

# **CHILD PROTECTION POLICY**

**Trident High School**

**Board of Trustees**

Review Date:

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## Trident High School Policy

### Introduction

#### □ Purpose

- 1.1 [Trident High School Board of Trustees](#) considers child abuse unacceptable in all circumstances and always aims to provide the safest possible environment for children/rangatahi. The Board of Trustees is committed to the rights, welfare and safety of the child/tamariki, young person/rangatahi and to the wellbeing of children and young people under our care. The most effective way to safeguard children/rangatahi is to have a comprehensive and effective policy, with robust practices and guidelines.
- 1.2 The purpose of this policy is to provide [Trident High School](#) with practices and guidelines by which to identify and respond appropriately to concerns of abuse and neglect, and to understand their role in keeping children/rangatahi safe.

#### □ Guiding Principles

- 1.3 This policy is written under the principle that children attending [Trident High School](#) have a right to feel safe and comfortable in that care, contact and environment.

1.4 The decisions and actions of [Trident High School](#) in response to any child protection concern will be guided by the paramountcy principle of *“the welfare and best interests of the child”*.

1.5 This Child Protection Policy confirms the commitment of [Trident High School](#) to the protection of children, and proceeds to:

- outline the standards and principles by which all staff will abide
- provide guidance on how to identify and respond to concerns about the wellbeing and safety of a child/tamariki or young person/ rangatahi, including possible abuse and/or neglect
- outline the action to be taken by staff where any form of abuse or ill-treatment is known, suspected or disclosed
- establish what action is required when allegations are made against staff
- explore the implications for staff training

1.6 [Trident High School](#) will ensure that staff:

- are carefully selected with the principles of this policy in mind.
- are appropriately trained in issues of child protection.
- are aware of the Child Protection Policy and accompanying procedures and/or guidelines.

1.7 All services provided by [Trident High School](#) for the safety and wellbeing of children adhere to the principles of partnership, protection and participation; and the rights and responsibilities accorded by Te Tiriti o Waitangi.

## □ **Scope**

1.8 This policy covers all staff of [Trident High School](#), including relievers, volunteers, coaches and contractors.

1.9 For the purposes of this policy, “staff” includes the Board of Trustees of [Trident high School](#).

1.10 The Board of Trustees delegates responsibility to the Principal to ensure that all child safety procedures are implemented and available to all staff, contractors, volunteers and whanau.

## □ **Legislation**

1.11 This policy has been written with the United Nations Convention on the Rights of the Child in mind and in accordance with Section 15 of the Vulnerable Children’s Act 2014: any person in our school/kura 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 are required to report actual or suspected cases of child abuse and neglect to the statutory child protection agency (Oranga Tamariki) and/or Police.

The policy also takes consideration of the following legislation:

- Care of Children Act, 2004
- Crimes Act, 1961
- Domestic Violence Act, 1995
- Education Act 1989
- Employment Relations Act, 2000
- Health Act, 1956
- Health and Disability Sector Standards Regulations, 2001
- Health Information Privacy Code, 1994
- Human Rights Act, 1993
- Oranga Tamariki Act, 1989
- Privacy Act, 1993
- Vulnerable Children Act, 2014

## □ **Review**

1.12 This policy will be reviewed every three years, and updated regularly, to ensure it is kept up to date with changes that may have been made to legislation, related policies and procedures, and in light of operational experience.

1.13 The overall responsibility for the review of this policy rests with the Board of Trustees and the Principal of Trident High School.

## □ Definitions

1.14 For the purposes of this policy the following definitions apply:

**“Child/ren”** means any person under the age of 18 years.

**“Child Abuse”** can involve ongoing, repeated or persistent abuse, or may arise from a single incident. Child Abuse may take many forms but it can be categorised into four different types:

- i. Physical Abuse
- ii. Sexual Abuse
- iii. Emotional Abuse
- iv. Neglect

**“Designated Person for Child Protection”** is a person within the workplace who is responsible for the safeguarding of children. This person is responsible for ensuring that child protection is a key focus within [Trident High School](#), both at a strategic level and on a day to day basis. At Trident High School this person is the DP Pastoral.

**“Emotional Abuse”** is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effect on the child's self-esteem and 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 and their social competence undermined or eroded over time. A child can also experience emotional abuse by being exposed to a dysfunctional environment which includes seeing or hearing the ill treatment of others, including but not limited to being exposed to domestic violence.

**“Family Violence”** can take many forms and may include, but is not limited to, actual physical violence (to a person, pet or property), threats of physical violence (to a person, pet or property), psychological, economic or sexual abuse. Children are always affected either emotionally or physically where there is family violence even if they are not personally injured or physically present.

**“Neglect”** is characterised as the persistent failure to meet a child’s basic physical and/or psychological need. This can occur through direct and deliberate action or by omission or deliberate inaction to care for and/or protect the child. It may also include neglect of a child's basic or emotional needs.

**“Oranga Tamariki - Ministry for Children”** formally known as Child Youth and Family. Oranga Tamariki is a Government Ministry dedicated to supporting children in New Zealand whose wellbeing is at significant risk of harm now, or in the future.

