



Mount Eden Normal

PRIMARY SCHOOL

Te Whare Akoranga o Maungawhau

POLICY

Child Protection

Rationale

This policy outlines the Board's commitment to child protection and recognises the important role and responsibility of all our staff in the protection of children.

It affirms our commitment to the prevention of child abuse or neglect and to the protection of all children, and directs the schools response when child abuse is disclosed to or suspected by staff.

In all instances of suspected abuse and/or neglect, the safety and wellbeing of the child is paramount, and advice and support should be sought from appropriate agencies.

Purpose:

To ensure that any person in our school/member of staff who believes that a child or young person may have been (or is likely to be), harmed (whether physically, emotionally, or sexually) ill-treated, abused, neglected, or deprived observes and follows all legislative requirements and appropriate reporting protocols, including those set out in;

- The Children's Act 2014
- Oranga Tamariki Act 1989 (also known as The Children, Young Persons, and Their Families Act 1989)

- The Care of Children Act 2004
- The Privacy Act 2020
- The United Nations Convention on the Rights of the Child (UNCROC)
- The Family Violence Act 2018
- The Victims' Rights Act 2002

Delegations:

Although ultimate accountability sits with the Board, the Board delegates responsibility to the principal to ensure that all child safety Policy requirements and related procedures are implemented and available to staff, contractors, volunteers and parents

Definitions:

- **Abuse** – the harming (whether physically, emotionally or sexually), ill-treatment, neglect or deprivation of any child, whether a single act or a number of acts
- **Physical abuse** – any act or acts that may result in the physical harm of a child or young person. It can be, but is not limited to: bruising, cutting, hitting, beating, biting, burning, causing abrasions, strangulation, suffocation, drowning, poisoning and fabricated or induced illness
- **Sexual abuse** – including (but not limited to) any act or acts that involve forcing or enticing a child to take part in sexual activities, whether or not they are aware of what is happening, including inappropriate touching/contact abuse, involvement of a child in activities for the purposes of pornography or sexual exploitation. Non-contact abuse: exhibitionism, voyeurism, exposure to pornographic or sexual imagery, inappropriate photography or depictions of sexual or suggestive behaviours or comments
- **Emotional abuse** – any act or omission that results in adverse or impaired psychological, social, intellectual and emotional functioning or development. This can include: Patterns of isolation, degradation, constant criticism or negative comparison to others. Isolating, corrupting, exploiting or terrorising a child can also be emotional abuse. Exposure to family/whānau or intimate partner violence
- **Neglect** – the most common form of abuse. Although the effects may not be as obvious as physical abuse, it is just as serious. Neglect can be:
 - Physical (not providing the necessities of life, like a warm place, food and clothing).
 - Emotional (not providing comfort, attention and love).
 - Neglectful supervision (leaving children without someone safe looking after them).
 - Medical neglect (not taking care of health needs).
 - Educational neglect (allowing chronic truancy, failure to enrol in education or inattention to education needs)

- **Child protection** – activities carried out to ensure that children are safe in cases where there is suspected abuse or neglect or the risk of abuse or neglect
- **Disclosure** – information voluntarily given to a staff member by the child, parent or caregiver or third party in relation to the alleged abuse or neglect of that child.
- **Oranga Tamariki** – the agency responsible for investigating and responding to suspected abuse and neglect and for providing a statutory response to children found to be in need of care and protection.
- **New Zealand Police** – the agency responsible for responding to situations where a child is in immediate danger and for working with Oranga Tamariki in child protection work, including investigating cases of abuse or neglect where an offence may have occurred.

Requirements - general principles:

1. The rights, welfare and safety of the child will remain paramount at all times.
2. Schools and related agencies have an individual and collective responsibility to contribute to the nurturing and protection of children and advocate for them.
3. Schools and related services for the care and protection of children are built on principles of bicultural partnership in accordance with the Treaty of Waitangi. Māori children/tamariki must be assessed and managed within a culturally safe environment. Wherever possible, the rights of family/whānau, hapu and iwi to participate in the making of decisions affecting their tamariki should be recognised.
4. Staff should recognise and be sensitive to other cultures at all times.
5. Every situation is different and staff should consider all available information about the child and their environment before reaching conclusions. For example, behavioural concerns may be the result of life events, such as divorce, accidental injury, the arrival of a new sibling etc.
6. Staff will always cooperate with and act on the recommendations of statutory agencies, including Oranga Tamariki and the Police.
7. Families/whānau will only be informed about suspected or actual abuse after concerns have been discussed with these agencies and advice sought
8. When responding to suspected child abuse or any concerning behaviour, written observations, impressions and communications should be noted and stored in a confidential register. This must be kept separate from our other records and access strictly limited to authorised staff only, at the discretion of the Principal, or otherwise as required by law
9. Staff involved in cases of suspected child abuse are entitled to have support. The advice of individuals, agencies and organisations in the community that provide support should be sought, and Employee Assistance Programme services offered to staff where appropriate
10. The Principal (or delegate) should be informed of any instances or allegations of

suspected or reported abuse without delay.

Requirements & Related Procedures - Child Safe Practices:

11. Staff should avoid situations where they may be alone with children. Wherever possible, an open door policy for all spaces should be used (excluding toilets).
12. Staff should be aware of where all children are at all times, as per the school's Supervision Policy.
13. Visitors should be monitored at all times by staff and volunteers and outside instructors should be monitored by staff.
14. If activities require one to one physical contact (i.e., classes in swimming, gymnastics etc.), parents and caregivers should be advised.
15. Where a child or young person requires assistance, e.g., if they are intellectually or physically disabled, if possible involve the parents/caregivers and outside agencies (in education such as the Ministry of Education's Special Education group) to assist. If this assistance is not available, ensure that the staff members are aware of the appropriate procedures when giving assistance.
16. Staff should avoid being alone when transporting a child or young person, unless an emergency requires it. Except in an emergency, children and young people are not to be taken from our organisation's premises, or from the programme provided by the school, without written parental consent, with the exception of trips and Education outside the classroom (EOTC) activities (with prior signed approval of the Principal).

