

HAVELOCK SCHOOL BOARD OF TRUSTEES - MARLBOROUGH

Child Protection Guidelines ~ 5.50

Introduction

The *Vulnerable Children Act 2014* places obligations on services provided by the state to have child protection policies in place. Integral to Havelock School's culture is a shared understanding of protecting children. These guidelines recognise the important role and responsibility of all staff in the protection of children by identifying and responding to suspected child abuse or neglect and appropriately responding to concerns about the well-being of a child. The designated person for child protection has a responsibility to ensure that the appropriate authority is notified when a staff member has a belief that a child has been, or is likely to be, abused or neglected. This extends to ensuring that all known information about the child, young person and their family/whānau is shared in full with the appropriate authority, to determine the most appropriate response.



Summary

Ensuring the wellbeing and safety of children, including prevention of child abuse or maltreatment, is a paramount goal of this school. These guidelines support staff with how to identify and respond to concerns about the wellbeing of a child, including possible abuse or neglect.

- Guidance in responding to a concern about a child or an allegation against a staff member forms part of this policy and are appended.

The interests of the child will be the paramount consideration when any action is taken in response to suspected abuse or neglect. Havelock School commits to support the statutory agencies (Oranga Tamariki – Min for Vulnerable Children and the New Zealand Police) to investigate abuse, and will report suspected cases and concerns to these agencies as per the process in these guidelines.

Our Designated Person for Child Protection is the principal who will be responsible for the maintenance and review of these guidelines in addition to carrying out the responsibilities outlined herein. Staff will not assume responsibility beyond the level of their experience and training. Our school commits to ensure staff have access to the training they need.

These guidelines, then in the form of a policy, were adopted by the Board of Trustees on 30 November 2015. They are consistent with Oranga Tamariki and Police guidelines and will be updated as/when new guidance is issued. A digital copy can be found on the school website under *Documents*.

Purpose and Scope

It is our school's commitment to protect children from abuse and to recognise the important roles all of our staff have in protecting children. The guidelines provide a broad 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. It is intended to protect all children that staff may encounter, including siblings, the children of adults accessing services and any other children encountered by staff as they provide their service.

In addition to guiding staff to make referrals of suspected child abuse and neglect to the statutory agencies, the guidelines will also help our staff to identify and respond to the needs of the many vulnerable children whose well-being is of concern.

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

To ensure that the school demonstrates continual improvement in child protection practice, it will work to maintain a good working relationship with child protection agencies and support staff to protect children from abuse by consulting with experts with specialist knowledge and providing the necessary training options. The school will also explore opportunities to work with other providers, including from other sectors, to develop a network of child protection practice in the community.

Recruitment and Employment (safety checking)

The school's recruitment practices include comprehensive screening procedures. Safety checks will be carried out, as required by the Vulnerable Children Act 2014. [School Guide](#).

Principles

The following principles provide a framework guiding the school's response to child protection:

- commitment to work together to produce the best possible outcomes for the child and to work towards continuous improvement in child protection practices
- recognition of the culture of the family/whānau, its importance and the rights of family/whānau to participate in decision-making about their children
- commitment to develop and maintain links with iwi, Pasifika and other cultural and community groups and to ensure that important cultural concepts (e.g., whakamanawa, whakapapa, te reo Māori, tikanga, kaitiakitanga, wairuatanga) are integrated, as appropriate, into practice
- making the safety and well-being of children the primary concern, with the child at the centre of all decision-making
- recognition of the importance of early intervention and the principle of applying the least intrusive intervention necessary to protect vulnerable children
- commitment to open and transparent relationships with clients/service users, including being willing to share concerns about child safety issues with the family/whānau unless this would result in an escalation of risk
- recognising the rights of the child to participate, in age-appropriate ways, in decision-making about themselves
- 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 and will do so
- an organisational commitment to support all staff to work in accordance with the policy, to work with partner agencies and community organisations to ensure child protection policies are consistent and of high quality and to always comply with relevant legislative responsibilities
- commitment to share information in a timely way and to discuss any concerns about an individual child with colleagues, the manager/supervisor or the designated person for child protection
- commitment to promote a culture where staff feel confident to constructively challenge poor practice and raise issues of concern without fear of reprisal
- commitment to meet all existing statutory and contractual obligations, including matters relating to employment

Professional Learning and Development

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 are made aware of these guidelines.

