

Procedure: Child Protection

Rationale

This procedure outlines our commitment to child protection. It includes our protocols when child abuse is reported to us or suspected by us. It also includes practice notes on measures to be taken to prevent child abuse. All staff are expected to be familiar with this procedure and to abide by it.

Guidelines

- We have an obligation to ensure the wellbeing of children in our care, we 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.
- We support the roles of the New Zealand Police (the Police) and Oranga Tamariki/ Ministry for Children in the investigation of suspected abuse and will report suspected/alleged abuse to these agencies.
- We support families/whanau to protect their children.
- We provide a safe environment, free from physical, emotional, verbal or sexual abuse.
- The interest and protection of the child is paramount in all actions.
- We recognise the rights of family/whanau to participate in the decision-making about their children.
- We have a commitment to ensure that all staff are able to identify the signs and symptoms of potential abuse and neglect and are able to take appropriate action in response.
- We are committed to supporting all staff to work in accordance with this procedure, to work with partner agencies and organisations to ensure the child protection procedure and policy are consistent and of high quality.
- We will always comply with relevant legislative responsibilities.
- We are committed to share information in a timely way and to discuss any concerns about an individual child with colleagues or the Principal.
- We are committed to promote a culture where staff feel confident that they can constructively challenge poor practice or 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.

Identifying possible abuse or neglect – Refer Oranga Tamariki/ Ministry for Children 'Signs of abuse and neglect chart' (Appendix A).

For information about identifying child abuse see <http://www.cyf.govt.nz/documents/about-us/publications/27713-working-together-3-0-45ppi.pdf>

Responding to suspected abuse or neglect

Refer to the '*Child Abuse Reporting Process*' flow chart – Appendix B

All suspicions or observed incidents or reports of incidents should be reported directly to the Principal or Trust Board Chair as soon as possible, who will immediately take steps to protect the child(ren), record the suspicions/incident and report the concern to Oranga Tamariki/ Ministry for Children.

If there is clear evidence or reasonable cause to believe in an instance of child abuse having taken place, the Principal or Trust Board Chair shall notify Oranga Tamariki/ Ministry for Children.

In addition to guiding staff to make referrals of suspected child abuse and neglect to the statutory agencies (i.e. Oranga Tamariki/ Ministry for Children and the Police), this child abuse procedure will also help staff to identify and respond to the needs of many vulnerable children whose wellbeing is of concern.

In many of these cases the involvement of statutory agencies would be inappropriate and potentially harmful to families/whanau. Throughout New Zealand statutory and non-statutory agencies provide a network of mutually supportive services and it is important for our school to work with these to respond to the needs of vulnerable children and families/whanau in a manner proportionate to the level of need and risk.

Allegations or concerns about staff

When a staff member is suspected, the same processes apply.

If there is a need to pursue an allegation as an employer, consult with Oranga Tamariki/ Ministry for Children 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 procedures, guided by the employment collective/contract and relevant statutory obligations.

We commit not to use 'settlement agreements', where these are contrary to a culture of child protection. Some settlement agreements allow members 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 and wellbeing of a child, use of such agreement is contrary to a culture of child protection.

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 with reference to The Children's Act, 2014 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/ Ministry for Children 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.

Training, supervision and support

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

- Understanding child abuse and indicators of child abuse
- How to reduce the risk of child abuse
- Understanding and complying with legal obligations in regard to child abuse
- Working with outside agencies on child abuse issues
- Planning of environment and supervision to minimise risk
- Dealing with child/parents/family/whanau

