

## **CHILD PROTECTION POLICY**

### **RATIONAL**

The Board of Trustees of Sara Cohen School is committed to child protection and recognises the important role and responsibility of all our staff in the protection of children. This commitment, and an adherence to maintaining a safe environment for the children to learn in and the staff to teach in, will be enforced.

This policy must be read in accordance with the *Vulnerable Children Act 2014* and the *Health and Safety at Work Act 2015*. These Acts add to the schools current Property, Health and Safety Policies and Procedures under NAG 5 of the Ministry's administration guidelines.

It includes the Board's expectations when child abuse is reported or suspected. All staff members (including contractors and volunteers) are expected to be familiar with this policy, its associated procedures and protocols, and to abide by them.

The definition of a child is anyone under the age of 18 years of age. Students who are 18 years and above, at Sara Cohen School are considered 'vulnerable adults' and are therefore also covered by this policy.

### **NAG 5**

Each Board of Trustees is required to:

- (a) Provide a safe physical and emotional environment for students
- (b) Promote healthy food and nutrition for all students
- (C) Comply in full with any legislation currently in force or that may be developed to ensure the safety of students and employees.

### **Board Expectations:**

The Board of Trustees has an obligation to ensure the wellbeing of children in our care so that they may thrive, belong and achieve. We 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 our top priority. Advice will be sought through appropriate agencies in all cases of suspected or alleged abuse.

In line with section 15 of the Children, Young Person and Their Families Act 1989, any person in our school who believes that any child has been, or is likely to be, harmed (whether physically, emotionally, or sexually) ill-treated, abused, neglected, or deprived, must follow school procedures and may also report the matter to a social worker or the local police.

## **Sara Cohen School Procedure under NAG 5 Health and Safety**

Although ultimate accountability sits with the Board, the Board delegates responsibility to the Principal to ensure that all child safety procedures are implemented and available to all staff, contractors, volunteers and parents.

Sara Cohen School's designated person for Child Protection is the Principal. The Principal has primary responsibility for understanding these guidelines, ensuring relevant staff understand them properly and monitoring implementation of the processes. The Principal must:

1. Develop appropriate procedures to meet child safety requirements as required and as appropriate to the school.
2. Comply with relevant legislative requirements and responsibilities.
3. Make this policy available on the school's internet site and available on request.
4. Ensure that every contract, or funding arrangement, that the school enters into includes the adoption of child protection policies where required.
5. Ensure the interests and protection of the child is paramount in all circumstances.
6. Recognise the rights of family/whānau to participate in the decision-making about their children.
7. Ensure that all staff is able to identify the signs and symptoms of potential abuse and neglect, deal with disclosures by children and allegations against staff members and are able to take appropriate action in response.
8. Support all staff to work in accordance with this policy, to work with partner agencies and organisations to ensure child protection policies are understood and implemented.
9. Promote a culture where staff feels confident they can constructively challenge poor practice in relation to child safety matters or raise issues of concern without fear of reprisal.
10. Consult, discuss and share relevant information, in line with our commitment to confidentiality and information sharing protocols, in a timely way regarding any concerns about an individual child with the Board or designated person.
11. Seek advice as necessary from NZSTA advisors or other external advisors on employment matters and other relevant agencies where child safety issues arise.
12. Make available professional development, resources and/or advice to ensure all staff can carry out their roles in terms of this policy.

13. Ensure that this policy has been read and signed by all members of staff.
14. Ensure that this policy forms part of the initial staff induction programme for each staff member.

**Guidelines:**

**Safety Check Procedures**

The Vulnerable Children Act 2014 (VCA) introduced safety checks as one of the measures to help reduce the risk of harm to children. Safety checks will be completed for all people employed or engaged in work that involves regular or overnight contact with children.

At Sara Cohen School a Safety Check consists of:

All applicants are to have an up to date CV, with their work history, and evidence of current registration, with the appropriate professional body. Any licence relevant to the job description.