Requirements & Related Procedures - recognising the signs of possible abuse:

17. Staff should be informed and trained to recognise physical signs of potential abuse, including (but not limited to);
 - a. (e.g., unexplained injuries, burns, fractures, unusual or excessive itching, injury to intimate areas)
 - b. Developmental delays (e.g., small for their age, cognitive delays, falling behind in school, poor speech and social skills)
 - c. Emotional abuse/neglect (e.g., sleep problems, low self-esteem, obsessive behaviour, inability to cope in social situations, sadness/loneliness and evidence of self-harm)
 - d. Behavioural concerns (e.g., age-inappropriate sexual interest or play, fear of a certain person or place, eating disorders/substance abuse, disengagement/neediness, aggression)
 - e. The child talking about things that indicate abuse (sometimes called an allegation or disclosure)

Requirements & Procedures - recognising the signs of possible neglect:

18. Staff should be informed and trained to recognise signs of potential neglect, including (but not limited to);
- a. Physical signs (e.g., looking rough and uncared for, dirty, without appropriate clothing, underweight)
 - b. Developmental delays (e.g., small for their age, cognitive delays, falling behind in school, poor speech and social skills)
 - c. Emotional abuse/neglect (e.g., sleep problems, low self-esteem, obsessive behaviour, inability to cope in social situations, sadness/loneliness and evidence of self-harm)
 - d. Behavioural concerns (e.g., disengagement/ neediness, eating disorders/substance abuse, aggression)
 - e. Neglectful supervision (e.g., free to roam in the community unsupervised, left alone, no safe home to return to)
 - f. Medical neglect (e.g., persistent rashes, skin disorders or other untreated medical issues).

Requirements & Procedures - confidentiality:

19. Under sections 15 and 16 of the Oranga Tamariki Act 1989, 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 Oranga Tamariki or the Police. Provided the report is made in good faith, no civil, criminal or disciplinary proceedings may be brought against the person raising the complaint.
20. When collecting personal information about individuals, the requirements of the MENPS Privacy Policy must be followed. It is important to be aware of the requirements and privacy principles of the Privacy Act, 2020 – i.e., the need to collect the information directly from the individual concerned and when doing so to be transparent about:
- a. the purposes for collecting the information and how it will be used;
 - b. who can see the information;
 - c. where it is held;
 - d. what is compulsory/voluntary information;
 - e. that people have a right to request access to and correction of their information
21. Staff may disclose information under the Privacy Act/Health Information Privacy Code where there is good reason to do so – such as where there is a serious risk to individual health and safety

Requirements & Procedures - disclosure of alleged abuse and/or neglect:

22. Disclosures by children are often subtle and need to be handled with particular care,

including an awareness of the child's cultural identity and how that affects interpretation of their behaviour and language. In the event a disclosure of abuse and/or neglect is made, staff will;

- a. Listen to the child
 - b. Reassure the child - let the child know that they: are not in trouble and have done the right thing
 - c. Ask open-ended questions (e.g., "What happened next?")
 - d. *Do not interview the child* (in other words, do not ask questions beyond open prompts)
 - e. *Do not make promises that can't be kept*, e.g., "I will keep you safe now" "I promise I won't tell anyone else"
23. If the child is visibly distressed, appropriate reassurance will be provided and opportunities to re-engage in appropriate activities under supervision until they are able to participate in ordinary activities
24. During (or as soon as possible following) a disclosure, staff will record;
- a. Word for word (as accurately as possible), what the child said;
 - b. The date, time, location and the names of any staff that may be relevant;
 - c. The factual concerns or observations that have led to the suspicion of abuse or neglect (e.g., any physical, behavioural or developmental concerns);
 - d. The actions taken by staff; and
 - e. Any other information that may be relevant.
25. If the child is *not* deemed to be in immediate danger;
- a. The child may be re-involved in ordinary activities. Staff will explain the next steps and refer to the Principal (or delegate) as soon as possible
 - b. The Principal (or delegate) must inform Oranga Tamariki or the Police without delay and seek further advice
- 26. When a child is (or may be) in immediate danger;**
- a. Police will be contacted immediately
- 27. In the event a disclosure of alleged abuse and or neglect involves a Board employee;**
- a. The Principal (or delegate) will be notified immediately
 - b. The Principal (or delegate) will seek advice from Oranga Tamariki or the Police without delay
 - c. The Principal (or delegate) will refer to the relevant employment contract and seek further advice from NZSTA
 - d. In the event a disclosure or allegation involves the Principal, the Board Chair will be notified immediately as the first point of contact
 - e. A response will be sought from the employee, who will be advised (depending on outcomes of discussions with statutory agencies) of their right to seek support/advice from union or other appropriate representatives
 - f. The Principal (or delegate) will consider removal of the employee from the

- programme environment, subject to the employment contract
- g. The Board Chair will be advised as soon as possible
 - h. The Principal (or delegate) will maintain close liaison and cooperation at all times with Oranga Tamariki, the Police and NZSTA
 - i. Where applicable, mandatory reporting requirements to the Teaching Council will be observed
 - j. In the event of proven allegations of abuse and/or professional misconduct (subsequent to investigation and due process) concerning the safety or wellbeing of a child, the Board will not consider or enter into any settlement agreements

Related Policies:

Access to Students
Health & Safety
Police Vetting
Privacy Policy
Protected Disclosures
Supervision Policy

Signed: Fleur Longley
Chairperson

Date: November 2020

Policy review details

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