



BAYVIEW PRIMARY SCHOOL PROCEDURES

CHILD PROTECTION

Key Principles

Principles of Child Protection

While many of the principles listed below are considered values we encompass in everything we do as a School, it is important to capture and reinforce these alongside our more child protection specific principles. These principles apply to every staff member.

Our child protection principles are:

- i. Making the safety and wellbeing of children our primary concern, with the child at the centre of all decision-making when responding to suspected abuse or neglect
- ii. Promoting a culture where staff feel confident to constructively challenge poor practice and raise issues of concern
- iii. Recognition of the culture of the family/whānau, its importance and the rights of family/whānau to participate in decision-making about their children unless this would result in an escalation of risk to the child
- iv. All staff know they can report suspected child abuse and neglect to Oranga Tamariki (formally known as CYF) or the Police.

Our commitments are:

- i. A commitment to work together to produce the best possible outcomes for the child and to work towards continuous improvement in child protection practices, and all policies and initiatives are designed to promote (be inclusive of) a child protection culture
- ii. A 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
- iii. A commitment to open and transparent relationships with all, including being willing to share concerns about child safety issues with the family/whānau unless this would result in an escalation of risk
- iv. A commitment to share information in a timely way and to discuss any concerns about an individual child with the senior leadership team or the designated person for child protection
- v. A commitment to meet all existing statutory and contractual obligations, including matters relating to employment

Definitions

The following definitions apply to these procedures:

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

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 senior leader 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 procedures

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

Oranga Tamariki – 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 Oranga Tamariki 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.

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

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).

Identifying and reporting child abuse and neglect

Potential indicators

Indicators are signs or symptoms that, when found either on their own or in various combinations, point to possible abuse, family violence or neglect. In many cases, indicators are found in combinations or clusters.

Indicators do not necessarily prove or mean that a child has been harmed. They are clues that alert us that abuse may have occurred and that a child may require help or protection. Sometimes indicators can result from life events which do not involve abuse, e.g. accidental injury.

Additional Resources

References to resources on identifying possible abuse or neglect are given below.

- **Oranga Tamariki** 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>
- **Child Matters** is a registered charitable trust that provides guidance, advice, education and support to protect children. <http://www.childmatters.org.nz/24/learn-about-child-abuse>
- 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-violenceguidelines> and <https://www.health.govt.nz/system/files/documents/pages/child-abuse-neglect-procedures.pdf>
- 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.

Reporting and responding to suspected abuse or neglect

If a staff member has a concern about a child's safety or wellbeing they will, in all instances, report this to a member of the senior leadership team. This will be done at the first possible opportunity to best ensure the safety of the child.

The severity of the suspected abuse or neglect is not up to the staff member to determine. The Principal has the ultimate responsibility to ensure appropriate authorities are notified.

In consultation with the senior leadership team, staff should always respond if they suspect abuse or neglect of a child, regardless of who may be involved, as follows:

- i. **Contact the Police** immediately if a child is in immediate danger. The primary response must be to ensure the safety of the child.
- ii. **Contact Oranga Tamariki National Contact Centre** to discuss appropriate steps where:
 - a) A child has disclosed abuse or neglect (see table below)
 - b) Abuse or neglect of a child has been disclosed by the person responsible
 - c) A staff member has observed abuse or neglect, or suspects abuse or neglect on the basis of their own observations
 - d) A third party has told a staff member of known child abuse or neglect, or of their suspicions of possible child abuse or neglect
- iii. **Contact local family/whānau social service providers** (such as Whānau Ora or Strengthening Families) where the concern is more of a general, wellbeing related concern and not specifically about abuse or neglect. The services available in each community will vary and may include a range of government and non-government providers who will be able to help the child and their family/whānau.

Before contacting Oranga Tamariki in relation to i. above, or other organisations in relation to ii. above: **All staff** have a responsibility to discuss any child protection or wellbeing concerns with the Principal or Deputy Principal.

The Principal and/or Deputy Principal have a responsibility to ensure that the appropriate authority is notified when a staff member informs them that a child has been, or is likely to be, or is suspected of being, abused or neglected. This extends to ensuring that all known information about the child, young person, and their siblings and family/whānau, is shared in full with the appropriate authority, to determine the most appropriate response (see section below on confidentiality and information sharing). It is therefore essential that school leaders delegate this responsibility during times of absence and that their staff are aware of the delegation.