**“Physical Abuse”** is a non-accidental act 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.

**“Sexual Abuse”** is an act or acts that result in the sexual exploitation of a child, whether consensual or not. Sexual abuse can be committed by a family member, relative, a trusted friend, an associate, or someone unknown to the child. Sexual abuse includes situations where the adult seeks to have the child touch them for a sexual purpose, and where they involve the child in pornographic activities or prostitution.

**“Staff”** means any person working at [Trident High School](#) and includes but is not limited to teaching and non-teaching staff, those staff, paid or voluntary, employed directly by [Trident High School](#), the Board of Trustees of [Trident High School](#), as well as those professionals contracted or invited to provide services to children in the care of [Trident High School](#).

**“Supervising adult”** of a child or of children means a parent, guardian, relative, family friend or carer, and/or an adult acting as “parentis in loci”.

## Section Two

### **Roles and Responsibilities of Staff**

2.1 [Trident High School](#) recognises that all staff have a full and active part to play in protecting children at [Trident High School](#) from harm.



2.2 [Trident High School](#) is responsible for ensuring that all staff understand and adhere to this policy and have undertaken the appropriate child protection training.

2.3 It is the primary 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.

2.4 Each member of staff must:

- be aware of, and alert to, potential indicators of abuse or neglect
- record a factual account of any concerns they have, or that are brought to their attention
- appropriately seek advice and support from the DP Pastoral and/or HOD Guidance and Counselling who will then contact external agencies if appropriate

2.5 The statutory responsibility to investigate allegations of child abuse rests with Oranga Tamariki and the NZ Police. No member of [Trident High School](#), including staff, the Board of Trustees, the Principal, and the DP Pastoral, are permitted or mandated to investigate allegations of abuse.

## □ **Role of the Principal**

2.6 The overall responsibility for the implementation of this policy rests with the Principal of [Trident High School](#).

2.7 The role of the Principal is to:

- ensure that the needs and rights of children come first - the safety and wellbeing of each child is the paramount consideration.
- Develop appropriate procedures to meet child safety requirements as required and appropriate to the school.
- Comply with relevant legislative requirements and responsibilities

- Make this policy available on the school's internet site or available on request.
- Ensure that every contract or funding arrangement, that the school enters into, requires the adoption of child protection policies where required.
- receive information that suggests potential or actual risk of harm to a child who attends [Trident High School](#), irrespective of whether the alleged abuse is current, past or likely to occur. The Principal will advise and support staff and, on the basis of the initial detail, will make a decision as to whether or not to delegate the matter to the Deputy Principal and/or HOD Guidance and Counselling for further action.
- make any referrals to Oranga Tamariki or the NZ Police as appropriate.
- ensure that all allegations are managed sensitively and appropriately.
- Recognise the rights of family/whānau to participate in decision-making about their children when appropriate.
  - Health services for the care and protection of children are built of a bicultural partnership in accordance with Te Tiriti o Waitangi. Wherever possible the family/whanau, hapu and iwi participate in making decisions affecting the child/tamariki or young person/rangatahi.
  - Develop good working relationships with statutory child protection agencies in order to respond appropriately and sensitively to the needs of children in a manner proportionate to the need and risk.
- ensure that there is no internal investigation without appropriate consultation and a decision whether a response from Oranga Tamariki or the Police is required.
- ensure that allegations or complaints against staff are appropriately referred to the Education Council of Aotearoa New Zealand (EDUCANZ).
- ensure that all staff are aware of, and have access to, full copies of the procedures for reporting child abuse.
- ensure that all staff are recruited and employed in accordance with the guidelines identified in the Employment Policy to identify those people safe to work with children. THS recruitment policies will reflect a commitment to child protection by including comprehensive vetting and screening procedures.

- ensure that all staff receive child protection training. All staff are able to identify the signs and symptoms of potential abuse and neglect and are able to take appropriate action in response ([www.childmatters.org.nz](http://www.childmatters.org.nz)). Teaching staff should 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.
- Seek advice as necessary from NZSTA advisors on employment matters and other relevant agencies when child protection/safety issues arise.
- Promote a culture where staff feel confident that they can constructively challenge poor practice or raise concerns without fear of reprisal.

## □ **Role of the Designated Person for Child Protection / DP Pastoral**

2.8 A Designated Person for Child Protection is responsible for ensuring that child protection is a key focus within [Trident High School](#) and that appropriate protocols, procedures, and training are in place.

2.9 [Trident High School](#) must ensure that a Designated Person for Child Protection is appointed. The Designated Person for Child Protection must:

- be available and accessible to staff
- be a senior member of staff
- have the authority to carry out the duties of the Designated Person for Child Protection role
- be capable of directing other staff if appropriate
- be given comprehensive training and/or have experience of child protection.

2.10 The role of the Designated Person for Child Protection is to:

- ensure that the needs and rights of children come first as the safety and wellbeing of each child is the paramount consideration in all circumstances.
- maintain the confidentiality of the child and whanau and seek support from HOD Guidance and Counselling in maintaining confidentiality and mitigating risk.

