

ST PETER'S TRUST BOARD

Child & Young Person Protection And Safeguarding Policy

Revised: August 2023

1. PURPOSE

- 1.1 The purpose of this policy is to ensure that all people working for, or at, St Peter's Cambridge ("St Peter's") operate in ways which ensure that children and young people are protected from all forms of harm. This involves being able to recognise and identify signs of abuse and know how to respond appropriately.
- 1.2 This policy confirms the commitment of St Peter's to the protection of children and proceeds to:
 - outline the standards and principles by which all staff will abide
 - define child abuse
 - outline the action to be taken by staff where any form of abuse or neglect is known or suspected
 - establish what action is required when allegations are made against staff
 - outline expectations regarding staff training
 - outline expected behaviour of staff

2. GUIDING PRINCIPLES

- 2.1 Children and young people attending St Peter's Cambridge have a right to feel safe and comfortable in that care, contact and environment.
- 2.2 St Peter's asserts that all children and young people have equal rights to protection from abuse, neglect and exploitation regardless of their gender, race, religion, political beliefs, age, physical or mental health, sexual orientation, family and social background, and culture, economic status or criminal background.
- 2.3 The decisions and actions of St Peter's Cambridge in response to any child protection concern will be guided by the principle of *"the welfare and best interests of the child or young person"*.
- 2.4 All services provided by St Peter's for the safety and wellbeing of children and young people adhere to the principles of partnership, protection and participation; and the rights and responsibilities accorded by Te Tiriti o Waitangi.

3. SCOPE

- 3.1 This policy applies to all St Peter's staff.
- 3.2 For the purposes of this policy, "staff" includes the St Peter's Trust Board and those associated with the St Peter's boarding facility.

4. LEGISLATION

4.1 This policy has been written with the United Nations Convention on the Rights of the Child in mind and in accordance with the following legislation:

- Care of Children Act, 2004
- Children's Act, 2014
- Crimes Act, 1961
- Family Violence Act, 2018
- Education Act 1989
- Education and Training Act 2020
- Education (Physical Restraint) Rules 2023
- Employment Relations Act, 2000
- Health and Safety Act 1956
- Health and Safety at Work Act 2015
- Health and Disability Sector Standards Regulations, 2001
- Health Information Privacy Code, 1994
- Human Rights Act, 1993
- Oranga Tamariki Act, 1989
- Privacy Act, 2020

5. REVIEW

5.1 This policy will be reviewed annually, and updated regularly, to ensure it is kept up to date with changes that may have been made to legislation, related policies and procedures, and in light of operational experience.

5.2 The overall responsibility for the review of this policy rests with the St Peter's Head of School, in consultation with the St Peter's Trust Board, and **Mr Brenton Joubert** in his role as Designated Person for Child Protection.

6. DEFINITIONS

6.1 For the purposes of this Policy the following definitions apply:

"Child" means any person under the age of 14 years

"Child Abuse" can involve ongoing, repeated or persistent abuse, or may arise from a single incident. Abuse of the vulnerable may take many forms but it can be categorised into four different types:

- i. Physical Abuse
- ii. Sexual Abuse
- iii. Emotional Abuse
- iv. Neglect

"Designated Person for Child Protection" is a person within St Peter's who is responsible for the safeguarding of children and young people. This person is responsible for ensuring that child protection is a key focus within St Peter's both at a strategic level and on a day to day basis.

As at the date of this policy the Designated Person for Child Protection for St Peter's is:

Mr Brenton Joubert – Deputy Principal

As at the date of this policy the Secondary Designated Person for Child Protection for St Peter's is:

Mr Marcus Blackburn – Head of School

“Emotional Abuse” is any act or omission that results in impaired psychological, social, intellectual and/or emotional functioning and development of a child or young person.

“Family Violence” can take many forms and includes not only acts of physical violence, but also intimidating behaviour such as threatening to harm people, pets or property. Children and young people are always affected either emotionally or physically where there is family violence even if they are not personally injured or physically present.

“Grooming” is predatory conduct and can include, but is not limited to, befriending, or establishing an emotional relationship, or other emotional connection, with a child or young person, (and can extend to members of the child or young person's family or whānau), for the purpose of lowering the child or young person's inhibitions and with the objective of sexual abuse.

“Neglect” is characterised as the persistent failure to meet a child or young person's basic physical and/or psychological need. This can occur through direct and deliberate action or by omission or deliberate inaction to care for and/or protect the child or young person. It may also include neglect of a child or young person's basic or emotional needs.

“Oranga Tamariki - Ministry for Children” formerly known as Child Youth and Family Services (“CYFS”). Oranga Tamariki is a government ministry dedicated to supporting children and young people in New Zealand whose wellbeing is at significant risk of harm now, or in the future.

“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 or young person. Physical abuse also involves the fabrication or inducing of illness.

“Sexual Abuse” is an act or acts that result in the sexual exploitation of a child or young person, whether consensual or not. Sexual abuse can be committed by a relative, a trusted friend, an associate, or someone unknown to the child or young person.

“Staff” refers to any person working at, or on behalf of, St Peter's and includes, but is not limited to, teaching and non-teaching staff employed directly by St Peter's, irrespective of whether they are paid or voluntary, or whether they are working on a full time, part time, casual, or temporary basis, as well as any persons contracted or invited to provide services to children and/or young people in the care of St Peter's. “Staff” also extends to include the St Peter's Trust Board, those associated with the St Peter's boarding facility, parent helpers, and volunteers.

“Student” refers to any person who is enrolled, or has at any time been enrolled, at St Peter's Collegiate School.

“Young Person” means any person of or over the age of 14 years but under the age of 18 years. For the purposes of this Policy, the term “young person” will also be extended to include any person 18 years or over currently enrolled as a student at St Peter's. In addition, “young person” can also be extended to include some young adults for certain purposes and as specified in the Oranga Tamariki Act 1989.

7. RESPONSIBILITIES

- 7.1 St Peter's recognises that all staff have a full and active part to play in protecting children and young people from harm. It is the primary responsibility of staff to be vigilant, have knowledge and awareness

of the indicators of neglect and abuse, whether actual or potential, and to report any concerns, suspicions or allegations immediately. Staff have a responsibility to ensure that any concern, suspicion or allegation raised is taken seriously.

