



STUDENT PROTECTION POLICY

1. Purpose

- a. The most effective way to safeguard children is to have a comprehensive and effective policy and procedures. **This Policy is to extend the concept of a Child Protection Policy to encompass all rangatahi at Fairfield College and the strong belief of the Board that all students at Fairfield College have a right to feel safe and comfortable in that environment.**
- b. The purpose of this policy is to provide Fairfield College staff guidelines by which to identify and respond appropriately to concerns of abuse and neglect, and to understand their role in keeping our young people safe.
- c. This Policy has been written in accordance with the following legislation:
 - i. Education Act 1989
 - ii. Children, Young Persons and Their Families Act, 1989
 - iii. Crimes Act, 1961
 - iv. Health Act, 1956
 - v. Health and Disability Sector Standards Regulations, 2001
 - vi. Privacy Act, 1993
 - vii. Health Information Privacy Code, 1994
 - viii. Vulnerable Children's Act, 2014
 - ix. Care of Children Act, 2004
 - x. Employment Relations Act, 2000
 - xi. Human Rights Act

2. Scope

- a. This Policy covers all staff of Fairfield College who have direct or indirect contact with children. This includes those staff, paid or voluntary, employed directly by Fairfield College, as well as those professionals contracted or invited to provide services to children in the care of Fairfield College.
- b. This policy covers the Board of Trustees and their responsibilities in the safety and wellbeing of students.

3. Definitions

- a. For the purpose of this Policy "Staff" means people working at Fairfield College and includes employees, contractors, consultants, students, associates and volunteers whether working on a full time, part time, casual or temporary basis.
- b. 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"

4. Principles

- a. This Student Protection Policy confirms the commitment of Fairfield College to the protection of children and proceeds to:
 - Outline the standards and principles by which all staff will abide.

- Outline the action to be taken by staff where any form of abuse or ill-treatment is known or suspected.
 - Explore the implications for staff training.
- b. Fairfield College will ensure that:
- Staff are carefully selected with the principles of this policy in mind.
 - The 'Designated Team for Student Protection' are appropriately trained in issues of child protection.
 - Staff are aware of the Student Protection Policy and accompanying procedures and/or guidelines.
- c. Fairfield College recognises that all staff and Trustees have a full and active part to play in protecting students from harm. Overall responsibility, implementation and review of this policy rests with the Board of Trustees of Fairfield College.
- d. All services provided by Fairfield College for the safety and wellbeing of students adhere to the principles of partnership, protection and participation; and the rights and responsibilities accorded by Te Tiriti o Waitangi.

5. Responsibilities

- a. Any member of staff, paid or voluntary, may directly witness child abuse or have allegations, made by a child or an adult, relayed to them. There may also be disclosures of abuse that have occurred prior to attending Fairfield College. Sustained abuse and neglect of children, wherever it occurs, can have major long term effects on all aspects of student's health, development and well-being and their ability to sustain stable and meaningful relationships in the future. It is the intention of Fairfield College to ensure that all staff understand their roles and responsibilities in ensuring the safety of children at all times. This is achieved through consistent and agreed protocols regarding student protection, as well as their regular undertaking of awareness raising training.
- b. Each staff member must:
- Be aware of, and alert to, potential indicators of abuse or neglect.
 - Record a factual account of any concerns they have, or that are brought to their attention.
 - Appropriately seek advice and support from their 'Designated Team for Student Protection' who will then contact external agencies if appropriate.
 - Work in co-operation with the parents and caregivers, unless this comprises the safety of the child.
- c. **It is a primary responsibility of staff to be vigilant, have knowledge and awareness of the indicators of neglect, potential or actual abuse and to report any concerns, suspicions or allegations of suspected abuse immediately and ensure that the concern is taken seriously and reported.**
- d. The statutory responsibility to investigate allegations of student abuse rests with Oranga Tamariki and the Police.

6. Role of the Principal

- a. The role of the Principal is to:
- Ensure the needs and rights of students come first (ie the safety and wellbeing of each student is paramount).

- Receive information that suggests potential or actual risk of harm to a child who attends Fairfield College, irrespective of whether the alleged abuse is current, past or likely to occur. The Principal will advise and support staff and, on the basis of the initial detail, will make a decision as to whether or not to delegate to the Designated Team for Child Protection for further action.
- Delegate to the Designated Team for Student Protection for appropriate action and responsibilities as concerns are raised.
- Support referrals to Oranga Tamariki as appropriate.
- Ensure that allegations or complaints are appropriately referred to the Education Council of Aotearoa New Zealand (EDUCANZ).
- Ensure that the Student Protection Policy is effectively implemented throughout Fairfield College.
- Ensure that all staff are aware of, and have access to, full copies of the procedures for reporting student abuse.
- Ensure that all staff are recruited and employed with the guidelines identified in the Staff Appointments policy to identify those people safe to work with students.