- ensure and safeguard clear, confidential, detailed and dated records on all child protection cases. These must contain all available information relating to the cause for concern and any subsequent action taken, including when it has been decided not to make a notification to Oranga Tamariki or the Police when abuse has not occurred or other appropriate referrals may be made. These records will be kept separate from student's records for the purpose of confidentiality.
- establish a close link with the relevant local child protection agencies to ensure clear and effective communication and be a recognised contact within [Trident high School](#) for agencies to contact regarding concerns.
- work in co-operation with the parents/caregivers and whānau, unless this compromises the safety of the child.
- where a referral to statutory agencies ( Oranga Tamariki and/or Police) is not appropriate, this may mean ongoing counselling from the school counsellor(s) and/or a referral to an external support agency.
- work closely and effectively with Oranga Tamariki ensuring information is appropriately shared to effectively safeguard the child.
- arrange for counselling/support through the school counsellors or external agency (ACC funding) after the disclosure of abuse.
- ensure that all staff are supported appropriately when dealing with child protection concerns. Refer staff who have been involved with child abuse disclosures to HOD Guidance and Counselling for counselling support.
- maintain a current awareness of the children who have engaged with Oranga Tamariki and highlight the needs of these children to the appropriate staff, whilst maintaining the confidentiality and mana of the student.
- consult with the Principal regarding all child protection concerns.

**The Designated Person for Child Protection for [Trident High School](#) is Deputy Principal – Pastoral.**

## □ **Role of the Board of Trustees**

2.11 The role of the Board of Trustees is to:

- ensure that the needs and rights of children come first as the safety and wellbeing of each child is the paramount consideration in all circumstances.
- Commit to a culture of child protection and wellbeing
- Understand and implement legal obligations bound by this policy
- Assign/delegate appropriate roles
- support the Principal and the Designated Person for Child Protection (DP Pastoral) to ensure that all allegations are managed appropriately.
- ensure that no investigation occurs without appropriate consultation and a decision whether a response from Oranga Tamariki or the Police is required.
- support the Principal to ensure that allegations or complaints are appropriately referred to the Education Council of Aotearoa New Zealand (EDUCANZ).
- inform the Principal immediately should any member of the Board of Trustees be aware of a concern for the wellbeing and safety of a child who attends [Trident High School](#).
- the Chair of the Board of Trustees will be directly informed of any allegations of abuse against the Principal.
- Evaluate and review policies

## Section Three

### **Child Protection Procedures**

3.1 The procedures set out in section three of this policy provide staff guidelines to assist in identifying and responding appropriately to concerns of abuse and neglect, and to understand their role in keeping children safe

3.2 The procedures set out below will help staff with:

- the identification of abuse
- handling disclosures, whether verbal or behavioural, from a child
- reporting procedures

#### **□ Identification of abuse**

3.3 Any member of staff may directly witness child abuse or have allegations, made by a child or an adult, relayed to them. There may also be disclosures of abuse that have occurred prior to attending [Trident High School](#). Sustained abuse and neglect of children, wherever it occurs, can have major long term effects on all aspects of children's health, development and well-being and their ability to sustain stable and meaningful relationships in the future.

3.4 Staff should be alert and aware of the fact that child abuse can occur in many different settings and forms and may come to light in a variety of different ways. These can include, but are not limited to:

- Direct or indirect disclosure by the child;
- Direct or indirect disclosure from someone known to the child;
- Suspicions of abuse by those involved with the child;
- Allegations and/or direct observations or signs displayed in the child's physical or emotional behaviour;
- Direct witnessing of abuse.

3.5 The signs and indicators of abuse to a child may not be immediately obvious or identifiable. Appendix One of this policy sets out a non-exhaustive list of signs and indicators to help identify abuse.

3.6 If a member of staff is unsure if they ought to report an incident or if they are unsure about what might constitute child abuse, they should ask for advice and guidance from DP Pastoral and/or HOD Guidance and Counselling. If the DP Pastoral and HOD Guidance and Counselling is unavailable for advice and guidance, then staff should consult with the Principal. At any time, staff may seek advice from Oranga Tamariki (0508 326 459) regarding child protection concerns.

## □ **Responding to Child Abuse/Suspected Child Abuse**

3.7 Everything must be done to ensure the ongoing safety of the child or young person concerned, along with the ongoing safety of any other child who is in close connection to the alleged offender. The child is the primary concern and all other concerns (including the guilt or innocence of the alleged offender) must be secondary. This does not mean that the alleged offender is to be

considered guilty without due investigation, but that the child's concerns, and safety, come first. In no way must any child be left in a harmful, or potentially harmful, situation.

3.8 Where a concern about a child does not amount to suspicion of child abuse and/or neglect it could be harmful to the wellbeing of the child and their whanau to make a notification to statutory agencies. Instead staff should partner with DP Pastoral and HOD Guidance and Counselling and/or community social service agencies to identify and address the needs of the child and whanau.

## □ **Handling disclosures from a child**

3.9 Disclosure of abuse may come directly from the child. In such circumstances it is important to respond in a calm, caring and sensitive manner. It is important that staff take what the child says seriously. This applies irrespective of the setting, or the member of staff's own opinion on what the child is saying. The child is never to blame in situations of abuse and should be reassured they have done nothing wrong, either in relation to the abuse itself or in reporting it.