- 7.2 St Peter's is responsible for ensuring that all staff understand, and adhere to, this policy and have undertaken the appropriate child protection training.
- 7.3 Each member of staff 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 the Designated Person for Child Protection and the Head of School who will then contact external agencies if appropriate
 - work in co-operation with the parents and caregivers, unless this compromises the safety of the child or young person.
- 7.4 The statutory responsibility to investigate allegations of child abuse rests with Oranga Tamariki and the NZ Police. No member of St Peter's staff, including the St Peter's Trust Board, the Designated Person for Child Protection, the Director of Boarding, or the Head of School, are permitted or mandated to investigate allegations of abuse.

➤ **Role of the Head of School and the Designated Person for Child Protection**

- 7.5 The role of the Head of School, together with the Designated Person for Child Protection, is to:
- Ensure that child protection is a key focus within St Peter's and that appropriate protocols, procedures and training are in place.
 - Ensure that the needs and rights of children and young people come first - the safety and wellbeing of each child and young person is the paramount consideration in all circumstances.
 - Ensure that the St Peter's Child and Young Person Protection and Safeguarding Policy is effectively implemented.
 - Receive information that suggests potential or actual risk of harm to a child or young person who attends St Peter's, irrespective of whether the alleged abuse is current, past or likely to occur. The Head of School will advise and support staff and, where appropriate, will make any referrals to Oranga Tamariki or the NZ Police together with the Designated Person for Child Protection.
 - Ensure that all allegations are managed appropriately.
 - Ensure that there is no internal investigation without appropriate consultation and a decision whether a response from Oranga Tamariki or the Police is required.
 - Ensure that allegations or complaints are appropriately referred to the Education Council of Aotearoa New Zealand (EDUCANZ).
 - Ensure, and safeguard, clear, confidential, detailed and dated records on all child 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 NZ Police. These records will be kept separate from student records for the purpose of confidentiality.
 - Maintain a current awareness of the children and young people identified on a risk register, and regularly highlight these children to the appropriate staff.
 - Ensure that all staff are aware of, and have access to, full copies of the procedures for reporting child abuse.
 - Establish close links with the relevant local agencies to ensure clear and effective communication and be a recognised contact within St Peter's for agencies to contact regarding child protection concerns.

- Ensure that all staff are recruited and employed in accordance with the guidelines identified in this Policy, together with the St Peter's "**Recruitment Policy**" and that procedures are in place to identify those people safe to work with children and young people.
- ensure that all staff receive appropriate training ensuring they are skilled, confident, competent, and well supported in meeting their protection responsibilities.
- consult with each other regarding all child protection concerns.

➤ **Role of the St Peter's Trust Board**

7.6 The role of the St Peter's Trust Board is to:

- Ensure that the needs and rights of children and young people come first as the safety and wellbeing of each child and young person is the paramount consideration in all circumstances.
- Support the Designated Person for Child Protection and the Head of School to ensure that all allegations are managed appropriately.
- Ensure that no investigation occurs without appropriate consultation and a decision whether a response from Oranga Tamariki or the Police is required.
- Support the Designated Person for Child Protection and the Head of School to ensure that allegations or complaints are appropriately referred to the Education Council of Aotearoa New Zealand (EDUCANZ).
- Inform the Designated Person for Child Protection and/or the Head of School immediately should any member of the Trust Board become aware of a concern for the wellbeing and safety of a child or young person who attends St Peter's.

7.7 The Chair of the Trust Board will be directly informed of any allegations of abuse made against the Designated Person for Child Protection, Director of Boarding, or the Head of School.

The Chair of the St Peter's Trust Board is:

John Macaskill-Smith

8. CHILD/YOUNG PERSON RESPONSE AND PROTECTION PROCEDURES

8.1 The safeguarding of children has two main components. The first is a preventative component whereby St Peter's must ensure that they have effective policies and procedures in place to protect children from abuse. The second is a reactive component whereby St Peter's must ensure that they have effective measures in place to identify, respond to, and report any suspicions, allegations, and incidents of abuse.

8.2 The procedures set out in this policy provide guidelines to assist in identifying and responding appropriately to concerns of abuse and neglect. The procedures set out below will help with:

- the identification of abuse
- handling disclosures
- reporting procedures

➤ **Identification of Abuse**

8.3 Staff at St Peter's are uniquely placed to recognise and respond to concerns for the wellbeing of children and young people. Any member of staff may directly witness child abuse or have allegations, made by a child, young person, or an adult, relayed to them. There may also be disclosures of abuse that have occurred prior to attending St Peter's Cambridge. Sustained abuse and neglect of children and young people, wherever it occurs, can have major long term effects on all aspects of a child or

young person's health, development and well-being and their ability to sustain stable and meaningful relationships in the future.

- 8.4 The signs and indicators of abuse to a child or young person may not be immediately obvious or identifiable. **Appendix One** of this policy sets out a non-exhaustive list of signs and indicators to help identify abuse.
- 8.5 If a member of staff is unsure about what might constitute child abuse, or if they are unsure about whether they ought to report an incident, they should ask for advice and guidance from the Designated Person for Child Protection. If the Designated Person for Child Protection is unavailable for advice and guidance, or if the concern relates to the Designated Person for Child Protection, staff should consult with the Head of School. At any time, staff may seek advice from Oranga Tamariki (0508 326 459) regarding child protection concerns.