**Volunteers:**

Under the VCA, there is no requirement to complete safety checks for volunteers, Volunteers working with children, NZSTA recommends that a Police Vet is completed for all volunteers. (*Police vetting requirements in relation to board non-teaching employees and contractors, NZSTA, 2016, pg. 7;*

*www.nzsta.org.nz/media/191549/police-vetting-information\_262421\_1\_new.doc*)

At Sara Cohen School Police Vets will be completed for all Volunteers who are in the school for more than one day. Any short-term volunteer without a Police Vet will not be left alone with a child. "Good supervision can significantly reduce risk by limiting opportunities for inappropriate conduct" (*Child Matters, Safer recruitment, Safer children. Guidance for choosing safe people, to work with children, pg.54*)

**Student teachers/therapists:**

Sara Cohen School has an expectation that student teachers and student therapists are safety checked by the education organisation they attend. As it is the responsibility of the Board to ensure these are completed, the Board will have a written agreement outlining an agreement that the tertiary institute has completed a safety check to the standard set out in the VCA. (*Vulnerable Children Act 2014, A practical guide for Early Childhood Education Services, Nga Kohanga Reo, Playgroups, Schools and Kura; MOE, pg. 18*).

**Teachers:**

Police Vetting is undertaken by the Education Council, as a part of a teacher's registration and practising certificate process, this can be relied upon by the School (*Vulnerable Children Act 2014, A practical guide for Early Childhood Education Services, Nga Kohanga Reo, Playgroups, Schools and Kura; MOE, pg. 17*).

### **Occupational Therapists:**

Police Vetting is undertaken by the Occupational Therapy Board of New Zealand in accordance with their 'Fitness Policy' (<http://www.otboard.org.nz/wp-content/uploads/2015/04/Fitness-Policy.pdf>).

### **Physiotherapists, Speech Language Therapists, Music Therapists, Nurses, Teacher Aides, Administration Staff and other employees:**

Police Vetting is undertaken by the School every three years.

### **Staff Convicted of an Offence**

If a currently employed staff member has a Schedule 2 offence the Board will follow VCA process as outlined in; Vulnerable Children Act 2014, *A practical guide for Early Childhood Education Services, Nga Kohanga Reo, Playgroups, Schools and Kura*; MOE (pg. 36).

### Recognising and Responding to 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". The definitions set out below, (*Child Matters, How Can I tell? Recognising Child Abuse, 2015*), provide some indicators of abuse and these should not be seen as an exhaustive list or as a check list.

### **Physical Abuse**

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**

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**

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 behaviours.

## **Sara Cohen School Procedure under NAG 5 Health and Safety**

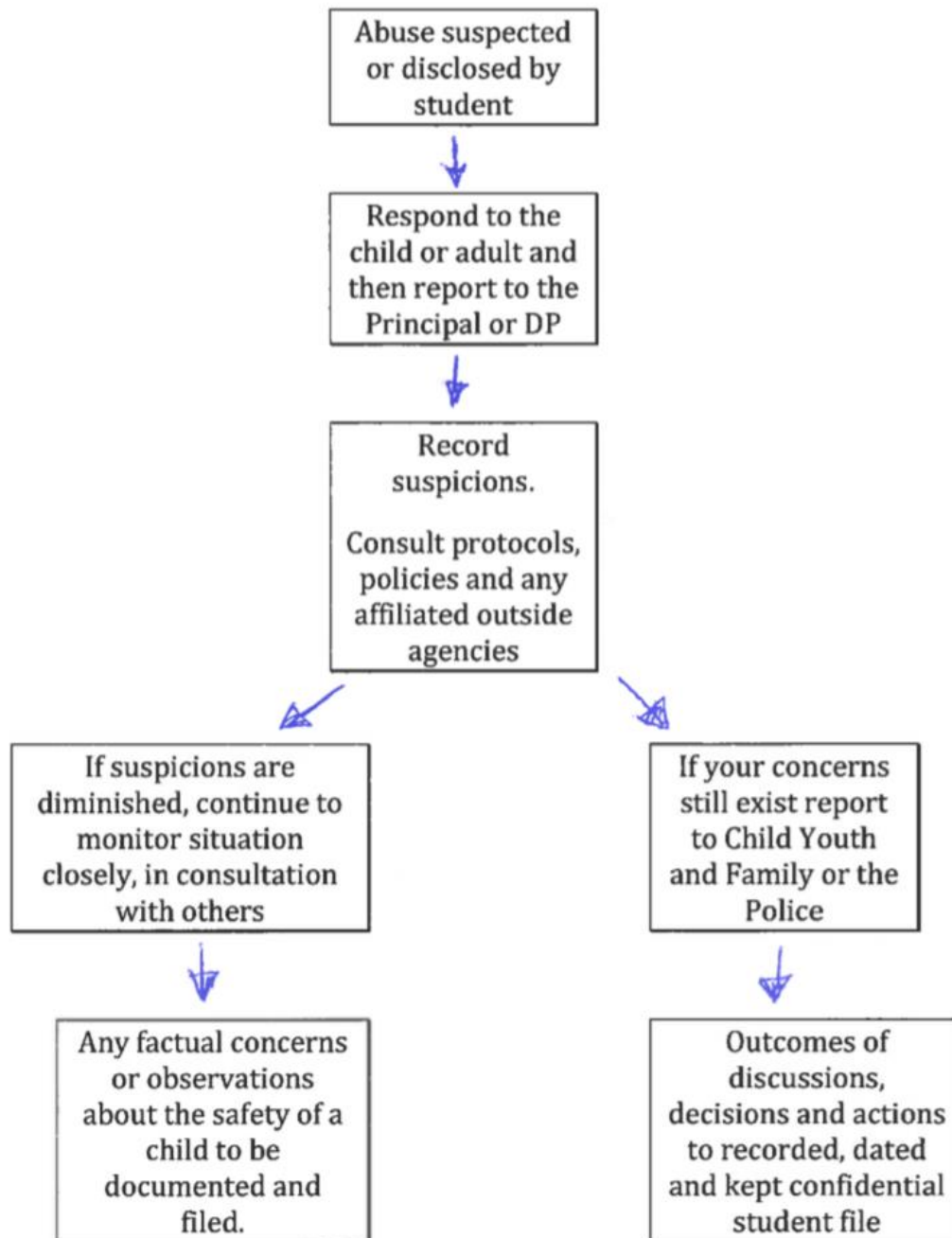
Staff should be aware of their 'duty of care' which precludes developing a sexual relationship with or grooming of a child. A sexual relationship between an adult and a child will always be wrong, unequal and unacceptable.