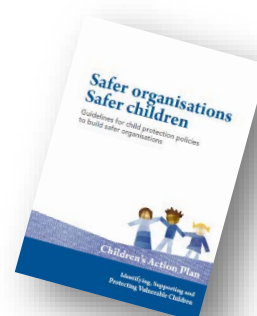
Identifying Child Abuse and Neglect

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

- 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, the arrival of a new sibling etc
- we understand when we are concerned a child is showing signs of potential abuse or neglect we should talk to someone, either a colleague, manager/supervisor or the Designated Person for Child Protection – we shouldn't act alone
- 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 correlation between IPV and the physical abuse of children

Recognise the signs of **potential abuse**:

- **Physical signs** (eg unexplained injuries, burns, fractures, unusual or excessive itching, genital injuries, sexually transmitted diseases).
- **Developmental delays** (eg small for their age, cognitive delays, falling behind in school, poor speech and social skills).
- **Emotional abuse/neglect** (eg sleep problems, low self-esteem, obsessive behaviour, inability to cope in social situations, sadness/loneliness and evidence of self-harm).
- **Behavioural concerns** (eg 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 (sometimes called an allegation or **disclosure**).



Awareness of the signs of **potential neglect**:

- **Physical signs** (eg looking rough and uncared for, dirty, without appropriate clothing, underweight).
- **Developmental delays** (eg small for their age, cognitive delays, falling behind in school, poor speech and social skills).
- **Emotional abuse/neglect** (eg sleep problems, low self-esteem, obsessive behaviour, inability to cope in social situations, sadness/loneliness and evidence of self-harm).
- **Behavioural concerns** (eg disengagement/ neediness, eating disorders/substance abuse, aggression).
- **Neglectful supervision** (eg out and about unsupervised, left alone, no safe home to return to).
- **Medical neglect** (eg persistent nappy rash or skin disorders or other untreated medical issues).

Every situation is different and staff will 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, the arrival of a new sibling etc. The school will always act on the recommendations of statutory agencies, including Child, Youth and Family and the Police. It will only inform families/whānau about suspected or actual abuse after it has discussed this with these agencies. When it responds to suspected child abuse or any concerning behaviour it will record its observations, impressions and communications in a confidential register. This is kept separate from our other records and access will be strictly controlled. Staff involved in cases of suspected child abuse are entitled to have support. The school will maintain knowledge of such individuals, agencies and organisations in the community that provide support.

Confidentiality and Information Sharing

The school will seek advice from Oranga Tamariki and/or the Police before identifying information about an allegation is shared with anyone, other than the service manager or designated person. 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 – ie 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 can 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) - disclosure about ill-treatment or neglect of a child/young person may also be made to the Police or Child, Youth and Family under sections 15 and 16 of the Children, Young Persons, and Their Families Act 1989

Child Safe Practice Guidelines

To avoid situations where staff may be alone with children, all staff should examine the opportunities or possible situations where staff may be alone with children. Wherever possible an open door policy for all spaces should be used (excludes toilets). Staff should be aware of where all children are at all times. Visitors should be monitored at all times by staff and volunteers and outside instructors should be monitored by staff. If activities require one to one physical contact (ie classes in swimming, gymnastics etc.) parents and caregivers should be advised. Where a child or young person requires assistance, eg if they are intellectually or physically disabled, if possible involve the parents/caregivers and outside agencies (in education such as the Ministry of Education's Special Education group) to assist. If this assistance is not available, ensure that the 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 the school or programme without parental consent.

Appendices

- **Guidance on Responding to Suspected Abuse or Neglect and Other Concerns**
- **Additional Guidance on Allegations or Concerns about Staff**
- **Flowcharts - Responding to a Concern about a Child or Concern/Allegation against a Staff Member**
- **Definitions**
- **References**
- **Additional Resources**

Original policy 2015. These guidelines reviewed 2017.

Reviewed: Aug 2017

Next Review: 2020/1

Guidance on Responding to Suspected Abuse or Neglect and Other Concerns

In all cases where a member of staff has a concern about a child/tamariki/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 report this to the principal and make referrals/notify key staff to assist in the formulation of a plan to address the care and protection concerns.

A referral to Child, Youth and Family may be made at any time. It is mandatory for all concerns to be reported/referred to the Child Protection Coordinator within a time period which allows for effective consultation/advice to be given.

