

## GUIDELINES FOR CHILD PROTECTION

### POLICY 5 GUIDELINE 1A

#### **Purpose, Scope and Principles:**

Our child protection policy supports our staff to respond appropriately to potential child protection concerns, including suspected abuse or neglect. It is the school's commitment to protect children from abuse and to recognise the important roles all of our staff have in protecting children.

This policy provides 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.

In addition to guiding staff to make referrals of suspected child abuse and neglect to the statutory agencies – i.e., Child, Youth and Family and the 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. Throughout New Zealand statutory and nonstatutory agencies provide a network of mutually supportive services, and it is important for the school 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 provided as an appendix to this policy.

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

#### **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.
- **Designated person for child protection** – the Principal
- **Disclosure** – information given to a staff member by a child, parent or caregiver or a 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 care and protection to children found to be in need.
- **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 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).

### **Appointment and employment (safety checking)**

Our appointments policy reflects a commitment to child protection by including comprehensive screening procedures. Safety checks, including Police vetting and reference checks will be carried out, as required by the Vulnerable Children Act 2014.

### **Staff Training**

We are committed to maintaining and increasing staff awareness of how to prevent, recognise and respond to abuse through appropriate training. Prior to the school's delivery of the "Keeping Ourselves Safe" programme the staff will undertake training from the Police and/or Family Matters which will be revisited at the beginning of each year that the programme is taught. As part of their induction, new staff are made aware of the policy on child protection.

### **Identifying child 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, 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 the Principal – 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 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).

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- 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 (sometimes called 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., out and about unsupervised, left alone, no safe home to return to).
- Medical neglect (e.g., 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.

This organisation will always act on the recommendations of statutory agencies, including the Ministry for Vulnerable Children and the Police. In cases where a family member or someone living in the same house as the child is suspected of abuse and the child's safety would be compromised by informing the family/whanau first we will discuss this with these agencies before informing families/whanau.

In cases where another person is suspected of abuse and there is clear evidence that the child's safety would not be compromised we will contact the family immediately about this and seek advice of agencies about how to proceed.

When we respond to suspected child abuse or any concerning behaviour we write down our 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. We will maintain knowledge of such individuals, agencies and organisations in the community that provide support.

**Confidentiality and information sharing**

The Principal will seek advice from Child, Youth and Family and/or the Police before information about an allegation is shared with anyone. 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 Child, Youth and Family 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 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.

- If a referral has been made the Principal will report, in-committee, to the Board of Trustees that a case of suspected abuse has been reported to the relevant statutory agency.

### **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 will all sign in at the school office and be shown to the classroom or space they will be working in by a staff member. Volunteers and outside instructors should be monitored by staff.

If activities require one to one physical contact (e.g., classes in swimming, gymnastics etc.) parents and caregivers should be advised of this before the activity takes place

Where a child or young person requires assistance, e.g., 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 without written parental consent.

### **Responding to a child when the child discloses abuse:**

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| 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"> <li>• Are not in trouble.</li> <li>• Have done the right thing.</li> </ul>  |
| Ask open- ended prompts – e.g., “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.<br>Inform the Principal.  |

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| If the child is in immediate danger   | Inform the Principal who will contact the Police immediately.   |
| As soon as possible formally record the disclosure in eTap under "Confidential" | Record: <ul style="list-style-type: none"> <li>• Word for word, what the child said.</li> <li>• The date, time and who was present</li> </ul> |

**Recording and notifying Child, Youth and Family by the Principal of suspected child abuse or neglect:**

| What process to follow                          | For example  | Key considerations   |
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| Recording                                       | Formally record: <ul style="list-style-type: none"> <li>• Anything said by the child.</li> <li>• The date, time, location and the names of any staff that may be relevant.</li> <li>• The factual concerns or observations that have led to the suspicion of abuse or neglect (e.g., any physical, behavioural or developmental concerns).</li> <li>• The action taken by your organisation.</li> <li>• Any other information that may be relevant.</li> </ul> | Relevant information can inform any future actions.  |
| Decision-making                                 | Discuss any concern with the Board Chairperson 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 Child, Youth and Family (see below) as this enables both parties to discuss the nature of the concerns and appropriate response options.<br>Phone:<br>0508 Family (0508 326 459)<br>email: cyfcallcentre@cyf.govt.nz                             | Child, Youth and Family will <ul style="list-style-type: none"> <li>• Make the decision to inform the parents or caregivers, in consultation with the school.</li> <li>• Advise what, if any, immediate action may be appropriate, including referring the concern to the Police.</li> </ul> |
| 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 on eTap under "Confidential": <ul style="list-style-type: none"> <li>• The record of the concern.</li> <li>• A record of any related discussions (including copies of correspondence,</li> </ul>  | Records assist in identifying patterns.  |

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|  | <p>where appropriate).</p> <ul style="list-style-type: none"> <li>• A record of any advice received</li> <li>• The action your organisation took, including any rationale.</li> <li>• This concern with any earlier concerns, if the notification is based on an accumulation of concerns (rather than a specific incident).</li> </ul> |  |
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**Allegations or concerns about staff**

*(Refer also to the Guidelines for Resolving Concerns and Complaints and the Guidelines for Protected Disclosures policy)*

All matters involving allegations against staff need to be communicated directly as soon as possible to the Principal. The Principal shall contact the Chairperson of the Board of Trustees immediately. The Board of Trustees shall ensure that the interests of the staff member and the child are met. To ensure the child is kept safe, the Principal 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.

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

Where the allegations or concerns implicates the Principal then the matters need to be communicated directly to the Board Chairperson who will take the place of the Principal in implementing the Child Protection Procedure.

St Benedict’s 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.