

Student Protection Procedure (Personal Abuse of Children and Young Persons)

Purpose/Rationale

To ensure that students at Rangi Ruru are free from emotional, physical, sexual abuse, neglect or deprivation, (Section 2 Children, Young Persons and Their Families Act 1989) the school will promote an awareness and openness on child abuse. The interest/safety and welfare of the student will be paramount in the management of abuse cases at all times.

The following procedures will apply:

Guidelines

1. If abuse is suspected, or visible signs of abuse are observed in students (ie: bruising or changes in behaviour), or an allegation of abuse of, or by a student is made, the School Psychologist or Principal will be notified immediately.
2. Should a formal complaint be made the following procedures ensure that the complaint will be investigated in a timely and professional manner to avoid unnecessary stress on all parties.
3. Historical complaints of abuse (Appendix 1 – Definitions of Abuse) about staff members, students or other employees will be received and fully investigated independently of the school in a timely and restorative manner. Abuse may be physical, sexual, psychological or emotional.
4. Information should be gathered and written records will be kept, signed and dated. Once it seems apparent that abuse may have taken place, all questioning will cease and the following guidelines actioned.
 - 1) The School Psychologist will notify the Principal and medical staff where appropriate as soon as possible.
 - 2) The School Psychologist will coordinate the approach to be taken in conjunction with the Principal and will assess and ensure the student's immediate safety.
 - 3) A pre-investigation interview should take place by the School Psychologist to elicit the relevant necessary facts and provide support. The child or young person should have a responsible adult supporting them and the support role should be clearly defined. No formal interview is to take place.
 - 4) Where there is a serious allegation of abuse any person or the Principal will refer the matter in a timely manner to Oranga Tamariki and/or the NZ Police and their advice and intervention will be sought. A notification may be made verbally or in writing.

- 5) **Note: Immunity from Prosecution** - Section 16 of the Children, Young Persons, and their Families Act 1989 protects any person who reports abuse in good faith from civil and criminal prosecution or disciplinary action.
- 6) Any person associated with the school may report suspected abuse directly to Oranga Tamariki or the NZ Police.
- 7) The Principal will advise the Board Chair.
- 8) In the case of allegations of serious abuse the interviewing of the suspected abuse victim will be by the Oranga Tamariki/Police once the matter is referred to them.
- 9) Decisions about informing parents or caregivers should be made after consultation between management and Oranga Tamariki.
- 10) Where abuse of a child by a staff member is suspected or alleged, the Principal will be advised immediately. The Principal will inform the Board Chair who will ensure appropriate action is taken in accordance with the principles of natural justice and consistent with the Employment Relations Act 2000 and Section 66 of the Children and Young Persons Act 1989. The Principal will inform the staff member of her/his rights and refer them to support services within the school or an appropriate external agency.

3 Professionalism

- 31 Staff will accept and abide by the NZ Education Council Code of Ethics for Registered Teachers.
- 32 Staff will keep relationships with parents/whānau on a professional basis, for example, discretion will apply regarding contact with parents outside working hours, etc.
- 3.3 Any confidential written documentation will be filed in a secure place.

4 Staff training

- 4.1 The school will ensure staff receive education and training to maintain and increase awareness of how to prevent, recognise and respond to abuse and the procedures to report abuse.
Relevant literature will be available and updated as required.
- 4.2 All staff will be familiar with and kept up to date on the laws and regulations which serve to protect children from abuse.

5 Employment

- 5.1 The Principal or Rangi Ruru Board of Governors will investigate applicants' work history, contact past employers, and personally contact referees before employing an applicant. Personal and character attributes will be a prime consideration when employing staff. All staff must be police checked.

6 Complaints

6.1 The school complaints procedure and this Care and Protection policy will be made known to parents/ whānau when enrolling their child.

6.2.1 Parents/ whānau will have ready access to communicate with staff members before and after sessions.

7 Historical Complaints of Abuse

When a historical complaint is received about a staff member/student; about any kind of sexual, physical, emotional or psychological abuse:

7.1.1 The complaint will be received and documented thoroughly. Acknowledgment of perceived harm real to that person will be given in an empathetic and compassionate manner.