7. Role of the Designated Team for Student Protection

The role of the Designated Team for Student Protection is to:

- Ensure the needs and rights of students come first (ie the safety and wellbeing of each student is paramount).
- Ensure and safeguard clear, confidential, detailed and dated records on all student protection cases. These must contain all available information relating to the cause for concern and any subsequent action taken, including when it has been decided not to make a notification to Oranga Tamariki or the Police. These records will be kept separate from student's records for the purpose of confidentiality.
- Ensure that all staff are supported appropriately when dealing with student protection concerns.
- Maintain a current awareness of the children identified on Restricted Notes and regularly highlight these children to the appropriate staff.
- Ensure the Principal is aware when a notification to Oranga Tamariki is made (this will happen by way of referral being entered on Restricted Notes).

8. Role of the Board of Trustees

The role of the Board of Trustees is to:

- Ensure the needs and rights of students come first (ie the safety and wellbeing of each child is paramount).
- Support the Principal to ensure that allegations or complaints are appropriately referred to the Education Council of Aotearoa New Zealand (EDUCANZ).
- Inform the Principal immediately should any member of the Board of trustees be aware of a concern for the wellbeing and safety of a student who attends Fairfield College.
- The Chair of the Board of Trustees will be directly informed of any allegations of abuse against the Principal.

9. Child Protection Procedures

- a. All staff will respond to concerns of student abuse by following the identified procedures, consulting appropriately and collaborating with external agencies.
- b. The procedures set out below will help staff with:
 - Handling disclosures, whether verbal or behavioural, from a student
 - Reporting procedures.

Identification of abuse

If the 'Designated Team for Student Protection' is unavailable for advice and guidance then staff should consult with the Principal. At any time, staff may seek advice from Oranga Tamariki regarding student protection concerns.

Handling disclosures from a student

- a. If a student makes a verbal disclosure to a member of staff it is important that staff take what the child says seriously. This applies irrespective of the setting or the member of staff's own opinion on what the student is saying.
- b. Under **no** circumstances should a member of staff attempt to conduct an investigation or deal with concerns regarding child abuse alone. Any incidents, concerns or suspicions must be reported following the procedures set out below (which are also duplicated for easy reference in the Waananga Akotahi guide).

Are you concerned about information you have received from a student?



Convey as soon as possible/practical (via conversation and email) to any member of the school 'Designated Team for Student Protection' (Guidance Counsellor – Vinnie Monga, Deputy Principal – Braden MacPherson and/or Pastoral Support/Liaison – Sally Winchester).



It is essential that information is passed on. If you are in doubt, please pass on regardless

Guidelines for responding when a student tells of their abuse:

Process for ALL staff members

Acknowledge and reassure.
DO NOT ASK QUESTIONS.



As detailed above, convey to
Designated Team for Student Protection

How to discuss with student

"Thank you for trusting me with this
Information"



"I need to share this with the right staff
members." Explain that a couple of
staff members have had the experience
and training to help support the student.

Child-on-Child Harmful Behaviours

It is important to be aware that children can harm other children. These behaviours are outside of what may be considered the normal range and can extend to bullying, violence or sexual assault. Therefore when a child alleges inappropriate harmful behaviour by another child then the child protection procedures outline in this policy must be considered for both the children.

Suicidal Concerns or Self-harming Behaviours

It is important to be aware that children can harm themselves or attempt suicide. When a child identifies thought of suicide, or self-harming behaviour, this must be immediately notified to the Designated Team for Student Protection. If immediate action is required phone 0800 999 903 (Nga Ringa Awhina).

Reporting Procedures

- a. All concerns of potential, suspected or alleged abuse must be brought to the attention of the Designated Team for Student Protection. If the Designated Team for Student Protection are unavailable then consultation should occur with the

Principal. A decision will be made as to whether to seek further advice or notify Oranga Tamariki.

When reporting an incident staff should:

- Inform the Designated Team for Student Protection as soon as possible (refer above summary for staff)
- At least two members of the Designated Team for Student Protection will review, consult outside agencies if appropriate and decide on a course of action. This is to be recorded in Restricted Notes.

Keeping the child's family informed and involved

Although the parent/caregiver of the child will usually be informed of concerns, there may be times when those with parental responsibility may not be initially informed.

