

Index Reference CNAPR

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CHILD NEGLECT, ABUSE, PROTECTION AND REPORTING POLICY

1 Rationale

- 1.1 The Board of Trustees and staff of Patricia Avenue School are committed to the CARE and PROTECTION of our students and recognise the important role and responsibility of all our staff in the protection of our students.
- 1.2 This commitment, and an adherence to maintaining a safe environment for the children to learn in and the staff to teach in, will drive the actions taken when abuse is reported or suspected.
- 1.3 In all instances this policy is in accordance with the Vulnerable Children's Act 2014 and the Health and Safety at Work Act 2015.

2 Purpose

- 2.1 Under National Administration Guideline 5, each Board of Trustees is required to :
 - provide a safe physical and emotional environment for students
 - promote healthy food and nutrition for all students
 - comply in full with any legislation currently in force or that may be developed to ensure the safety of students and employees
- 2.2 These guidelines and procedures provide a framework and expectations to protect children, including (but not limited to) staff behaviours in response to actual or suspected child abuse and neglect. It applies to all staff including volunteers and part-time or temporary roles and contractors. The framework includes:
 - Identifying when children are at risk
 - Taking thorough and effective preventative action
 - Responding in the most appropriate way to children who are suspected of being abused
 - Reporting concerns appropriately
 - Supporting children, staff and family members / whanau
 - Recognising responsibilities about suspected poor practice or possible abuse

3 Definitions

Child: anyone under the age of 18 years of age. Students who are 18 years and over at Patricia Avenue School are considered 'vulnerable adults' and are therefore also covered by this policy.

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.

Designated person for child protection: the Principal or designated person responsible for providing advice and support to staff where they have a concern about an individual child or want advice about child protection policy.

Disclosure: information given to a staff member by a student, parent or caregiver or a third party in relation to abuse or neglect.

Ministry for Vulnerable Children, Oranga Tamariki (previously Child, Youth and Family (CYF): the agency responsible for investigating and responding to suspected abuse and neglect and for providing care and protection to children found to be in need

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 terrorizing a child can also be emotional abuse
- Exposure to family / whanau or intimate partner violence

Neglect: is the most common form of abuse. It is a lack of action, emotion or basic needs. The effects may not appear as obvious as physical abuse but are just as serious. Neglect can be any act or omission or persistent failure to meet a child's basic physical and / or psychological needs, resulting in impaired physical functioning, injury and / or development. Forms of neglect include:

- Educational – allowing chronic truancy, failure to enrol in education or inattention to education needs
- Emotional – not providing comfort, attention and love
- Medical – not taking care of health needs
- Neglectful supervision – leaving children without someone safe looking after them
- Physical – not providing the necessities of life such as a warm place, food and clothing

New Zealand Police: the agency responsible for:

- responding to situations where a child is in immediate danger
- working with Child, Youth and Family in child protection work
- investigating cases of abuse or neglect where an offence may have occurred.

Physical abuse: non-accidental 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, shaking, strangulation, suffocation, drowning, poisoning and fabricated or induced illness.

Sexual abuse: any acts which 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 genitals or anus, 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.

4 Guidelines

4.1 The interests of the child will be the overriding consideration when any action is taken in response to suspected abuse or neglect

4.2 Although ultimate accountability sits with the Board of Trustees, the Board delegates responsibility to the Principal to ensure that all child safety procedures are implemented and available to all staff, contractors, volunteers and parents.

Patricia Avenue School's designated person for Child Protection is the Principal. The Principal has primary responsibility for understanding these guidelines, ensuring relevant staff understand them properly and monitoring implementation of the processes. The Principal will:

- Develop appropriate procedures to meet child safety requirements as required and as appropriate to the school
- Comply with relevant legislative requirements and responsibilities
- Make this policy available on request
- Ensure that with every contract or funding arrangement that the school enters into includes the adoption of child protection policies where required
- Ensure the interests and protection of the child are paramount in all circumstances
- Recognise the rights of family / whanau to participate in the decision-making about their children
- Ensure that all staff are able to identify the signs and symptoms of child abuse and neglect, deal with disclosures by students and allegations against staff members and are able to take appropriate action in response

