



WHANGANUI HIGH SCHOOL

CHILD PROTECTION POLICY

Policy No: 5.11
(NAG 5)

INTRODUCTION	<p>1 The current National Education Guidelines were approved by the Minister of Education and took effect from 30 April, 1993. The guidelines require school Board of Trustees and Principals of each state and integrated school in New Zealand to:</p> <p>a) provide a safe physical and emotional environment for students, and</p> <p>b) comply in full with any legislation currently in force or that may be developed to ensure the safety of students and employees.</p> <p>2 <u>Legislation</u></p> <ul style="list-style-type: none"> • Education Act, 1989 • Children, Young Persons and Their Families Act (Oranga Tamariki) Legislation Act, 2017 • Crimes Act, 1961 • Domestic Violence Act, 1995 • Privacy Act, 1993 • Vulnerable Children Act, 2014 • Care of Children Act, 2004 • Employment Relations Act, 2000 • State Sector Act 1988 • National Administrative Guidelines 5 • Human Rights Act 1993 • Health and Safety At Work Act 2015 <p>For the purposes of this policy "Child" means a boy or girl under the age of 14 years, "Young Person" means a boy or girl of or over the age of 14 years. For the purposes of this policy "Staff" means all those employed by Whanganui High School, whether paid or voluntary, full time or part-time.</p>
OBJECTIVES	<p>1 This Policy, on the identification and reporting of child abuse and neglect accepts that: <i>[Definition of Child Abuse – Refer Appendix I]</i></p> <p>a) the paramount consideration is the welfare and interests of the child or young person (CYFA Act [s6]);</p> <p>b) guidelines and training will be provided for teachers and others working with children and young people in the school environment;</p> <p>c) there is a commitment to ensuring that children and young people are provided with education to enhance their safety and awareness;</p> <p>d) procedures should be developed for dealing with cases of current or historical abuse;</p> <p>e) external agencies which should be used will be identified, what services they provide, what liaison is required, along with appropriate referral procedures. <i>[Refer Appendix II]</i></p>
GUIDELINES	<p>1 Whanganui High School will facilitate training for all staff to help them to identify suspected abuse and/or neglect and to be able to respond appropriately. Training needs will be identified and planned regularly in consultation with staff.</p> <p>2 Students would have access to information about child abuse and appropriate responses to it through the relevant parts of this curriculum.</p> <p>3 In managing suspected cases of child abuse and/or neglect a staff member will be nominated to act as a safety advocate for the child or young person.</p> <p>4 In suspected cases of child abuse and/or neglect, decisions about informing parents or caregivers will be made after consultation between the school and the statutory child protection service called in by them.</p>

**RECOMMENDED
REPORTING
PROCEDURES
AND
FLOWCHART**

[Refer Appendix III]

- 1 If the child or young person is in danger or unsafe, act immediately to secure their safety.
- 2 Listen to the child or young person and reassure them but do not make promises or commitments you cannot keep.
- 3 Ensure that any information or disclosures by the child or young person are written down and check that comments and events surrounding the concern have also been recorded.
- 4 Ensure that the child or young person has a responsible adult supporting them through this process and that the support role is clearly defined.
- 5 Do not formally interview the child or young person. Obtain only necessary relevant facts if and when clarification is needed.
- 6 Hold immediate discussion with guidance counsellor child safety advocate.
- 7 Inform the principal.
- 8 Agree on appropriate course of action.
- 9 The principal assures notification to Oranga Tamariki or the Police. Await further contact before taking any action.
- 10 After making sure the referral has gone to Oranga Tamariki or the Police, get support for yourself from appropriate persons, if needed.

**EXPECTED
OUTCOME**

Students have a proven safe, physical and emotional environment.

EVALUATION

The Board, in association with the Principal, will review this policy on a three-yearly cycle in accordance with the School's quality management cycle.