Examples of when this may happen are:

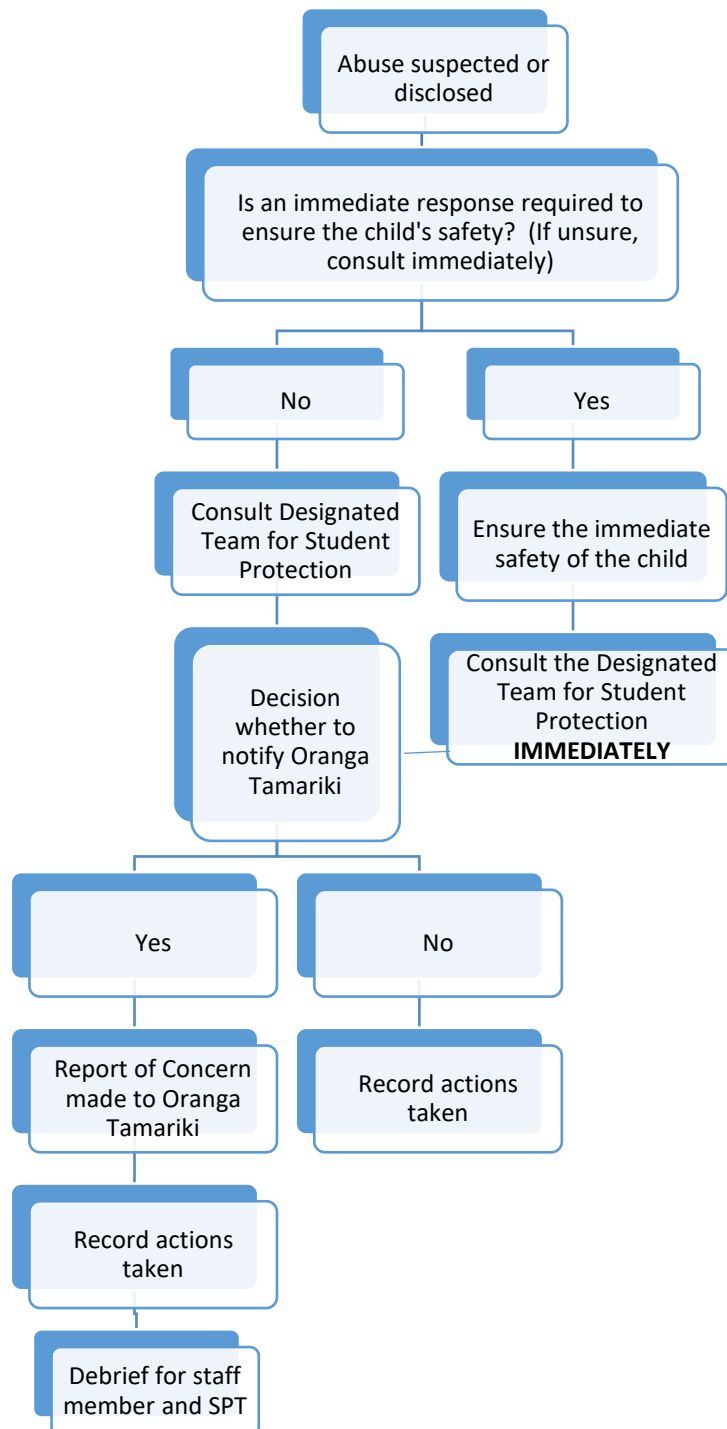
- The parent or caregiver is the alleged perpetrator
- It is possible that the child may be intimidated into silence
- There is a strong likelihood that evidence will be destroyed

Sharing Information and Confidentiality

- a. The safety of the student is paramount. At times, a student is unable to speak for or protect themselves. Therefore Fairfield College has a greater responsibility to know when and how to share appropriate information with external agencies to protect the safety and wellbeing of students.
- b. Giving information to protect students better is not a breach in confidentiality. Wherever possible the family/whanau should be kept informed of what information has been shared and to which agency and for what purpose. Principle 11 of the Privacy Act (1993) states "disclosure of the information is necessary to prevent or lessen a serious threat"
- c. Should Fairfield College be contacted with a request for information or access to interview a student then the following procedure will be followed:
 - Confirm identity and credentials of person requesting information
 - Designated Team for Student Protection will record visit. If any doubt over legality of visit or access to student, the Team will meet and review. If any doubt, the Principal to be informed and to make a decision as to whether to provide information and/or access.
 - Depending on the reason for the request, and risk to the student as judged case by case, inform the family that information has been requested, by whom and seek permission. If this is a child protection issue, permission from the family is not required.

