



# Board Policy: Child Protection Policy

9B

## Policy Statement

### Rationale

1. James Cook High School (the School) accepts that children have a fundamental right to have their needs met in an environment safe from abuse and neglect.
2. The School accepts its responsibility under the legislation for engaging in safe employment practices and playing a role in the prevention and identification of child abuse and neglect.

### Purpose

3. The School is committed to modelling and providing a safe environment, free from physical, emotional, verbal or sexual abuse.
4. The School recognises the important role and responsibility that all staff have in identifying and responding to suspected child abuse or neglect and in responding appropriately to concerns about the wellbeing of a child.
5. The School is committed to working with other children related agencies to improve the well-being of vulnerable children.
6. The School's Board, in accordance with the requirements of Part 2, Section 18 (a), (b), (c) & (d) of the Vulnerable Children Act 2014 will:
  - a) adopt this child protection policy
  - b) ensure that the policy is available on the School website and is available upon request from the School office
  - c) ensure that all agencies, contracts or funding arrangements fulfil the requirements of this policy
  - d) review the policy every three years

## Guidelines

7. The Tumuaki/Principal is required to ensure that leaders within the School work together with other children's agencies (such as the Police, Child Youth and Family, Social Workers, etc) to improve the well-being of vulnerable children by:
  - protecting them from abuse and neglect



- improving their physical and mental health and their cultural and emotional well-being
  - improving their educational outcomes and their participation in cultural and extra-curricular activities
  - strengthening their connection to their families, whānau, hapu and iwi, or other culturally recognised family groups
  - increasing their participation in self-decision making and their contribution to society
  - improving their social and economic well-being
8. The Tumuaki•Principal will ensure that there are procedures in place to identify and respond to allegations regarding abuse.
9. The Tumuaki•Principal will ensure that there are procedures in place to deal with the possibility of an allegation involving a staff member.
10. The Tumuaki•Principal will appoint a Child Protection Coordinator and ensure that th role is adequately resourced

## Definitions:

11. The following definitions are sued within the VCA and this policy:

### **Child abuse:**

Child abuse is a broad term which includes physical, emotional and sexual abuse and neglect which is the direct consequence of a deliberate act or omission by an adult and which has the potential to cause or effect serious harm to a child.

### **Child neglect:**

Child neglect is the failure or omission to care for a child. This failure or omission to care can be physical, emotional, medical or educational or involve a lack of supervision.

**Core worker:** Core worker means a children’s worker whose work in, or providing a regulated service requires or allows that, when the person is present with the child or children in the course of that work, the person is either:

- The only person present; or
- Is the children’s worker who has primary responsibility for, or authority over the child or children present.

**Non-core worker:** means a children’s worker who is not a core worker

12. Note all workers/employees of the School are considered to be, and must meet the requirements of a Core Worker.

## Confidentiality and Information Sharing

13. The Privacy Act 1993 and the Children, Young Persons and their Families Act (CYPF) 1989 allow information to be shared to keep children safe when abuse or suspected abuse is reported or investigated.
14. If and where there is doubt, the Tumuaki•Principal will determine what is to be shared, based on an over-riding determinant of what is in the best interest of protecting the child from harm.

## Recruitment and Employment

15. The Tumuaki•Principal will ensure that safe recruitment practices in line with the Vulnerable Children Act of 2014 and Section 78C and 78CA of the Education Act are in place. In accordance with these Acts, the School is required to police vet all core and non-core workers, including contractors and their employees, who work at the School if they are likely to have unsupervised access to students at the School during normal hours.
16. In addition to a police vet, core and non-core workers will also be subject to identity verification, references and an interview. A work history will be sought and previous employers will be contacted. If there is any risk that an applicant might pose a risk to a child that applicant will not be employed. A checklist is to be used for all appointments.
17. Notwithstanding 1 & 2 above, if core children's workers e.g. Public Health Nurses, Family Planning Nurses, Youth Workers, who have been safety checked by their own employer have unsupervised access to students, the School will not proceed with a police vet but will seek an assurance from their employer by letter that this has been done.