CONCLUSION

- 1 This policy provides the means of training staff to recognise and cope appropriately in situations where students are in need of help, to provide the relevant safe and secure environment.
- 2 Other Policies relevant to this Policy include –
 - 3.11 Sexual Harassment
 - 3.13 Anti-Violence, Anti-Harassment, Anti-Abuse & Anti-Bullying
 - 5.1 Health & Safety

Approved by the Board
Signed Chairperson:

Date: 30/4/18

Signed Principal:

Date: 30/4/18

Definition of Child Abuse

The Children, Young Persons and their Families Act, 1989, defines child abuse as "...the harming (whether physically, emotionally, sexually), ill-treatment, abuse, neglect, or deprivation of any child or young person".

Physical abuse is a non-accidental act on a child that results in physical harm. This includes, but is not limited to, beating, hitting, shaking, burning, drowning, suffocating, biting, poisoning or otherwise causing physical harm to a child. Physical abuse also involves the fabrication or inducing of illness.

Emotional abuse is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effect on the child's emotional development. This can include a pattern of rejecting, degrading, ignoring, isolating, corrupting, exploiting or terrorising a child. It may also include age or developmentally inappropriate expectations being imposed on children. It also includes the seeing or hearing the ill treatment of others.

Sexual Abuse involves forcing or enticing a child or young person to take part in sexual activities (penetrative and non-penetrative, for example, rape, kissing, touching, masturbation) as well as non-contact acts such as involving children in the looking at or production of sexual images, sexual activities and sexual behaviour.

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, causing long term serious harm to the child's health or development. It may also include neglect of a child's basic or emotional needs. Neglect is a lack: of action, emotion or basic needs.

Family Violence is physical, emotional, sexual and other abuse by someone (usually but not always a man) of a person (usually but not always a woman) with whom they have or have had some form of intimate relationship with, such as marriage or cohabitation, in order to maintain power and control over a person. It is important to be vigilant to any signs, particularly if children are being affected.

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HELPING AGENCIES / NGA ROPU AWHINE

In School: *Appointments made at Student Centre*

Form Teachers and Deans	
Guidance Counsellors	Diane Calman / Jacqui McKenzie
Health Nurse	Michelle Turner <i>Mondays, Wednesdays and Thursdays (am)</i>
SUPP (A&D Counselling)	Sam & Paul <i>Thursdays (am)</i>
Career Advisor	Mr Paul Keene

In Our Community:

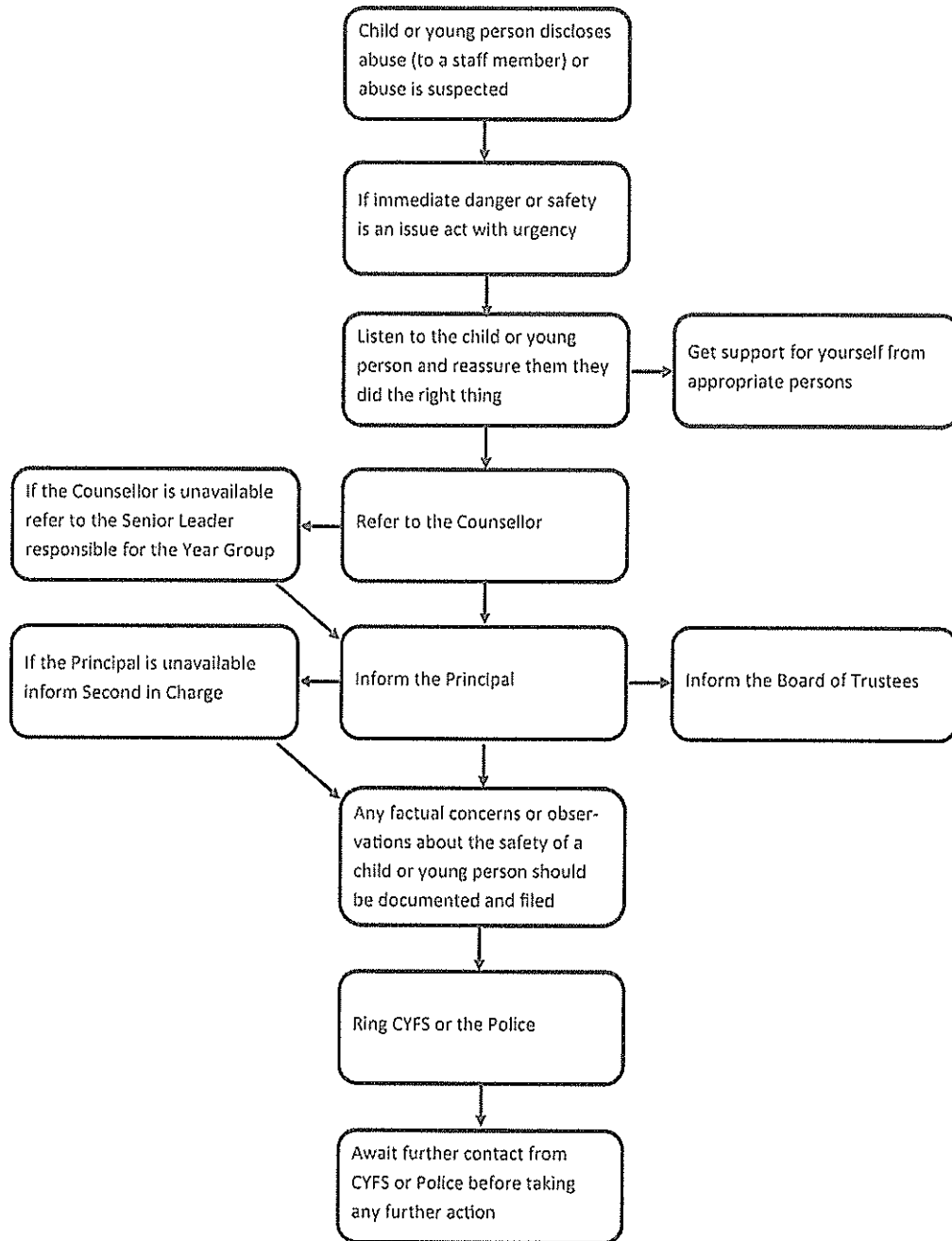
Adolescent Social Worker	Paula Brider <i>Pregnancy Counselling</i>	348 8196 or 348 1282
Alcohol & Drug Helpline		0800 787797
Barnados	<i>Family Support, 22 Purnell St</i>	0800 227627 or 348 2091
Birthright	<i>244 Victoria Ave, Supports One Parent Families</i>	347 1770 or 021 2658718
Boys & Girls Gym Club		345 8670
Cancer Society	<i>3 Koromiko Rd</i>	348 7402
CAMHS		348 1901
Citizens Advice Bureau	<i>Guyton St</i>	0800 367222 or 345 0844
CLAW	<i>76 Guyton St</i>	348 8288
Crisis Team (PEHT)		0800 653358
Depression Help Line		0800 111757
Family Court		349 0740
Family Planning	<i>Suite 8 Wicksteed Tce</i>	347 9415 or 0800 372546
Family Works Centre	<i>179 Wicksteed St</i>	345 6681
Gambling Helpline		0800 654655 or Txt 8006
Group Special Ed RTL	<i>93 Ingestre St</i>	349 6300 349 0228
Hapai Mauri Tangata	<i>69 Heads Rd, A&D Support</i>	348 0282
Jigsaw	<i>236 Victoria Ave, Family Support</i>	345 1636
Life Line		0800 543354
Ministry of Education		349 6300
Oranga Tamariki Liaison	<i>74 Ingestre St Josh Marwick CAN Children's Action Team</i>	0508 326 459 (Call Centre) 965 3550 0508 332 774
Open Home Foundation	<i>269 St Hill St</i>	345 7043
Police	<i>Peter Gray</i>	349 0600 349 0604 021 1915474
Public Health Centre	<i>Lambie Hostel</i>	348 1775
RISE Stopping Violence	<i>284 St Hill St</i>	347 7992
Samaritans		0800 726666
Splash Centre		349 0113
SUPP		348 1901 or 027 2222231
Te Oranganui Iwi Health Authority	<i>57 Campbell St</i>	349 0007
Truancy Services at Gonville Police		344 4257 Fax 344 2388 or 348 9090 Joff 021 02482072 Kaye 021 02482073