3.10 Children need to know that staff are listening and taking seriously the information divulged. Children need staff to respond positively to ensure their future protection. It is important to record what is said at the time, if appropriate, or as soon as possible following the disclosure. It is not appropriate to enquire into further details at this stage. The child also needs information and an explanation of what will, or is likely to, happen next.

3.11 If a child discloses information regarding actual or suspected child abuse staff must:

- stay calm
- listen and hear
- give time to the child to say what they want
- reassure them that it was right to tell
- tell the child that they are being taken seriously and that they are not to blame
- explain that they have to pass on what the child has told them as soon as they are aware that the child is making a disclosure

- give an age appropriate explanation to the child of what the child can expect to happen next
- record in writing what was said as soon as possible, using the child's own words where possible.
- If the child is distressed arrange a calm and quiet space and arrange counselling support from the school counsellor(s)
- Consult with DP Pastoral and/or HOD Guidance and Counselling

Staff must not:

- make the child repeat the story unnecessarily
- promise to keep secrets
- enquire in to the details of the alleged abuse
- ask leading questions

3.12 Under no circumstances should a member of staff attempt to conduct an investigation or deal with concerns of abuse by themselves.

## □ **Child-on-Child Harmful Behaviours**

3.13 It is important to be aware that children can harm other children. These behaviours are outside of what may be considered the normal range, and can extend to bullying, violence or sexual assault. Therefore, when a child alleges inappropriate harmful behaviour by another child then the child protection procedures outlined in this policy must be considered for both the children.

## □ **Reporting procedures**

3.14 All [Trident High School](#) staff must report concerns or allegations of child abuse to the DP Pastoral and/or HOD Guidance and Counselling at the first possible opportunity to best ensure the safety of the child. If these people are unavailable, then consultation should occur with the Principal. A decision will be made as to whether to notify Oranga Tamariki. If an immediate



response is required to ensure the child's safety, staff should contact Oranga Tamariki and/or the NZ Police directly.

For an urgent referral call the Oranga Tamariki Contact Centre 0508 EDASSIST (0508 332 774) or the Police.

3.15 The child needs to be made aware of the full consequences of the disclosure ie: there could be a criminal charge facing the person/s perpetrating the abuse and the student will be required to make an evidential disclosure to Oranga Tamariki. Every attempt should be made to secure the child's permission, where a report of concern is being made to Oranga Tamariki. This conversation will be facilitated by the school counsellor and/or DP Pastoral.

3.16 All concerns or allegations of sexual abuse must be reported to Oranga Tamariki and/or the NZ Police.

3.17 When reporting an incident staff should:

- Inform the DP Pastoral and/or HOD Guidance and Counselling as soon as possible (or the Principal, or Oranga Tamariki in their absence)
- Record in writing all conversations and actions taken and keep these records securely
- Respect the privacy of the child and whānau by only speaking with the appropriately designated people about the report of concern.

3.18 Effective documentation, including referrals and notifications, must include:

- A record of facts, including observations, with times and dates
- What was said and by whom, using the person's words
- What action has been taken, by whom and when

3.19 All decisions, including if the concern does not require notifying Oranga Tamariki or the Police, must be recorded in writing and kept securely with the reasons clearly identified and explained.

## □ **Keeping the child's family/whānau informed and involved**

3.20 Although the parent/caregiver or whānau of the child will usually be informed of concerns, there may be times when those with parental responsibility may not be initially informed. This may happen when:

- the parent or caregiver is the alleged offender
- it is possible that the child may be intimidated into silence
- there is a strong likelihood that evidence will be destroyed
- the child does not want their parent or caregiver involved and they are of an age when they are competent to make that decision

3.21 If a notification to statutory child protection agency is required, the school counsellor(s) will work with whanau, when appropriate, to build support networks and to offer support.

3.22 A referral to an external social service agency may be appropriate. This may include:

- Voyagers
- Tuhoe Hauora
- Ngāti Awa Social Services
- Tautoko Mai
- ACC accredited counsellors

## □ Confidentiality and Information Sharing

3.23 The safety of a child is paramount. At times a child is unable to speak for or protect themselves. Therefore [Trident High School](#) has a greater responsibility to know when and how to share appropriate information with external agencies to protect the safety and wellbeing of children.

3.24 Under the Privacy Act 1993, the giving of information to protect children is not a breach of confidentiality. Wherever possible the family/whānau should be kept informed of what information has been shared and to which agency, and for what purpose.