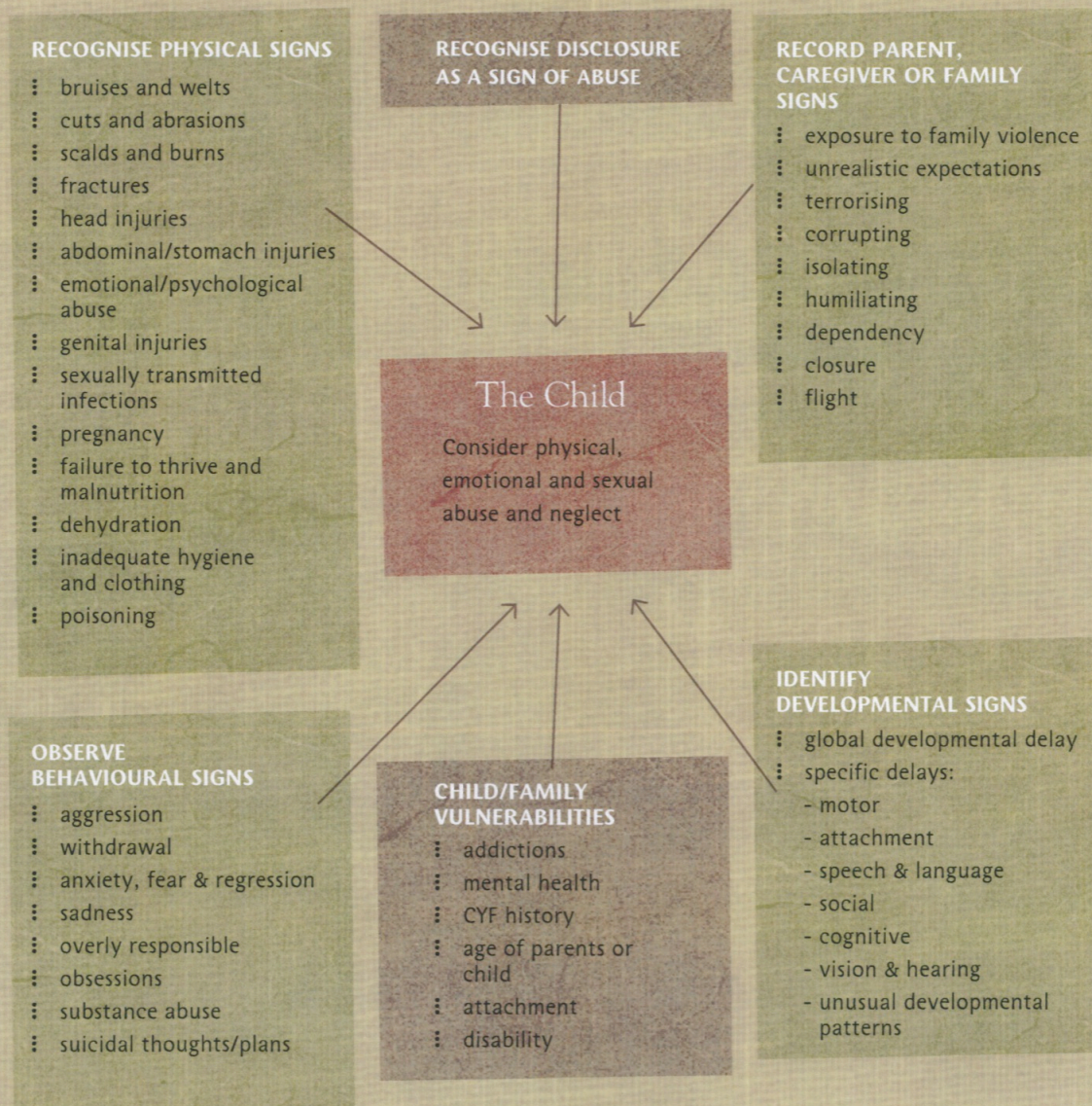
This procedure will be part of the initial staff induction programme and handbook.

References:

- The Children's Act 2014 (reprinted December 2018)
- Children's Action Plan
- Child, Youth and Family

Signs of abuse and neglect

The physical and behavioural signs, symptoms and history listed below, may indicate abuse or neglect. However they are not specific to abuse or neglect. In certain situations, contexts and combinations they may indicate other conditions. All signs must be examined in the total context of the child or young person's situation.



Appendix B

REPORTING PROCESS FOR CHILD ABUSE

You see a child being abused, OR you observe signs of abuse in a child OR a child reports being abused.

RESPOND TO THE CHILD'S NEEDS

- Ensure the child is safe from immediate harm. Call the police if the child is in immediate danger.
- Attend to any physical or emotional distress in the child – take to hospital if appropriate.
- Listen to the child.

Are you a
staff
member?

IMMEDIATELY INFORM MANAGEMENT

If the suspected abuser is a member of management, inform the principal OR Trust Board Chair OR CYF on 0508 326 459 OR Police Child Abuse Team

PREPARE WRITTEN RECORD

Record

- Date, time and place of observation/reporting of abuse
- Names of anyone present
- What the child says - exactly
- Any physical or behavioural signs of abuse.

Give this to your Principal or Trust Board Chair or CYF

Are you
in
charge?

CALL THE POLICE
IF THE CHILD IS
IN IMMEDIATE
DANGER

Principal / Trust Board Chair

GATHER INFORMATION

Ensure you have a full report from the person who identified the abuse. Offer them support. Get them to sign the report. Tell them what actions you will take. Ring CYF (0508 326 459) or Plunketline (0800 933 92) and discuss your concerns. CYF will tell you if you need to do a formal report about your concerns.

REPORT ABUSE

Ring CYF on 0508 326459 and tell them:

(If it is an emergency, ring the Police Child Abuse Team)

- your own name and contact details
- name of child/children (also known as/nicknames)
- date of birth (if known)
- ethnicity (if known)
- name of caregivers, parents and other family members and current living situation
- current legal custodians
- reasons why it is believed that the child has been abused
- other significant background information
- any concerns for your physical safety in making this notification.

ASK WHAT HAPPENS NEXT – get timeframe