In Our Community *continued.....*

Tupoho Iwi & Community Social Services	<i>64 Campbell St, Social Work and Counselling</i>	345 2042
Wai Ora Trust	<i>49 Brunswick Rd</i>	343 5015
Whanganui District Council Animal Control		349 0517
Whanganui Safe & Free	<i>Sexual Abuse Healing</i>	343 3416
WINZ Youth Service	<i>133 Wicksteed St Dallas Hair</i>	0800 559009 965 8144
Women's Centre Inc	<i>75 St Hill St</i>	345 6833
Women & Children Shelter (Refuge)		347 8747
Youth Services Trust	<i>39 Drews Ave</i>	348 9935
Youth Line		0800 376633 or Txt 234
YMCA	<i>125 Grey St</i>	349 0197

Flow Chart for Action

APPENDIX III



POINTS TO NOTE

- 1 Documentation may subsequently be used in court as evidence for either side.
- 2 Avoid making judgements simply record the facts.
- 3 Interviewing of suspected abuse victims is a specialised procedure best left to those who are trained in such techniques.
- 4 The child advocate should be responsible for ensuring that the child's welfare remains paramount.

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

Introduction The Ministry of Education, the New Zealand School Trustees Association (NZSTA) and Child, Youth and Family (CYF) are committed to ensuring a safe and supportive learning environment for all students. The following protocol and guidelines will assist boards of trustees, principals and school staff in dealing with child abuse and neglect, and the management of child abuse allegations against board employees.

Section 15 of the Children, Young Persons, and Their Families Act 1989 (CYP&F Act) provides that:

Any person 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 may report the matter to a social worker or a constable.

As part of its responsibilities CYF promotes, by education and publicity, awareness of child abuse, the unacceptability of child abuse, the ways in which child abuse may be prevented, the need to report cases of child abuse, and the ways in which child abuse may be reported.

Part of that work is through the development and implementation of protocols for agencies (both governmental and non-governmental) and professional and occupational groups in relation to the reporting of child abuse, and monitoring the effectiveness of such protocols.

This protocol does not provide guidelines for addressing bullying in schools. That information can be found on the Ministry of Education website. If further clarity around this is required a discussion with a CYF social worker is recommended.

Purpose

In regard to student safety the National Education Guidelines (NAG 5) require a school board of trustees and principals of each state and integrated school in New Zealand to:

- Provide a safe physical and emotional environment for students; and
- Comply in full with any legislation currently in force or that may be developed to ensure the safety of students and employees.

The purpose of this protocol is to establish an agreed approach to the reporting of child abuse and neglect by those working within schools.

The protocol will ensure that:

- The welfare and interests of the child or young person are the first and paramount considerations;
- Suspected and actual abuse of a child is responded to and recorded appropriately; and
- Effective child protection requires a full, accurate and prompt sharing of information (as permitted within the law).

The inter-agency guide “let’s stop child abuse together, A guide to Recognition-Roles-Responses” provides more in depth information and should be read in conjunction with this protocol. A copy of this guide is available from your local CYF Office or on their website: http://www.cyf.govt.nz/documents/BTC_StopAbuse.pdf.

Definitions

Child and Young Person	A child is someone under the age of 14 years and a young person is someone aged 14 years and over, but under 17 years who is not or has never been married or in a civil union (section 2, CYP&F Act).
Child Abuse	Child Abuse means the harming (whether physically, emotionally or sexually), ill-treatment, abuse, neglect or deprivation of any child or young person (section 2, CYP&F Act).
Notification Referral Reporting	Notification, referral and reporting are all terms used to describe making a report of concern to Child, Youth and Family and/or Police.

Child abuse/neglect includes:

- Physical abuse.
- Sexual abuse.
- Emotional/psychological abuse e.g. family violence, exposure to illegal activities, rejection.
- Neglect e.g. medical neglect, abandonment, neglectful supervision.