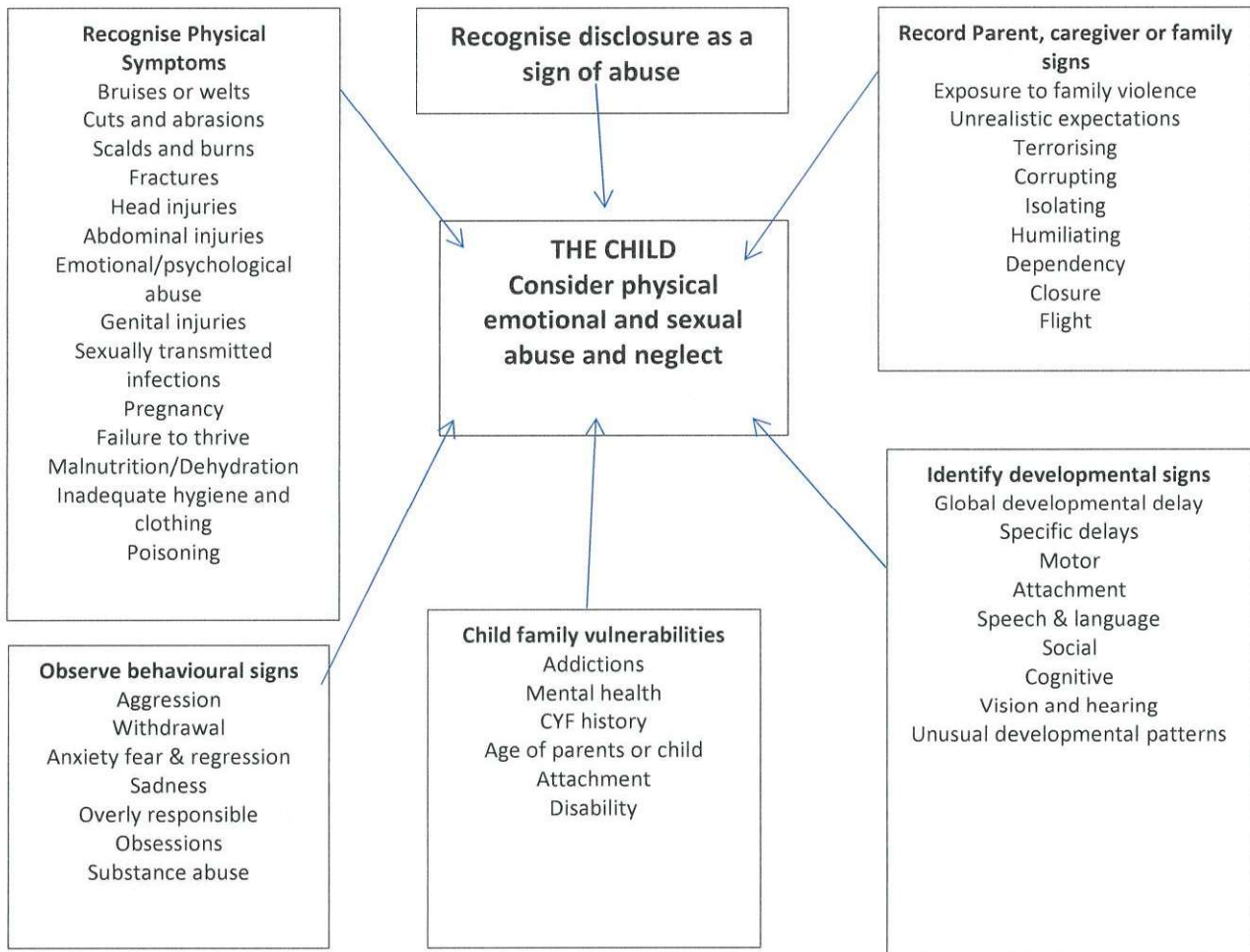
## Appointment of Child Protection Coordinator

18. The School will appoint a Child Protection Coordinator whose responsibilities will include:
  - a) Coordinating the review of the Child Protection Policy and procedures as required
  - b) Co-ordinating the School's response to child abuse and neglect
  - c) Developing a training plan relating to the identification and prevention of child abuse or neglect and
  - d) Ensure training of staff is available cyclically
  - e) Ensuring documentation tools are in place and accessible to staff for the recording of care and protection concerns
  - f) Ensuring regular audits of child protection practice occur
  - g) Applying for and accessing and the resources required to support the programme
  - h) Providing support and advice to staff regarding child abuse



## Identifying the Signs of Abuse or Neglect:

19. The physical and behavioural signs, symptoms and history listed below may indicate abuse or neglect.
20. However, they are not specific to abuse or neglect. In certain situations, contexts and combinations they may indicate other conditions. All signs must be examined in the total context of the child or young person's situation.



