

**SUSPECTED CHILD ABUSE AND PHYSICAL CONTACT**

**PROCEDURE**

**RATIONALE**

This procedure acknowledges that Boards of Trustees have particular responsibilities under legislation and through social expectations to provide a safe environment that caters for the physical and emotional well being of its students. Such an environment should aim to ensure that all students are treated with dignity and respect.

**PURPOSE**

The recommended procedure in schools for reporting child abuse and neglect will be successfully implemented with :

* An emphasis that the paramount consideration in such a procedure is the welfare and interests of the child (*CYF Act (s6) )*
* The provision of guidelines and training for teachers and others working with students. A commitment to ensure that students are provided with preventative education to enhance their safety and awareness
* The development of procedures for dealing with cases of current or historical abuse
* The identification of which external agencies should be used, what services they provide, what liaison is required along with appropriate referral procedures

**GUIDELINES**

**General:**

1. It is expected that the Board will need to facilitate training for all staff to help them to identify suspected abuse and/or neglect and to be able to respond appropriately. It is recommended that training needs be identified and planned regularly in consultation with staff.
2. To assist with the implementation of training, individual Boards and /or Principals should liaise with Child, Youth and Family and New Zealand Police.
3. Further support can be provided by:

- guidance counsellors

- RTLB teachers

- education psychologists attached to Special Education Services (SES)

- personnel who can provide further assistance to students

- Local Health

4. Schools are able to provide preventative education in their delivery of the Health and Physical Education national curriculum statement. Students should have access to information about child abuse and appropriate responses to it through the relevant parts of this curriculum.

1. Decisions about informing parents or caregivers should be made after consultation between the school and the statutory child protection service called in by them.

**GUIDELINES**

**Specific**

Procedures to be followed in case of suspected child abuse, will differ in a case where there is

1. An urgent safety need to such an extent that the child cannot return home that day; or
2. the need for a thorough , planned investigations when the child is not at immediate risk of further abuse.
   * Staff are to bring all cases of suspected abuse of students to the attention of the Principal. This includes cases of suspected physical (including neglect), and emotional and sexual abuse.
   * Teachers who have a disclosure made to them in class will accept the disclosure with little or no comment but will follow up with the Principal without delay.
   * The Principal, after careful discussion with the reporting teacher, will gather all information the school has about the child. If urgent, as in (a) above, the Principal will make an immediate referral to the Police or social workers from Oranga Tamariki. The child’s caregivers will be advised of any action taken by the statutory agencies involved as required under the “Children, Young Persons and their Families Act.” If (b), then the Principal will refer to statutory agencies after full consultation with staff and other professionals involved. The caregivers will be advised if any action is planned, by the agency taking the action.
   * An interview with the Principal will be offered to the caregivers to discuss the situation.
   * If a staff member is implicated as being responsible for the abuse, the Principal shall contact the Board of Trustees Chairperson immediately. The Board shall ensure that the interest of the staff member and those of the child are met.

**RECOMMENDED REPORTING PROCEDURES**

* If the student is in danger or unsafe, act immediately to secure their safety.
* Listen to the student and reassure them but do not make promises or commitments you cannot keep.
* Ensure that any information or disclosures by the student are written down and check that comments and events surrounding the concern have also been recorded.
* Ensure that the student has a responsible adult supporting them through this process and that the support role is clearly defined.
* Do not formally interview the student. Obtain only necessary relevant facts if and when clarification is needed.
* Inform the Principal. Hold immediate discussion with Principal.
* Agree on appropriate course of action.
* The Principal ensures notification to Ministry for Vulnerable Children Oranga Toa (MVCOT) or the police. Await further contact before taking any action.
* After making sure the referral has gone to MVCOT or the police, get support for yourself from appropriate persons if needed.

**FLOW CHART OF ACTION FOR SUSPECTED CHILD ABUSE**

Child discloses abuse or

abuse is suspected

Education and training for

everyone working in the

school

If immediate danger or

safety is an issue act

with urgency

Listen to the child and

reassure them they did

the right thing

Any factual concerns or

observations about the

safety of a child should be

documented and filed

**Inform the Principal**

**who will**

Inform the Chairperson of

the Board of Trustees

Document any objective

observations and anything

said by the child

Ring MVCOT

or the Police

Await further contact from

MVCOT or police before

taking action

Get support for yourself from

appropriate persons

**Points to note:**

\* Documentation may subsequently be used in court as evidence for either side.

\* Avoid making judgements,simply record the facts.

\* Interviewing of suspected abuse victims is a specialised procedure best left to those who are trained in such techniques.

\* The child advocate should be responsible for ensuring that the child’s welfare remains paramount.

# PHYSICAL CONTACT WITH STUDENTS

1. (a) **Restraint of Students**

* + - Physical restraint of students can only be done in accordance with the Physical Restraint Procedure (5.22).

(b) **Discipline**

Refer Behaviour Management

(c) **Sexual Harassment**

* + - Avoid situations where this is likely to occur. It is totally unprofessional, unacceptable and unlawful.
    - If you are being sexually harassed tell the person why the behaviour is unacceptable and must stop.
    - Remove yourself from the situation and immediately report that person's behaviour to the Principal or other appropriate persons.