Where a **third party** has advised of the abuse, that person should be encouraged to report the information to Oranga Tamariki. In the spirit of full ownership and collective responsibility for child protection, where a third party has been advised of the abuse, that person should be encouraged to report the information to Oranga Tamariki.

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 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 are not in trouble and have done the right thing. While reassuring the child it is important that you do not agree 'not to tell anyone'.
Ask open ended prompts, e.g. "What happened next?"	Do not interview the child (do not ask questions beyond open prompts for the child to continue).
If the child is visibly distressed	Provide appropriate reassurance and 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.
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 Oranga Tamariki 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 (e.g., any physical, behavioural or developmental concerns). • The action taken by the school. • Any other information that may be relevant 	Relevant information can inform any future actions.
Decision-making	Discuss any concern with the Principal or Deputy Principal or the designated person for child protection	No decisions should be made in isolation
Notifying authorities	Notify Oranga Tamariki 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)	Oranga Tamariki will: <ol style="list-style-type: none"> Make the decision to inform the parents or caregivers, in consultation with our organisation. Advise what, if any, immediate action may be appropriate, including referring the

	Email edassist@mvcot.govt.nz	concern to the Police
Following the advice of Oranga Tamariki	Oranga Tamariki advice will include what, if any, immediate action may be appropriate, including referring the concern to the Police	Oranga Tamariki is responsible for looking into the situation to find out what may be happening, whether Bayview School 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

Allegations or concerns about Bayview School staff specifically

Schedule 1 to the Memorandum of Understanding between Oranga Tamariki, the Police, the Education Council of Aotearoa New Zealand, and the Ministry of Education (2012) is concerned with managing abuse allegations involving an adult working in or associated with an education setting.

Schedule 1 requires that any allegation of abuse involving an adult working in or associated with an education setting requires an interagency approach from the time that the allegation is first received. A collaborative interagency approach will ensure that the right national and local people are involved, that the right actions are taken by the appropriate agency within agreed timeframes, and that a joint communications strategy will be developed.

Importantly, as an employer, Bayview School has a dual responsibility to 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, the Police, and if relevant the Education Council of Aotearoa New Zealand, to ensure that any actions taken do not undermine any investigations being conducted, or to be conducted, by the external agencies.

The same general approaches used for responding to allegations or concerns about non-staff member should be used where a staff member is concerned that another staff member's behaviour towards a child. Addressing the needs of the child and the child's immediate safety remains the first priority.

Other procedures statements

Confidentiality and Information Sharing

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

Generally, advice should be sought from Oranga Tamariki and/or the Police before information about an allegation that may identify an individual is shared with anyone, other than the appropriate school leader, designated person for child protection, and/or Director of Education.

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 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.**

Additional Resources

The Office of the Privacy Commissioner has published a set of guidelines *Sharing personal information of families and vulnerable children*, which includes a range of helpful advice about confidentiality and information sharing:

<https://privacy.org.nz/assets/InteractiveEscalationLadder/PRCM1001-escalationLadder-hiRes.pdf>

An older guide from Child, Youth and Family may also be of use:

<http://www.cyf.govt.nz/documents/working-with-others/swis/swis-useful-link-and-tools/reference-resources/interagency-information-sharingguidelines.pdf>

Finally, the 12 Privacy Principles are outlined in the Privacy Act 1993.

<http://www.legislation.govt.nz/act/public/1993/0028/latest/whole.html#DLM296639>

Recruitment and Employment (safety checking)

Our recruitment procedures reflects a commitment to child protection by including comprehensive screening procedures. Safety checks will be carried out, as required by the Vulnerable Children Act 2014.

Professional Development and Support

Bayview School is committed to ensuring that it builds the capability and provides the appropriate resources and support, to all staff. The underlying principle is that staff will have the necessary skills consistent with the scope of their work/role.

Procedures Review

Under the Vulnerable Children Act 2014 the school is required to review these procedures every three years. The school will undertake a review of these Procedures one year after implementation and then on a three yearly basis after that.

The review will be undertaken by the principal and will cover an assessment of the implementation and operation of the Child Protection Procedures over its first year, including:

- the views of staff about the accessibility, relevance and usefulness of the procedures
- whether any serious incidents have occurred, and how effective the procedures was at responding to them
- to what extent the procedures needs updating to reflect lessons learnt.

CHILD ABUSE GUIDELINES

