



Whakatane Intermediate School Board

Child Protection Policy

(Linked to Nag 5 – Health & Safety)

Policy Scope and Principles

This policy is to promote and ensure the safety and well-being of all students.

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 includes the board's expectations when child abuse is reported or suspected by us.

All staff members (including those in part-time and temporary roles, contractors and volunteers) are expected to be familiar with this policy, its associated procedures and protocols and abide by them.

The Board has an obligation to ensure the wellbeing of young people in our care so they can thrive, have a sense of belonging and achieve to the best of their ability. The safety and wellbeing of the child or young person is our top priority. Advice will be sought through appropriate agencies in all cases of suspected or alleged abuse.

In addition to guiding staff to make referrals of suspected child abuse and neglect to the statutory agencies – i.e.: Oranga Tamariki and the NZ Police – this policy will also help our staff to identify and respond to the needs of the many vulnerable children whose wellbeing is of concern.

We recognise that in many of these cases, the involvement of statutory agencies would be inappropriate and potentially harmful to families/whānau. It is important for our organisation to work with statutory and non-statutory agencies to respond appropriately and sensitively to the needs of vulnerable children and families/whānau in a manner proportionate to the level of need and risk. Contact details for agencies and services in our community are provided as an appendix to this policy.

We will work to maintain good working relationships with child protection agencies and other service providers, and support our staff to protect children from abuse by consulting with experts with specialist knowledge. Staff will be provided with the necessary professional development to maintain their on-going knowledge of identification of and responses to abuse and neglect.

Definitions

- **Child** – any child or young person aged under 17 years and who is not married or in a civil union.
- **Child protection** - activities carried out to ensure that children are safe in cases where there is suspected abuse or neglect or are at risk of abuse or neglect.
- **Disclosure** - information given to a staff member by a child, parent or caregiver or a third party in relation to abuse or neglect.
- **Oranga Tamariki** - the statutory agency responsible for investigating and responding to suspected abuse and neglect and for providing care and protection to children found to be in need.
- **New Zealand Police** - the statutory agency responsible for responding to situations where a child is in immediate danger and for working with Oranga Tamariki in child protection work and investigating cases of abuse or neglect where an offence may have occurred.
- **Physical abuse** - any acts that may result in 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** - any acts that involve forcing or enticing a child to take part in sexual activities, whether or not they are aware of what is happening. Sexual abuse can be, but is not limited to:
 - **Contact abuse** - touching breasts, genital/anal fondling, masturbation, oral sex, penetrative or non-penetrative contact with the anus or genitals, encouraging the

- child to perform such acts on the perpetrator or another, involvement of the child in activities for the purposes of pornography or prostitution.
 - **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** – neglect is the most common form of abuse and 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.

Identifying Abuse and Neglect

Our approach to identifying abuse or neglect is guided by the following principles:

- We understand that every situation is different and it's important to 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, or worry about the health of a loved one.
- We understand when we are concerned a child is showing signs of potential abuse or neglect we should talk with appropriate staff about this. It is important not to act alone. The Whakatane Intermediate School (WIS) Pastoral Care team (DP, SENCO, LSC & RTLB), **and** the Combined Agencies Team (SWISS, Iwi Agencies, Police, MOE, Truancy Officers) are working with children and whānau and hold private information that may be relevant. If staff are at all concerned about student safety, then they will consult with an appropriate person in the WIS Pastoral Care team. The Pastoral Care team would then consult with the Combined Agencies Team.
- While there are different definitions of abuse, the important thing is for us to consider overall wellbeing and the risk of harm to the child. It is not so important to be able to categorise the type of abuse or neglect.
- It is normal for us to feel uncertain, however, the important thing is that we should be able to recognise when something is wrong, especially if we notice a pattern forming or several signs that make us concerned.
- Exposure to intimate partner violence (IPV) is a form of child abuse. There is a high rate of co-occurrence between IPV and the physical abuse of children.

We recognise the signs of potential abuse:

- **Physical signs** – e.g.: unexplained injuries, burns, fractures, unusual or excessive itching, genital injuries, sexually transmitted diseases.
- **Developmental delays** – e.g.: small for their age, cognitive delays, falling behind in school, poor speech and social skills.
- **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.
- **Behavioural concerns** - e.g.: age-inappropriate sexual interest or play, fear of a certain person or place, eating disorders/substance abuse, disengagement/neediness, aggression.
- The child talking about things that indicate abuse – making an allegation or disclosure.