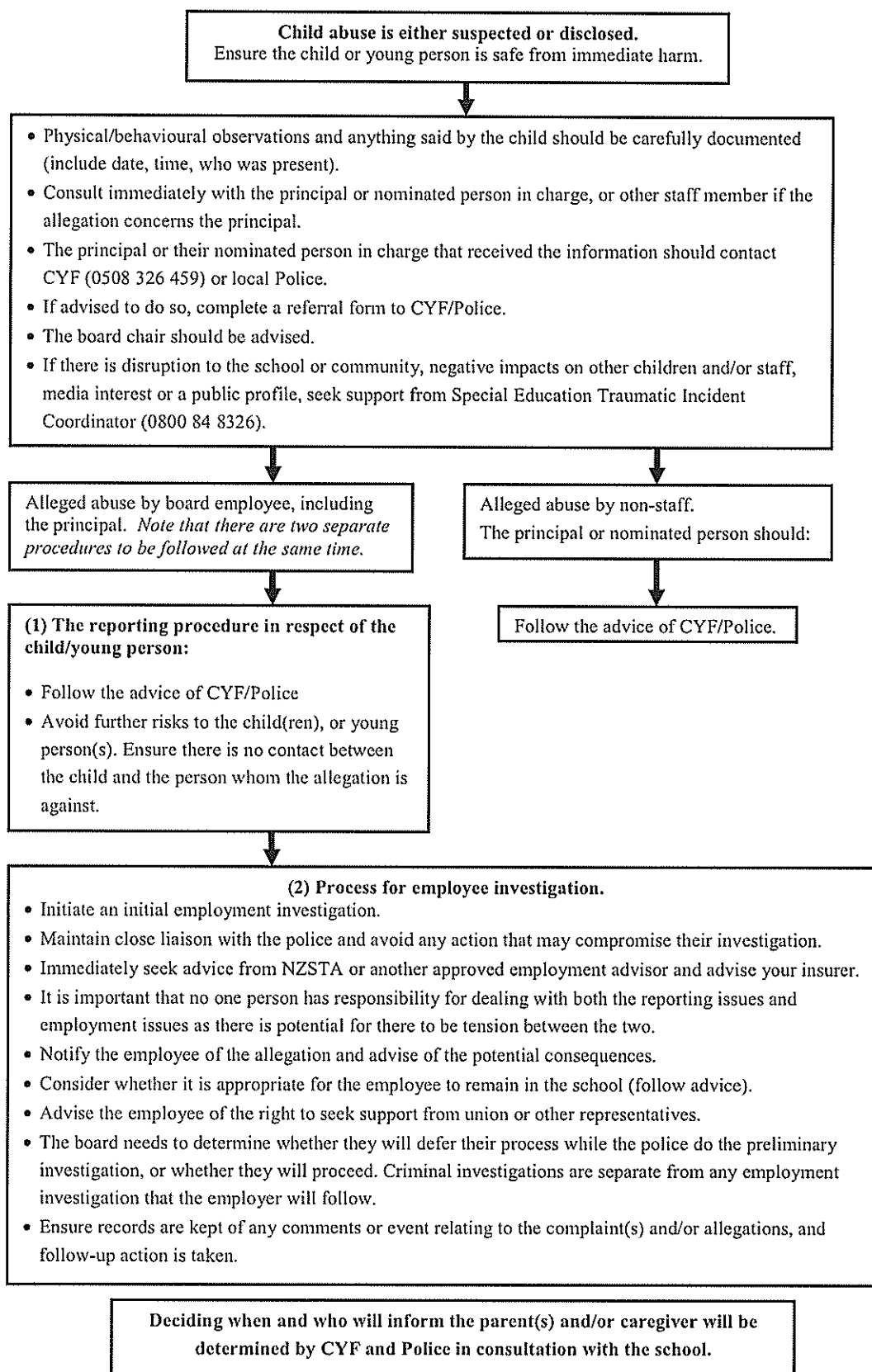
Guidelines for reporting child abuse/ neglect