➤ **Responding to Child Abuse/Suspected Child Abuse**

- 8.6 St Peter's will respond to allegations of child abuse in a manner which ensures the child or young person's safety is the first and paramount consideration.
- 8.7 When child abuse is suspected, disclosed or witnessed, everything must be done to ensure the ongoing safety of the child or young person concerned, along with the ongoing safety of any other child or young person who is in close connection to the alleged offender. In all cases, the child or young person is the primary concern and all other concerns (including the guilt or innocence of the alleged offender) must be secondary. This does not mean that the alleged offender is to be considered guilty without due investigation, but that the child or young person's safety comes first.
- 8.8 In a situation where any staff member believes that a child or young person is in immediate danger, or in a situation where they believe that a third party is not prepared to secure the child or young person's safety by contacting a statutory service, the staff member, in consultation with the Designated Person for Child Protection or the Head of School, will inform Oranga Tamariki or the Police of their concerns. Staff will not collude to protect an adult or an organisation. Records of these Reports of Concern will be kept in a specific, secure, Child Protection File.
- 8.9 St Peter's Cambridge staff will not act alone about concerns of abuse but will consult with either the Designated Person for Child Protection or Head of School who will be committed to taking action as outlined in the procedures.
- 8.10 All concerns and information will be recorded factually and held confidentially. All documentation relating to concerns and information will be held in the Child Protection File.
- 8.11 Refer to the "**Child Protection Procedure Flowchart**" below.

➤ **Responding to Disclosure of Abuse from a Child or Young Person**

- 8.12 Disclosure of abuse may come directly from a child or young person. It is important that staff take what the child or young person says seriously, and respond in a calm, caring and sensitive manner. This applies irrespective of the setting, or the staff member's own opinion on what is being said. If there is information disclosed regarding actual or suspected child abuse staff must:
 - stay calm
 - reassure them that they were right to tell
 - tell the child or young person that they are being taken seriously and that they are not to blame
 - explain that they have to pass on what the child or young person has told them as soon as they are aware that the child or young person is making a disclosure

- give an age appropriate explanation to the child or young person of what they can expect to happen next
- record in writing what was said as soon as possible, using the child or young person's own words where possible.
- Report the concern to the Designated Person for Child Protection or the Head of School.

Staff must not:

- make the child or young person repeat the story unnecessarily
- promise to keep secrets
- enquire in to the details of the alleged abuse
- ask leading questions

8.13 Under no circumstances should staff attempt to conduct an investigation or deal with concerns of abuse themselves.

➤ **Harmful Behaviour by one Child or Young Person Towards Another**

8.14 It is important to be aware that children and young people can harm other children and young people. 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 or young person alleges inappropriate harmful behaviour by another child or young person then the child protection procedures outlined in this policy must be considered for both children and/or young people.

➤ **Suicidal Concerns and Self Harming Behaviour**

8.15 It is important to be aware that children and young people can harm themselves or attempt suicide. When a child identifies thoughts of suicide, or self-harming behaviour, this must be taken seriously and the Head of School or Designated Person for Child Protection notified immediately. If an immediate response is required to ensure the child or young person's safety, contact the NZ Police and the Mental Health Crisis team at Waikato Hospital.

Waikato DHB - CAHT
0800 50 50 50 (operating 24/7)

8.16 Self harm and suicide can be distressing for both the child or young person, and for St Peter's staff. It is important that staff consider their own care and seek help and support.

➤ **Reporting Procedures**

8.17 All St Peter's staff must report concerns or allegations of child abuse to the Designated Person for Child Protection at the first possible opportunity to best ensure the safety of the child or young person. If the Designated Person for Child protection is unavailable, then consultation should occur with the Head of School. A decision will be made as to whether to notify Oranga Tamariki. If an immediate response is required to ensure the child or young person's safety, staff should contact the NZ Police and/or Oranga Tamariki directly.

8.18 All concerns or allegations of sexual abuse must be reported to Oranga Tamariki and the NZ Police.

8.19 When reporting an incident staff should:

- Inform the Designated Person for Child Protection as soon as possible (and/or the Head of School, or Oranga Tamariki and/or the NZ Police)

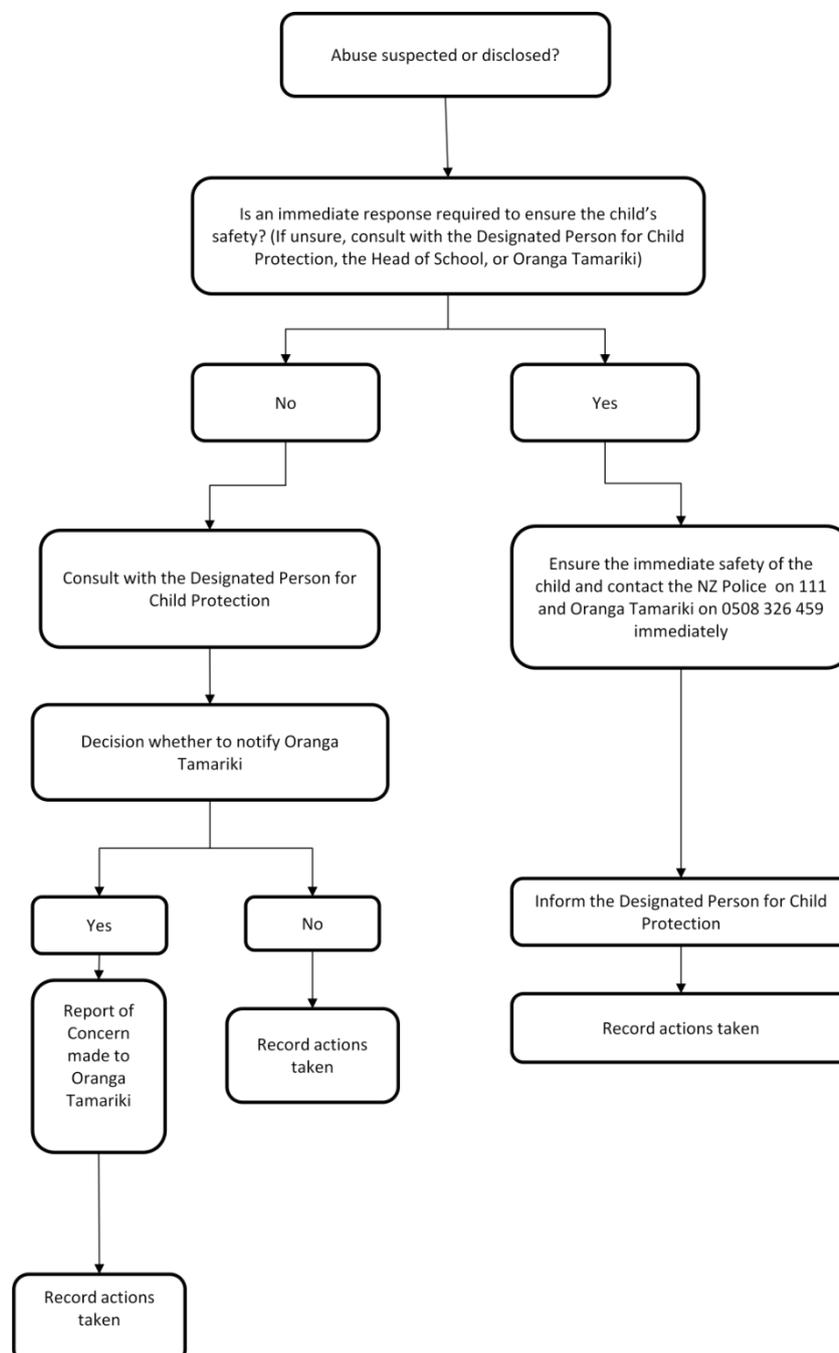
- Record in writing all conversations and actions taken and keep these records securely in a specified Child Protection File