We are aware of the signs of potential neglect:

- **Physical signs** – e.g.: looking rough and uncared for, dirty, without appropriate clothing, underweight.
- **Developmental delays** – e.g.: small for their age, cognitive delays, falling behind in school, poor speech and social skills.
- **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.
- **Behavioural concerns** – e.g.: disengagement/neediness, eating disorders/substance abuse, aggression.
- **Neglectful supervision** – e.g.: roaming unsupervised late at night, left alone, no safe home to return to.
- **Medical neglect** – e.g.: untreated medical issue.

Every situation is different and staff will consider all available information about the child and their environment before reaching conclusions.

Staff may consult with Oranga Tamariki through their Ed Assist contact line 0508 332 774 for guidance in an appropriate response. We also maintain close working relationships with the Whakatane Youth Aide officers and the Child Protection Team of the NZ Police, and may consult with them when appropriate.

When we respond to suspected child abuse we will write down our observations, impressions and communications as per procedure, and store these in a confidential register. This register will be kept separate from other student records and held securely by the DP of Pastoral Care. Access to this register will be strictly controlled.

Staff involved in cases of suspected child abuse are entitled to have support. The WIS Pastoral Care team have knowledge of individuals and agencies in the Whakatane community that provide support. Where a staff member has been negatively affected by their involvement in responding to suspected abuse, they may access counselling or psychological support through the schools Mental Health & Wellbeing Support process.

Procedure for responding to child protection concerns

The safety and welfare of the young person is of paramount consideration in the implementation of the WIS Child Protection procedures.

In all cases where a member of staff has a concern about a child/tamariki or young person/rangatahi being or likely to be abused or neglected (refer to Definitions) by an adult or another child/tamariki or young person/rangatahi, they will discuss their concerns with a member of the WIS Pastoral Care team, who then notify Principal to assist in the formulation of a plan to address these care and protection concerns. This consultation process should be conducted in a timely manner so an effective response can be provided. Staff members must seek advice from key school personnel before acting, as often these people often hold important information about the child/young person's situation.

Procedure for Suspected or disclosed current or on-going abuse or neglect

The following procedure is a guide for staff to respond to student disclosures of abuse, or if their knowledge of and work with the student has led them to suspect abuse or neglect.

Remain Calm

- Listen. Reassure the child and respond with calmness and kindness. Accept how the child feels.
- Do not make promises or commitments you cannot keep such as keeping this a secret. You cannot keep this confidential. Abuse thrives in secrecy. Instead, tell the child that you will need to consult with others in the school about the best way to keep them safe
- If the child is visibly distressed provide appropriate reassurance and find a quiet space they can be (with support) until they are able to return to ordinary activities.
- **DO NOT** interview the student about what they have said. In other words, do not ask questions beyond open prompts.
- Reassure the student that what happened was not OK, that you believe them and they are not in trouble.

Keep a written record

- As soon as possible formally record the disclosure.
- Obtain only relevant facts if and when clarification is necessary.
- Record word for word what the child said to you.
- Record the date, time, location and the names of any staff or students that may be relevant.
- Avoid making judgements. Simply record the facts. This may be used as part of your statement or as evidence in court. It also reassures the child that you have heard them, that what they have said is important, and you are taking it seriously.
- Record the action that you are going to take, and any other relevant information

Decision making

- **Do not act alone.** Get help/consult with a trusted colleague, a member of the pastoral care team, or SLT.
- Report the conversation with the student/disclosure to the Pastoral Care Team or a member of the SLT.
- If necessary, phone Ed Assist (0508 332 774) for advice.
- Seek support for yourself from the SLT or other trusted person (Syndicate Leader).

