

1.13 CHILD PROTECTION



N E L S O N
C O L L E G E

Approved by: Board of Trustees
Contact: Headmaster
Group: Senior Leadership Team

Date effective: July 2018
Review date: July 2021
Reviewed by: Senior Leadership Team & Guidance

Rationale:

This policy outlines Nelson College's commitment to child protection. It includes protocols when child abuse is reported or suspected. It also includes practice notes on measures to be taken to prevent child abuse and provides appropriate procedures for dealing with cases of neglect or abuse which occur external to the school environment.

All staff are expected to be familiar with this policy and to abide by it.

Purposes:

Nelson College has an obligation to ensure the wellbeing of students in our care and are committed to the prevention of child abuse and neglect and to the protection of all children. The safety and wellbeing of the child is a top priority when investigating suspected or alleged abuse.

Nelson College supports the roles of the New Zealand Police (the Police) and Oranga Tamariki – Ministry for Children, in the investigation of suspected abuse and will report suspected/alleged abuse to these agencies.

Nelson College supports families to protect their children.

Nelson College provides a safe environment, free from physical, emotional, verbal or sexual abuse.

Responsibility for implementation:

Board of Trustees

Delegates responsibility to the Headmaster to ensure that all child safety procedures are implemented and available to all staff, contractors, volunteers and parents.

Headmaster with Leadership Team.

Are responsible for the development of appropriate procedures to meet child safety requirements as required and appropriate to the school and will ensure all relevant legislative requirements and responsibilities are complied with.

Guidance Team

Will provide appropriate feedback and support to staff and the Leadership Team

All School Staff

Will be aware of the policies and have access to the procedures to be followed in the event of a disclosed or suspected case of abuse.

Guidelines & Procedures

1. The interest and protection of the child is paramount in all actions. The College recognises the rights of family to participate in the decision-making about their children.
2. 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.
3. The Headmaster, in consultation with Guidance staff, will decide what action should follow a report of abuse or suspected abuse of a student of the College. Where appropriate (either Police or Oranga Tamariki– Ministry for Children will be notified of serious harm and/or abuse of a student.)
4. The College has a commitment to ensure that all staff are able to identify the signs and symptoms of potential abuse and neglect and are able to take appropriate action in response.

5. The College is committed to support all staff or work in accordance with this policy, to work with partner agencies and organisations to ensure child protection policies are consistent and high quality.
6. The College will always comply with relevant legislative responsibilities.
7. The College is committed to share information in a timely way and to discuss any concerns about an individual child with colleagues under the advice of senior leaders and/or guidance staff.
8. The College is committed to promoting a culture where staff feel confident that they can constructively challenge poor practice or raise issues of concern without fear of reprisal.

The College recognises and supports section 2(i) of the Registered Teacher Criteria requiring staff to “demonstrate commitment to promoting the well-being of all learners by taking all reasonable steps to provide and maintain a teaching and learning environment that is physically, socially, culturally and emotionally safe”.

Advice will be sought as necessary from NZSTA advisors on employment matters and other relevant agencies where child safety issues arise.

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

9. All concerns and observations will be documented by the Guidance staff (usually the Guidance Counsellor) and the medical practitioner to whom the College refers cases for attention should be advised.

A consultative approach is essential to ensure the safety of the child and the staff member.

Staff must discuss their concerns with a senior administrator or nominated person/advocate. Where applicable the staff disciplinary policy will be followed.

Decisions about informing parents or caregivers should be made after consultation between the school and Oranga Tamariki – Ministry for Children.

10. This policy will form part of the initial staff induction programme for each staff member.

Identifying possible abuse or neglect

To download the Oranga Tamariki – Ministry for Children “*Identify Abuse*” see www.orangatamariki.govt.nz/identify-abuse

This resource produced by Oranga Tamariki – Ministry for Children is for people in social service agencies. Schools, healthcare organisations, community and other groups who have close contact with children and families. It includes useful information about identifying possible child abuse and an assessment framework.

Responding to suspected abuse or neglect

To download the “Child Abuse Reporting Process – www.orangatamariki.govt.nz/how-we-get-involved/what-happens-first.”

All suspicions or observed incidents or reports of incidents should be reported directly to a senior administrator as soon as possible, who will immediately take steps to protect the child(ren), record the report and report the concern to Oranga Tamariki – Ministry for Children

If there is clear evidence or reasonable cause to believe an instance of child abuse having taken place, the Headmaster in consultation with the HOD Counselling shall notify Oranga Tamariki – Ministry for Children.