- Support all staff to work in accordance with this policy, to work with partner agencies and organisations to ensure child protection policies are understood and implemented
 - Promote a culture where staff feel confident they can constructively challenge poor practice in relation to child safety matters or raise issues of concern without fear of reprisal
 - Consult, discuss and share relevant information, in line with our commitment to confidentiality and information sharing protocols, in a timely way regarding any concerns about an individual child with the Board or designated person
 - Seek advice as necessary from NZSTA advisors or other external advisors on employment matters and other relevant agencies where child safety issues arise
 - Make available professional development, resources and / or advice to ensure all staff can carry out their roles in terms of this policy
 - Ensure that this policy has been read by all staff
 - Ensure that this policy forms part of the initial staff induction programme for each staff member
- 4.3 We will work with statutory (Ministry for Vulnerable Children, Oranga Tamariki and the New Zealand Police) and non-statutory agencies (such as The Children’s Hub) to respond to the needs of vulnerable children and families in a manner proportionate to the level of need and risk.
- 4.4 Before employment as a staff member, comprehensive screening procedures (police vet, identity verification, references and an interview) will be carried out. Police Vet responsibilities:
- For teachers, this is undertaken by the Education Council as part of the registration and practising certificate process.
 - Relieving teachers will be safety checked before starting any new contract. Once completed it can be relied upon for three years
 - The Occupational Therapy Board of New Zealand undertakes Police Vets in accordance with their ‘Fitness Policy’ (<http://www.otboard.org.nz/wp-content/uploads/2015/04/Fitness-Policy.pdf>) for new graduates and those returning from overseas. After initial vetting the three year cycle becomes the responsibility of the employing organisation.
 - Physiotherapists, Speech Language Therapists, Music Therapists, Nurses, Learning Support Assistants, Administration Staff and other employees are Police vetted every three years by the school
 - Volunteers, under the Vulnerable Children Act, are not currently required to complete safety checks. However, volunteers often work with children and NZSTA recommends that a Police Vet is completed for all volunteers (NZSTA, 2016, p7).
At Patricia Avenue School a Police Vet will be completed for all volunteers who are in the school for more than one day. Any short-term volunteer without a Police Vet will not be left alone with a child and working alongside students.
 - Student teachers and student therapists are safety checked by the education organisation they attend. As it is the responsibility of the Board to ensure these are completed, the Board will have a written agreement outlining an agreement that the tertiary institute has completed a safety check to the standard set out in the Vulnerable Children Act.
 - Employees who are new to New Zealand, are aged 17 years or over and are working, visiting or studying in New Zealand for 24 months or longer must provide a police certificate from any country they have lived in for five years or more since attaining the age of 17 years, as well as their country of citizenship (<http://www.newzealandimmigration.net.nz/character-requirements.html>)
 - If a currently employed staff member has a Schedule 2 offence the Board will follow Vulnerable Children Act process outlined in Vulnerable Children Act 2014, A practical guide for Early Childhood Education Services, Nga Kohanga Reo, Playgroups, Schools and Kura, p36
- 4.5 The principles of privacy and confidentiality will be maintained when collecting personal information about individuals and include:
- The need to collect information directly from the individual concerned
 - The need to be transparent when collecting information
 - The purposes for collecting the information
 - How it will be used (restricted to those who have a need to know in order to protect the child)
 - Who can see the information (restricted to those who have a need to know in order to protect the child)

- Where it is held
- What is compulsory / voluntary information
- People have a right to request access to and correction of their information

4.6 Child safe practices will be used in the school. A reality of day-to-day practices at Patricia Avenue School means that staff and students are often in one-to-one situations. One-to-one situations have the potential to make students more vulnerable to harm by those who seek to exploit their position of trust. Adults working in one-to-one settings with students may also be more vulnerable to unjust or unfounded allegations being made against them. Both possibilities should be recognised so that when one-to-one situations are unavoidable, reasonable and sensible precautions are taken.

- Staff will identify, consider and minimize opportunities or possible situations where staff may be alone with children
 - Avoid one-to-one sessions in remote, secluded areas
 - Stay as visible as possible
 - Ensure another staff member is informed about the one-to-one situation before it takes place to ensure support and accountability is at hand
- There will be an unlocked / open door policy for all spaces used
- Staff will be aware of where all children are at all times
- Visitors, volunteers and outside instructors will be monitored by staff
- Except for an emergency, students will remain on our premises or the programme we provide unless we have written parental consent or Principal approval

4.7 Interactions with students will be carefully considered. Staff will maintain appropriate professional boundaries in their communication with students including communicating at school, home, in public settings and through the use of mobile technology and social media.

4.8 At Patricia Avenue School, staff have regular physical contact with students in order to help them carry out day to day tasks, keep safe and to learn. It is crucial that staff ensure they only have physical contact in ways appropriate to their professional role.