## Responding to Suspected Abuse or Neglect

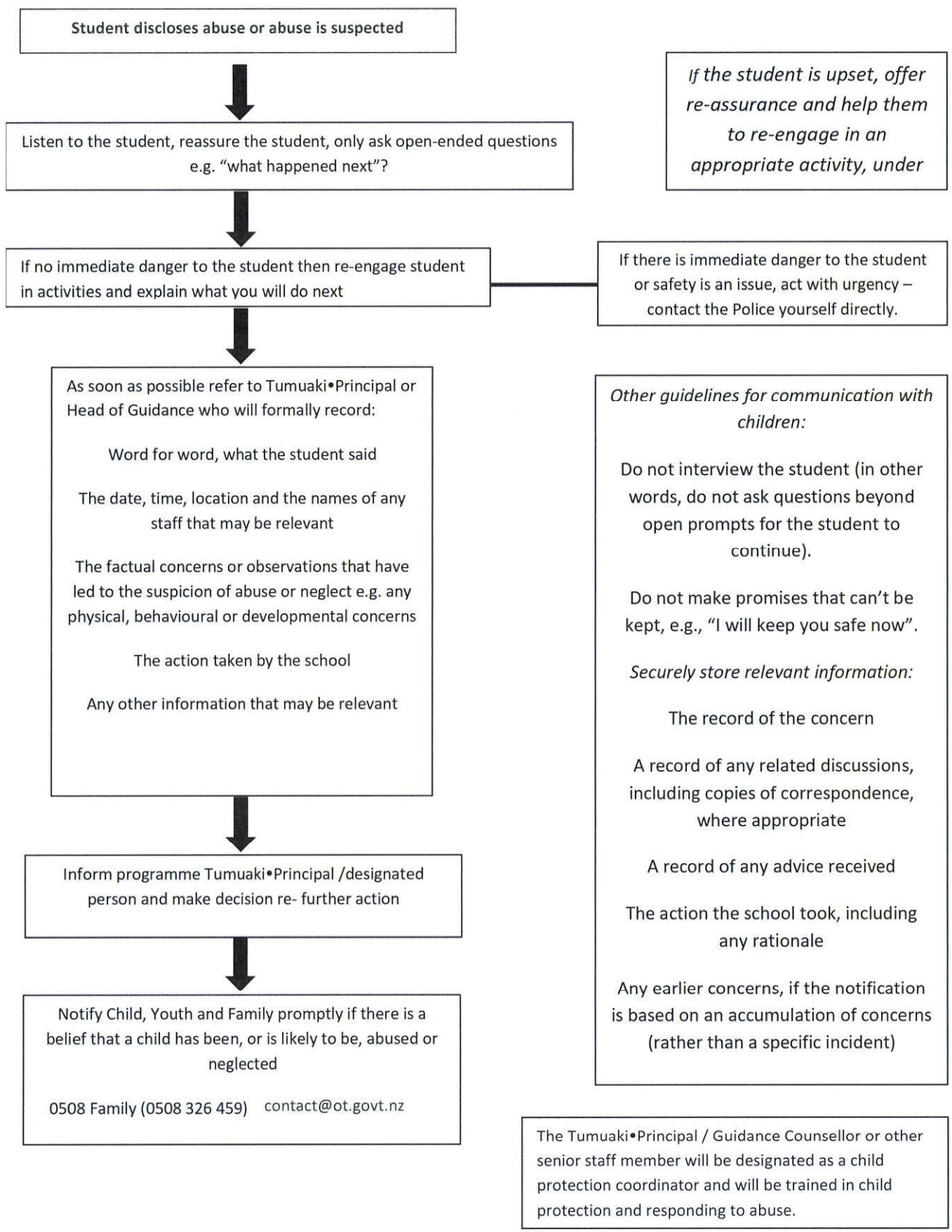
21. There is a process to follow when an incident or suspicion of abuse or neglect is reported. See the 'Child Abuse Reporting Process' flowchart below
22. All suspicions or reports of incidents will be reported to and discussed with the Child Protection Coordinator as soon as possible.
23. S/he will make a written report of the incident.
24. If there is clear evidence or reasonable cause to believe an instance of child abuse has taken place, the Child Abuse Coordinator will immediately take steps to protect the child and may notify Child, Youth and Family.
25. Sometimes the involvement of statutory agencies will be inappropriate and potentially harmful to families. In these situations, the School will refer the family to an appropriate statutory or non-statutory agency which can provide supportive services to the family and respond to the needs of the vulnerable children in their care in a manner proportionate to the level of need and risk.

