

February 22 2023

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Tēnā koe Iona

**SUBMISSION ON
Physical Restraint Rules and Guidelines Document
Te Tāhuhu o te Mātautanga
Ministry of Education
February 20 2023**

Personal Details:

Agency: New Zealand Principals' Federation (NZPF)
Designation: National Executive
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The NZPF national executive members have read the Physical Restraint Rules and Guidelines Document and offer the following commentary:

1. NZPF respects the requirements to follow rules for Physical Restraint as outlined under sections 99 – 101 of the Education and Training Act 2020. It is the view of NZPF that not all the Rules (1 – 12) are practicable or helpful and in the proceeding submission, outline the positive and negative aspects of the Rules.
2. NZPF agrees that individual support plans are critical to successful avoidance of severe behaviour reactions. That said, this section of the guidelines does not take account of the random outbursts that are not planned for. Random attacks of violence can be disturbing and stressful for both teachers and students and there is nothing in the guidelines that responds to the distress that other students and staff might suffer after a student's violent outburst. The guidelines need to consider how schools might support affected students and staff who are traumatized by witnessing random outbursts from the 5% of students who do not have a plan in place but who can present the most violent behaviours. Schools

need appropriate resourcing and access to appropriate counsellors/trauma experts for staff and students affected in this way.

3. We have noted throughout the various iterations of the restraint guidelines that the reporting process has been unnecessarily arduous and time-consuming. We welcome the more simplified report form.
4. We agree that parents/caregivers should be notified ASAP after physical restraint has been used and participate in the debrief. The timing (within 3 days) may however be unrealistic, and not all parents/caregivers will be available or want to participate.
5. NZPF notes that it is helpful that the guidelines now include examples of when physical contact is appropriate and how to initiate that safely and with ākonga permission.
6. The section on building a culture of care in schools is also especially helpful since it gives examples from ākonga of actions that support a sense of belonging and respect.
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9. In general, the executive members felt that it is unnecessary to have a separate Physical Restraint Policy for schools. Rather, a procedure would suffice. They agree that asking parents to consent to physical restraint of their child, when discussing a strengths based learning plan for the child, is inviting negative response to what ought to be a positive korero. They do not believe restraint is something that should be predicted by seeking signed permission, for any child. It is a last resort response to an extreme situation.
10. The executive members commend the writers of pp.24 & 25 for their clarity in describing what physical restraint is and how to interpret terminology such as 'imminent harm' and 'significant emotional distress'.
11. They also found pp. 29 & 30 helpful in distinguishing between physical contact and physical restraint but did call for an alteration to the section '*when contact cannot be used*' **when alone with ākonga in a room with the doors closed*. This requirement does not take account of children who require toileting. They also questioned where cultural practices such as hongis might fit with these guidelines on physical contact.

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12. They suggest that Rule Six is unrealistic. Publishing the names of staff authorized to restrain students is restricting. Instead, it should be recognized that all staff who have contact with students need to be covered. All staff should undergo training in UBRS, de-escalation strategies and the safe use of restraint. Any teacher, learning assistant or relief teacher could be in a position of having to restrain a child – for example a child who is a ‘runner’ and tries to escape at lunch time when a reliever is on playground duty. Restraint is used as a last resort measure to ensure the safety of students, staff and anyone else on site at school.
13. Rule 10 is also unrealistic in that schools cannot readily access psychological support for ākongā or staff following physical restraint and therefore should not be included in the rules. To set expectations that cannot be met is unhelpful.
14. Similarly, Rule 12 (a). It is unrealistic to expect that the first online module will be completed by staff members by February 7. Rule 12(b) is unclear. It does not clarify what the requirements of training are, what is compulsory and what is not.
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16. It was also agreed that the reporting requirements at rules 7,8 and 9 should have reporting templates to assist staff filling them out.

In summary, NZPF would not endorse the **Physical Restraint Rules and Guidelines Document** in its current form. We would welcome a reviewed document that responds to the feedback we have offered in this submission.

Nga manaakitanga



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