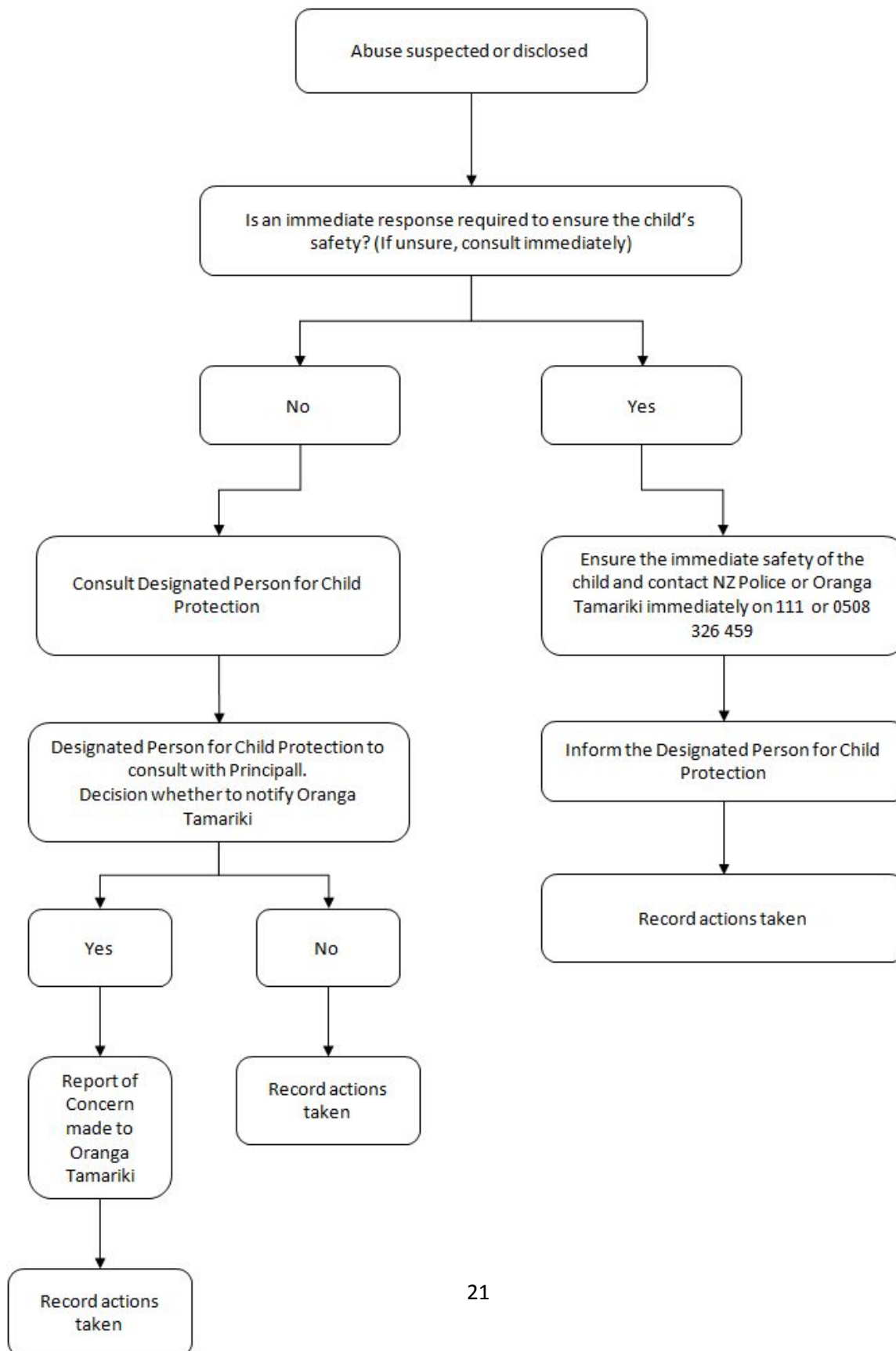
3.25 Under the Oranga Tamariki Act 1989, if a member of staff raises a legitimate concern in good faith about suspected child abuse, which proves to be unfounded on investigation, no civil, criminal or disciplinary proceedings may be brought against that staff member.

3.26 Should [Trident High School](#) be contacted with a request from Oranga Tamariki for information or access to interview a child then the following procedure will be followed:

- Confirm identity and credentials of person requesting information
- Notify the Principal and the DP Pastoral
- Identify specific information required and purpose
- Check that [Trident High School](#) holds the information requested
- The Principal is to identify a way forward and provide permission to share information
- It is the responsibility of Oranga Tamariki and/or Police to inform whanau that the student is being interviewed, if that is regarded as appropriate.
- Acknowledge that the child has the right to a support person who they have confidence in present at the interview. This staff member is experienced in pastoral care and is able to promote the rights of the child. The student will be able to choose whether they would like to be supported in the interview by the DP Pastoral or not. The staff member who supports the child is made aware that they may be required to go to court.
- Offer counselling support from the school counsellor immediately following the interview or inform HOD Guidance and Counselling so that the student can be supported in follow up.

- Document all steps in the process. Ensure that all documentation is securely kept.

### Child Protection Procedures Flowchart:



## Section Four

### Safe Recruitment of Staff

4.1 [Trident High School](#) is committed to applying employment and selection processes which emphasise the importance of child protection, regardless of whether this position is paid or voluntary, permanent, part time or casual.

4.2 All appointments will be conditional on the completion and outcome of safety checks, including a Police check.

4.3 Safety checking under the Vulnerable Children's Act 2014 will only be mandatory for paid workers.

4.4 With regards volunteers, school managers and teachers should keep accurate records about the safety checking process, including when each aspect of the check was completed. They must be assured that the checks done by other individuals or organisations have been adequately conducted and have performed a final assessment of the risk the person would pose if employed as an EOTC provider.