The school recognises that in some cases the involvement of statutory agencies would be inappropriate and potentially harmful to families/whānau. Throughout New Zealand statutory and non- statutory agencies provide a network of mutually supportive services and it is important for our organisation to work with these to respond 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 available via the principal.

Responding to a child when the child discloses abuse:

Listen to the child	Disclosures by children are often subtle and need to be handled with particular care, including an awareness of the child's cultural identity and how that affects interpretation of their behaviour and language.
Reassure the child	Let the child know that they: <ul style="list-style-type: none"> • are not in trouble • have done the right thing
Ask open- ended prompts – eg “What happened next?”	Do not interview the child (in other words, do not ask questions beyond open prompts). Do not make promises that can't be kept, e.g., “I will keep you safe now”.
If the child is visibly distressed	Provide appropriate reassurance and re-engage in appropriate activities under supervision until they are able to participate in ordinary activities.
If the child is not in immediate danger	Re-involve the child in ordinary activities and explain what you are going to do next.
If the child is in immediate danger	Contact the Police immediately.
As soon as possible formally record the disclosure	Record: <ul style="list-style-type: none"> • word for word, what the child said • the date, time and who was present

Recording and notifying Child, Youth and Family of suspected child abuse or neglect:

What process to follow	For example	Key considerations
Recording	Formally record: <ul style="list-style-type: none"> • 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 (eg any physical, behavioural or developmental concerns). • the action taken by your organisation. • any other information that may be relevant. 	Relevant information can inform any future actions.
Decision- making	Discuss any concern with the manager/supervisor or the designated person for child protection.	No decisions should be made in isolation.
Notifying authorities	Notify Child, Youth and Family promptly if there is a belief that a child has been, or is likely to be abused or neglected. A phone call to the National Contact Centre is the preferred initial contact with Oranga Tamariki (see below) as this enables both parties to discuss the nature of the concerns and appropriate response options. Phone: 0508 Family (0508 326 459) email: contact@mvcot.govt.nz If you're a school: Call: 0508 EDASSIST (0508 332 774) Email: edassist@mvcot.govt.nz	Child, Youth and Family will: <ul style="list-style-type: none"> • make the decision to inform the parents or caregivers, in consultation with the school • advise what, if any, immediate action may be appropriate, including referring the concern to the Police

Following the advice of Child, Youth and Family	Child, Youth and Family advice will include what, if any, immediate action may be appropriate, including referring the concern to the Police.	Child, Youth and Family is responsible for looking into the situation to find out what may be happening, whether our organisation needs to work with the family/whānau or put them in touch with people in their community who can help.
Storing relevant information	Securely store: <ul style="list-style-type: none"> • the record of the concern • a record of any related discussions (including copies of correspondence, where appropriate) • a record of any advice received • the action your organisation took, including any rationale • this concern with any earlier concerns, if the notification is based on an accumulation of concerns (rather than a specific incident) 	Records assist in identifying patterns.

Additional Guidance on Allegations or Concerns about Staff

All matters involving allegations against staff need to be escalated to the management team.

To ensure the child is kept safe, management may take steps to remove the staff member against whom an allegation has been made from the environment, subject to the requirements of the applicable individual or collective employment contract and relevant employment law, including the Human Resources disciplinary procedures.

Management will consult with Child, Youth and Family and/or the Police before taking any further actions.

Our 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 concern the safety or wellbeing of a child, use of such agreements is contrary to a culture of child protection.

Disclosure of abuse or neglect is made

- Listen to the child.
- Reassure the child.
- Ask open-ended prompts – e.g., “What happened next?”

If the child is visibly distressed

Provide appropriate reassurance and re-engage in appropriate activities under supervision until they are able to participate in ordinary activities.

If the child is not in immediate danger

Re-involve the child in ordinary activities and explain what you are going to do next.

If the child is in immediate danger.

Contact the Police immediately.

As soon as possible formally record the disclosure.

- Record:
- Word for word, what the child said.
 - 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).
 - The action taken by your organisation.
 - Any other information that may be relevant.

