

# National Park School

## Child Protection Policy

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*Referenced to the Human Resources (complaints, performance, review), Recruitment & Induction and Health & Safety policies.*

### Outcome Statement

Students at this school thrive, belong and achieve to the best of their ability. The school is committed to the prevention of child abuse and neglect and to the protection of children.

### Scoping

All staff members (including contractors and volunteers) are expected to be familiar with this policy, its associated procedures and protocols and abide by them.

Advice will be sought through appropriate agencies in all cases of suspected or alleged abuse.

In line with section 15 of the Oranga Tamariki Act 1989, 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.

### Delegations

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.

### Expectations and limitations

The principal must:

1. Develop appropriate procedures to meet child safety requirements as required and appropriate to the school.
2. Comply with relevant legislative requirements and responsibilities.
3. Make this policy available on the school's internet site or available on request.
4. Ensure that every contract, or funding arrangement, that the school enters into requires the adoption of child protection policies where required.
5. Ensure the interests and protection of the child are paramount in all circumstances.
6. Recognise the rights of family/whānau to participate in the decision-making about their children.
7. Ensure that all staff are able to identify the signs and symptoms of potential abuse and neglect, deal with disclosures by children and allegations against staff members and are able to take appropriate action in response.
8. 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.

9. Promote a culture where staff feel confident they can constructively challenge poor practice or raise issues of concern without fear of reprisal.
10. 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.
11. Seek advice as necessary from NZSTA advisors on employment matters and other relevant agencies where child safety issues arise.
12. Make available professional development, resources and/or advice to ensure all staff can carry out their roles in terms of this policy.
13. Ensure that this policy forms part of the initial staff induction programme for each staff member.

## **Definitions:**

Identification and reporting of child abuse and neglect

- These categories of abuse (emotional, physical, sexual, psychological and neglect)
- How to respond to suspected abuse or neglect
- How to respond to disclosures made by a child
- Recording a disclosure
- Reporting suspected child abuse and neglect

Confidentiality, information sharing and recording

Safety checking – safety checklist

Police vetting

Staff capability and professional development

Safe at work practices

- Physical contact with children
- Working one on one with children
- Transporting children
- Overnight stays/camps
- Social media and technology (internet protection, photo storage)
- Parent help
- Visitors on site
- External contractors
- Before and after-school programmes
- Billeting
- Socialising with children
- Gifts and rewards
- Intimate care – toileting
- Application of medication and sunscreen

Managing challenging behaviour and physical restraint policy and procedures

Allegations against staff

Staff induction

## **Monitoring**

*Our child protection policies and procedures need to be living documents that are at the heart of our day-to-day operations and management.*

Formal reviews will occur at least every three years but ideally every year. The Board and Principal are responsible for this.

Reviews will incorporate the views of staff and seek to gauge the accessibility, relevance and usefulness of the policy. This will be done through formal consultation. We will consider any serious incidents that have occurred, review how effective the policy was at responding to them, and consider whether to review the policy to take account of lessons learnt, or at the request of staff.

Reviews will also consider developments in child protection theory and any additional guidance produced by government agencies.

## **Legislative compliance**

<http://www.education.govt.nz/>

Children's Act 2014 - Specifically Sections 18 and 19

Oranga Tamariki Ministry for Children

Signed 

*Board of Trustees Chairperson*

*Date 26 October 2023*

*Review Triennially*

*Review Date October 2026*

# Procedures

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## Guidance on identifying possible abuse or neglect

*Child abuse (emotional, physical, sexual, psychological) and neglect can take many forms. This section gives clear guidance to staff on what indicators to look for.*

While there are different definitions and categories of abuse, the important thing is for staff to consider overall wellbeing and the risk of harm to the child. It is not so important to be able to define or categorise the type of abuse or neglect.

We want staff to feel empowered to act on suspected abuse and neglect, even when the symptoms or patterns of symptoms are subtle, while avoiding adhering to stereotypes and making assumptions.

It is normal for staff to feel uncertain. The important thing is that they can recognise when something is wrong, especially if they notice a pattern, or several signs that make them concerned.