### **Neglect**

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.

### **Procedures for responding to and reporting child abuse:**

Any issues of suspected child abuse must be taken seriously and handled in an appropriate manner that ensures the child's safety. The Principal, as the Designated Person for Child Protection, is responsible for ensuring that the procedure for reporting child abuse is effective and timely. If a member of staff has a child protection concern then they must inform the Principal as soon as possible. In the absence of the Principal, a Deputy Principal should be informed.



Points to note:

- Avoid making judgments - simply record the facts
- Sign and date all concerns

### **Confidentiality and Information Sharing:**

Sara Cohen School recognises that all staff must act within the legal requirements of the Privacy Act, Children, Young Person's and their Families Act, Health information Act and other statutes. There are provisions within each of these acts for sharing information needed to protect children and enable other people to carry out their

legitimate functions. In general staff will not share information if they believe that by doing so this will endanger the child.

Sara Cohen School encourages the sharing of information when appropriate steps have been taken.

Staff may be asked to provide information to Child, Youth and Family, the Police, Court or Lawyers and Psychologists.

Information sharing will be restricted to those who have a need to know in order to protect children.

When any of the above contacts a staff member for information that staff member must first refer to the Principal for clearance before providing the information.

Information will be only be given after the staff member has identified the person making the request, the actual purpose of the request, what use the information will be put to, and who will see the information.

In the case of a Social Worker or Counsel for Child wishing to interview a child while in the care of Sara Cohen School, the staff member must consult the Principal to be certain that such an interview will be undertaken legally and in the best interests of the child.

All staff will follow the detailed processes around responding to information requests which is contained in the Sara Cohen School Code of Conduct and the Staff Procedures Manual.

A child's records will be kept as factual as possible, and nothing will be recorded as fact without evidence to back it up. This means, for example, that no entry will be made on a child's record about guardianship of a child without sighting the appropriate documentation.

### **Relationships with External Agencies:**

Sara Cohen School will maintain a good working relationship with Child, Youth and Family and with Police, and be familiar with the laws that serve to protect children from abuse. We will consult with Child, Youth and Family, the Police, and with other appropriate agencies that have specialist knowledge to help us protect children from abuse.

Sara Cohen School believes that in order to keep children safe, people who suspect or uncover abuse should not be tempted to deal with cases themselves. When there is a relationship of trust and understanding with the statutory agencies, people are more likely to report and enable professional investigation to ensue.