Decision-making

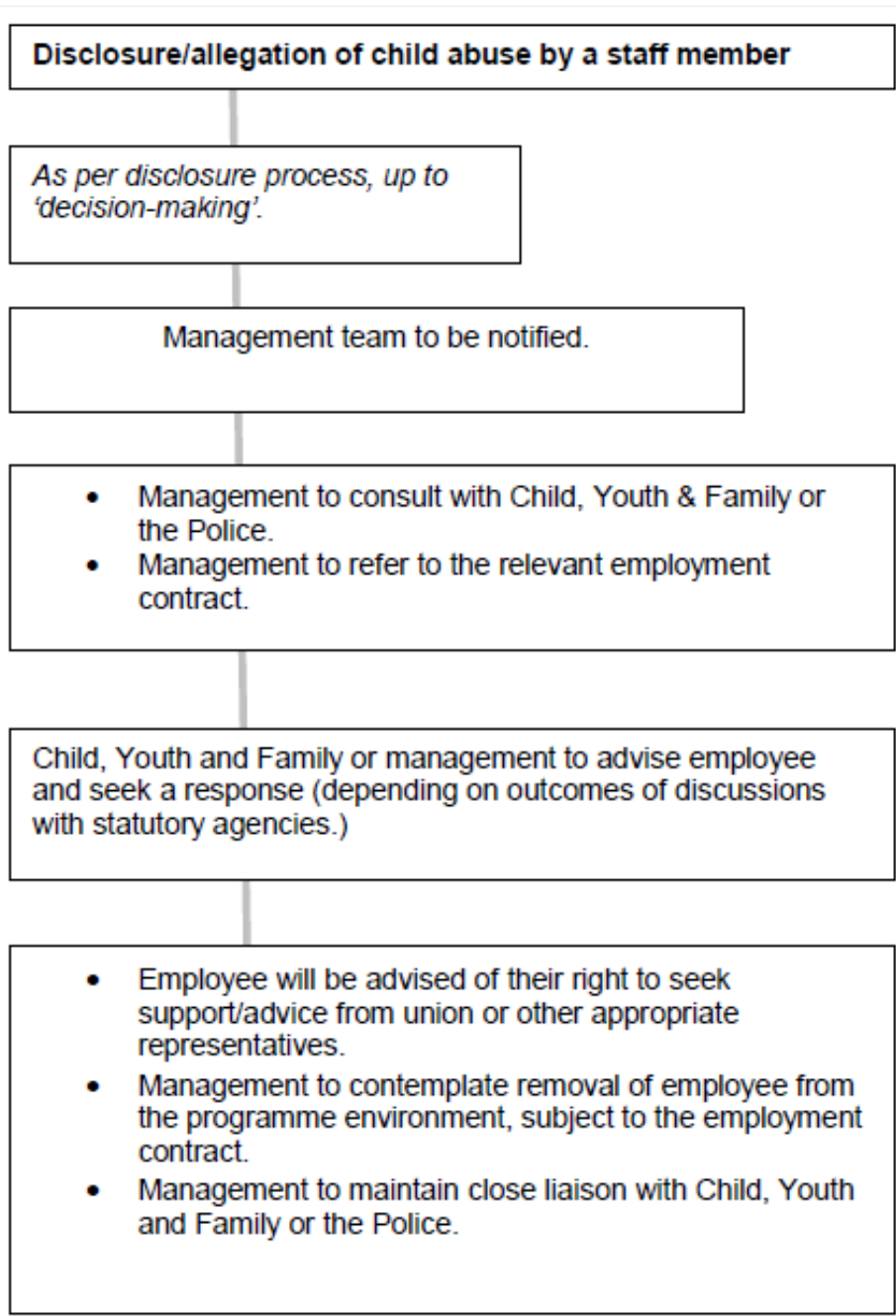
Discuss any concern with the manager/supervisor or the designated person for child protection

Notifying authorities

If you believe a child is in immediate danger call: POLICE ON 111
Worried a child or young person you know could be at risk of harm from abuse or neglect? Call Freephone: 0508 326 459
Lines open 24/7, or email contact@mvcot.govt.nz
After 5pm and on weekends social workers are only available for emergency situations, but we still urge you to call so we can assess your needs.

Flowchart – Responding to an Allegation against a Staff Member

All matters involving allegations against staff need to be escalated to the management team. To ensure the child is kept safe, management may take steps to remove the staff member against whom an allegation has been made from the environment, subject to the requirements of the applicable individual or collective employment contract and relevant employment law.



Definitions

Clear definitions of key terms and concepts are helpful for reducing confusion or uncertainty amongst staff.

