

TAPANUI SCHOOL
NAG 5
THE CARE AND PROTECTION OF CHILDREN

Reviewed/Amended Oct 2017

In New Zealand, the care and protection of children is covered under The Care of Children Act 2004 (also amended 2014), the Vulnerable Children Act 2014, The Oranga Tamariki Act 1989, the Human Rights Act 1993, Privacy Act 1993, State Sector Act 1988, Employment Relations Act 2000 & NAG 5.

Children are entitled to the same basic set of human rights as every person, such as:

- The right to life
- Freedom of expression
- Freedom of thought.

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 includes the board's expectations when child abuse is reported or suspected by us. All staff members (including contractors and volunteers) are expected to be familiar with this policy, its associated procedures and protocols, and abide by them. The board of trustees has an obligation to ensure the wellbeing of children in our care so they thrive, belong and achieve. 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. Advice will be sought through appropriate agencies in all cases of suspected or alleged abuse.

In line with section 15 of the Children, Young Person and Their Families Act any person in our school who believes that any child or young person has been, or is likely to be, harmed (whether physically, emotionally, or sexually), ill-treated, abused, neglected or deprived must follow school procedures and may also report the matter to a social worker or the local police.

PURPOSE

The Tapanui Primary School Board of Trustees is committed to ensuring the health and safety of all workers, students, visitors and contractors by complying with the Vulnerable Children Act regulations and approved codes of practice. Although ultimate accountability sits with the board, 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.

Tapanui School is committed to keeping the children in its care safe. However, due to the particular vulnerability and dependence of children there are further measures that may need to be taken to provide for their welfare.

On top of the basic rights listed above, the United Nations Convention on the Rights of the Child (to which New Zealand is a signatory) sets out a set of guiding principles to provide for the development of children through:

- provision
- protection and
- participation.

“Provision” refers to the establishment of environmental factors such as education, health care and access to justice.

“Protection” is the right for children not to suffer from harmful influences like abuse and neglect.

“Participation” is the right to take part in family, cultural and social activities and decisions affecting them.

SCOPE AND DEFINITIONS

A) **Child** – any student enrolled at the School

B) **Staff** – all employees of Tapanui School

C) **Child Abuse and Neglect** – *these are defined in the next section*

D) **Designated Person** – the person to whom the child makes the disclosure OR the Principal

E) **Safer Recruitment** – *Refer to Appointments Procedure NAG 3*

F) **Safety Checks** – checks that include the list below. *Refer also: Police Vetting Procedures NAG 3*

ABUSE AND NEGLECT (*sexual, physical, emotional*)

“The Children Come First”. Consequently, the following procedures apply to protect the welfare and best interests of the child in an instance where neglect or abuse is suspected or proven.

Types of Abuse:

- Physical abuse, where non accidental injuries occur
- Sexual abuse, which is the use of children for the sexual gratification of someone who takes advantage of their power and/or children’s trust
- Neglect, which is to deprive children of necessities such as food, shelter, supervision appropriate to their age and essential physical and medical care
- Emotional abuse, where the attitudes and behaviours of adults or other children severely affect a child’s emotional and physical development

IDENTIFYING CHILDREN AT RISK

Staff may use the behaviour checklist from “Breaking the Cycle” to help identify children possibly at risk. Some are:

- Excessive bruising, lacerations, burns
- Inexplicable attention seeking behaviour
- Running away
- Frequent washing
- Schoolwork may show sexual references
- Saying “rude” words
- Lack of enjoyment of games and hobbies
- Tiredness
- Learning difficulties
- Loss of spontaneity and creativity
- Alcohol, glue, solvent and drug abuse
- Self destructive behaviour e.g. Tattooing, jabbing or cutting themselves
- Withdrawing from group activities
- Reluctance to go home if the child knows the abuser is there

PROCEDURES

Anyone can report a suspected case of child abuse directly to the appropriate agencies, police or a social worker.

In order to try to identify reasons for changes in behaviour parents may be consulted as the behaviour may be a result of changes in family circumstances rather than abuse.

When a child chooses to disclose personal information:

- Staff need to listen to children and accept what is said without comment, judgment or asking leading questions
- Let the child tell the story in their own way and at their own pace
- Do not press for detailed descriptions of what happened
- Do not make assumptions about how the child feels
- Reassure the child but do not make promises to keep what they have disclosed confidential
- As soon as possible, make detailed notes of what you have been told including any questions you asked, along with relevant background information
- Discuss this with the school health team (Principal, Deputy Principal and Public Health Nurse) and report to Oranga Tamariki / Police as soon as possible. You have a responsibility for the child's safety once you know about the abuse or neglect!

All information / discussion are to be confidential to the staff involved. Data will be stored in the Principal's office and available only to the health team. Teachers who have concerns should discuss them with any members of the health team. Any staff member may make a report and whilst it is advocated that they work with the Principal or Deputy Principal this may not always be possible.

If the complaint is against the Principal, the Deputy Principal would contact outside agencies.

If the child is in danger or unsafe, the school should act immediately to ensure their safety. Oranga Tamariki / Police should also be contacted immediately.

If the child is not in immediate danger but further action is necessary, the Principal or staff member involved is to contact Oranga Tamariki / Police. Once they are involved they will investigate and the school is to act only on their advice.

Where a report comes from another parent or third party, the person reporting should be directed to the Public Health Nurse / Oranga Tamariki / Police. The school may become involved at a later stage. Parents / Caregivers will be informed except where the child's welfare may be threatened or information compromised.

While Oranga Tamariki are entitled to see children at school before their legal guardian is notified, good practise suggests that parents/guardians would be informed by the Social Workers that an investigation is underway, which agency is handling the situation and that a member of the health team is available to discuss the situation. Where possible a member of staff will 'sit in' on any meeting between a student and the external agency / social workers.

Whichever agency is involved in the case will be responsible for informing parents / caregivers as they have training and skills to handle the situation in the most appropriate way to support the child concerned. Support for staff and the child concerned would be sought from the agency involved.

COMPLAINTS AGAINST STAFF MEMBERS INVOLVING ABUSE

The procedures to follow are set out in the respective Teachers, Support Staff or Caretakers and Cleaners Collective Agreements. Oranga Tamariki / Police will be contacted by the Principal. If the complaint is against the Principal, Oranga Tamariki / Police will be informed by the BOT Chairperson.

The following procedure also applies:

- The Principal will inform the BOT Chairperson of the complaint details. (In the event that the complaint is against the Principal, any staff member may contact the BOT Chairperson)
- Both will then inform the staff member of the complaint
- The staff member involved will be advised to seek legal and/or union representation
- The staff member will be suspended on full pay once an investigation has begun. At this stage the rest of the staff will be informed

ENROLMENTS

The school needs to know who the legal guardian(s) of a child are on enrolment or at any other time when circumstances for the child have changed.

- Always the mother (unless removed)
- Usually the father
- May be other appointed guardians

The school needs to view, in writing, any applicable parenting order, custody order or guardianship order before it can be expected to act on the provisions stated in them.

APPOINTMENTS

Pursuant to the VCA 2014 (section 18), Tapanui School will ensure the following Safety Checks are completed during any appointment process:

- Proof of Identification – 2 forms (at least one a photo ID or Birth Certificate)
- Risk Assessment
 - Work History check – likely via CV
 - Interview – either face to face or via telephone or skype
 - Reference Check – not limited to phoning referees, viewing Social Media or previous employer(s)
 - Proof of Qualifications – verified as required
- Police Vetting (refer Education Act 1989 section 78C)

Staff Sign and Date – Received and Read

See Also: Police Vetting Procedures
Appointment Procedures