## Allegations or Concerns about a Staff Member's Actions

26. There is a process to follow when an allegation of child abuse is made in relation to a staff member. See "When an allegation of abuse is made against a staff member" flowchart below.
27. If there is a need to pursue an allegation as an employer, the Tumuaki•Principal or delegated person will consult with Child, Youth and Family or the Police before advising the person concerned and informing them that they have a right to seek legal advice. The Tumuaki•Principal will provide the staff member with an opportunity to respond.
28. The staff member should 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.
29. 'The School commits to not 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 concerns the safety or wellbeing of a child, use of such agreements is contrary to a culture of child protection.

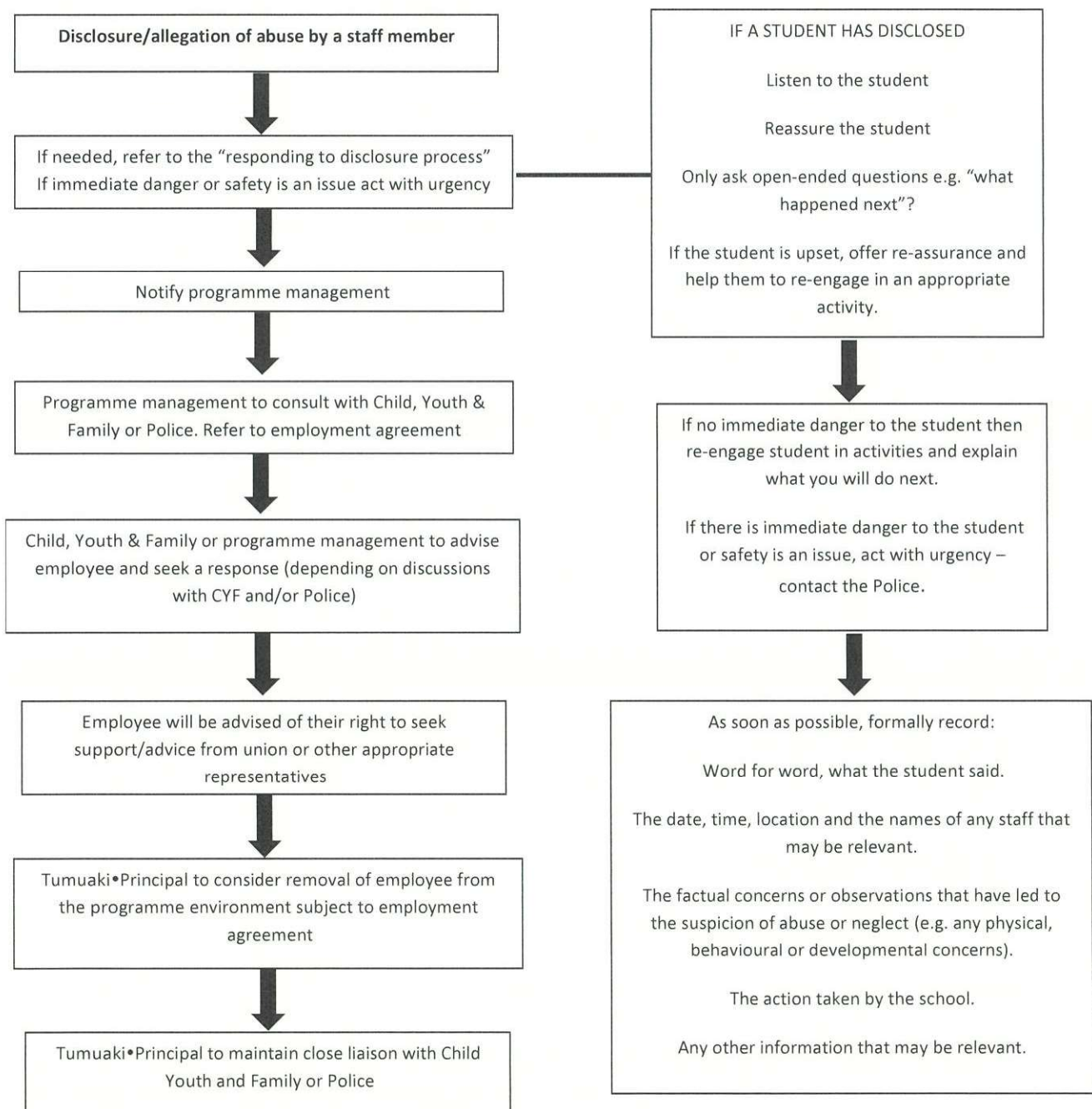


# Child Abuse Reporting Process



## When an Allegation of Abuse is Made Against a Staff Member

30. Where it is suspected, or reported by a student, that child abuse has been carried out by a staff member (paid, unpaid or in any School-related role), the matter must be reported promptly to the Tumuaki•Principal.
31. Under no circumstances should the student making the allegation be exposed to unnecessary risk. This may require the School to consider removing the staff member from the School environment subject to the requirements of the applicable employment contract. All actions will be undertaken with appropriate care to maintain confidentiality.



## Prevention of Possible Abuse or Neglect

32. The School is committed to ensuring that all staff can identify the signs and symptoms of potential abuse and neglect and know how to respond.
33. The School will provide training, resources and/or advice to enable all staff to carry out their roles in terms of this policy.
34. Core and non-core workers will attend training, refresher training and regular updates which will ensure that they have the competence to identify and manage actual or potential abuse or neglect and empower them to keep our students safe.
35. This training will ensure that staff:
  - a) Are conversant with the School's Child Protection Policy
  - b) Understand child abuse and neglect and the indicators of child abuse and neglect
