



# YOUNG PERSON HARM AND NEGLECT

## - SUSPECTED OR ACTUAL

### Rationale:

The school is required by NAG 5 to:

- Provide a safe physical and emotional environment for students; and
- Comply in full with any legislation currently in force or that may be developed to ensure the safety of students and employees

### Purpose:

This policy establishes a procedure for those working at the school to report suspected or actual child harm and neglect which ensures that:

- The welfare and interests of the child or young person are the first and paramount consideration.
- That all complaints are taken seriously and dealt with effectively including full, accurate and prompt sharing of information (as permitted by the law);
- That in the case of a complaint against an employee, action is guided by the applicable employment contract, Complaints Policy and/or principles of natural justice.
- The vital role of cultural groups and local support agencies is recognised by the Principal in their ongoing communication and liaison with the wider community.

### Definitions:

*Child and Young Person* – a **child** is someone under the age of 14 years and a **young person** is someone aged 14 years and over, but under 17 years who is not or has never been married or in a civil union (section 2, CYP&F Act).

*Child Harm* – means the harming (whether physically, emotionally or sexually), ill-treatment, abuse, neglect or deprivation of any child or young person (section 2 CYP&F Act).

Child harm/neglect includes:

- Physical abuse
- Sexual abuse
- Emotional/psychological abuse e.g. family violence, exposure to illegal activities, rejection
- Neglect e.g. medical neglect, abandonment, neglectful supervision

### Scope:

This policy applies to all staff and students.

### Guidelines:

#### **Staff and student education about child harm/neglect**

- The school will facilitate training for staff to help them identify suspected harm and/or neglect and to be able to respond appropriately.



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- To assist with training the school may liaise with Oranga Tamariki and the NZ Police, the Guidance Counsellor or educational psychologists from Group Special Education (GSE).
- The school will provide preventative education in the delivery of the Health and Physical Education national curriculum statement. Students will have access to information about child harm and appropriate responses to it through the relevant parts of the curriculum.
- Staff will ensure the interests and protection of the child are paramount in all circumstances.
- The school will promote a culture where staff feel confident that they can constructively challenge poor practice or raise issues of concern without fear of reprisal.
- Staff will consult, share and discuss relevant information in a timely way regarding any concerns about an individual child with the Board or the Principal.
- The Principal will seek advice as necessary from NZSTA advisors on employment matters and other relevant agencies where child safety issues arise.
- The Principal will inform the Board Chair of any and all such concerns.

### **Guidelines for reporting child harm/neglect**

Section 15 of the CYP&F Act 1989 provides that:

Any person 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 may report the matter to a social worker or constable. Guiding principles are:

- The child's safety should always be the paramount consideration in the notification process.
- No decisions or actions in respect of suspected or actual child harm are to be made by any staff member in isolation unless there are concerns for the immediate safety of the child.
- A consultative approach is essential to ensure the safety of the child and the staff member. Staff must discuss their concerns with the Principal or Counsellor. Where applicable follow the board's Complaint Policy.
- Decisions about informing parents, caregivers or any authority (e.g. Police, Oranga Tamariki etc) will be made once discussion about the proposed reporting has been undertaken with the affected student. The decision to inform or report the harm or neglect will involve making a professional judgement as to the student's ability to give fully informed consent to a report being made on their behalf. Schools are not legally obliged to report harm. Anonymous protection for referees is legally binding.
- Decisions about informing parents or caregivers should be made after consultation between the school and Oranga Tamariki.

### **Related Policies:**

1. Safe School
2. Sexual Harassment
3. Equity



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4. Complaints
5. Staff appointments

### References or Sources:

1. Reporting of Suspected or Actual Child Harm and Neglect: Protocol between the MOE, NZSTA and CYF 2009
2. Child, Young Persons, and Their Families Act 1989 (CYP&F Act)
3. Vulnerable Children Act 2014

### Review Details:

Review Date	Reviewed by
Jul 2021	SMK, GIB
<b>Review cycle:</b> 3 years	<b>Due date for Review:</b> Jul 2024

### Management Contact:

Principal

Guidance Counsellor