8.20 Effective documentation, including referrals and notifications, must include:

- A record of facts, including observations, with times and dates
- What was said and by whom, using the person’s words
- What action has been taken, by whom and when

8.21 All decisions, including if the concern does not require notifying Oranga Tamariki or the Police, must be recorded in writing and kept securely in a Child Protection File with the reasons clearly identified and explained.

Protection Procedures Flowchart:



9. KEEPING FAMILY INFORMED AND INVOLVED

- 9.1 Wherever possible, a child or young person's family and whānau should participate in the decisions affecting that child or young person and the relationship between the child and their family and whānau should be maintained and strengthened.
- 9.2 Although the parent or caregiver of the child or young person will usually be informed of concerns, there may be times when those with parental responsibility may not be initially informed. This may happen when:
- the parent or caregiver is the alleged offender
 - it is possible that the child or young person may be intimidated into silence
 - there is a strong likelihood that evidence will be destroyed
 - the child or young person does not want their parent or caregiver involved and they are of an age when they are competent to make that decision. Any decision not to inform the child or young person's family or whānau based solely on the child or young person's wish should be made with careful consideration and in consultation with the Designated Person for Child Protection and the Head of School.
- 9.3 Where St Peter's does engage with family and whānau members in circumstances where abuse is suspected, witnessed or disclosed, they must inform them of this policy and the procedures contained therein. In these circumstances St Peter's must ensure that, wherever possible, they work in partnership with the family and whānau and support them throughout the process. Staff must be aware of the need for sensitivity during what is likely to be a distressing time for the entire family and whānau unit

10. CONFIDENTIALITY AND INFORMATION SHARING

- 10.1 The safety of a child or young person is paramount and St Peter's has a responsibility to know when and how to share appropriate information with external agencies to protect the safety and wellbeing of children and young people.
- 10.2 All staff are required to adhere to the Privacy Act 2020 and the Information Sharing Provisions under the Oranga Tamariki Act 1989 and the Family Violence Act 1989.
- 10.3 Under the Privacy Act 2020, the giving of information to protect a child or young person is not a breach of confidentiality. Principle 11 of the Privacy Act, 2020, states that the sharing of personal information is allowed if "disclosure of the information is necessary to prevent or lessen a serious threat". Wherever possible the family and whānau should be kept informed of what information has been shared and to which agency, and for what purpose.
- 10.4 The Oranga Tamariki Act 1989 and the Family Violence Act 2018 place the wellbeing and best interests of a child or young person as the first and paramount consideration when it comes to the sharing of information. This principle takes precedence over any duty of confidentiality that is owed to the child or young person, or their family and whānau, or any person with whom the child or young person is in a domestic relationship with.
- 10.5 Under section 66 of the Oranga Tamariki Act, St Peter's can be mandatorily required to provide information that relates to a child or young person's health, safety and wellbeing, when requested by:
- the Chief Executive of Oranga Tamariki
 - a care and protection co-ordinator, or
 - a constable.

- 10.6 Under section 66C of the Oranga Tamariki Act, St Peter's may share information about a child or young person with a child welfare and protection agency or independent child welfare person for one of the following purposes:
- Prevent or reduce the risk of harm, ill-treatment, abuse, neglect or deprivation to a child or young person;
 - Make or contribute to an assessment of the risks or needs of a child or young person;
 - Make, contribute to or monitor any support plan for a child or young person that is managed by Oranga Tamariki;
 - Prepare, implement or review any prevention plan or strategy made by Oranga Tamariki;
 - Arrange, provide or review services facilitated by Oranga Tamariki for a child or young person, or for their family or whānau;
 - Carry out any function in relation to a family group conference for a child or young person in care or anything else related to the care or protection of a child or young person.
- 10.7 Under the Oranga Tamariki Act 1989, and the Family Violence Act 2018, if St Peter's staff raise a legitimate concern in good faith about suspected child abuse, which proves to be unfounded on investigation, no civil, criminal or disciplinary proceedings may be brought against that staff member, or against St Peter's.
- 10.8 **Appendix Five** of this policy provides an overview of the information sharing provisions of the Oranga Tamariki Act and information sharing considerations.
- 10.9 Should St Peter's be contacted with a request for information or access to interview a child or young person then the following procedure will be followed:
- Identify the specific information required and the purpose of the request
 - Check that St Peter's holds the information requested
 - The Head of School is to identify a way forward and provide permission to share information
 - Depending on the reason for the request, and risk to the child or young person as judged on a case by case basis, inform the family or whānau that information has been requested, by whom and seek their permission. If this is a child protection issue, permission from the family or whānau is not required.
 - Document all steps in the process. Ensure that all documentation is placed on the child's Child Protection File.
- 10.10 Advice should be sought from Oranga Tamariki and/or the Police before any information about an allegation that identifies an individual is shared with anyone other than the Head of School or the Designated Person for Child Protection.