In addition to guiding staff to make referrals of suspected child abuse and neglect to the statutory agencies (ie Oranga Tamariki – Ministry for Children and the Police), this child protection policy will also help staff to identify and respond to the needs of the many vulnerable children whose wellbeing is of concern.

In many of these cases the involvement of statutory agencies would be inappropriate and potentially harmful to families.

Throughout New Zealand statutory and non-statutory agencies provide a network of mutually supportive services and it is important for Nelson College to work with these to respond to the needs of vulnerable children and families in a manner proportionate to the level of need and risk.

Staff members will discuss suspicions with a senior staff member. Where appropriate, the person making the allegation will be given a copy of this policy.

Allegations or concerns about staff

When a staff member is suspected, the same processes apply.

If there is a need to pursue an allegation as an employer, consult with Oranga Tamariki – Ministry for Children or the Police before advising the person concerned, informing them that they have a right to seek legal advice and providing them with an opportunity to respond. They should also 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.

We commit not to use “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 disciplinary action is taken, and a future reference is agreed. Where the conduct at issue concerned the safety or wellbeing of a child, use of such agreements is contrary to a culture of child protection.

Confidentiality and information sharing

The Privacy Act 1993 and the Vulnerable Children’s Act 2014 allow information to be shared to keep children safe when abuse or suspected abuse is reported or investigated. Note that under sections 15 and 16 of the VC 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 – Ministry for Children or the Police and, provided the report is made in good faith, no civil, criminal or disciplinary proceedings may be brought against them.

Recruitment and employment (safety checking)

Safety checking will be carried out in accordance with the Vulnerable Children Act 2014. This will include: a police vet; identity verification; references and an interview. A work history will be sought and previous employers will be contacted. If there is any suspicion that an applicant might pose a risk to a child, that applicant will not be employed.

Training, supervision and support

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

- Understanding child abuse and indicators of child abuse.
- How to reduce the risk of child abuse.
- Understanding and complying with legal obligations in regard to child abuse.
- Working with outside agencies on child abuse issues.
- Planning of environment and supervision to minimise risk.
- Dealing with child/parents/family.

This policy will be part of initial staff induction programmes.

Related documentation and information

- Further information including frequently asked questions (FAQ’s) are available on the NZSTA website www.nzsta.org.nz
- Ministry of Education website www.education.govt.nz
- [Vulnerable Children Act 2014](#)
- Further information and sample child protection templates are available in the Children’s Action Plan guideline Safer Organisations, Safer Children: <http://www.childrensactionplan.govt.nz/assets/CAP-Uploads/childrens-workforce/Safer-Organisations-safer-children.pdf>
- [Safety Checking of Workforce \(see Appendix 1 below\)](#)

APPENDIX 1

For all persons who the Board employs or engages the following checks will apply to all new core workers from 1 July 2015, and all new non-core workers from 1 July 2016 before commencing employment.

Identity Confirmation

- checking an original primary identity document (eg NZ passport); and a secondary identity document (eg NZ driver licence).

[Note: if there are no photos of the person in the documents, the board will require an *identity referee* to authenticate/verify identity of the staff. If the person's name is different on a document the board will require a supporting name change document from the person];

- (c) The board's personnel records will be checked to see whether the identity is being used or has been used by any person currently or previously employed/engaged by the board after the board has sighted the documents including the matters under 'Note' above.

Criminal Convictions

- (d) obtaining and considering information from NZ Police vet and applications

Other Information

- (e) obtaining and considering a chronological summary of work history for preceding five years from the person; and
- (f) whether the person is registered with the Education Council, and if so, board has confirmed this with the Education Council;
- (g) obtaining and considering information from at least one referee (not related to the person or part of the extended family) and
- (h) any other information the board considers relevant for risk assessment;
- (i) interviewed the person, in person or by telephone or other communication technology;

[Note: the requirements in (e), (g),(h) and (i) do not apply if the person is currently employed or engaged by the board in another role]

Risk Assessment

- (j) evaluation of all the information above will be used to assess the risk the potential children's worker would pose to the safety of children if employed or engaged, taking into account whether the role is a core children's worker or non-core children's worker.

APPENDIX 2