When physical contact is made with a child, this should be in response to their needs at the time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background. Staff members are required to:

- Never touch a child in a way that may be considered indecent
- Consider the way comfort and assurance is offered to a distressed student and do it in an age-appropriate way
- Report situations which may give rise to concern
- Follow individual students' behaviour plans and ask for clarification or support when needed

4.9 All adults will clearly understand the need to maintain appropriate boundaries in their contacts with children. Intimate or sexual relationships between students and the adults who work with them will be regarded as a grave breach of trust. Allowing or encouraging a relationship to develop in a way which might lead to a sexual relationship is also unacceptable.

Any sexual activity between an adult and the student with whom they work may be regarded as a criminal offence and will always be a matter for disciplinary action.

4.10 At Patricia Avenue School, staff are required to assist students with personal cares on a daily basis. As part of transitioning into school parents and staff agree on best practice for supporting each student with their personal care routines. This is reviewed on a needs basis via Student Support Guidelines or Individual Education Plan goals. Staff supporting students need to be aware of the safety, privacy and dignity of the students when supporting them with their daily cares.

4.11 Students are at an increased risk of sexual abuse and exploitation where adults have the opportunity to gain access in a setting that is not open to casual observation by other adults. Adults should be circumspect in their communications with students to avoid any possible misinterpretation of their motives or any behaviour which could be construed as grooming.

Staff are therefore required to:

- Ensure communication with students takes place within the boundaries of a professional relationship and are open to scrutiny from other adults

- Consider the appropriateness of social contact according to their role and nature of their work
- Report any situation which may place a child at risk or which may compromise the service of their own professional standing to the Principal
- Ensure that social networking sites are set at private and that students are never listed as approved contacts
- Never use or access social networking sites of students
- Ensure that parental permission is given if communicating with students via mobile phone
- Only display or distribute images of students if parental consent is given

4.12 Staff will be aware of the signs of potential abuse:

- Physical (e.g. unexplained injuries, burns, bruising especially of unusual appearance, place or frequency, fractures, unusual or excessive itching, genital injuries, sexually transmitted diseases)
- Developmental delays (e.g. small for age, cognitive delays, falling behind in school, poor speech and social skills – other than as a result of a known intellectual disability)
- 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, sudden and / or significant changes in behaviour)
- The child talking about things that indicate abuse (sometimes called an allegation or disclosure)

4.13 Staff will be 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 age, cognitive delays, falling behind in school, poor speech and social skills – other than as a result of a known intellectual disability)
- 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. out and about unsupervised, left alone, no safe home to return to)
- Medical neglect (e.g. not giving medication correctly, persistent nappy rash or skin disorders or other untreated medical issues)

4.14 Every situation is different and staff will consider all available information about the child and their environment before reaching conclusions. E.g. behavioural changes may be due to life events such as separation / divorce of parents, death of a grandparent or favourite person, or the arrival of a new baby sibling.

4.15 Patricia Avenue School will seek advice from Ministry for Vulnerable Children, Oranga Tamariki and / or the Police before identifying information about an allegation is shared with anyone, other than the DP / AP and Principal.

4.16 Where a member of staff has a concern about a child or young person being, or likely to be abused or neglected (refer to definitions) by an adult or another child or young person, they will complete the student concern form and report this to their DP / AP or the Principal to assist in the formulation of a plan to address the care and protection concerns.

Patricia Avenue School recognises that by law (Section 15 of the Children, Young Persons and their Families Act 1989) any person may report a case of suspected abuse to the statutory agencies.

4.17 When there is an allegation against staff:

- Patricia Avenue School will respond in a manner which best ensures the student's immediate and long term safety
- treat suspicions with the same seriousness as suspicions or allegations made against any other person
- the safety of the child will be paramount and no person in this organisation will collude to protect an adult or an organisation
- allegations will be treated in such a way that the rights of adults and the stress upon the staff member are taken into consideration
- both staff and student rights are to be attended to. This means that the safety of the child is of primary concern and that the staff member must have access to legal and professional advice
- the person managing the abuse issue will not be the same person as that managing the employment issue

