

# BLEDISLOE SCHOOL

## POLICY CHILD PROTECTION

### Rationale

This policy outlines our commitment to child protection. It includes;

- protocols when child abuse is reported to us or suspected by us
- protocols to be actioned where there are allegations of harm by or between children
- notes on measures to be taken to prevent child abuse.

All staff will be familiar with this policy and abide by it. This policy responds to and recognises the Vulnerable Children's Act 2014.

### Purposes

- We have an obligation to ensure the wellbeing of children in our care and are committed to the prevention of child abuse and neglect and to the protection of all children.
- The safety and wellbeing of the child is our top priority when investigating suspected or alleged abuse or incidents involving harm to or between children
- We support the roles of the New Zealand Police (the Police) and Child, Youth and Family (CYFs) in the investigation of suspected abuse and incidences of harm and we will report suspected/alleged incidents to these agencies.
- We support families/whānau to protect their children.
- We are committed to providing a safe environment, free from physical, emotional, verbal or sexual abuse.
- We have a commitment to ensure that children and young people are provided with preventative education to enhance their safety and awareness.

### GUIDELINES

1. The interest and protection of the child is paramount in all actions.
2. We recognise the rights of family/whānau to participate in the decision-making about their children.
3. We have a commitment to ensure that all staff can identify the signs and symptoms of potential abuse and neglect and are able to take appropriate action in response.
4. We are committed to supporting all staff to work in accordance with this policy, to work with partner agencies and organisations to ensure child protection policies are of a consistently high quality.
5. We will comply with relevant legislative responsibilities.
6. We are committed to share information in a timely way and to discuss any concerns about an individual child with colleagues, team leaders and senior leadership.
7. We are committed to promote a culture where staff feels confident that they can constructively raise issues of concern without fear of reprisal.

## **Definitions**

Child abuse: Includes physical, emotional and sexual abuse as well as neglect which is the direct consequence of a deliberate act or omission by an adult and which has the potential or effect of serious harm to the child. This also includes people targeting and/or exploiting children through the internet or other electronic devices.

Other harmful situations: Includes any situation where a child feels threatened, unsafe or has been hurt physically or emotionally by another child. This could also include incidences of a sexual nature.

## **Identifying possible abuse or neglect and responding to suspected abuse or neglect**

See 'Safer Organisations Safer children; guidelines for child protection policies to build safer organisations', (MOE, 2015) for further information. There will be opportunities provided for staff to be involved in professional development to gain skills in identifying and responding to suspected abuse or neglect.

## **Allegations or concerns about staff**

If there is a need to pursue an allegation as an employer;

- Consult with Child, Youth and Family or the Police before advising the person concerned, informing them that they have a right to seek legal advice and providing them with an opportunity to respond.
- They should also be informed of their right to seek support from the relevant union/representative body. It is vital to follow ordinary disciplinary policies, guided by the employment contract/collective employment contract and relevant statutory obligations. ***These steps are outlined in a separate policy under NAG 3***
- We will follow the rules of mandatory reporting to Educanz
- We commit not to use 'settlement agreements', where these are contrary to a culture of child protection. Some settlement agreements allow a member of staff to agree to resign provided that no disciplinary action is taken, and a future reference is agreed. Where the conduct at issue concerned the safety or wellbeing of a child, use of such agreements is contrary to a culture of child protection.
- Both our Lawyer and Insurer will be contacted

## **Confidentiality and information sharing**

The Privacy Act 1993 and the Children, Young Persons, and their Families Act 1989 allow information to be shared to keep children safe when abuse or suspected abuse is reported or investigated. Note that under sections 15 and 16 of the CYPF Act, any person who believes that a child has been, or is likely to be, harmed physically, emotionally or sexually or ill-treated, abused, neglected or deprived may report the matter to Child, Youth and Family or the Police and, provided the report is made in good faith, no civil, criminal or disciplinary proceedings may be brought against them.

## **Recruitment and employment (safety checking)**

Safety checking will be carried out in accordance with the Vulnerable Children Act 2014. This will include: a police vet; identity verification; references and an interview. A work

history will be sought and previous employers will be contacted. If there is any suspicion that an applicant might pose a risk to a child, that applicant will not be employed.

A register will be kept of all core and non-core workers employed at our school and will confirm the vetting process undertaken. For this purpose the following definitions will be used;

**Core worker-** Core worker means a children's worker whose work in, or providing a regulated service requires or allows that, when the person is present with a child or children in the course of that work, the person is either:

- the only person present; or
- is the children's worker who has primary responsibility for, or authority over the child or children present.