Inform and Agree

- An appropriate course of action will be agreed upon, and the Pastoral Care Team will keep a dated and accurate record of this. This and the staff member's notes will be kept by the Pastoral Care Team in a locked and confidential file.
- The Pastoral Care Team will ensure that the Principal is informed if a notification to Oranga Tamariki is to be made.
- If the child is in immediate danger: Call the Police immediately: 111

Notify

- If a notification to a statutory authority is agreed upon, the Pastoral Care Team or Principal will undertake to do this promptly. The time and date of this referral, and who was spoken to will be noted in the confidential file. Notification to Oranga Tamariki National Call Centre can be made by:
 - Phone - 0508 FAMILY (0508 326 459);
 - Email – contact@ot.govt.nz
- If urgent action is required (e.g.: it is not safe for a student to go home that night), then a follow-up call to the local Oranga Tamariki office is advisable. Phone: 07 9224030 and ask to speak with the Duty Social Worker. A formal notification to the Oranga Tamariki National Call Centre (see contact # above) is still necessary.

Supporting Students

Students will be supported throughout this procedure by:

- The Pastoral Care Team or a designated teacher acting as an advocate on their behalf.
- Being kept informed of the process, who has been spoken with and what has been said.
- Inclusion of parents/whanau in the process if appropriate, with the Pastoral Care Team being available to offer support for parents/whanau.
- Encouragement to seek support from trusted friends if appropriate.
- Counselling to mitigate the effects of the abuse/neglect and to build resiliency.
- If, after consultation, it is decided that a notification to a statutory agency is not appropriate, staff will work with family/whanau and the child to ensure appropriate supports are in place. An in-school meeting may be an appropriate step in building strength and resiliency for the child and their family/whanau.
- Referral to an outside agency if appropriate may be made - such as:
 - The Vulnerable Children's Team
 - Tautoko Mai (Bay of Plenty Sexual Assault Services)
 - Voyagers (Child and Adolescent Mental Health)
 - Family Works (anti-violence programmes)
 - Tuhoe Hauora
 - Ngati Awa Social and Health service
 - Te Puna Ora O Mataatua
 - ACC accredited sexual abuse therapist (SAS)

Procedure to support students who are victims of historical abuse

WIS employs a range of strategies to support students who are victims of historical abuse or neglect, depending on the circumstances, these include measures such as:

- Staff will discuss their concerns with the Pastoral Care Team, who will keep a dated accurate record of the conversation and outcomes agreed on.
- Ensuring current student safety is paramount, and an assessment of any urgent need will be undertaken.
- If it is agreed that a notification to a statutory authority is necessary, then procedures as outlined in cases of current abuse and neglect will be followed.
- The effects of abuse will be considered and the Pastoral Care Team will refer to any appropriate external agency.
- Pastoral Care Team may provide in-school support and be mindful of building students strengths and resiliency.
- Individual counselling or group work may be offered to the student depending on their identified need.

Procedures to follow when Allegations of Abuse are made against Staff

These procedures are made on the basis that all children and young people should be treated with dignity and respect and have the right to have their needs met in a safe environment. When allegations are made that threaten that safety, school management will act on those allegations while taking care to treat the employee fairly.

The purpose of these procedures is to ensure and/or provide:

- That the safety of the student is the first consideration.
- That all complaints are taken seriously and dealt with effectively.
- That in the case of a complaint against an employee, action is guided by the applicable employment contract and/or principles of natural justice.
- That there is clear guidance for management and employee in respect of any allegations received concerning students within the school environment.

Procedures:

The following procedures should be followed in the event of suspicion or disclosure of abuse against an employee. Above all the student must be adequately protected. The principal and/or the Chairperson of the Board will have a dual responsibility in respect of both the student and the employee.

There are two procedures to be followed here:

- The reporting procedure in regard to abuse or neglect of a student (see above procedure on responding to Child Abuse and Neglect).
- The procedure for working with the employee.

In ALL cases, it is suggested that no one person should have responsibility for dealing with both the reporting issues and the employment issues. All matters involving allegations against staff need to be escalated to the senior leadership team as soon as possible. It is suggested that the Principal/Chairperson of the Board have responsibility for dealing with the employment issues, and the Pastoral Care Team have responsibility for working with the student.

The principal should consult with the Pastoral Care Team to ensure implementation of the child protection policy regarding reporting, and that the student is being supported. The staff member who first heard the allegation/disclosure should follow all procedures in regard to abuse or neglect of a student up to the decision-making process. At that point the SLT must be notified in order to work with the employee. The student is supported through the Child Abuse and Neglect procedures.