  - c) Understand the standard of adult behaviour expected of adults in relation to children
  - d) Understand how to minimise the risk of child abuse
  - e) Understand their need to seek advice when child abuse or neglect is suspected.
  - f) Understand the School's process once child abuse or neglect is identified or suspected
  - g) Understand their legal obligations and responsibilities with regard to this process
  - h) Understand that the School supports the roles of the New Zealand Police and Child Youth and Family in the investigation of suspected abuse and will report suspected/alleged abuse to these agencies
  - i) Understand the statutory referral processes and agency management of identified or suspected child abuse or neglect

## Process for Security or Storage of Information

Records should be kept separate from the usual system of student records and access to the records should be restricted. They should be held for at least seventy five years.

The Tumuaki•Principal is responsible for ensuring that such information is stored in this manner.

## Supporting Documents

- Safer Organisations Safer Children – Guidelines for child protection policies to build safer organisations, also at <https://www.orangatamariki.govt.nz/assets/Uploads/Working-with-children/Childrens-act-requirements/Safer-Organisations-safer-children.pdf>
- Vulnerable Children Act 2014
- Health and Safety at Work Act 2015
- Children, Young Persons and Their Families Act 1989
- “*Working Together to Support Tamariki, Rangatahi and Their Family/Whānau*” is a resource for helping people recognise when families are vulnerable and how they can help, through to spotting the signs of abuse, who to talk to, how to report their



concerns, and what happens when a report of concern comes through to Child, Youth and Family.

<https://www.orangatamariki.govt.nz/assets/Uploads/Support-for-families/Support-programmes/Working-together-seminars/Working-together-guide-2021.pdf>

- The various indicators of different types of abuse that can be found here: <https://www.orangatamariki.govt.nz/worried-about-a-child-tell-us/identify-abuse/>

Chairperson



Date: June 2022

Policy History	
Date	Action
May 2019	Adopted by Board
Sept 2020	Reviewed and Amended
May 2021	Reformatted
June 2022	Reviewed and Amended (updated)