11. RELATIONSHIPS WITH STATUTORY AND SPECIALIST AGENCIES

- 11.1 St Peter's will maintain good working relationships with agencies that have the statutory powers and skills to intervene in cases of child abuse. This includes maintaining a good working relationship with Oranga Tamariki and with the NZ Police, and be familiar with the laws that serve to protect children and young people from abuse. St Peter's will consult with Oranga Tamariki, Police, and with other appropriate agencies that have specialist knowledge to help protect children from abuse.
- 11.2 St Peter's believes that in order to keep children and young people safe, people who suspect or uncover abuse should not be tempted to deal with cases by themselves, but to report and seek help as necessary. When there is a relationship of trust and understanding with the statutory agencies, people are more likely to report and enable professional investigation to ensue.

- 11.3 St Peter's will maintain relationships with NGOs and organisations that provide services to children, young people, families and whānau throughout the country.

12. SAFE RECRUITMENT

- 12.1 St Peter's is committed to applying rigorous employment and selection processes which emphasise the importance of child protection, and which ensure that every member of staff is safe and suitable to be associated with St Peter's, regardless of whether this position is paid or voluntary, permanent, part time or casual.
- 12.2 Before making any appointment, St Peter's will complete a robust safety checking process to ascertain the candidate's suitability and safety to work for, or at, St Peter's. This process includes, but is not limited to:
- i. Identity verification check
 - ii. Employment verification check
 - iii. Reference check
 - iv. Professional membership check
 - v. New Zealand Police vetting check
 - vi. Risk assessment
 - vii. Interview/s with the applicant
- 12.3 Further information regarding safety checking and the recruitment of staff is found in the St Peter's **"Recruitment Policy"**.

➤ **Police Vetting**

- 12.4 St Peter's recognises the particular importance of Police vetting staff as they have the unique opportunity to build up a relationship of trust with children and young people.
- 12.5 Police vetting of all staff will be carried out a minimum of once every three (3) years. All new offers of employment and employment agreements, regardless of whether these are for paid or voluntary, permanent, part time or casual positions, will remain conditional on receiving satisfactory results from Police vetting. It is noted that for registered teachers, Police vetting is carried out as part of the teacher registration process.
- 12.6 Until such time as the Police vetting process has been completed and the results have been received, all newly appointed staff working with children and/or young people will be supervised in their role and will not be permitted to work alone.
- 12.7 The Police vetting requirement extends to all staff, including, but not limited to, contractors, volunteers, and parent helpers attending overnight school camps.
- 12.8 If the candidate has lived in another country in the last five (5) years, they must supply a background check conducted in that country.

13. CHILD PROTECTION TRAINING

- 13.1 All staff will be required to be familiar with, and adhere to, the St Peter's Child and Young Person Protection and Safeguarding Policy.
- 13.2 St Peter's will ensure that all staff will be given appropriate training, covering basic awareness of child protection in order to protect children and young people and to recognise and respond when children and young people are at risk.
- 13.3 Staff training on child protection will include an overview of signs and indicators of abuse, as well as the procedure for responding to actual or suspected abuse. This training will include:
 - Roles and responsibility of staff regarding child protection
 - Recognising and responding to the signs and indicators of actual or suspected abuse
 - Ensuring staff receive a copy this Policy, can understand it, and can follow the procedures for reporting a concern
- 13.4 All new staff will receive child protection training, and will be given a copy of this policy, as part of the induction process.
- 13.5 All other staff, including the Designated Person for Child Protection, Director of Boarding, and the Head of School, will receive updated child protection training a minimum of every three (3) years.

➤ Educating Parents, Caregivers, Children, and Young People

- 13.6 St Peter's believes that as well as training for staff, education directed at children, young people, and their parents and caregivers is also an important aspect in enhancing the wellbeing of students.
- 13.7 Parents, caregivers, children, and young people involved with St Peter's will be made aware of the St Peter's Child and Young Person Protection and Safeguarding Policy, ensuring that those associated with St Peter's know, at a minimum, who to contact in the event of a child protection concern arising.

14. SAFE WORKING PRACTICES

- 14.1 Staff should always maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. Staff who work with children and young people must act in a way that is considered to be safe practice. This includes, but is not limited to:
 - Avoiding situations where they are alone with a child or young person;
 - Ensuring that they are visible to others when with a child or young person;
 - Using an open door policy where possible;
 - Avoiding circumstances where their behaviour (both verbal and physical) may be misinterpreted as hostile, suggestive, inappropriate, offensive, or neglectful;
 - Not transporting a child or young person, other than their own, alone at any time other than in an emergency situation;
 - Not removing any child or young person from St Peter's without prior written consent from the child or young person's parent or guardian – except in an emergency situation;
 - Monitoring visitors to St Peter's at all times;
 - Not taking, or displaying, images of children or young people unless they have consent to do so from the child or young person's parents or caregivers, and the child or young person them if appropriate.

➤ Physical Contact

- 14.2 It is imperative that in all dealings with children and young people, a balance is struck between the rights of the child and the need for intervention. When physical contact is made with a child or young person this should be in response to their needs at the time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background. Staff should always use their professional judgement, observe and take note of the child or young person'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.
- 14.3 Any sexual activity between staff and a child or young person will be regarded as a criminal offence, will be reported to the NZ Police, and will be a matter for disciplinary action.

➤ Physical Restraint

- 14.4 The use of physical intervention should always be avoided unless it is necessary to prevent a child or young person from injuring themselves or others. It must only be used by teachers or authorised staff members when all three of the following conditions are met:
1. The physical restraint is necessary to prevent imminent harm, including significant emotional distress, to the child or young person, or to another person
 2. The teacher/authorised staff member reasonably believes there is no other option available in the circumstances for preventing the harm
 3. The physical restraint is reasonable and proportionate in the circumstances (only applying as much force as is necessary for the minimum time necessary).
- 14.5 Where physical restraint is required, the child or young person's physical and psychological state should be monitored during the restraint, and in the aftermath of the incident, for signs of distress.
- 14.6 All instances where physical restraint is used will be reviewed by the St Peter's Board of Trustees.
- 14.7 All forms of physical intervention should form part of a broader approach to the management of challenging behaviour.
- 14.8 Refer to the *Education (Physical Restraint) Rules 2023* and the *Education and Training Act 2020*.
- 14.9 Refer to the St Peter's "**Physical Restraint and Seclusion Policy**".