Staff need to be aware of the indicators of potential abuse. These may include:

Physical signs (e.g. unexplained injuries, burns, fractures, unusual or excessive itching, genital injuries, sexually transmitted diseases).
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Developmental delays (e.g. small for their age, cognitive delays, falling behind in school, poor speech and social skills).
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Behavioural concerns (e.g. age-inappropriate sexual interest or play, fear of a certain person or place, eating disorders/substance abuse, disengagement/neediness, aggression).
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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).
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The child talking about things that indicate abuse (sometimes called an allegation or disclosure).
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Staff also need to be aware of the indicators of potential neglect, the indicators may include:

Physical signs (e.g. looking rough and uncared for, dirty, without appropriate clothing, underweight).
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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).
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Behavioural concerns (e.g. disengagement/neediness, eating disorders/substance abuse, aggression).
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Medical neglect (e.g. persistent nappy rash or skin disorders or other untreated medical issues).
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Neglectful supervision (e.g. out and about unsupervised, left alone, no safe home to return to).
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Seek further advice from the Principal if you believe there are signs of elevated risk. For example, recognising the family/whānau's circumstances, child characteristics, or parental characteristics that can be evidence of increased risk.

There is a strong link between family/whānau violence and child abuse. If you recognize signs of family/whānau/intimate partner violence, seek further advice from the Principal.

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 or the arrival of a new sibling. Decisions should not be made in isolation. Our designated person for child protection is the Principal.

Staff will be familiarised with this information and provided with additional skills development and learning through our staff induction process and health and safety training reviews. As a staff it is all our responsibilities to ensure that this information is updated to reflect changing understandings of good practice.

#### Other resources

Oranga Tamariki's has developed the [Working Together](#) guide on inter-agency working to identify and respond to potential abuse and neglect.

The [Ministry of Health](#) has also made guidance available.

### **Guidance on responding to suspected abuse or neglect and other concerns**

*Staff who have a concern about a child need to know how to respond. If this concern is about possible abuse or neglect, they need to know how to contact the statutory agencies (Oranga Tamariki or the Police) to make a referral.*

*If the concern is more general, these procedures provide advice on how to work with other services in the community to make sure the child and their family/whānau get the help they need.*

Report to the Principal and then in regard to:

Responding to a child in immediate danger – refer to the Police.

Responding to a child when the child discloses abuse or when there are concerns about abuse or neglect – a phone call to the Oranga Tamariki National Contact Centre to discuss appropriate next steps.

Responding to more general concerns about the wellbeing of a child, where referral to the statutory agencies (Oranga Tamariki or the Police) is not appropriate e.g. referral to a family/whānau support agency in the community, such as Social Workers in Schools, Strengthening Families or Whānau Ora is more appropriate.

#### *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:

	<ol style="list-style-type: none"> <li>1. Are not in trouble.</li> <li>2. Have done the right thing.</li> </ol>
Ask open- ended prompts e.g., “What happened next?”	<p>Do not interview the child (in other words, do not ask questions beyond open prompts for the child to continue).</p> <p>Do not make promises that can’t be kept, e.g. “I will keep you safe now”.</p>
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	<p>Record:</p> <p>Word for word, what the child said.</p> <p>Record actions/circumstances leading up to the disclosure.</p> <p>The date, time and who was present.</p>

*Recording and notifying Oranga Tamariki of suspected child abuse or neglect:*

Follow procedure on p28, 29 of Safer Organisations, Safer Children. [Click here for link](#)

## **Additional guidance on allegations or concerns about staff**

*The same general process used for recording allegations or concerns about third parties should be used for staff, recognising that employees must be treated properly and fairly and employers must act in good faith.*

*Addressing the needs of the child remains the first priority.*

*Follow a prompt and fair process that complies with all relevant moral and legal obligations.*

This section relates to our National Park School Code of Conduct and the Code of Professional Responsibility and Standards for the Teaching Profession

As an employer there is a dual responsibility in respect of both the child and the employee. The decision to follow up on an allegation of suspected abuse or neglect against an employee should be made in consultation with Oranga Tamariki and the Police. This will ensure any actions taken do not undermine any investigations being conducted by the external agencies.

If it is a child making the allegation or raising the concern, or the allegation/concern regards a child accessing the service, that child must not be exposed to unnecessary risk. This may mean suspending an employee from their duties, subject to the requirements of the applicable employment contract and relevant legal obligations. At the very least we will separate the child and the staff member.