- the suspected staff member will be prevented from having further unsupervised access to children during any investigation and will be fully informed of their rights
- The Principal, as the Designated Person for Child Protection, will immediately ensure that the suspected individual does not have any contact with the student making the allegation. A risk assessment will be undertaken to determine what level of access, if any, that person should have to other children
- Patricia Avenue School will adhere to the Employment Contracts Act and give the staff member all information regarding his / her rights
- If the Police decide to undertake a criminal investigation, then the staff member may be suspended, without prejudice, as a precautionary measure. It is important that no internal investigation is undertaken, and no evidence gathered that might prejudice the criminal investigation
- If the school is aware that a member of staff it has placed on precautionary suspension also works with children for another organisation (either as an employee or volunteer, it should ensure that the other organisation is informed of the suspension and the subsequent outcome. Consultation with Ministry for Vulnerable Children, Oranga Tamariki or the Police will determine how this information is conveyed
- Patricia Avenue School will liaise with Ministry for Vulnerable Children, Oranga Tamariki and Police regarding the progress of the investigation
- Patricia Avenue School recognises the added stress to fellow staff in such a situation and will ensure support is available
- If there is insufficient evidence to pursue a criminal prosecution, then a disciplinary investigation may still be undertaken if there is “reasonable cause to suspect” that abuse may have occurred. The allegation may represent inappropriate behaviour or poor practice by a member of staff, which will be considered under internal disciplinary procedures.

5 Procedures

5.1 To respond to a student when the student discloses abuse:

- Listen to the child (be receptive and attentive so students feel listened to and believed. If the disclosure relates to sexual abuse, avoid showering or toileting)
- Reassure the child (let the child know that they are not in trouble and have done the right thing)
- Do **not** interview the child – the Police and Ministry for Vulnerable Children, Oranga Tamariki do this using a specialist interviewer
- If the student is visibly distressed, provide appropriate reassurance until they are able to participate in ordinary activities, notify the DP / AP or Principal
- If the student is in immediate danger contact the Police immediately on 111
- As soon as possible formally record the disclosure (date, time, people present, word for word what the child said)

5.2 The Principal, along with the DP / AP, will formulate a plan to address the care and protection concerns and will action the plan. This might include any of the following:

- Deciding whether there is a need to call statutory agencies (Ministry for Vulnerable Children, Oranga Tamariki) or to refer to non-statutory agencies (e.g. The Children’s Hub)
- Telephoning the National Contact Centre (0508 326 459) as the initial contact with Ministry for Vulnerable Children, Oranga Tamariki
- Following the advice of Ministry for Vulnerable Children, Oranga Tamariki which may mean taking immediate action such as calling the Police

The agencies will require and be provided with the following information:

- Reporter’s name and contact details
- Name(s) of child/ren including nicknames
- Dates of birth
- Ethnicity
- Name(s) of caregivers, parents and other family members and current living situation
- Current legal custodians
- Reasons why it is believed the student is being abused (refer to the record of disclosure)
- Other significant background information

- Any concerns for your safety in making the notification
- 5.3 The plan will include all actions taken by Patricia Avenue School (including names, dates, times, notifications made, actions taken)
- 5.4 Records and relevant information will be securely stored. Relevant information might include copies of earlier student concern sheets, records will include the action plan and the record of disclosure.
- 5.5 All student's records will be kept as factual as possible and nothing will be recorded as fact without evidence to back it up. This means, for example, that no entry will be made on a child's record about guardianship of a child without sighting the appropriate documentation
- 5.6 When abuse or neglect is suspected, the Principal, along with the DP / AP, will formulate a plan to address the care and protection concerns and will action the plan. This might include any of the following
- Gathering evidence / data / information such as previous student concern sheets, behaviour incident forms, anecdotal notes from teachers. Anecdotal notes should include:
 - Anything said by the child
 - The date, time, location and the names of any staff that may be relevant
 - The factual concerns or observations that have led to the suspicion of abuse or neglect (e.g. any physical, behavioural or developmental concerns)
 - Deciding whether there is a need to call statutory agencies (Ministry for Vulnerable Children, Oranga Tamariki) or to refer to non-statutory agencies (e.g. The Children's Hub)
- 5.7 Where a staff member does not suspect abuse but has concerns over a mark on a student's body (e.g. a bruise), this should be recorded on our school's student concern form. When recording unusual marks on a child, confer with an AP / DP or the Principal about whether or not it is appropriate to photograph the injury.
- 5.8 If a Social Worker or Counsel for Child wishes to interview a student while in the care of Patricia Avenue School, the staff member will consult the Principal to be certain that such an interview will be undertaken legally and in the best interests of the child.

CHAIRPERSON.....*J. Bickler*..... PRINCIPAL.....*[Signature]*.....

DATE.....*2 May 2017*.....