➤ Managing Challenging Behaviour

- 14.10 St Peter's recognises that at times there will be child or young people attending their school who have more complex needs and may present with challenging behaviours.
- 14.11 When it comes to students with challenging behaviour, individual care plans outlining specific difficulties and individual needs will be developed. St Peter's will ensure that staff working with these children or young people are provided with adequate, and tailored, training and support to keep themselves safe and to best support the individual child or young person.
- 14.12 Refer to the St Peters "**Student Behaviour Management Policy**".

➤ **Communication**

- 14.13 Communication between children or young people, and adults, by whatever method, should take place within clear and explicit professional boundaries. This includes the wider use of technology such as mobile phone, text messaging, emails, digital cameras, videos, web-cams, websites, social networking and blogs. Staff 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. Staff should ensure that all communications are transparent and open to scrutiny.
- 14.14 St Peter's expects all staff members to diligently explore all school-based platforms of communication to their fullest extent before resorting to other forms of communication with students and parents. The recommended platforms for communication are as follows:
- Google Classroom and linked applications
 - St Peter's email
- 14.15 If a staff member believes they are unable to adequately address the needs of a child or young person attending St Peter's using the recommended communication platforms, they must submit a written application to their line manager detailing the reasons for this request.
- 14.16 The purpose of this process is to ensure the safety of both staff and students within these communication spaces. By adhering to this procedure, we aim to maintain a formal and secure communication environment that meets the needs of our students and staff while prioritising their wellbeing and the professional responsibilities of our staff.

➤ **Private Spaces**

- 14.17 St Peter's staff will only be permitted to enter a private space, such as a toilet, bathroom, or changing facility where this is required as part of a duty, or where there is a concern around student safety and wellbeing. This includes, but is not limited to, any illegal activity, vaping, bullying etc.
- 14.18 In general best practice dictates that staff should not be entering private spaces in the hours that it has been designated for student usage, unless the circumstances in 14.17 apply.
- 14.19 In the event that an adult is required to enter a private space that is being used by a child/ren or a young person or young people, where possible they should try to have at least one other adult with them and that they knock, announce themselves, and wait for permission from a child or young person, prior to entering.
- 14.20 In circumstances where a member of staff holds a genuine and reasonable belief that a private space is being used for unsafe and/or illegal activity, St Peter's recognise that they may be required to enter a private space without adhering to recognised best practice set out above. In these circumstances staff should, where practicable, have another member of staff with them. Staff must report to the Designated Person and/or the Head of School immediately after the event and the circumstances of the event, and surrounding the entry into the private space, must be recorded in writing.
- 14.21 For staff accessing these private spaces as part of their duty responsibility, it will be assumed as part of their responsibility that they have accessed these private spaces as per the instruction they have received. These staff will be instructed every term about the best way to manage this responsibility and keep themselves safe in accordance with points 14.17 – 14.20.

14.22 Taking children and young people out of their usual environment can provide them with life-changing experiences which they will remember for the rest of their lives. It can also put them at risk and into unfamiliar situations. Careful planning and preparation is needed to minimise risks and make the activity a positive experience for each child and young person.

14.23 Before any trip, parents and caregivers will be informed by written notice of the details of same, including but not limited to:

- The venue;
- The method of transport;
- The date;
- The time;
- The contact details of the trip organiser.

14.24 Parents and caregivers must give written consent for their child and/or young person to attend any planned trip.

14.25 All adults taking part in the trip or excursion must be appropriately safety checked prior to the trip or excursion taking place.

14.26 Refer to St Peter's *"Education Outside the Classroom Policy"*.

➤ **Transportation**

14.27 All precautions must be taken to ensure that when transporting children and young people their safety and wellbeing is paramount.

14.28 Only approved, fully licensed, and Police vetted adults will be responsible for transporting children and young people. All adults must be free from alcohol and non-prescription drugs.

14.29 All vehicles transporting children and young people must be roadworthy, with a current Warrant of Fitness and registration, and the maximum passenger number must not be exceeded. Safety belts must be used.

14.30 Drivers must not deviate from the agreed route and must carry a mobile phone with them at all times in case of emergencies.

14.31 Children and young people should not be transported alone, except in an emergency situation. This can be achieved by:

- having a central drop off and pick up point for trips so there isn't one child or young person left at the end of a trip.
- using vans and transporting big groups at once.

15. BOARDING FACILITIES

15.1 St Peter's recognises that boarding facilities present a high risk in terms of abusive behaviour between adults and students, and between students with other students.

15.2 Staff working in the St Peter's Boarding Facility need to balance providing a relatively informal 'home-like' environment for students in ways that do not compromise their strict professional boundaries or the welfare of students.

15.3 In addition to the ensuring adherence to the St Peter's Child and Young Person Protection and Safeguarding Policy, staff must also ensure adherence to the St Peter's "**Boarding Community Policies and Procedures**".

16. ALLEGATIONS AGAINST ST PETER'S STAFF

16.1 St Peter's has a duty of care to the children and young people it is entrusted with.

16.2 All staff have a responsibility to understand what constitutes appropriate behaviour in relation to children and young people and to maintain this behaviour.

16.3 Allegations, suspicions or complaints of abuse against staff will be taken seriously and reported directly to the Head of School who, along with the St Peter's Trust Board, will deal with them immediately, sensitively and expediently within the procedures outlined in this policy.

16.4 If the allegation is against the Head of School, Designated Person for Child Protection, or Director of Boarding, then this must be reported directly to the Chair of the St Peter's Trust Board, who will deal with the allegation in consultation with the rest of the Trust Board.

16.5 Any concern of abuse of a child will follow the child protection procedures outlined in this policy. In the event of an allegation of abuse by a staff member a report of concern will be made to the Police and Oranga Tamariki. It is not the responsibility of staff to investigate allegations of child abuse.

16.6 When there are suspicions of abuse by a staff member, both staff and children's or young people's rights are to be attended to. This means that the safety of the child or young person is of first concern, and that the staff member must have access to legal and professional advice, in accordance with the Employment Relations Act.