4.5 Further information regarding safety checking and the recruitment of staff is found in the [Trident High School](#) Employment Policy.

#### □ **Child Protection Training of Staff**

4.6 All staff and volunteers who work with, or who have contact in the course of their work with, children will be given appropriate training covering basic awareness of child protection. This will include an overview of signs and indicators of abuse, as well as the procedure for responding to actual or suspected abuse. This training will include:

- Roles and responsibility of staff regarding child protection
- Recognising and responding to the signs and indicators of actual or suspected abuse

- Ensuring staff receive a copy this Policy, can understand it, and can follow the Procedures for reporting a concern

4.7 All new staff will receive child protection training, and will be given a copy of this policy, as part of the induction process.

4.8 All other staff, including the DP Pastoral, will receive updated child protection training every three years as a minimum.

## Section Five

### Safe Working Practices

**All staff are expected to behave in a manner consistent with the [Trident High School Code of Conduct](#).**

5.1 A relationship between an adult and a child cannot be a relationship between equals. There is a potential for exploitation and harm of vulnerable young people. Adults have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

5.2 Staff should always maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. Staff who work with children must therefore act in a way that is considered to be safe practice.

5.3 It is imperative that in all dealings with children, a balance is struck between the rights of the child and the need for intervention. When physical contact is made with a child this should be in response to their needs at the time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background. Staff should always use their professional judgement, observe and take note of the child's reaction or feelings and use a level of contact and/or form of communication which is acceptable to the child or young person for the minimum amount of time necessary.

5.4 Communication between children and adults, by whatever method, should take place within clear and explicit professional boundaries. This includes the wider use of technology such as mobile phone, text messaging, emails, digital cameras, videos, web-cams, websites, social networking and blogs. Staff should not share any personal information with a child or young person. They should not request, or respond to, any personal information from the child other than that which might be appropriate as part of their professional role. Staff should ensure that all communications are transparent and open to scrutiny.

5.5 Any sexual activity between staff and a child will be regarded as a criminal offence and will always be a matter for disciplinary action.

## Section Six

### **Dealing with allegations made against members of staff regarding inappropriate actions with children**

**Any internal disciplinary investigation should be conducted separately from Section Six of this policy. Any internal disciplinary action should not contradict Section Six of this policy**

6.1 [Trident High School](#) has a duty of care to the children it provides services to. A failure to report a significant concern about a child is a breach of that child's human rights.

6.2 All staff have a responsibility to understand what constitutes appropriate behaviour in relation to children. All staff have a responsibility to maintain appropriate standards of behaviour and to report lapses in these standards by others.

6.3 Anyone who has reason to make a complaint will be made aware of the [Trident High School](#) complaint process. There is potential that an issue raised as a complaint may also constitute an allegation of abuse. Any such complaint that raises a child protection issue will be referred directly to the Principal.

6.4 Making a disclosure or a complaint against someone in a position of power and authority is difficult and it must be clearly communicated with the complainant, whether that be the child themselves, a member of staff, or any other person, that their concern is being taken seriously and will be responded to in accordance with this policy



6.5 Allegations, suspicions or complaints of abuse against staff, volunteers or representatives of other agencies must be taken seriously and reported to the Principal who will deal with them immediately, sensitively and expediently within the procedures outlined in this policy. Concerns may be raised a number of ways e.g.:

- Directly by staff hearing or observing issues of concern or behaviour of concern
- Direct disclosure by the child
- Indirect disclosure e.g. through written or art work or through friends
- Complaint from a parent or caregiver or whanau member
- Reports by other colleagues or agencies
- As an anonymous report

6.6 If an allegation, suspicions or complaints of abuse against staff is made, the staff member has the right to representation from the PPTA or other appropriate union or legal representative.

6.7 If the allegation is against the Principal then this must be reported directly to the Chair of the Board of Trustees.

6.8 It is **NOT** the responsibility of staff to investigate allegations of child abuse. Allegations against staff will be discussed with the Board of Trustees where a decision will be made if a notification to Oranga Tamariki and/or the Police is appropriate. All concerns or allegations of sexual abuse must be reported to Oranga Tamariki and /or the NZ Police.

6.9 In all child protection cases [Trident High School](#) will co-operate and develop positive working relationships with both Oranga Tamariki and the Police in their investigations and assessments.

6.10 If the Police decide to undertake a criminal investigation then the member of staff may be suspended. It is important that no internal investigation is undertaken, and no evidence gathered that might prejudice an official Police or Oranga Tamariki investigation.

6.11 Even if there is insufficient evidence to pursue a criminal prosecution, then an internal disciplinary investigation may still be undertaken subject to internal disciplinary procedures.

6.12 A complaint or allegation against a member of staff may require a report to Education Council of Aotearoa New Zealand (EDUCANZ). Further information regarding the thresholds for reports to EDUCANZ can be found in Appendix Two.

