

# GISBORNE BOYS' HIGH SCHOOL

## **POLICY No 1.28**

### **SUBJECT    VULNERABLE CHILDREN'S POLICY**

#### **PURPOSE:**

This policy applies to all staff and should be used wherever abuse or neglect is suspected or identified, regardless of whether the child is a client of the organisation.

To protect the safety and promote the wellbeing of children and young persons aged under 17 years who are receiving services from any staff member of the organisation, or are associated with adults who are receiving services from, any staff member of the organisation.

#### **POLICY PRINCIPLES/PROCEDURES**

- The rights, welfare and safety of the child/ tamariki, young person/rangatahi are our first and paramount consideration.
- Services should contribute to the nurturing and protection of children and advocate for them.
- Services for the care and protection of children are built on a bicultural partnership in accordance with the Treaty of Waitangi.
- Māori children/tamariki, young persons/rangatahi are assessed and managed within a culturally safe environment.
- Wherever possible the family/whānau, hapu and iwi participate in the making of decisions affecting that child/tamariki young person/rangatahi.
- All staff are to recognise and be sensitive to other cultures.
- Staff are competent in identification and management of actual or potential abuse and/or neglect through the organisation's policy and procedural structures and education programme.

#### *Organisational commitment to child protection.*

Our leadership team will ensure:

- There are organisation-wide policies for the appropriate response to, and management of, child abuse and neglect.
- That the child protection policy and procedures comply with legislative requirements, the principles of the Treaty of Waitangi, clinical audits and best practice standards.
- Organisation-wide procedures exist to provide appropriate, adequate support for, and supervision of, staff affected by child abuse and neglect.

All employees of our organisation have responsibility for the safe management of identified and

suspected child abuse and neglect. Those responsibilities include:

- To be conversant with our Child Protection Policy and related policies.
- To understand the statutory referral processes and management of identified or suspected abuse and neglect.
- To attend initial training, refresher training and regular updates appropriate to their area of work.
- To seek advice when child abuse is suspected or identified.
- We have appointed a Child Protection Coordinator whose responsibilities include:
  - Review the Child Protection Policy and procedure as required.
  - Coordinate a system-wide response to child abuse and neglect.
  - Develop a training plan and ensure initial refresher and advanced training of staff is available cyclically.
  - Ensure documentation tools are in place and accessible to staff for the recording of care and protection concerns (i.e., a Child Protection database).
  - Ensure audit and evaluation tools are in place to assess child protection policy, processes and practice.
  - Ensure regular audits of child protection practice occur.
  - Access and provide resources required to support the programme and make these available for staff and clients.
  - Develop functional internal and external relationships with key stakeholders (government, local government and community-based organisations).
  - Provide support and advice to staff regarding child abuse and neglect.

All public areas within our organisation will display information, brochures and posters pertaining to accessing support and interventions for child abuse and neglect. These must be provided in a range of languages that reflect the cultural diversity of the wider region.

**DEFINITIONS:**

Child abuse refers to the harming (whether physically, emotionally or sexually), ill treatment, abuse, neglect, or serious deprivation of any child/tamariki, young person/rangatahi (Section 14B Children, Young Persons, and Their Families Act 1989).

This includes actual, potential and suspected abuse.

- Physical abuse – any acts that may result in physical harm of a child or young person.
- Sexual abuse – any acts that involve forcing or enticing a child to take part in sexual activities, including child sexual exploitation, whether or not they are aware of what is happening.
- Emotional abuse – any act or omission that results in adverse or impaired psychological, social, intellectual and emotional functioning or development.
- Neglect – the persistent failure to meet a child’s basic physical or psychological needs, leading to adverse or impaired physical or emotional functioning or development.

*Child, Youth and Family* – the agency responsible for investigating and responding to suspected abuse and neglect and for providing care and protection to children found to be in need.

*New Zealand Police* – the agency responsible for responding to situations where a child is in imminent danger and for working with Child, Youth and Family in child protection work, including investigating cases of abuse or neglect where an offence may have occurred.

### **IDENTIFYING POSSIBLE ABUSE OR NEGLECT**

Information on identifying possible abuse or neglect is detailed in ‘Working together to keep children and young people safe. An Interagency Guide’ (Child, Youth and Family, 2011, (Working Together)). This document should be read in conjunction with this policy.

In brief, staff need to be aware of the indicators of potential abuse and neglect. These indicators as noted in Working Together include:

Physical signs	Behavioural concerns
Developmental delays	The child talking about things that indicate abuse (sometimes called an allegation or disclosure)
Physical neglect	Neglectful supervision
Medical neglect	Abandonment

Every situation is different and it’s important to consider all available information about the child and their environment before reaching conclusions. For example, behavioural concerns may be the result of life events, such as divorce, accidental injury or the arrival of a new sibling etc.

### **RESPONDING TO SUSPECTED ABUSE OR NEGLECT**

In all cases where a member of staff has a concern about a child/tamariki/young person/rangatahi being or likely to be abused or neglected (refer to Definitions) by an adult or another child/tamariki or young person/rangatahi, they will report this to their manager/supervisor and make referrals/ notify key staff to assist in the formulation of a plan to address the care and protection concerns.

A referral to Child, Youth and Family may be made at any time.