The following steps are to be taken when working with an employee:

1. The Chairperson of the Board should be informed as soon as possible.
2. The principal is advised to ensure records are kept of any comments by the student, complaints and/or allegations, and follow-up action taken.
3. The decision to follow up on an allegation of suspected abuse or neglect against an employee of the school should be made in consultation with the following:
 - Child Youth and Family

- New Zealand Police
- Chairperson of the Board

The purpose of this consultation is to enable the principal and the Board Chairperson to discuss the concern or allegation and to:

- Determine the extent of the assistance they can give to the investigation
 - Consider the timeframe to be followed with regard to the possible conflict between what steps the board may take as an employer and possible police intervention
 - Consider the employer role of the board in conjunction with any procedures outlined in relevant employee contracts.
4. When it has been determined the board should pursue the matter as an employer, the board should advise the person accused of the allegation and seek a response. It is vital that the employer should refer to the relevant employee contract in every case when proceeding with disciplinary action.
 5. The employee complained against should be advised of their right to seek support/advice from NZEI rep or field officer, or any other relevant teachers' organisation if applicable.
 6. Under no circumstances should the child or young person raising the concern or making the allegation be exposed to unnecessary risk. This may require the board to contemplate removal of the employee from the school environment subject to the requirements of the applicable employee contract.
 7. All actions of the board must be consistent and applicable with the collective employment contract or individual employment contract.
 8. Boards should take care to ensure actions taken by the school do not undermine or frustrate any investigations being conducted by any external agency. It is strongly recommended that the board maintain a close liaison with Oranga Tamariki and the Police to achieve this.

Whakatane Intermediate School commits 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 is a concern for the safety or wellbeing of a child, use of such agreements is contrary to a culture of child protection.

Confidentiality and information sharing

The privacy and wellbeing of the student is paramount. Staff will speak their concerns only to the appropriately designated people (see procedures). Staff should be aware that:

- Under sections 15 and 16 of the Children, Young Persons and their Families 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 and provided the report is made in good faith, no civil, criminal or disciplinary proceedings may be brought against them.
- When collecting personal information about individuals, it is important to be aware of the requirements of the privacy principles – i.e.: the need to collect the information directly from the individual concerned and when doing so to be transparent about: the purposes for collecting the information and how it will be used; who will see the information; where it is held; what is compulsory/voluntary information/ and that people have a right to request access to and correction of their information.
- Staff may, however, 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 (see privacy principle 11/Code rule 11).

Training

We are committed to maintaining and increasing staff awareness of how to prevent, recognise and respond to abuse through appropriate training. As part of their induction, new staff will be made aware of the policy on child protection. This policy will be referred to in the Staff Organisational Folder, and available on the school website.

Training, resources and/or advice will be available to ensure that all staff can carry out their roles in terms of this policy, particularly:

- Understanding child abuse and indicators of child abuse.
- Understanding and complying with legal obligations in regard to child abuse.
- Consulting with appropriate staff when concerned about a child or young person.
- Working with outside agencies on child abuse issues.
- Planning of environment and supervision to minimise risk.
- Working with child/parents/family/whānau.

Child Safe practice guidelines

To ensure both student and staff safety, all staff should examine situations where they may be alone with young people, and where-ever possible an open door policy for all spaces should be used.

Visitors and volunteers should be monitored by staff.

If activities require one to one physical contact (i.e.: classes in swimming, gymnastics etc.) parents and caregivers should be advised.

Where a child or young person requires assistance, e.g.: if they have a physical or intellectual disability, ensure that staff members are aware of the appropriate procedures when giving assistance.

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 school premises without parental consent.

Related documentation and information

Vulnerable Children Act 2014: Sections 18-19

Children's Action Plan guideline: Safer Organisations, Safer Children:

<http://www.childrensactionplan.govt.nz>

New Zealand School Trustees Association: www.nzsta.org.nz

Ministry of Education: www.education.govt.nz

Child Youth and Family Interagency Protocol: Breaking the Cycle (1996)

Effectiveness Self-Review

This policy will be reviewed in accordance with the Board's triennial programme of self-review, and the review report will be available to members of the school community after it has been approved by the Board.

17 August 2021, version adopted

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Chairperson

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Principal

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Date

17/8/21