Abuse – the harming (whether physically, emotionally or sexually), ill-treatment, neglect or deprivation of any child

Neglect – the persistent failure to meet a child's basic physical or psychological needs, leading to adverse or impaired physical or emotional functioning or development

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 the risk of abuse or neglect

Designated person for child protection – the manager/supervisor or designated person responsible for providing advice and support to staff where they have a concern about an individual child or who want advice about the child protection policy

Disclosure – information given to a staff member by the child, parent or caregiver or third party in relation to abuse or neglect

Child, Youth and Family – the agency responsible for investigating and responding to suspected abuse and neglect and for providing a statutory response to children found to be in need of care and protection

New Zealand Police – the agency responsible for responding to situations where a child is in immediate danger and for working with Child, Youth and Family in child protection work, including investigating cases of abuse or neglect where an offence may have occurred

Children's services – any organisation that provides services to children or to adults where contact with children may be part of the service. These organisations should have child protection policies. Organisations that provide services to adults who may be caring for or parenting children should also consider developing a policy, e.g., adult mental health and addiction services

Safer recruitment – following good practice processes for pre-employment checking which help manage the risk of unsuitable persons entering the children's workforce

Standard safety checking – the process of safer recruitment that will be mandatory for organisations covered by the Vulnerable Children Act 2014

Workforce restriction – a restriction on the employment or engagement of people with certain specified convictions under the Vulnerable Children Act 2014

Children's workforce/children's workers – people who work with children, or who have regular contact with children, as part of their roles

Organisations should also have a detailed understanding of what constitutes abuse and neglect:

Physical abuse – any acts that may result in the 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)

Given the link between family violence, intimate partner violence and child abuse, it is also important to understand these terms:

Family violence has been defined by the NZ Family Violence Clearinghouse as violence and abuse against any person whom that person is, or has been, in a domestic relationship with. This can include sibling against sibling, child against adult, adult against child and violence by an intimate partner against the other partner (NZ Family Violence Clearinghouse; Issues Papers 3 & 4 April 2013).

Family violence is also defined in Te Rito, the NZ Family Violence Prevention Strategy, as covering a broad range of controlling

behaviours, commonly of a physical, sexual and/or psychological nature that typically involve fear, intimidation or emotional deprivation. It occurs within a variety of close interpersonal relationships, such as between partners, parents and children, siblings, and in other relationships where significant others are not part of the physical household but are part of the family and/or are fulfilling the function of family.

Common forms of violence in families/whānau include:

Spouse/partner abuse (violence among adult partners)

Child abuse/neglect (abuse/neglect of children by an adult)

Elder abuse/neglect (abuse/neglect of older people aged approximately 65 years and over, by a person with whom they have a relationship of trust)

Parental abuse (violence perpetrated by a child against their parent); sibling abuse (violence among siblings), (Te Rito – NZ Family Violence Prevention Strategy, Ministry of Social Development, 2002)

A legal definition of family violence is provided in Section 3 of the Domestic Violence Act 1995.

Intimate partner violence is a subset of family violence. The NZ Family Violence Clearinghouse states that intimate partner violence includes physical violence, sexual violence, psychological/emotional abuse, economic abuse, intimidation, harassment, damage to property and threats of physical or sexual abuse towards an intimate partner (NZ Family Violence Clearinghouse; Issues Papers 3 & 4 April 2013).

References

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

www.childrensactionplan.govt.nz/assets/CAP-Uploads/childrens-workforce/Safer-Organisations-safer-children.pdf V2.3 Feb 2015

Additional Resources

Child, Youth and Family's has developed the Working Together guide on inter-agency working to identify and respond to potential abuse and neglect.

<http://www.cyf.govt.nz/documents/about-us/publications/27713-working-together-3-0-45ppi.pdf>

The Ministry of Health has also made guidance available in the health sector:

<http://www.health.govt.nz/our-work/preventative-health-wellness/family-violence/family-violence-guidelines>

<https://www.health.govt.nz/system/files/documents/pages/child-abuse-neglect-policy.pdf>U5T

See also: Murphy, C. et al. (2013). *Understanding connections and relationships: Child maltreatment, intimate partner violence and parenting*. NZ Family Violence Clearing House. Issues Paper 3. April.

Original Draft by Ernie Buutveld/Dulcie Dennison in consultation with the Children and Young Persons' Service and the Police.

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