It is mandatory for all concerns to be reported/referred to the Child Protection Coordinator within a time period which allows for effective consultation/advice to be given.

Our organisation recognises that in some cases, the involvement of statutory agencies would be inappropriate and potentially harmful to families/whānau. Throughout New Zealand, statutory and non-statutory agencies provide a network of mutually supportive services and it is important for our organisation to work with these to respond to the needs of vulnerable children and families/whānau in a manner proportionate to the level of need and risk. Contact details for agencies and services in our community are provided as an appendix to this policy.

**Responding to a child when the child discloses abuse:**

Listen to the child	Disclosures by children are often subtle and need to be handled with particular care, including an awareness of the child’s cultural identity and how that affects interpretation of their behaviour and language.
Reassure the child	Let the child know that they: <ul style="list-style-type: none"> <li>• Are not in trouble.</li> <li>• Have done the right thing.</li> </ul>
Ask open- ended prompts – e.g., “What happened next?”	Do not interview the child (in other words, do not ask questions beyond open prompts). Do not make promises that can’t be kept, e.g., “I will keep you safe now”.
If the child is visibly distressed	Provide appropriate reassurance and re-engage in appropriate activities under supervision until they are able to participate in ordinary activities.
If the child is not in immediate danger	Re-involve the child in ordinary activities and explain what you are going to do next.
If the child is in immediate danger	Contact the Police immediately.
As soon as possible formally record the disclosure	Record: <ul style="list-style-type: none"> <li>• Word for word, what the child said.</li> <li>• The date, time and who was present.</li> </ul>

**Recording and notifying Child, Youth and Family of suspected child abuse or neglect:**

<b><i>What process to follow</i></b>	<b><i>For example</i></b>	<b><i>Key considerations</i></b>
Recording	Formally record: <ul style="list-style-type: none"> <li>• Anything said by the child.</li> <li>• The date, time, location and the names of any staff that may be relevant.</li> <li>• The factual concerns or observations that have led to the suspicion of abuse or neglect (e.g., any physical, behavioural or developmental concerns).</li> <li>• The action taken by your organisation.</li> <li>• Any other information that may be relevant.</li> </ul>	Relevant information can inform any future actions.
Decision- making	Discuss any concern with the manager/supervisor or the designated person for child protection.	No decisions should be made in isolation.
Notifying authorities	Notify Child, Youth and Family promptly if there is a belief that a child has been, or is likely to be abused or neglected. A phone call to the National Contact Centre is the preferred initial contact	Child, Youth and Family will Make the decision to inform the parents or caregivers, in consultation with our organisation. Advise what, if any, immediate

	with Child, Youth and Family (see below) as this enables both parties to discuss the nature of the concerns and appropriate response options. Phone: 0508 Family (0508 326 459) Fax: 09 914 1211 email: cyfcallcentre@cyf.govt.nz	action may be appropriate, including referring the concern to the Police.
Following the advice of Child, Youth and Family	Child, Youth and Family advice will include what, if any, immediate action may be appropriate, including referring the concern to the Police.	Youth and Family is responsible for looking into the situation to find out what may be happening, whether our organisation needs to work with the family/whānau or put them in touch with people in their community who can help
Storing relevant information	Securely store: <ul style="list-style-type: none"> <li>• The record of the concern.</li> <li>• A record of any related discussions (including copies of correspondence, where appropriate).</li> <li>• A record of any advice received</li> <li>• The action your organisation took, including any rationale.</li> <li>• This concern with any earlier concerns, if the notification is based on an accumulation of concerns (rather than a specific incident).</li> </ul>	Records assist in identifying patterns.

### **Allegations or concerns about staff**

All matters involving allegations against staff need to be escalated to the management team.

To ensure the child is kept safe, management may take steps to remove the staff member against whom an allegation has been made from the environment, subject to the requirements of the applicable individual or collective employment contract and relevant employment law, including the Human Resources disciplinary procedures.

Management will consult with Child, Youth and Family and/or the Police before taking any further actions.

Our organisation commits 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 no disciplinary action is taken, and a future reference is agreed. Where the conduct at issue concern the safety or wellbeing of a child, use of such agreements is contrary to a culture of child protection.

### **Confidentiality and information sharing**

All observations, after an investigation has been notified, shall be kept in writing but the file will be

sealed for confidential reasons.

The Privacy Act 1993 and the Children, Young Persons, and their Families Act 1989 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 CYPF 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 Child, Youth and Family 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)**

Our recruitment policy reflects a commitment to child protection by including comprehensive screening procedures. Safety checks will be carried out, as required by the Vulnerable Children Act 2014. *Refer to Policy 1.12 Staff Appointments*

### **Training supervision and support**

Management will support initial child protection training for all service delivery staff.

All staff with service delivery responsibilities are required to undertake child abuse and neglect intervention training. The training will consist of:

- A three-hour training session
- Refresher training
- Advanced training for designated staff

### **Related documentation and review**

Relevant Legislation

- Vulnerable Children Act 2014
- Children, Young Persons, and Their Families Act, 1989
- Care of Children Act 2004
- Domestic Violence Act 1995
- Privacy Act 1993
- Victims' Rights Act 2002
- The United Nations Convention on the Rights of the Child (UNCROC)

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