- The child's safety should always be the paramount consideration in the notification process.
 - No decisions or actions in respect of suspected or actual child abuse are to be made by any staff member in isolation unless there are concerns for the immediate safety of the child.
 - A consultative approach is essential to ensure the safety of the child and the staff member. Staff must discuss their concerns with the principal or nominated person/advocate. Where applicable follow the board's complaint policy.
 - Decisions about informing parents or caregivers should be made after consultation between the school and CYF.
-

Key Contacts

Child, Youth and Family - 0508 326 459
Local Police
MoE - 0800 TI TEAM (0800 848326)
NZSTA - 0800 STAhelp (0800 782435)

Reporting Process for Suspected or Disclosed Child Abuse



**Specific actions
when reporting
child
abuse/neglect**

- If the child or young person is in danger or unsafe, act immediately to secure their safety.
- Listen to the child or young person and reassure them they did the right thing in disclosing.
- Write down what the child says, check that comments and events surrounding the concern are also recorded.
- Do not formally interview the child or young person. Obtain only necessary relevant facts for when clarification is needed.
- If the child or young person is not in immediate danger and is not upset reinvolve the student in usual school activities.
- If the child or young person is visibly upset provide appropriate activity for them under supervision with someone familiar (i.e. teacher) until they are able to re-join classroom activities.
- Hold immediate discussion with guidance counsellor, school social worker or student support personnel.
- Inform the principal, nominated person, or other staff member if the allegation concerns the principal.
- Notify CYF Contact Centre or the Police.
- Obtain during the notification an indication of likely action and their time frames. Seek advice from CYF on what to tell the child or young person (decisions concerning after school arrangements and notifying the parents will be made by police and social workers in consultation with the school).
- Get support for yourself from appropriate people if needed.

Notifications should be made to the Police or the Child, Youth and Family National Contact Centre. The Contact Centre telephone number is 0508 FAMILY (0508 326 459; fax number (09) 914 1211 or email CvfCallCentre@cyf.govt.nz

Information required for reporting

When a notification is made to Child, Youth and Family the school needs to provide the following information in the attached notification:

- Name of child/children (also known as/nicknames).
- Date of birth (if known).
- Ethnicity (if known).
- Name of caregivers, parents and other family members and current living situation.
- Current legal custodians.
- Reasons why it is believed that the child or young person is at risk.
- Other significant background information.
- The name of the contact person for Child, Youth and Family.

What happens once reporting is made

Step	Action
1	CYF Contact Centre will generate a letter to the person named as 'notifier' acknowledging the reporting, and advising which CYF site the matter was referred to recommending either further action or no further action.
2	CYF site will make the final decision as to whether or not further action will be taken and by whom. Depending on the assessed level of needs for the child/young person and their family a referral may be made to a non government organization (NGO) social service for their support.
3	If further action is to be taken the social worker allocated to the case will develop an investigation plan. This may require input from the notifier.
4	Once the reporting has been investigated CYF will contact the notifier to advise if any further action has been taken or will be taken or whether a referral will be made to an NGO for either an assessment or for provision of family support.
5	If reporting is urgent the above actions will take place immediately. • Decisions concerning after school arrangements and notifying the parents will be made by Police and social workers in consultation with the school.
6	The notifier may contact the CYF Contact Centre at any stage to obtain information on the status of the notification.

**Confidentiality
of the Notifier**

A person's name will not normally be released in the absence of a request under the Official Information Act or Privacy Act. If a request is made the information will be released unless there is a reason to withhold such as:

- The client has a history of violence and has threatened or abused staff on previous occasions; or
- The client is closely related to the notifier.

However we cannot guarantee confidentiality.
(Refer to Appendix 1: Release of notifier details under the Official Information Act 1982 and Privacy Act 1993.)