**Non-core worker-**Non-core worker means a children's worker who is not a core worker.

## **Protocols**

### **Child abuse is either suspected or disclosed**

- Ensure the child or young person is safe from immediate harm. Listen to the child and reassure them but do not make any promises or commitments
- Physical/behavioural observations and anything said by the child (disclosures) should be carefully documented (include date, time, who was present).
- Consult immediately with the principal or nominated person in charge, or other staff member if the allegation concerns the principal.
- The principal or their nominated person in charge that received the information should contact CYF (0508 326 459) or local Police.
- If advised to do so, complete a referral form to CYF/Police.
- The board chair will be advised.
- If there is disruption to the school or community, negative impacts on other children and/or staff, media interest or a public profile, seek support from Special Education Traumatic Incident Coordinator (0800 84 8326). Ensure a BOT spokesperson is nominated, a statement prepared and it is clear that they are the only person permitted to speak on the issue
- Follow the advice of CYF/Police
- Avoid further risks to the child(ren), or young person(s). Ensure there is no contact between the child and the person whom the allegation is against. Deciding when and who will inform the parent(s) and/or caregiver will be determined by CYF and Police in consultation with the school. Follow the advice of CYF/Police.
- Ensure the student is supported and that there is a responsible adult at the school who is available to the student throughout the investigation and afterwards.

### **For allegations against an employee**

- Initiate an initial employment investigation. Maintain close liaison with the police and avoid any action that may compromise their investigation.
- Immediately seek advice from NZSTA or another approved employment advisor and advise your insurer.

- It is important that no one person has responsibility for dealing with both the reporting issues and employment issues as there is potential for there to be tension between the two.
- Notify the employee of the allegation and advise of the potential consequences.
- Consider whether it is appropriate for the employee to remain in the school (follow advice).
- Advise the employee of the right to seek support from union or other representatives.
- The board needs to determine whether they will defer their process while the police do the preliminary investigation, or whether they will proceed. Criminal investigations are separate from any employment investigation that the employer will follow.
- Ensure records are kept of any comments or event relating to the complaint(s) and/or allegations, and follow-up action is taken. Reporting Process for Suspected or Disclosed Child Abuse 5 Specific actions when reporting child abuse/neglect
- If the child or young person is in danger or unsafe, act immediately to secure their safety.
- Listen to the child or young person and reassure them they did the right thing in disclosing.
- Write down what the child has said, check that comments and events surrounding the concern are also recorded.
- Do not formally interview the child or young person. Obtain only necessary relevant facts for when clarification is needed.
- If the child or young person is not in immediate danger and is not upset re-involve the student in usual school activities.
- If the child or young person is visibly upset provide appropriate activity for them under supervision with someone familiar (i.e. teacher) until they are able to re-join classroom activities.
- Hold immediate discussion with guidance counsellor, school social worker or student support personnel.
- Inform the principal, nominated person, or other staff member if the allegation concerns the principal.
- Notify CYF Contact Centre or the Police.
- Obtain during the notification an indication of likely action and their time frames. Seek advice from CYF on what to tell the child or young person (decisions concerning after school arrangements and notifying the parents will be made by police and social workers in consultation with the school).
- Get support for staff involved from appropriate people if needed.
- Notifications should be made to the Police or the Child, Youth and Family National Contact Centre. The Contact Centre telephone number is 0508 FAMILY (0508 326 459; fax number (09) 914 1211 or email.
- Follow mandatory reporting procedures as outlined by Educanz.

### **Allegations of harm (both physical and sexual) by or between children**

- Listen to the child/ren and write down what they say. Confirm events with any witnesses and / staff
- If appropriate re-involve the children in normal activities
- Contact the families involved
- Make a decision if CYFs will be involved after these conversations.
- If CYFs involved, gain an indication of likely action and their time frames. Seek advice from CYFs on what to tell the child or young person (decisions concerning after school arrangements and notifying the parents will be made by police and social workers in consultation with the school).
- If incident is dealt with by Senior Management, Principal and families arrange a suitable time at earliest convenience for a restorative meeting and the formulation of an action plan going forward. This plan may include referrals to agencies such as CYFs, N.Z. Police, Birthright, Wellstop, RTLB and the Child Development Unit (CDU). It may also require the use of the MOE's Interim Response Fund to support the employment of a teacher aide.
- Advise Board of Trustees Chairperson and the local MOE office

### **Related documentation and review**

This policy will be reviewed annually, and updated regularly in the light of operational experience and in line with changes in legislation and associated policies.

Vulnerable Children Act 2014

Care of Children Act 2004

Privacy Act 1993

'Safer organisations , Safer children- guidelines for child protection policies to build safer organisations', Children Action Plan (MOE, February 2015)

'Creating a Safe School; a guide to writing a child protection policy', Child Matters 2014

'Safer Recruitment Safer Children; guidance for choosing safe people to work with children' Child Matters 2014

'Creating a Safe Organisation; a guide to developing child protection policies and safe working practices', Child Matters 2014

**DRAWN UP**            **1997**

**REVIEWED**        **2001**

**2004**

**2006**

**2010**

**2013**

**2016**

**APPROVED** Date: \_\_\_\_\_ **Signed:** \_\_\_\_\_

**BOT Chairperson**