Action to be taken by the Designated Team for Student Protection

- a. Concerns regarding alleged or suspected abuse will first be raised to the Designated Team for Student Protection. A decision will be made whether this information needs to be escalated to Oranga Tamariki.
- b. All decisions taken, including if the concern does not require notifying Oranga Tamariki, must be recorded in writing and kept secure, with the reasons clearly identified and explained.



10. Safe Recruitment and employment of Staff

- a. To safeguard the safety and welfare of students all staff will be recruited and employed as outlined in the Staff Appointment policy.

11. Training of Staff

- a. All staff will receive child protection training at the level appropriate to their role. The Designated Team for Student Protection will undertake more intensive training. These persons will be accessible to staff to provide advice and support

- b. All staff will be given appropriate training covering basic awareness of child protection. This will include an overview of signs and indicators of abuse, and also the procedure for responding to actual or suspected abuse. This training will include:
 - Roles and responsibility of staff regarding student protection
 - Recognising and responding to the signs and indicators of actual or suspected abuse
 - Ensuring staff understand and can follow the Student Protection Policy and the procedures for reporting a concern
- c. All staff will receive an awareness/reminder re our processes twice a year.
- d. All new staff will be given a working guide of this Policy as part of the induction process. Access to the full Policy to be available through the shared Drives and the school website.

12. Safe Working Practices

- a. A relationship between an adult and a child or young person cannot be a relationship between equals. There is a potential for exploitation and harm of vulnerable young people. Adults have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification
- b. Adults should always maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. Adults who work with children must therefore act in a way that is considered to be safe practice.
- c. Communication between children and adults, by whatever method, should take place within clear and explicit professional boundaries. This include the wider use of technology such as mobile phone, text messaging, emails, digital cameras, videos, web cams, websites, social networking and blogs. Adults should not share any personal information with a child or young person. They should not request, or respond to, any personal information from the child or young person other than that which might be appropriate as part of their professional role. Adults should ensure that all communications are transparent and open to scrutiny.
- d. Any sexual activity between an adult and a child or young person will be regarded as a criminal offence and will always be a matter for disciplinary action.
- e. When physical contact is made with a child this should be in response to their needs at time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background. Adults should use their professional judgement at all times, observe and take note of the child's reaction or feelings and use a level of contact and/or form of communication which is acceptable to the child for the minimum amount of time necessary.
- f. All staff are expected to behave in manners consistent with the Education Councils 'Our Code, Our Standard'.

13. Dealing with allegations made against members of staff regarding inappropriate actions with children

- a. Fairfield College has a duty of care to the students it provides services to. A failure to report a significant concern about a child is a breach of that child's human rights.
- b. Anyone who has reason to make a complaint will be made aware of the Fairfield College complaint process. There is potential that an issue raised as a complaint may also constitute an allegation of abuse. Any such complaint that raises a child protection issue will be referred directly to the Principal.

- c. It must be remembered that making a disclosure or a complaint against someone in a position of power and authority is always difficult. The person making the disclosure may reconsider and express a wish to retract their allegation. At the outset it must be clearly communicated with the child or adult that their concern is being taken seriously and will be responded to in accordance with this policy.
- d. Allegations, suspicions or complaints of abuse against staff, volunteers or representatives of other agencies must be taken seriously and reported to the Principal who will deal with them immediately, sensitively and expediently within the procedures outlined in this policy.

Concerns may be raised in a number of ways eg:

- Directly by staff hearing or observing issues of concern or behaviour of concern.
 - Direct disclosure by the child or young person.
 - Indirect disclosure (eg through written or art work or through friends).
 - Complaint from a parent or caregiver or whanau member.
 - Reports by other colleagues or agencies.
 - As an anonymous report.
- e. If an allegation is against the Principal then this must be reported directly to the Chair of the Board of Trustees.
 - f. It is **NOT** the responsibility of staff to investigate allegations of child abuse.
 - g. In all student protection cases, Fairfield College will co-operate fully with both Oranga Tamariki and the Police in their investigations and assessments.
 - h. 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.
 - i. 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 or inappropriate behaviour may have occurred. The allegation may represent poor practice by a member of staff, which needs to be considered under internal disciplinary procedures.
 - j. A complaint or allegation against a member of staff may require a report to Education Council of Aotearoa New Zealand (EDUCANZ).
 - k. All staff have a responsibility to understand what constitutes appropriate behaviour in relation to children and young people. All staff have a responsibility to maintain appropriate standards of behaviour and to report lapses in these standards by others. Any concerns or reasonable suspicions of abuse should be reported to the Principal.
 - l. A person tendering his or her resignation, or ceasing to provide their services, will not prevent an allegation of abuse against a child being followed up in accordance with these procedures.