

# Guiding principles

The manu tāiko is a sentry bird, the hōmiromiro. It has excellent skills of recognising and responding to distress in the forest.

The manu tāiko reminds us of the principles that ensure our ākonga thrive in the environments we create with them.

These principles consider the vision of Te Tiriti o Waitangi: that tangata whenua values and customs would be protected and all New Zealanders would have equitable rights under the law.



<b>Poipoia te pua atua</b>	Nurture the potential of each student
<b>Ranea te rau o Tāne</b>	Make abundant the interlocking branches
<b>He pakiaka e tū ai</b>	And uphold the strengthening roots
<b>Kia taurite te tētēkura</b>	Adapted to each student's unique needs
<b>E tipu, e rea</b>	To grow and develop
<b>Tai atu ki te rangi</b>	To their highest potential

### Poipoia te pua atua

Sustain and support ākonga tapu and mana — their intrinsic potential and right to self-determination so they can be their full selves at school and in their learning and relationships.

### Ranea te rau o Tāne

Strengthen trusting relationships, meaningful participation and communication with ākonga and their whānau.



### He pakiaka e tū ai

Build on ākonga- and whānau-centred approaches that respond to their unique strengths and needs, recognising and valuing te ao Māori and disability perspectives.

### Kia taurite te tētēkura

Recognise there are equity issues in our school system and remain open to resolving them.

### E tipu, e rea tai atu ki te rangi

Work together as communities to create shared learnings that remove harm and inequities from our school system, so that all ākonga can thrive.





# How you can use these guidelines



## Ākonga and their whānau

- › Be confident that the harm caused by physical restraint is being addressed.
- › Be reassured by the preventative approaches that can minimise the need for physical restraint.
- › See where you can be involved and have a say in decisions that impact you or your whānau.



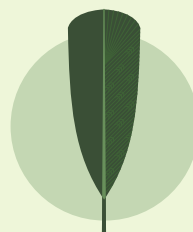
## School leaders

- › Guide positive learning conversations with your staff.
- › Work with your school community to develop a policy on ākonga distress and the use of physical restraint.
- › Work with ākonga, parents, whānau or caregivers to develop support plans for ākonga who need them.
- › Meet your obligations under the Rules on the use of physical restraint.



## Kaiako and kaiāwhina

- › Recognise and respond to ākonga needs.
- › Notice, recognise and respond to the signs of distress.
- › Reconnect with ākonga after a challenging situation or if physical restraint has been used.
- › Understand how different forms of physical contact are helpful.



## School boards

- › Review how your school data and policy on the use of physical restraint align with:
  - your community's and school's values
  - your commitment to inclusion
  - your obligations under the Rules on the use of physical restraint.
- › Inform quality improvement initiatives and activities.





# About the legislation

# The legislation that underpins these guidelines

The Education and Training Act 2020 provides a framework regulating the use of physical restraint in New Zealand registered schools. Registered schools are bound by the Act and the Rules, and they must have regard for these guidelines.

The legislation provides the platform and direction to understand, recognise and safely respond to ākonga distress, and to minimise the use of physical restraint. This direction requires a shared vision, strong leadership, good planning, collaborative working, and a supportive and responsive learning culture.

Physical restraint is covered under sections 99 to 101 of the Education and Training Act 2020.

- › **Section 99** outlines the limits on the use of physical restraint in registered schools.
- › **Section 100** requires rules that describe the practices and procedures that employers, principals, teachers and authorised staff members follow relating to the use of physical restraint in registered schools.
- › **Section 101** requires guidelines to be issued on the use of physical restraint and behaviour management at registered schools.

**A sample policy is not included in these guidelines. The Ministry will work alongside the School Trustees Association and SchoolDocs to develop this.**

## The Rules outlined in legislation

**Rules 1-3** set out the title, commencement date and definitions for terms used in the Rules. Under the Act, the Rules on the use of physical restraint set clear requirements for employers, principals, teachers and authorised staff members relating to the use of physical restraint in registered schools.

**Rule 4** requires schools to:

- › have a policy on ākonga distress (including a complaints process), which has regard to these guidelines, by 7 May 2023
- › take reasonable steps to ensure whānau, ākonga, school staff and the school community know about the school policy.

**Rule 5** details what school boards and managers need to do to authorise non-teaching staff to use physical restraint.

**Rule 6** requires schools to make information available to the school community about these guidelines, the school policy on ākonga distress and the use of physical restraint, and the names and positions of authorised staff members at the school.

**Rule 7** outlines to schools the requirements for keeping records and how long they need to be kept.

**Rule 8** details the requirement for schools to have support plans in place for specific ākongā, and the need to obtain consent if physical restraint is part of the support plan.

**Rule 9** details the requirements for schools to notify parents or caregivers when physical restraint has been used, and to offer them an opportunity to debrief, and the timeframes that these actions need to happen.

**Rule 10** requires schools to:

- › monitor the wellbeing of ākongā and staff following an incident of physical restraint, to ensure physical and psychological support is provided
- › analyse records of physical restraint to identify and rectify any undesirable trends, ensuring they develop appropriate responses to minimise the use of restraint.

**Rule 11** details what reporting employers and staff members must complete following an incident of physical restraint, who they need to go to and how to go about doing this.

**Rule 12** details staff training and support requirements that need to be in place and by when.

A series of online learning modules will be made available to schools to support the training requirements.

- › **Rule 12(a)** requires that all teachers and authorised staff members complete the first online module on the content of the guidelines by 7 February 2024.
- › **Rule 12(b)** provides that, if staff complete subsequent modules by 7 February 2025, they will fulfil the requirement for training in identifying stress triggers, understanding unmet needs, and preventing, minimising, and responding to student distress. However, these modules are not compulsory. Employers should work with their staff to identify their current level of knowledge and determine the best training pathway for them.