16.7 In all child protection cases, St Peter's will co-operate fully with both Oranga Tamariki and the Police in their investigations and assessments.

16.8 If the Police decide to undertake a criminal investigation then the member of staff will be suspended. It is important that no internal investigation is undertaken, and no evidence gathered that might prejudice an official Police or Oranga Tamariki investigation.

16.9 If there is insufficient evidence to pursue a criminal prosecution, then an internal disciplinary investigation may still be undertaken subject to internal disciplinary procedures.

16.10 A complaint or allegation against a member of staff may require a report to Education Council of Aotearoa New Zealand (EDUCANZ). Further information regarding the thresholds for reports to EDUCANZ can be found in **Appendix Two**.

16.11 A person tendering his or her resignation, or ceasing to provide their services to St Peter's, will not prevent an allegation of abuse against a child or young person being followed up in accordance with these procedures.

16.12 The fact that an alleged offender has not been prosecuted or been found guilty does not necessarily mean that they are appropriate to continue to work with children or young people. A risk assessment must be carried out before allowing the person to return to their duties, or any alternative duties, in any capacity. When making any decisions, St Peter's will, at all times, place the safety and wellbeing of children and young people as the paramount consideration.

16.13 Refer to the St Peter's Cambridge "**Child Abuse Response Protocol**".

➤ **Historical Allegations**

16.14 St Peter's regards its child protection responsibilities with the utmost importance and is committed to acknowledging, and apologising for, any abuse to anyone entrusted in its care. St Peter's is committed to providing redress and taking all steps to prevent any possible recurrence of abuse.

16.15 Any person, collective group of persons, or advocate or support person, may submit an allegation of historical abuse against St Peter's, either verbally or in writing, directly to the Head of School or Chairperson of the Board of Trustees.

Appendix One

Indicators of Abuse

The [indicators](#) for child abuse and neglect fall into three general categories:

Physical indicators: Injuries to a child or young person that occur in a pattern or occur frequently. These injuries range from bruises to broken bones to burns or unusual lacerations and are often unexplained or inconsistent with the explanation given

Behavioural indicators: The child or young person's actions, attitudes, and emotions can indicate the possibility of abuse or neglect. Behavioural indicators alone are much less reliable than physical indicators, as a child or young person's behaviour may be the result of a variety of other problems or conditions. When observing changes in behaviour, look for the frequency and pattern of the new behaviour, as well as a child or young person's age and stage of development. For example, it is normal for younger children to be wary of adults, as they may have been taught not to talk to strangers. Look for a combination of physical and behavioural indicators.

Caregiver indicators: Caregivers who abuse, neglect or exploit children or young people are either unable or unwilling to provide care and protection in an appropriate way. Those who are unable to provide care and protection may be physically unable due to their own medical or health condition. They may be overly stressed, tired, or working under the influence of drugs or alcohol which limits their abilities. Caregivers who are unwilling to provide children or young people with the appropriate level of care and protection are more aware that what they are doing is wrong but continue to act in that way. These caregivers may not view the child as someone who has feelings and emotions and often have the need to control others or have displaced aggression towards weaker persons.

The indicators alone do not prove child abuse or neglect. Likewise, the absence of indicators does not exclude the possibility that abuse is occurring. If you have any concerns about the wellbeing of a child or young person, seek advice from your Designated Person for Child Protection, Head of School, or Oranga Tamariki.

- requent 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 or young people 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
- Caregiver Indicators:
- Labels the child or young person as inferior or publicly humiliates the child (e.g. name calling)

- Treats the child or young person differently from siblings or peers in ways that suggest dislike for the child or young person
- Actively refuses to help the child or young person
- Constantly threatens the child or young person with physical harm or death
- Locks the child or young person in a closet or room for extended periods of time
- Teaches or reinforces criminal behaviour
- Keeps the child or young person at home in role of servant or surrogate parent
- Has unrealistic expectations of child or young person
- Involves child in adult issues such as separation or disputes over child or young person's care
- Exposes child or young person to situations of arguing and violence in the home

➤ **Neglect Indicators**

- **Physical Indicators:**
 - Dressed inappropriately for the season or the weather
 - Often extremely dirty and unwashed
 - 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/caregivers
 - 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
 - Puts own need ahead of child or young person's
 - Fails to provide child or young person's basic needs
 - Demonstrates little or no interest in child or young person's life - does not attend school activities, social events
 - Leaves the child or young person alone or inappropriately supervised
 - Drug and alcohol use
 - Depression

➤ **Physical Abuse Indicators**

- **Physical Indicators:**
 - 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
- **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, young people, or animals
- Caregiver Indicators:
 - Inconsistent or vague explanations regarding injuries
 - May appear unconcerned about child or young person's wellbeing
 - May state the child or young person is prone to injuries or lies about how they occur
 - Delays in seeking medical attention
 - May take the child or young person to multiple medical appointments and seek medical treatment without an obvious need

➤ **Sexual Abuse Indicators**

- 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
 - 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
 - May be unusually over-protective of the child or young person
 - Accuses the child or young person of being sexually provocative
 - Misuses alcohol or drugs
 - Invades the child or young person's privacy (e.g. during dressing, in the bathroom)
 - May favour the victim over other children or young people

➤ **Family Violence Indicators**

- Indicators in the Child or Young Person:
 - Physical injuries consistent with the indicators of Physical Abuse
 - Absenteeism from school
 - Bullying or aggressive behaviour
 - Complaints of headaches or stomach aches with no apparent medical reason
 - Talking or describing violent behaviours
- Indicators in the Victim:

- Physical Injuries including: bruising to chest and abdomen, injuries during pregnancy
 - Depression and/or anxiety
 - Inconsistent explanations for injuries
 - Fearful
 - Submissive
- Indicators in the Offender:
- Isolates and controls partner and children or young people
 - Threatens, criticises, intimidates, uses aggressive and physical abuse towards partner and children or young people
 - Minimises and denies own behaviour, or blames victim for the perpetrators own behaviour

Appendix Two

Education Council of Aotearoa New Zealand
Criteria for Reporting Serious Misconduct
(Education Council Rules 2016)