If, after discussion with Oranga Tamariki and/or the Police, there is a need to pursue an allegation as an employment matter, the Principal will advise the person concerned, inform them that they have a right to seek legal advice and provide 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 policies, guided by the employment contract/collective employment contract and relevant statutory obligations.

Historical allegations will be responded to in the same way as contemporary ones, with the same priority. All allegations or concerns will be investigated fully, regardless of the resignation or termination of the staff member concerned.

Our complaints and concerns policy provides protection for employees reporting on concerns about the conduct of other staff members. This policy is important for promoting safe organisational cultures.

Staff will be provided with support during what is likely to be a troubling or traumatic experience e.g. from the relevant union or NZSTA. This support is available to both the staff receiving the allegation or expression of concern and the staff member against whom the allegation has been made. It is inappropriate, however, for the same person to provide support to the staff member receiving the allegation and to the staff member against whom the allegation is made.

Finally, we have a commitment against using, '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 concerned the safety or wellbeing of a child, use of such agreements is contrary to a culture of child protection.

## **Confidentiality and information sharing**

*Sharing the right information with appropriate persons is one way an organisation can safeguard the children accessing its service. Child protection policies should contain clear guidance on confidentiality and information sharing or link to other relevant policies for this.*

*Information management and confidentiality are sometimes not well understood by staff, which can result in information not being shared in situations where a risk to a child could have been addressed.*

The Privacy Act 1993 and the Children, Young Persons, and Their Families Act 1989 (Oranga Tamariki Act) allow information to be shared to keep children safe when abuse or suspected abuse is reported or investigated.

Generally, advice will be sought from Oranga Tamariki and/or the Police before identifying information about an allegation is shared with anyone other than the Principal.

Under sections 15 and 16 of the Oranga Tamariki Act, 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.

Staff should also understand their obligations under the Privacy Act 1993 namely:

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). As noted above, disclosure about ill-treatment or neglect of a child/young person may also be made to the Police or Oranga Tamariki under sections 15 and 16 of the Oranga Tamariki Act 1989.

## **Staff Capability, Professional Development and Safe at Work Practices**

*Creating a culture of child protection requires that staff have the knowledge, skills and understanding necessary to work together effectively to implement the policies. Procedures on training and professional development in the skills of child protection are important for ensuring our organisation grows and develops in this critical area.*

As a staff we will consider who needs to be proficient in child protection and to what level. For example, designated persons for child protection (the Principal) should have sufficient knowledge to provide guidance and expertise across the organisation. Frontline staff should have the skills necessary to recognise and respond to suspected abuse and neglect.

Staff will be informed about the content of the child protection policy as part of their orientation. Skills needed to implement the policy will be included in performance management and professional development programmes.

Our expectations promote professionalism in working with children, clearly establish roles and expectations of adult behaviour with children and encourage staff to keep their professional and personal lives separate.

Clarification around any of these topics can be found in our Staff Information Guide or by seeking advice from the Principal:

- Avoid being alone with children – be aware of where children are and use an open door policy (excludes toilets).
- Visitors should be monitored at all times by staff, and volunteers and outside instructors should also be monitored by staff.
- External contractors have an orientation and are either police vetted, supervised or their work zones are isolated from children.
- Where activities require one to one physical contact, including comforting children in distress, and helping children to dress or use the bathroom, swim or do gymnastics, application of medication or sunscreen, parents and caregivers should be advised.
- Safety procedures for overnight stays and camps are approved by the Board of Trustees.
- Staff should avoid being alone when transporting a child, unless an emergency requires it. Except in an emergency, children are not to be taken from the premises, without written or verbal and recorded parental consent.
- Our Responsible Digital Use Agreement and Trips and Child Work Approval Form covers use of social media, sharing, ownership and technology use.
- Inappropriate relationships with children, including over-familiarity, providing gifts, and fostering infatuation are not encouraged. This includes communicating with children, including use of telecommunications technology.
- Follow safe restraint and isolation practices.
- Where a child requires assistance, e.g. if they are intellectually or physically disabled, or if there is an intimate care need. A written plan will be put in place involving the parents/caregivers and outside agencies to assist in training.