise careful judgement because the actions could be misinterpreted not only by the child in contact, but also by other children or parents. Staff should be aware of the signs of when students are open and not open to physical contact.

These include but are not limited to

1. Physical education and outdoor education activities such as swimming
2. Toileting children
3. Changing clothes
4. Giving comfort and first aid
5. Helping a child who has a physical disability

### ***Staff should not:***

1. Touch a pupil in any way that could be construed as sexual e.g. 'patting bottom'
2. Comment on any piece of literature or picture, or on a comment by a student, in a way that twists the subject matter so that it has a sexual meaning
3. Comment on a student's physical development, either to that student or to other persons
4. Refer to a student or group of students in a sexual or sexist way
5. Allow students to use sexual or sexist language verbally or in written form to put down another student or group of students
6. Seek contact with individual children outside of school hours

### ***Restraining Students***

1. Where a student has been restrained because they endangered themselves, other people or property then a [Physical Restraint Form](#) must be filled in and given to the principal who will report to the Board of Trustees at the next meeting and a copy sent to the Ministry. The parents must also be informed as soon as possible after the incident, and allowed to be a part of a debrief within three working days (or later by mutual agreement). The form is to be sent to [physical.restraint@education.govt.nz](mailto:physical.restraint@education.govt.nz)
2. The restraint must only be used when necessary to prevent imminent harm and the person using restraint reasonably believes there is no other option in the circumstances to prevent the harm. It should be reasonable and proportionate. Any teacher or authorised staff member who has had to restrain a student must immediately notify the principal.
3. Where there has been an incident of physical restraint the teacher must be given a copy of the physical restraint form and the parent or caregiver. This form must be put on the student's file.
4. Any student or employee who has been involved with an incident of physical restraint must have their physical and psychological well-being closely monitored. Reconnect and restore.
5. Teachers can restrain students and any other person who has been given written authority (which can be revoked at any time)
6. When there is a student who has restraint as a part of an intervention, this should be a part of the IBP plan and parents should be fully aware and give signed approval for this. Where there is a high need of physical restraint required for a student, training in safe physical holds by an accredited physical restraint practitioner will be given.

7. Staff will be given training and evidence of this will be tracked by the principal.
8. Staff to complete Physical Restraint module *Physical Restraint - Understanding the Rules and Guidelines*  
(all staff have completed this training module) Completed certificates are kept in the office)

[See the ministry guidelines](#)

### ***Searching Children/Property:***

If it is necessary to search property because a theft is suspected, or that a child has a dangerous item staff should:

1. Never body strip or search children. It is illegal
2. Tell children what you are looking for
3. Ask children to tell them where the item is
4. Ask children to check all likely places for the item e.g. desks bags etc
5. Ask children to empty out their pockets
6. Ask children to place on table anything they have tucked away in their clothing
7. If this is not successful involve the principal who will contact the caregivers and in some extreme cases the Principal may need to contact the police

See the ministry guidelines: [guidelines are now available](#)

### ***Being Alone With Children:***

1. All staff should avoid being alone with a child, whenever possible. There are times during emergencies where this is unavoidable
2. Where staff need to be alone with a child, endeavour to remain in view of others, e.g. through glass windows or open doors
3. When counselling or mediating one-to-one staff should ensure the setting is private, yet not completely closed off (see above)
4. Staff should avoid transporting a pupil on his/her own. Have others with them. There may be times during emergencies when this is unavoidable, in which case the student must be in the back of the vehicle.

## **New guidelines to minimise the use of physical restraint in schools**

**07 February 2023**

New rules and guidelines on minimising the use of physical restraint in schools and kura and better understanding the reasons for ākongā distress, take effect from 7 February 2023.

The new rules and guidelines have a strong focus on prevention. They were created in response to calls from educators, parents and disability groups for more clarity on the use of physical restraint in schools, and what is acceptable physical contact.

Key aspects of the new rules and guidelines include:

- All registered schools are to have a physical restraint policy in place by 7 May 2023
- There is a new online physical restraint incident reporting system and schools are to report all physical restraint incidents to the Ministry using the new online incident form
- Teachers and authorised staff are to complete a mandatory online learning module about the new rules and guidelines by 7 February 2024.

More modules, webinars and resources will be available to schools in 2023 and 2024 to support their implementation of the new rules and guidelines.

The Ministry worked in partnership with the Physical Restraint Advisory Group (PRAG) to draft the new rules and guidelines. The PRAG comprised parents, principals, disability and education sector representatives, and the Teaching Council.

Approved BOT Meeting: 022/03/2023 Chairperson .....