If a school believes a teacher could be guilty of serious misconduct, they have a legal obligation to report this to the Education Council. This is a mandatory report. The criteria for reporting serious misconduct are contained in the Education Council Rules 2016, in Rule 9, which is set out below:

Rule 9: Criteria for Reporting Serious Misconduct:

1. For the purposes of section 394 of the Education Act 1989, which imposes the general requirement that employers have to report serious misconduct, an employer of a teacher must immediately report to the Education Council if it has reason to believe that the teacher has engaged in any of the following kinds of serious misconduct:
 - (a) physical abuse of a child or young person (which includes physical abuse carried out under the direction, or with the connivance, of the teacher);
 - (b) sexual abuse of a child or young person (which includes sexual abuse carried out under the direction, or with the connivance, of the teacher);
 - (c) psychological abuse of a child or young person, which may include (but is not limited to) physical abuse of another person, or damage to property, inflicted in front of a child or young person, threats of physical or sexual abuse, and harassment;
 - (d) an inappropriate relationship with a person under the age of 16 years;
 - (e) an inappropriate relationship with a student with whom the teacher is, or was when the relationship commenced, in contact as a result of his or her position as a teacher;
 - (f) neglect or ill-treatment of a child or young person in the teacher's care;
 - (g) neglect or ill-treatment of an animal in the teacher's care;
 - (h) theft or fraud;
 - (i) manufacture of, cultivation of, supply of, dealing in, or use of controlled drugs;
 - (j) permitting, or acquiescing in, the manufacture of, cultivation of, supply of, dealing in, or use of controlled drugs by a child or young person;
 - (k) viewing, accessing, or possessing pornographic material while at a school or early childhood education service or engaged in the business of a school or early childhood education service;
 - (l) viewing, accessing, or possessing pornographic material that depicts children or young persons or that depicts animals engaged in sexual acts with humans;
 - (m) breaching the standards or rules of the school or early childhood education service concerning the use of alcohol at the school or while engaged in the business of the school or early childhood education service;

- (n) any other act or omission that could be the subject of a prosecution for an offence punishable by imprisonment for a term of 3 months or more;
 - (o) any act or omission that brings, or is likely to bring, discredit to the teaching profession.
2. Physical, sexual, or psychological abuse is reportable whether it occurs as—
- (a) a single act; or
 - (b) a number of acts forming part of a pattern of behaviour, even if some or all of those acts, viewed in isolation, are minor or trivial.

Appendix Three

Child Protection Overview

Responding to Abuse:

Abuse is "... the harming (whether physically, emotionally, sexually), ill-treatment, abuse, neglect, or deprivation of any child or young person"

Child abuse can involve ongoing, repeated or persistent abuse, or it may arise from a single incident. Child Abuse may take many forms but it can be categorised into four different types:

- Physical Abuse
- Sexual Abuse
- Emotional Abuse
- Neglect

Child abuse can occur in many different settings and forms and may come to light in a variety of different ways. These can include, but are not limited to:

- Direct or indirect disclosure by the child or young person, or someone known to the child or young person;
- Suspicions of abuse by those involved with the child or young person;
- Allegations and/or direct observations or signs displayed in the child or young person's physical or emotional behaviour;
- Direct witnessing of abuse.

When disclosures of abuse come directly from a child or young person, it is important that you take what the child or young person says seriously. This applies irrespective of the setting, or your own opinion on what is being said. When a child or young person tells you what has been happening to them, or when you witness or suspect child abuse, it is important that you, as the adult, remain calm and confident.

RESPOND: Respond to the person (adult, child, or young person) – Believe what they tell you and/or what you see.

SAFETY: Ensure the safety of the child or young person. Always take action in the short term to ensure the immediate safety of the child or young person. This will mean contacting the NZ Police (**111**) and Oranga Tamariki (**0508 326 459**) if you think there is an immediate risk to the child or young person.

RECORD: Record immediately all initial statements, observations and concerns to avoid misinterpretations or confusion at a later date.

CONSULT: Do not make decisions alone. Consult with your Child and Young Person Protection and Safeguarding Policy and your Designated Person for Child Protection. If the Designated Person for Child Protection is unavailable, consultation is to occur with the Head of School. Oranga Tamariki is always available to give advice.

REPORT: Decide to act on your concerns. If you have told the person you believe is responsible for taking action and they do not act, take further action yourself.

SUPPORT: Seek support for yourself. Responding to a child protection issue can be stressful.

Think "what if I'm right?" Not "what if I'm wrong?"

Appendix Four

Contact List

The St Peter's Designated Person For Child Protection is:

Brenton Joubert

(Contact Details: _____)

The St Peter's Secondary Designated Person For Child Protection is:

Marcus Blackburn

(Contact Details: _____)

The St Peter's Trust Board Chairperson is:

John Macaskill-Smith

(Contact Details: _____)

Ministry for Children - Oranga Tamariki

0508 326 0459

New Zealand Police

111

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Information Sharing Overview:

SAFETY COMES FIRST:

In all instances personal information can be shared with child welfare and protection agencies or independent child protection persons if there are concerns about a child or young person's safety and wellbeing.

The wellbeing and best interests of a child or young person are to be the first and paramount consideration.

PROTECTION WHEN SHARING:

If information is shared in good faith, meaning that you are making every effort to do the right thing, and if that sharing complies with the information sharing provisions, you are protected from civil, criminal or disciplinary proceedings. (NOTE: Keeping good records about information sharing is important to help demonstrate you shared in good faith.)

PRIVACY:

The principles of the Privacy Act must be followed by St Peter's when collecting, storing, using or disclosing personal information. When there is conflict between the Oranga Tamariki Act and the Privacy Act, the Oranga Tamariki Act **prevails**.

CONSIDER:



WHEN IT COMES TO INFORMATION SHARING THE WELLBEING AND BEST INTERESTS OF THE CHILD OR YOUNG PERSON ARE TO BE THE FIRST AND PARAMOUNT CONSIDERATIONS

Trust Board Chairperson Name: John Macaskill-Smith



Trust Board Chairperson Signature: _____

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