7.1.2 An independent reviewer will be appointed to investigate the complaint thoroughly, based on the principles of natural justice.

7.1.3 The School will notify its insurance company and prepare a media strategy where appropriate.

7.1.4 The independent reviewer will report to the school following an investigation of the complaint. The independent reviewer in addition to making findings of fact may make recommendations to the school about:

- The extent and quality of available evidence
- Whether any further investigation is required
- Whether the evidence meets the threshold of a criminal conviction and/or should be referred to the police.
- Compensation and reparation.
- Potential risk to other former staff/students and existing staff/students.
- Any institutional redress required.
- Any policy or procedural changes needed to deal with complaints in the future or to prevent further abuse.

7.1.5 The School will:

- Take into consideration any recommendations made by the independent reviewer
- Ensure that the case is well documented
- Provide to the complainant personal information and any other information considered relevant to the complaint
- Ensure that any wrongs are made right, including reparation, where appropriate
- Make any institutional changes where necessary to improve how complaints are dealt with or to prevent any further abuse.
- Ensure that any persons who are affected by the inquiry are supported.

8. Student Education

8.1 Through curriculum delivery, the school will provide programmes to develop skills in students that may assist them in identifying and protecting themselves from abusive situations (Self Defence for Yr 10 students for example).

9. Access by Social Worker or Police to a Student

9.1 Consent of the Principal is required before a student can be interviewed at the school. While the school has the right to deny access if parental consent has not been obtained,

the principle applies that the welfare of the student is paramount. (Children, Young Persons and their Families Act 1989, Section 6).

9.2 If a parental request for consent to interview is not given, then a warrant may be sought from the Family Court.

9.3 A staff member, selected by the student, may be present for the interview and may receive a briefing from Oranga Tamariki or the Police prior to the interview. Once Oranga Tamariki is involved with the student, the responsibility for that student will be with Oranga Tamariki.

10 Counselling services

10.1 The school provides counselling for students, staff and parents and will also give information on outside agencies.

Refer to: Complaints Procedure
Health & Safety Policy
Child Youth and Family, (2001) An Interagency Guide to Breaking the Cycle – Let’s Stop Child Abuse Together, NZ: Child Youth and Family.
Oranga Tamariki. National Call Centre 0508 FAMILY (0508 326 459) or email
contact@ot.govt.nz
<https://www.orangatamariki.govt.nz>

Appendix 1

Definitions of Abuse

Abuse means physical, sexual, and emotional or psychological abuse, and neglect, and the term ‘abuse’ includes inadequate or improper treatment or care that resulted in serious harm to the individual (whether mental or physical).

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 of the ill treatment of others.

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

Abuser 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 witnessing situations of arguing and violence in the home

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.

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/guardians
- 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

Abuser 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
- Depressed

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.

Physical Indicators (often unexplained or inconsistent with explanation given):

- Bruises, welts, cuts and abrasions
- 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 touches 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

Abuser 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

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.

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
- Urinary tract infections
- 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

Abuser 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

Psychological Abuse

Psychological abuse is a form of abuse characterized by a person subjecting or exposing another person to behaviour(s) that may result in psychological trauma leading to recognised psychological illnesses including anxiety, chronic depression, or post-traumatic stress disorder. It is often associated with situations of power imbalance in abusive relationships, and may include bullying, gaslighting, and abuse. It also may be perpetrated through false accusations, taunting, false and extreme defamation such as can be perpetrated through social media.

Physical Indicators

- Loss of weight
- Withdrawal
- Emaciated with malnutrition
- Head down
- Nervousness
- Tremours in legs or hands
- Loss of friendships

Behavioural Indicators

- Loss of self esteem
- Anxiety
- Post-traumatic stress
- Inability to think clearly and to focus
- Sleeplessness
- Loss of weight
- Inability to sustain relationships

Abuser Indicators

- Yelling
- Insulting the person
- Threatening the person or threatening to take away something that is important to them
- Imitating or mocking the person
- Swearing at them
- Ignoring
- Isolating the person
- Excluding them from meaningful events or activities

