



Mount Eden Normal

PRIMARY SCHOOL

Te Whare Akoranga o Maungawhau

POLICY

Child Protection

Rationale

This policy outlines the Board's legislative responsibilities and commitment to child protection, with recognition of the important role and responsibility of staff in the protection of children.

It affirms the Board's commitment to the prevention of child abuse or neglect and to the protection of all children, and informs the response when child abuse is suspected by or disclosed to staff

In all instances of suspected abuse and/or neglect, the safety and wellbeing of the child will remain paramount, with appropriate advice and support sought from appropriate agencies

Purpose:

To ensure that staff who believe that a child or young person may have been (or is likely to be), harmed (whether physically or emotionally) ill-treated, abused, neglected, or deprived takes appropriate steps to protect the child and follow all legislative requirements/reporting protocols, including those set out in;

- The Vulnerable 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:

The Board delegates responsibility to the principal to ensure that all child safety Policy requirements and related procedures are implemented.

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
- **Authorised Staff** - Staff employed by MENPS, or acting under the authority of MENPS
- **Physical abuse** – any deliberate act or acts of force that may result in the physical harm of a child or young person
- **Sexual abuse** – including (but not limited to) any act or acts that involve forcing or enticing a child to take part in sexual activities, including passive, non-contact abuse such as deliberate exposure to inappropriately sexual or suggestive comments or material of any kind
- **Emotional abuse** – any deliberate act or omission of due care or exposure to behaviour that results in adverse or impaired psychological, social, intellectual and emotional functioning or development
- **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 (intentionally leaving children without due age-appropriate care)
 - Medical neglect (not taking care of health needs)
 - Educational neglect (allowing chronic truancy, failure to enrol in education or inattention to basic education needs)
- **Child protection** – actions taken 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 describing potential abuse or neglect
- **Oranga Tamariki** – the Ministry for Children agency responsible for investigating and responding to potential abuse and neglect and for providing a statutory response to children found to be in need of care and protection

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 their safety and wellbeing
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. Children 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 cultural considerations at all times
5. Every situation is different and staff should consider all available information about the child and their environment before reaching conclusions, including awareness that 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 NZ Police
7. Families/whānau will be informed about suspected or actual abuse, which may occur after concerns have been discussed with these agencies and advice sought where appropriate
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.

11. Requirements & Related Procedures - Child Safe Practices:

- 11.1. Where a child or young person requires assistance, e.g., if they are intellectually or physically disabled, if possible parents/caregivers and outside agencies may be involved to assist. If this assistance is not available, staff members should be aware of the appropriate procedures when giving assistance, with training provided if required
- 11.2. 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 or changing areas, which require discretion and privacy). If assistance is required by a member of staff, two suitable staff members should assist wherever reasonably practical

- 11.3. Visitors, volunteers and instructors from outside agencies should be under the supervision of MENPS staff at all times, unless cleared under the provisions of the Police Vetting Policy
- 11.4. Staff should avoid being alone when transporting a child or young person, unless an emergency requires it

12. Requirements & Related Procedures - Recognising signs of possible abuse and/or neglect:

- 12.1. Staff should be informed and trained to recognise physical signs of potential abuse, including (but not limited to);
 - 12.1.1. unexplained injuries, burns, fractures, unusual or excessive itching, injury to intimate areas
 - 12.1.2. unexplained developmental delays
 - 12.1.3. emotional abuse/neglect
 - 12.1.4. behavioural concerns (e.g., age-inappropriate sexual interest or play, fear of a certain person or place, eating disorders/substance abuse, uncharacteristic disengagement/neediness, aggression)
 - 12.1.5. the child talking about or otherwise communicating things that may indicate or imply potential abuse
 - 12.1.6. neglectful supervision (e.g., free to roam in the community unsupervised, left alone with undue care, no safe home to return to)
 - 12.1.7. Medical neglect (e.g., persistent rashes, skin disorders or other ongoing, untreated medical issues)

13. Requirements & Procedures - Reporting & Confidentiality:

- 13.1. 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 should 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
- 13.2. When collecting personal information about individuals, the requirements of the Privacy Act, 2020 must be met, with reference to the MENPS Privacy Policy. It is important to collect the information directly from the individual concerned and when doing so to be transparent about:

- 13.2.1. the purposes for collecting the information and how it will be used;
 - 13.2.2. who can see the information;
 - 13.2.3. where it is held;
 - 13.2.4. what is compulsory/voluntary information;
 - 13.2.5. that people have a right to request access to and correction of their information
14. Staff may disclose information under the Privacy Act where there is good reason to do so, such as where there may be a serious risk to individual health and safety

Requirements & Procedures - responding to disclosures of alleged abuse and/or neglect:

15. In the event a disclosure of abuse and/or neglect is made, staff must endeavour to;
- 15.1. Listen to the child
 - 15.2. Reassure the child that they are not in trouble/have done the right thing
 - 15.3. Ask open-ended questions
 - 15.4. Refrain from interviewing the child
 - 15.5. Avoid making promises that can't be kept
16. If a child is visibly distressed, appropriate reassurance will be provided and opportunities to re-engage in appropriate activities under supervision until they are able to resume ordinary activities
17. During (or as soon as possible following) a disclosure, staff will record;
- 17.1. Verbatim (as accurately as possible), what the child said;
 - 17.2. The date, time, location and the names of any staff that may be relevant;
 - 17.3. Any factual concerns or observations that have led to the suspicion of abuse or neglect;
 - 17.4. The actions taken by staff; and
 - 17.5. Any other information that may be relevant
18. Where the child is *not* deemed to be in immediate danger;
- 18.1. 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
 - 18.2. The Principal (or delegate) must inform Oranga Tamariki or the Police without delay and seek further advice
19. **When a child is (or may be) in immediate danger;**

19.1. Police will be contacted immediately

20. In the event a disclosure of alleged abuse and or neglect involves a Board employee;

- 20.1. The Principal (or delegate) will be notified immediately
- 20.2. The Principal (or delegate) will seek advice from Oranga Tamariki or the Police without delay
- 20.3. The Principal (or delegate) will refer to the relevant employment contract and seek further advice from NZSTA
- 20.4. In the event a disclosure or allegation involves the Principal, the Presiding Member (or Deputy/delegate) should be notified immediately as the first point of contact
- 20.5. 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
- 20.6. The Principal (or delegate) will consider removal of the employee from the programme environment, subject to the employment contract and direction from NZSTA
- 20.7. The Presiding Member will be advised as soon as possible
- 20.8. The Principal (or delegate) will maintain close liaison and cooperation at all times with Oranga Tamariki, the Police and NZSTA
- 20.9. Where applicable, mandatory reports will be made to the Teaching Council
- 20.10. 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 employment settlement agreements

Related Policies:

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

Signed: Annette Quesado, Presiding Member, MENPS Board of Trustees

Policy review details

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