# Operational Policy: Restraint and Seclusion

# (NAG 5)

## Blind & Low Vision Education Network NZ

## Statement of Intent:

The Blind and Low Vision Education Network NZ (BLENNZ) has responsibility to ensure the health and safety of BLENNZ ākonga and staff. BLENNZ promotes a safe and inclusive learning environment that fosters the wellbeing and education of all ākonga.

This policy relates to all ākonga attending any BLENNZ programme that takes place either on a BLENNZ site or is organised by BLENNZ staff but takes place in the community.

When supporting ākonga in other educational settings, BLENNZ staff should follow the policy and procedures of the educational setting the ākonga attends.

Nothing in this policy overrides Ministry of Education rules and guidelines.

## Policy Guidelines:

### Seclusion

Under no circumstances will seclusion be used to manage the behaviour of BLENNZ ākonga. Seclusion can be defined as when ākonga are placed alone in a room or area at any time or for any duration from which they cannot freely exit. It is the act of physically confining ākonga alone in a room or confined space, or with an adult who is there to prevent them from leaving. Seclusion should be distinguished from other forms of time out that does not entail isolation and restricted egress. This does not include ākonga in isolation in respect to their health.

### Restraint

The use of physical restraint will only be used in accordance with the rules and guidelines issued by the Ministry of Education. Restraint can be identified as when a staff member uses their own body to deliberately limit the movement of ākonga. It is also classified as restraint when ākonga capable of walking (even for a short distance) is restrained in a wheelchair for undesired behaviour or possible behaviour.

The Ministry of Education states “there are occasions when a student may need to be physically restrained to prevent imminent harm to the student or another person. Physical restraint involves the use of force to stop, restrict or subdue a student’s movement against their will. This is used in situations where no other options have worked or are available, to prevent harm. Situations like this could be:

* Breaking up a fight
* Stopping a student with a weapon
* When furniture or other objects are thrown close to others who could be injured
* Preventing a student from running on to a road.”

[Ministry of Education Website: Support to Schools to Minimise Physical Restraint](https://www.education.govt.nz/school/student-support/special-education/behaviour-services-to-help-schools-and-students/support-for-schools-to-minimise-physical-restraint/)

Further information on the use of physical restraint is found here [Guidelines for Registered Schools in New Zealand on the Use of Physical Restraint (September 2017)](https://assets.education.govt.nz/public/Documents/School/Managing-and-supporting-students/Guidance-for-New-Zealand-Schools-on-Behaviour-Mgmt-to-Minimise-Physical.pdf).

The following are not examples of physical restraint:

* Temporary physical contact, such as a hand on the arm, back or shoulders to remove ākonga from a situation to a safe place;
* Sighted human guide;
* The use of harness/belt restraint when keeping ākonga safe in a moving vehicle or when recommended by a physiotherapist or occupational therapist for safety or body positioning.

Physical restraint will only be used when safety of staff and/or ākonga are at serious and imminent risk as follows:

Physical restraint will:

* + Be reasonable and proportionate to the circumstances
  + Respect the ākonga and their dignity.
* De-escalation techniques including understanding the ākonga, giving them space and communicating calmly will be used before any physical restraint. Training will be provided to staff as required through the Ministry of Education programme UBRS (Understanding Behaviour – Responding Safely). MAPA (Management of Actual or Potential Agression) training may also be used.
* A staff member administering restraint or crisis intervention shall use only the amount of force necessary to protect the ākonga or others from physical injury or harm.
* Physical restraint will only be applied for the minimum time necessary and stop as soon as the danger has passed.
* The wellbeing of the ākonga will be monitored throughout the restraint process. A staff member will continuously monitor the physical status of the ākonga, including skin colour and respiration.
* Destruction of or damage to property may be a reason to restrain ākonga only if there is risk of personal injury as a result.
* If at any time during a restraint or crisis intervention ākonga demonstrate any medical distress, the ākonga is to be released immediately and staff seek medical assistance.
* Following a restraint incident the wellbeing of the ākonga and staff member(s) will be monitored.
* All incidents of restraint will be provided to parents regardless of the severity.
* If the ākonga is in any residential setting the Co-ordinator Residential Services will be informed and the ākonga’s wellbeing will continue to be monitored.
* A debrief will be undertaken with staff and the ākonga following an event.
* An incident report will be completed and signed by the staff member, the Co-ordinator/Manager and the appropriate Senior Manager. This report will be submitted to the Principal and the Ministry of Education.
* A Behaviour Plan will be developed to support ākonga with input from parents and any associated professionals.
* All teachers are automatically authorised to act under the legislation. Where necessary other employees of BLENNZ will be authorised to use physical restraint. This authorisation will be provided in writing by the Principal.
* Contractors and visitors working with ākonga are not authorised to use physical restraint.
* Each staff member involved in an incident involving restraint will engage in a supportive de-briefing session to determine what could have been done to prevent future use of physical restraint for the ākonga.

## Supporting Documents:

Education Act Section 139AB – prohibits the use of seclusion in schools, early childhood services and ngā kōhanga reo.

Education Act Section 139AC – limits the use of physical restraint in schools.

Education Act: [Website Link to Education Act](http://www.legislation.govt.nz/act/public/1989/0080/latest/DLM175959.html)

BLENNZ Policy: Managing Ākonga attending BLENNZ Programmes.

Ministry of Education website: [Link to MOE Website - Support to Schools to Manage Challenging Student Behaviour](https://www.education.govt.nz/school/student-support/special-education/behaviour-services-to-help-schools-and-students/support-for-schools-to-minimise-physical-restraint/)

Approved: 

Date: 16/2/2022

Next Review: 2024