Sara Cohen School will ensure that it has contacts for Child, Youth and Family and Police offices.

The Principal, as the Designated Person for Child Protection, will maintain this information.

Sara Cohen School recognises that by law, [Sec 15 of the Children, young Persons and their Families Act 1989] any person may report a case of suspected abuse to the statutory agencies.

### **Managing Allegations against Staff:**

## **Sara Cohen School Procedure under NAG 5 Health and Safety**

Sara Cohen School will respond to suspicions and allegations of child abuse by a member of staff in a manner which best ensures children's or young persons' immediate and long-term safety and will treat suspicions or allegations against a staff member with the same seriousness as suspicions or allegations made against any other person.

Sara Cohen School will not act alone, and will refer all suspected situations of child abuse to Police or Child, Youth and Family. The safety of the child will be the primary consideration, and no person in this organisation will collude to protect an adult or an organisation.

Allegations will be treated in such a way that the rights of adults and the stress upon the staff member are also taken into consideration.

When abuse is suspected or an allegation made against a staff member, the first consideration will be to ensure the safety of child.

When abuse is suspected, or if a child discloses abuse, staff will follow the process for Responding to Suspected Child Abuse included in this policy.

When there are suspicions of abuse by a staff member, both staff and children's rights are to be attended to. This means that the safety of the child is of first concern, and that the staff member must have access to legal and professional advice.

The person managing the child abuse issue will not be the same person as that managing the employment issue.

The suspected staff member (or volunteer) will be prevented from having further unsupervised access to children during any investigation and will be informed fully of their rights.

Sara Cohen School will adhere to the principles of the Employment Contract's Act and give the staff member all information regarding his or her rights.

Sara Cohen School recognises the added stress to fellow staff in such a situation, and will ensure support is available.

The Principal, as the Designated Person for Child Protection, must immediately ensure that the suspected individual does not have any contact with the child making the allegation. A risk assessment must be undertaken to determine what level of access, if any, that person should have, to other children.

If the police decide to undertake a criminal investigation then the member of staff may be suspended, without prejudice, as a precautionary measure. It is important that no internal investigation is undertaken, and no evidence gathered that might prejudice the criminal investigation.

If the school is aware that a member of staff it has placed on precautionary suspension also works with children for another organisation, either as an employee or a volunteer, it should ensure that the other organisation is informed of the suspension and the subsequent outcome. Consultation with Child, Youth and Family or the Police will determine how this information is conveyed.

Sara Cohen School should liaise with Child Youth and Family and the Police regarding the progress of the investigation.

If there is insufficient evidence to pursue a criminal prosecution, then a disciplinary investigation may still be undertaken if there is "reasonable cause to suspect" that



abuse may have occurred. The allegation may represent inappropriate behaviour of poor practice by a member of staff, which needs to be considered under internal disciplinary procedures.

### **Training for Staff**

Sara Cohen School will ensure their staff members, are trained to recognise child abuse. Training should enable staff to:

- Identify when children are at risk Take thorough and effective preventive action
- Respond in the most appropriate way to children who are suspected of being abused
- Report their concerns appropriately Support children, staff and family members or whānau
- Recognise their responsibilities about suspected poor practice or possible abuse
- Having staff who are well trained and following sound practices can act as a deterrent to offenders who are seeking work around children, and also minimise any opportunity for potential abuse to occur
- Records of training are to be kept to ensure that training is appropriate and regularly updated
- All new staff will be familiar with this Child Protection Policy as part of the induction process
- A member of the Board of Trustees will have undertaken training in this area
- All staff will read and have a copy of the Child Protection Policy
- Reference to the Child Protection Policy will be made on a regular basis in staff meetings and training sessions, so that staff remain familiar with and up to date with the policy statements and procedures
- Sara Cohen School will ensure staff have on-going training (every three years) in recognising and responding to children affected by child abuse and family violence.