6.13 The Principal will deal with the matter in accordance with NZSTA advice and in conjunction with the THS Disclosure Policy.

6.14 A person tendering his or her resignation, or ceasing to provide their services, will not prevent an allegation of abuse against a child being followed up in accordance with these procedures.

## Appendix One

### Indicators of Abuse

There is an appreciation that identifying abuse is a complex presentation of a constellation of factors. Each situation is different and staff will consider all available information about the child and their environment before making conclusions.

The indicators for child abuse and neglect fall into three general categories:

**Physical indicators:** Injuries to a child that are severe, occur in a pattern or occur frequently. These injuries range from bruises to broken bones to burns or unusual lacerations and are often unexplained or inconsistent with the explanation given.

**Behavioural indicators:** The child's actions, attitudes, and emotions can indicate the possibility of abuse or neglect. Behavioural indicators alone are much less reliable than physical indicators, as a child's behaviour may be the result of a variety of other problems or conditions. When observing changes in behaviour, look for the frequency and pattern of the new behaviour, as well as a child's age and stage of development. For example, it is normal for younger children to be wary of adults, as they may have been taught not to talk to strangers. Look for a combination of physical and behavioural indicators.

**Caregiver indicators:** Caregivers who abuse, neglect or exploit children are either unable or unwilling to provide care and protection in an appropriate way. Those who are unable to provide care and protection may be physically unable due to their own medical or health condition. They may be overly stressed, tired, or working under the influence of drugs or alcohol which limits their abilities. Caregivers who are unwilling to provide children with the appropriate level of care and protection are more aware that what they are doing is wrong but continue to act in that way. These caregivers may not view the child as someone who has feelings and emotions and often have the need to control others or have displaced aggression towards weaker persons.

The indicators alone do not prove child abuse or neglect. Likewise, the absence of indicators does not exclude the possibility that abuse is occurring. If you have any concerns about the wellbeing of a child or

young persons, seek advice from the DP Pastoral, HOD Guidance and Counselling, Principal or Oranga Tamariki.

#### □ **Emotional Abuse Indicators**

- Physical Indicators
  - Bed wetting or bed soiling with no medical cause
  - Frequent psychosomatic complaints (e.g. headaches, nausea, abdominal pains)
  - Non-organic failure to thrive
  - Pale, emaciated
  - Prolonged vomiting and/or diarrhoea
  - Malnutrition
  - Dressed differently to other children in the family
- Behavioural Indicators:
  - Severe developmental lags with obvious physical cause
  - Depression, anxiety, withdrawal or aggression
  - Self-destructive behaviour. This can include self-harm, suicide, alcohol and drug abuse
  - Overly compliant
  - Extreme attention seeking behaviours or extreme inhibition
  - Running away from home, avoiding attending at school
  - Nightmares, poor sleeping patterns
  - Anti-social behaviours
  - Lack of self esteem
  - Obsessive behaviours
  - Eating disorders
- Caregiver Indicators:
  - Labels the child as inferior or publicly humiliates the child (e.g. name calling)
  - Treats the child differently from siblings or peers in ways that suggest dislike for the child
  - Actively refuses to help the child
  - Constantly threatens the child with physical harm or death
  - Locks the child in a closet or room for extended periods of time

- Teaches or reinforces criminal behaviour
- Withholds physical and verbal affection
- Keeps the child at home in role of servant or surrogate parent
- Has unrealistic expectations of child
- Involves child in adult issues such as separation or disputes over child's care
- Exposes child to situations of arguing and violence in the home

#### □ **Neglect Indicators**

- Physical Indicators:
  - Dressed inappropriately for the season or the weather
  - Often extremely dirty and unwashed
  - Severe nappy rash or other persistent skin disorders
  - Inadequately supervised or left unattended frequently or for long periods
  - May be left in the care of an inappropriate adult
  - Does not receive adequate medical or dental care
  - Malnourished - this can be both underweight and overweight
  - Lacks adequate shelter
  - Non-organic failure to thrive
- Behavioural Indicators:
  - Severe developmental lags without an obvious physical cause
  - Lack of attachment to parents/caregivers
  - Indiscriminate attachment to other adults
  - Poor school attendance and performance
  - Demanding of affection and attention
  - Engages in risk taking behaviour such as drug and alcohol abuse
  - May steal food
  - Poor social skills
  - No understanding of basic hygiene
- Caregiver Indicators:
  - Puts own need ahead of child's

- Fails to provide child's basic needs
- Demonstrates little or no interest in child's life - does not attend school activities, social events
- Leaves the child alone or inappropriately supervised
- Drug and alcohol use
- Depression

#### □ **Physical Abuse Indicators**

- Physical Indicators:
  - Bruises, welts, cuts and abrasions
  - Unexplained injuries
  - Burns - small circular burns, immersion burns, rope burns etc
  - Fractures and dislocations - skull, facial bones, spinal fractures etc
  - Multiple fractures at different stages of healing
  - Fractures in very young children
  