Delegation

Signed by: Ian Richards, *General Manager Service Support Child Youth and Family*

Signed on: _____ 2009:

Name: _____

Signature: _____

Signed by: Jeremy Wood, *Group Manager Schools and Student Support Ministry of Education*

Signed on: _____ 2009:

Name: _____

Signature: _____

Signed by: Lorraine Kerr, *President New Zealand Schools Trustees Association*

Signed on: _____ 2009:

Name: _____

Signature: _____

**Appendix 1
Relevant
Legislation**

Section 15 of the Children, Young Persons, and Their Families Act 1989

Section 15 provides that:

“Any person 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 may report the matter to a Social Worker or a member of the Police.”

Section 16 of the Children, Young Persons, and Their Families Act 1989

Section 16 provides protection from prosecution for people making a report under section 15, and states:

“No civil, criminal, or disciplinary proceedings shall lie against any person in respect of the disclosure or supply, or the manner of the disclosure or supply, by that person pursuant to section 15 of this Act of information concerning a child or young person (whether or not that information also concerns any other person) unless the information was disclosed or supplied in bad faith.”

Section 17 of the Children, Young Persons, and Their Families Act 1989

Section 17 provides investigation of report of ill-treatment or neglect of child or young person

(1) Where any Social Worker or member of the Police receives a report pursuant to section 15 of this Act relating to a child or young person, that Social Worker or member of the Police shall, as soon as practicable after receiving the report, undertake or arrange for the undertaking of such investigation as may be necessary or desirable into the matters contained in the report and shall, as soon as practicable after the investigation has commenced, consult with a Care and Protection Resource Panel in relation to the investigation.

(2) Where, after an investigation under subsection (1) of this section into the matters contained in a report under section 15 of this Act, the Social Worker or member of the Police to whom the report was made reasonably believes that the child or young person to whom the report relates is in need of care or protection, that Social Worker or member of the Police shall, as soon as practicable, notify a care and protection coordinator of those matters in accordance with section 18 of this Act.

(3) Where any person receives a report pursuant to section 15 of this Act relating to a child or young person, that person shall,

as soon as practicable – after

(a) That report is investigated under subsection (1) of this section;
or

(b) A decision is made not to investigate the report, -

unless it is impracticable or undesirable to do so, inform the person who made the report whether or not the report has been investigated and, if so, whether any further action has been taken with respect to it.”

Subsection (1) was substituted by s6 of the Children, Young Persons, and Their Families Amendment Act 1994.

Release of notifier details under the Official Information Act 1982 and Privacy Act 1993

Child, Youth and Family will not generally release the name of a notifier (whether a member of the public or a Ministry staff member) unless the information is requested under the Official Information Act 1982 or the Privacy Act 1993.

Members of the public will not have their names released (in most circumstances) when requests are made

Accordingly, the names of people who have made notifications to Child, Youth and Family are **not** able to be withheld following a request unless there is an **actual** threat to that person’s safety. The ground for withholding a person’s name in instances where there is in fact a reasonable threat to safety is section 27(1)(d) of the Privacy Act.

27 Security, defence, international relations, etc.

- (1) An agency may refuse to disclose any information requested pursuant to principle 6 if the disclosure of the information would be likely
 - (a) To prejudice the security or defence of New Zealand or the international relations of the Government of New Zealand; or
 - (b) To prejudice the entrusting of information to the Government of New Zealand on a basis of confidence by—
 - (i) The government of any other country or any agency of such a government; or
 - (ii) Any international organisation; or
 - (c) To prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right

to a fair trial; or

(d) To endanger the safety of any individual.

The notification report makes provision for the notifier to provide reasons to support the withholding of their details under Section 27(1)(d) of the Privacy Act. Such reasons may include:

- The client has a history of violence and has threatened or abused staff on previous occasions; or
- The client is closely related to the notifier.

Summary

In summary, a person's name will not normally be released in the absence of a request under the Official Information Act or Privacy Act. If a request is made the information will be released unless there is a reason to withhold (as outlined above). We cannot guarantee confidentiality of a notifier even if a request is made and the information withheld under section 27(1)(d). There may be some circumstances where the Family Court may require that the records in question be produced to the Court, or a complaint could be laid with the Ombudsman or Privacy Commissioner and an investigation occurs which may conclude that the Ministry is required to release the information. Such circumstances would however be rare.
