

# Kilbirnie School

## Child Protection Principles and Procedures

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### Purpose:

These principles and procedures provide guidance to staff on how to identify and respond to concerns about the wellbeing of a child, including possible abuse or neglect.

They will enable Kilbirnie School staff to identify and respond appropriately to concerns of abuse and neglect, and to understand their role in keeping children safe. They will be reviewed annually, and updated regularly in light of operational experience and in line with changes in legislation and associated policies.

The Guidelines and Procedures aim to:

1. Ensure the safety of children.
2. Outline the procedures for the reporting of suspected cases of child abuse to the authorities.
3. Ensure staff have the necessary training and assistance to be able to recognise possible cases of abuse or neglect.
4. Ensure staff know what to do when a child discloses abuse or neglect.
5. Outline the procedure to be followed when there is an allegation of abuse or neglect against a staff member.

Kilbirnie School adheres to the principles of partnership, protection and participation; and the rights and responsibilities accorded by the Treaty of Waitangi.

A digital copy of this policy can be found on our website <http://www.kilbirnie.school.nz/school-policies>

### Scope:

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. These procedures apply to all staff of Kilbirnie School who have direct or indirect contact with children. This includes those staff, paid or voluntary, employed directly by Kilbirnie School, as well as those professionals contracted or invited to provide services to children in the care of Kilbirnie School. This includes teaching and non-teaching staff. It also applies to the Board Chairperson in cases where there is suspected abuse against an employee of the school.

### Responsibilities:

Kilbirnie School recognises that all staff and Trustees have a full and active part to play in protecting students from harm.

It is the responsibility of staff to be vigilant, have knowledge and awareness of the indicators of neglect, potential or actual abuse and to report any concerns, suspicions or allegations of suspected abuse immediately and ensure that the concern is taken seriously and reported.

The school has no responsibility to determine the truth, extent or origin of suspected child abuse. This is the task of personnel from statutory agencies resourced to deal with this issue.

Kilbirnie School has appointed the SENCO (Special Educational Needs Co-ordinator) as the Designated Person for Child Protection (DPCP).

## Principles:

### What is child abuse?

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.

The indicators of potential abuse may include:

- 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).
- Emotional instability (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)

To download the Child, Youth and Family 'Signs of abuse and neglect' chart [click here](#),

For more information about identifying child abuse see <http://www.cyf.govt.nz/keeping-kids-safe/if-you-are-worried/looking-out-for-at-risk-children-and-families.html>

This resource produced by Child, Youth and Family is for people in social service agencies, schools, healthcare organisations, community and other groups who have close contact with children and families/whānau. It includes useful information about identifying possible child abuse and an assessment framework.

Every situation is different and it is 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.

### 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 under sections 15 and 16 of the CYPF 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 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.

Giving information to protect children better is not a breach in confidentiality. Whenever possible the family or whanau should be kept informed of what information has been shared and to which agency, and for what purpose. Guidance on sharing information with family or whanau is to be sought from either the Police or Child Youth and family. Principle 11 of the Privacy Act, 1993, states “disclosure of the information is necessary to prevent or lessen a serious threat”.

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

Before making an appointment, Kilbirnie School will undertake a series of checks to ascertain the candidates' suitability and safety to work in Kilbirnie School. These will adhere to the statutory obligations contained within the legislation such as the Privacy Act, the Human Rights Act and Vulnerable Children Act.

Safety checking in accordance with the Vulnerable Children Act 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.

All appointments (permanent, fixed term, student, casual or volunteer) to positions that have direct and/or frequent contact with children or young people will be conditional on a safety check. Further information regarding safety checking, including vetting and screening procedures, is found in the Recruitment, Selection and Appointment Procedures.

## **Training, supervision and support**

Training, resources and/or advice will be available to ensure that all staff can carry out their roles in terms of this policy, 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/whānau.

These guidelines and procedures will be part of the initial staff induction programme. All staff will receive child protection training at the level appropriate to their role. The DPCP and the Principal will undertake more intensive training in child protection.

All staff are expected to behave in a manner consistent with the Kilbirnie School/EDUCANZ Code of Conduct.

## Procedures:

### What to do when child abuse is suspected

In line with section 15 of the Children, Young Person and Their Families Act, any person in Kilbirnie 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. It is important to break the pattern of abuse and begin support for the child as soon as possible.

All concerns of potential, suspected or alleged abuse must be brought to the attention of DPCP. If the DPCP is unavailable, then consultation should occur with the Principal. A decision will be made as to whether to seek further advice or notify Child, Youth and Family.