### **One to One Situations**

A reality of day-to-day practices at Sara Cohen School means that staff and students are often in one to one situations. One to one situations have the potential to make child/young person more vulnerable to harm by those who seek to exploit their position of trust. Adults working in one to one settings with children may also be more vulnerable to unjust or unfounded allegations being made against them. Both possibilities should be recognised so that when one to one situations are unavoidable, reasonable and sensible precautions are taken. Every attempt should be made to ensure the safety and security of children and the adults who work with them. There are occasions where managers will need to undertake a risk assessment in relation to the specific nature and implications of one to one work. These assessments

should take into account the individual needs of the child/young person and the individual worker and any arrangements should be reviewed on a regular basis.

Staff members are required to:

- Avoid one-to-one sessions in remote, secluded areas
- Stay as visible as possible (Doors open, remain in open view)

Ensure another staff member is informed about the one to one situation before it takes place, this is to make sure support and accountability is at hand

Report any situation where a student becomes distressed or angry to a senior colleague. Carefully consider the needs and circumstances of the student when in one to one situations.

### **Communication, including the use of Technology**

All interactions with children and young people need to be carefully considered and planned for as to how these may occur in a way that reduces potential risk to children. Adults should clearly understand the need to maintain appropriate professional boundaries in their communication with children, and expectations around boundaries need to be firmly established to provide guidance to adults. These situations include communicating with children at work, at home, in public settings and through the use of mobile technology and social media.

Children are at increased risk of sexual abuse and exploitation where adults have the opportunity to gain access to children and young people in a setting that is not open to casual observation by other adults. Adults should also be circumspect in their communications with children so as to avoid any possible misinterpretation of their motives or any behaviour, which could be construed as grooming

Staff members are required to:

Ensure their communication with children takes place within the boundaries of a professional relationship and are open to scrutiny from other adults Consider the appropriateness of social contact according to their role and nature of their work and have any contact approved by senior colleagues Report any situation which may place a child at risk or which may compromise the service of their own professional standing to the Principal. Ensure that social networking sites are set at private and that students are never listed as approved contacts Never use or access social networking sites of students.

Ensure that parent permission is given if communicating with students via mobile phones

Only display or distribute images of students if parental consent is given.

### **Physical Interaction with Children**

At Sara Cohen School staff has regular physical contact with students in order to help them carry out day to day tasks, keep safe and to learn. It is crucial that staff ensure they only have physical contact in ways appropriate to their professional role.

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 members are required to:

Never touch a child in a way that may be considered indecent

Consider the way comfort and reassurances is offered to a distressed student and do it in an age-appropriate way.

Report situations which may give rise to concern.

Follow individual student's behaviour plans and ask for clarification or support when needed.

### **Sexual Contact**

All adults should clearly understand the need to maintain appropriate boundaries in their contacts with children, as outlined in the Code of Conduct (2015, pg. 6). Intimate or sexual relationships between children/young people and the adults who work with them will be regarded as a grave breach of trust. Allowing or encouraging a relationship to develop in a way which might lead to a sexual relationship is also unacceptable.

Any sexual activity between an adult and the child or young person with whom they work may be regarded as a criminal offence and will always be a matter for disciplinary action.

### **Intimate Care**

At Sara Cohen School staffs are required to assist students with personal cares on a daily basis: As part of transitioning into school parents, staff, and where appropriate students, agree on best practice for supporting each student with their personal care routines. This is reviewed on a needs basis.

Staff supporting students' needs to be aware of their safety, privacy and dignity when supporting students with their daily cares.

Sara Cohen School will ensure staffs are well trained to support students with personal cares.

At Sara Cohen School we will endeavour to provide two staff when supporting students with their intimate care.

At Sara Cohen School only female staff will attend to the intimate care of female students.

Staff supporting students when swimming will request parent/caregiver permission to change if necessary in public changing room alongside other students and staff members. This will be discussed on an individual basis.

### **First Aid and the administration of medication**

Many students at Sara Cohen School need medication to be administered on a daily basis. Each student has a medication plan written up which is signed off by parents. Staff record any medication that is given. Refer to Medication Protocol.

Date: April 2023

Next review date: April 2026

References:

Child Matters, *Safer recruitment, Safer children. Guidance for choosing safe people to work with children.* <http://www.childmatters.org.nz/file/Resources-page/safer-recruitment-safer-children-fa-2.pdf>

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Ministry of Education, *Vulnerable Children Act 2014, A practical guide for Early Childhood Education Services, Nga Kohanga Reo, Playgroups, Schools and Kura,* 2015

Child Matters, *How Can I tell? Recognising Child Abuse,* 2015