2. (a) **Medical Conditions**

* Each school must have all staff members specially trained in first aid and a comprehensive first aid kit.
* Ensure the school is aware of students with allergies or medical conditions and what is necessary to assist the student.
* For minor injuries or abrasions attend to the student immediately in the same way a responsible parent or caregiver would and in the presence of other students or another staff member.
* Ensure monitors, another staff member or witnesses are present when assisting or comforting a student who is seriously injured. Only qualified first aid staff should examine the student. Immediately contact a parent, caregiver, doctor or the ambulance service.
* Medicine should be administered only on written instruction of the student's parent, caregiver or doctor. (Refer Student Medication).
* Only administer medicine in life-threatening situations when you and another staff member have been consulted by a parent or caregiver and you have accepted responsibility in accordance with school policy. Make sure you have the necessary knowledge to administer the medicine and do so in the presence of another person; keep a written record. Contact the student's parent, caregiver or doctor immediately in an emergency. When in doubt call 111.
* **Do not transport a sick or injured student on your own unless in an absolute emergency.**
* Wear disposable gloves when administering first aid.

(b) **Toileting**

* Generally this duty will be carried out by the teacher assistant who has had the appropriate training.
* Where students require assistance, involve the parents/caregivers and outside agencies such as public health nurses, Special Education Service or a local school for the Intellectually Handicapped who can assist.
* When a female student requires physical assistance with sanitary hygiene (menstruation) only trained female staff or parents/caregivers are to assist.

3. **Physical Contact with Students and its cultural acceptability**

* Regardless of a student's cultural background staff must avoid inappropriate physical contact.

4. (a) **Education Outside the Classroom:**

* Ensure that preparation for events outside the classroom includes clear information to parents, caregivers and students regarding supervision, medical treatment, sleeping arrangements, washing/bathing.
* Inform parent/helpers of their responsibilities and how to handle situations so that their integrity is not compromised.
* Avoid situations where you are alone with a student. (An exception would be in an emergency when someone has gone for help.)

(b) **Searching of Students:**

* Do not body search students as this could lead to allegations of physical or indecent assault.
* If it is necessary to undertake a search of personal property, involve the Principal or a senior member of staff (considering gender) to supervise.
* Ask the student to tell you where the item is.
* Get the student to empty out his/her pockets and if the student is wearing a jacket ask him/her to remove it.
* Ask the student to put onto the table anything s/he has tucked away in his/her clothing.
* If this is not successful involve the police and the parent caregiver.

(c) **Attacks on Staff / Intimidation:**

* + - Try to protect yourself without causing injury to the student or adult involved.
    - Move away or restrain the student if this is possible.
    - Get assistance immediately.
    - Report to the Principal.

(d) **Being alone with a Student:**

* **Never be alone with a student outside the hours of school.**
* During school hours actively avoid situations where you are alone with a student.
* If it is necessary in your teaching practice to be alone with a student use extremely careful judgement.

(e) **Counselling a Student**

* When you are counselling a student ensure that the place is not closed off from other people seeing into the room, i.e. door is open.

(f) **Transporting a student**

* Except in medical emergencies staff should never transport a student on their own. This applies to Electives, Sport, Camp, Saturday Sport, Discos or any extra-curricular activity.

(g) **Physical Education**

* Use careful professional judgement regarding physical contact with students in all circumstances.
* Encourage students to change and dress themselves, preferably at intervals.
* Staff must arrange private or segregated changing facilities if requested.
* Advise parents/caregivers on procedures available for changing into PE uniform.
* Physical contact can occur in assisting movement and safety in gymnastics, or teaching skills in the Physical Education programme.

(h) **Complaints/Discipline**

* Unprofessional behaviour towards students by staff may involve action being taken in accordance with the complaints and disciplinary procedures contained in the relevant collective employment contract.
* Serious misconduct may lead to suspension or instant dismissal and/or police investigation.
* Act of indecent or physical assault will, if proven, result in a conviction and imprisonment, deregistration and loss of career.

(i) **Special Education Needs**

* Some students with special needs can have very affectionate natures and express themselves freely e.g. hold your hand; put their arms around you or other students.
* Consultation with parents will be needed to develop strategies to deal with these situations.

5. (a) All new staff, and part time - relieving staff, will have the procedures drawn to their attention by the Deputy Principal.

(b) Directly responsible staff to provide parent helpers with the following synopsis:

(i) Do not transport a child on their own;

(ii) Ensure that whatever the situation you are not alone with a student;

(iii) Physical contact can occur in coaching situations, ensure it is appropriate;

(iv) Gently dissuade the demonstrative behaviour of Special Needs students;

(v) Please respect the privacy of students when changing e.g. after swimming;

(vi) Acknowledge every student's right to personal space;

(vii) Ensure that an adult-child relationship is maintained and discourage over familiarity;

(c) Camp organisers to provide a copy of this procedure to anyone assisting on camp (including camp staff) and have one copy displayed at all times.

**Review Responsibility*: BOT H/S Person,H/S Co-ordinator , DP. & Principal***

**Date Confirmed: 4 April 2017**

**Principal: …………………………………………………….**