Kilbirnie 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 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.

If a child makes a verbal disclosure to a member of staff it is important that staff take what the child says seriously. Under no circumstances should a member of staff attempt to conduct an investigation or deal with concerns regarding child abuse alone. It is not the responsibility of staff to investigate allegations of child abuse.

The DPCP will be responsible for ensuring that all decisions taken, including if the concern does not require notifying Child, Youth and Family, are recorded in writing and kept securely in a Child Protection file with the reasons clearly identified and explained.

The school will support the child at all times. The DPCP will have the responsibility of coordinating action on suspected child abuse.

If an agency wishes to interview a child at the school the DPCP will:

-  Take advice from the appropriate statutory agency as to how the school can best support the child in this process and subsequently
-  Ensure that interviews are conducted as discreetly as possible
-  If the child's parents or caregivers are not present at the interview, the coordinator must decide with the interviewer as to how the parents or caregivers are to be informed.

### 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"> <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
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"> <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 of suspected abuse or neglect

At all times during the process the safety of the child is paramount.

What process to follow	For example	Key considerations
1. 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.

2. Decision-making	Discuss any concern with the manager/supervisor or the designated person for child protection.	No decisions should be made in isolation.
3, Notifying authorities	<p>Notify Child, Youth and Family promptly if there is a belief that a child has been, or is likely to be abused or neglected.</p> <p>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.</p> <p>Phone: 0508 Family (0508 326 459)</p> <p>Fax: 09 914 1211</p> <p>email: <a href="mailto:.cyfcallcentre@cyf.govt.nz">.cyfcallcentre@cyf.govt.nz</a></p>	<p>Child, Youth and Family will:</p> <ul style="list-style-type: none"> <li>• make the decision to inform the parents or caregivers, in consultation with the our organisation.</li> <li>• Advise what, if any, immediate action may be appropriate, including referring the concern to the Police.</li> </ul>
4. 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.
5. Storing relevant Information	<p>Securely store:</p> <ul style="list-style-type: none"> <li>• The record of the concern.</li> <li>• A record of any related discussions (including copies of correspondence, where appropriate).</li> <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>	Records assist in identifying patterns.

## **Allegations of suspected abuse against an employee of the school**

At all times during the process the safety of the child is paramount.

At all times the employee has a right to be treated fairly.

1. Any concern/allegations against a school employee must be reported to the DPCP and the Board Chairperson.

2. The procedure for responding to a child following a disclosure is to be followed for the child.
3. The DPCP and/or the Board Chairperson will consult with Child, Youth and Family or the Police before advising the person concerned, informing them that they have the right to seek legal advice and providing them with an opportunity to respond.
4. The DPCP in association with a senior staff member will:
  - ✚ Decide whether suspected child abuse should be reported to an agency which has statutory responsibility to act. In practice this will be the Children, Youth and Family Agency and/or Police;
  - ✚ Keep a record of events which is factual and objective;
  - ✚ Maintain confidentiality. Communication should be only with people who need to know in order to protect and support the child.
5. If a staff member is suspected of child abuse the DPCP will ensure that in addition to normal reporting procedures, the staff member is advised to seek professional support; and the employing authority is informed.
6. Any follow up will require planning and co-ordination in terms of the process for investigation, time frames and clarifying roles of each agency involved.
7. The Board has responsibilities in this process as an employer and will refer to the relevant employee agreement in every case of possible disciplinary action.
8. The DPCP is to keep full documentation of conversations and actions.
9. Reference should be made to the procedures in: Trustee Handbook and relevant union agreements.
10. If the Police decide to undertake a criminal investigation then the member of staff may be suspended, without prejudice, as a precautionary measure. It is important that no internal investigation is undertaken and no evidence gathered that might prejudice the criminal investigation.

## Related Documentation:

### Relevant Legislation

- Vulnerable Children Act 2014
- Children, Young Persons, and Their Families Act 1989
- Care of Children Act 2004
- Domestic Violence Act 1995
- Privacy Act 1993

- Victims' Rights Act 2002
- The United Nations Convention on the Rights of the Child (UNCROC)

**Appendix:** Reporting of Suspected or Actual Child Abuse and Neglect- Protocol between the Ministry of Education, the New Zealand School Trustees Association and Child, Youth and Family 2009.

**Approval:**

Approved by the Board of Trustees on \_\_\_\_\_, 2016.

Signed on behalf of, and with the authority of the Board

Board Chairperson \_\_\_\_\_ on \_\_\_\_\_ (Date)

Due for Review by Management team: June 2017

For discussion with Board of Trustees: August 2018