- Behavioural Indicators:
  - Inconsistent or vague explanations regarding injuries
  - Wary of adults or a particular person
  - Vacant stare or frozen watchfulness
  - Cringing or flinching if touched unexpectedly
  - May be extremely compliant and eager to please
  - Dresses inappropriately to hide bruising or injuries
  - Runs away from home or is afraid to go home
  - May regress (e.g. bedwetting)
  - May indicate general sadness
  - Could have vision or hearing delay
  - Is violent to other children or animals
  
- Caregiver Indicators:
  - Inconsistent or vague explanations regarding injuries
  - May appear unconcerned about child's wellbeing
  - May state the child is prone to injuries or lies about how they occur

- Delays in seeking medical attention
- May take the child to multiple medical appointments and seek medical treatment without an obvious need

## □ **Sexual Abuse Indicators**

- Physical Indicators:
  - Unusual or excessive itching or pain in the genital or anal area
  - Torn, stained or bloody underclothing
  - Bruises, lacerations, redness, swelling or bleeding in genital, vaginal or anal area
  - Blood in urine or stools
  - Sexually transmitted infections
  - Pregnancy
  - Discomfort in sitting or fidgeting as unable to sit comfortably
- Behavioural Indicators:
  - Age-inappropriate sexual play or language
  - Bizarre, sophisticated or unusual sexual knowledge
  - Refuses to go home, or to a specific person's home, for no apparent reason
  - Fear of a certain person
  - Depression, anxiety, withdrawal or aggression
  - Self-destructive behaviour. This can include self-harm, suicide, alcohol and drug abuse
  - Overly compliant
  - Extreme attention seeking behaviours or extreme inhibition
  - Dresses inappropriately to hide bruising or injuries
  - Eating disorders
  - Compulsive behaviours
- Caregiver Indicators:
  - May be unusually over-protective of the child
  - Accuses the child of being sexually provocative
  - Misuses alcohol or drugs
  - Invades the child's privacy (e.g. during dressing, in the bathroom)
  - May favour the victim over other children

## □ **Family Violence Indicators**

- Indicators in the Child:
  - Physical injuries consistent with the indicators of Physical Abuse
  - Absenteeism from school
  - Bullying or aggressive behaviour
  - Complaints of headaches or stomach aches with no apparent medical reason
  - Talking or describing violent behaviours
  
- Indicators in the Victim:
  - Physical Injuries including: bruising to chest and abdomen, injuries during pregnancy
  - Depression and/or anxiety
  - Inconsistent explanations for injuries
  - Fearful
  - Submissive
  
- Indicators in the Offender:
  - Isolates and controls partner and children
  - Threatens, criticises, intimidates, uses aggressive and physical abuse towards partner and children
  - Minimises and denies own behaviour, or blames victim for the perpetrators own behaviour





## Appendix Two

### Education Council of Aotearoa New Zealand

#### Criteria for Reporting Serious Misconduct

#### (Education Council Rules 2016)

If a school believes a teacher could be guilty of serious misconduct, they have a legal obligation to report this to the Education Council. This is a mandatory report. The criteria for reporting serious misconduct are contained in the Education Council Rules 2016, in Rule 9, which is set out below:

Rule 9: Criteria for Reporting Serious Misconduct:

1. For the purposes of section 394 of the Education Act 1989, which imposes the general requirement that employers have to report serious misconduct, an employer of a teacher must immediately report to the Education Council if it has reason to believe that the teacher has engaged in any of the following kinds of serious misconduct:
  - (a) physical abuse of a child or young person (which includes physical abuse carried out under the direction, or with the connivance, of the teacher):
  - (b) sexual abuse of a child or young person (which includes sexual abuse carried out under the direction, or with the connivance, of the teacher):
  - (c) psychological abuse of a child or young person, which may include (but is not limited to) physical abuse of another person, or damage to property, inflicted in front of a child or young person, threats of physical or sexual abuse, and harassment:
  - (d) an inappropriate relationship with a person under the age of 16 years:
  - (e) an inappropriate relationship with a student with whom the teacher is, or was when the relationship commenced, in contact as a result of his or her position as a teacher:
  - (f) neglect or ill-treatment of a child or young person in the teacher's care:
  - (g) neglect or ill-treatment of an animal in the teacher's care:

(h) theft or fraud:

(i) manufacture of, cultivation of, supply of, dealing in, or use of controlled drugs:

(j) permitting, or acquiescing in, the manufacture of, cultivation of, supply of, dealing in, or use of controlled drugs by a child or young person:

(k) viewing, accessing, or possessing pornographic material while at a school or early childhood education service or engaged in the business of a school or early childhood education service:

(l) viewing, accessing, or possessing pornographic material that depicts children or young persons or that depicts animals engaged in sexual acts with humans:

(m) breaching the standards or rules of the school or early childhood education service concerning the use of alcohol at the school or while engaged in the business of the school or early childhood education service:

(n) any other act or omission that could be the subject of a prosecution for an offence punishable by imprisonment for a term of 3 months or more:

(o) any act or omission that brings, or is likely to bring, discredit to the teaching profession.

2. Physical, sexual, or psychological abuse is reportable whether it occurs as—

(a) a single act; or

(b) a number of acts forming part of a pattern of behaviour, even if some or all of those acts, viewed in isolation, are minor or trivial.