

Managing allegations against a staff member

These recommended procedures should be followed in the event of suspicion or disclosure of abuse against an employee. The child must be protected from harm.

The procedures are to ensure and/or provide:

- The **safety of the child is the first consideration**
- That all complaints are taken seriously and dealt with effectively
- That in the case of a complaint against an employee, action is guided by the applicable employment contract.
- Clear guidance for management and employees in respect of any allegations received concerning children within the Reefton Area School environment.

Please note there are two procedures to be followed here:

1. For the child - Reporting and Responding to Child Abuse
2. For the staff member – Responding to an Allegation against Employee.

In all cases no one person should have responsibility for dealing with both the the child and employee issues.

The Designated Person for Child Protection will act in relation to the child and in accordance with the Child Protection Procedures within this policy.

The Principal will act in relation to staff member and in accordance with the Allegations against a staff member procedures within this policy.

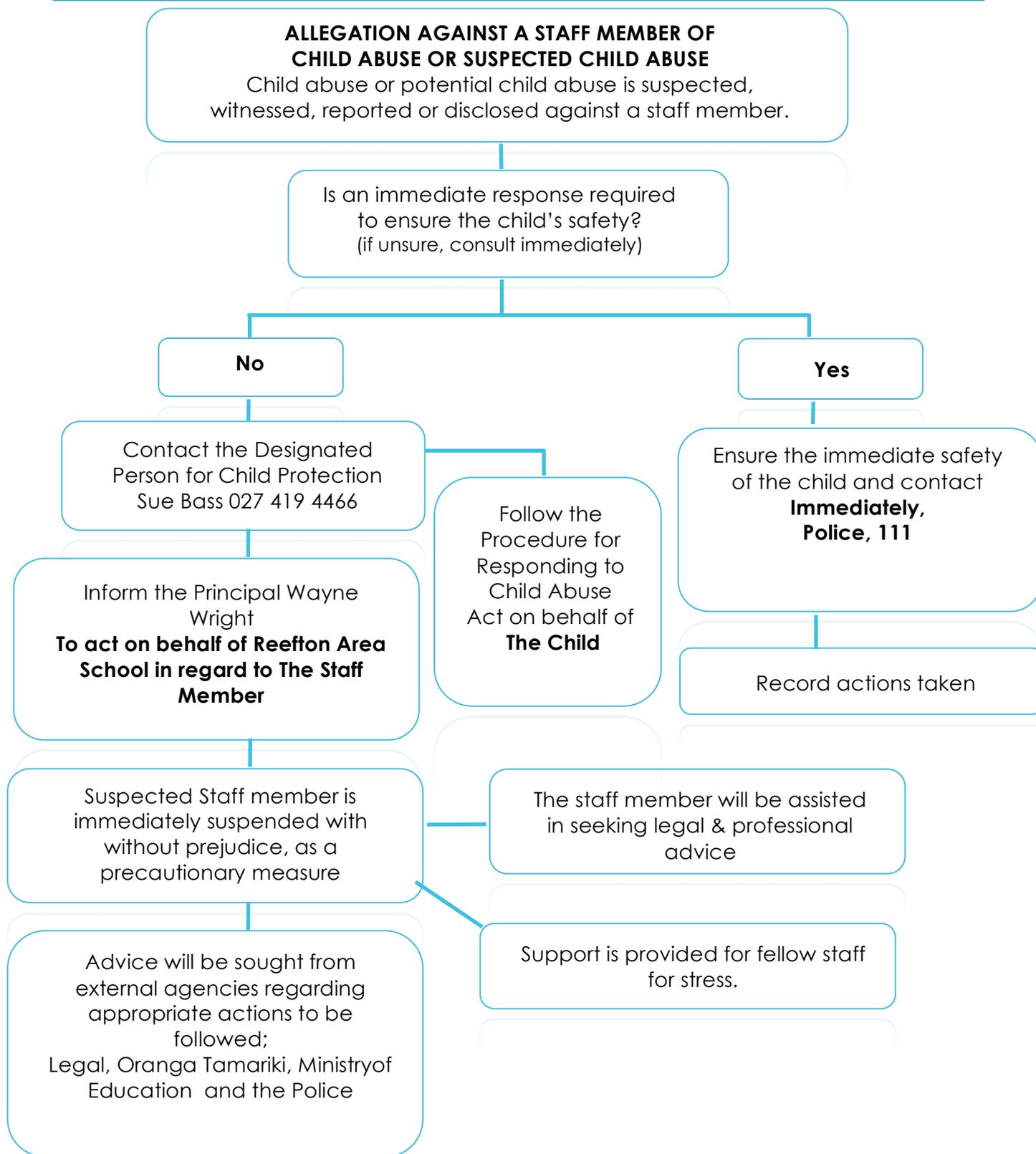
If the allegation is against the principal or the Designated Person for Child Protection the local office of the Ministry of Education should be contacted immediately (03 546 3479)

Responding to an allegation against a staff member

1. Reefton Area School will respond to suspicions and allegations of child abuse by a member of staff in a manner which best ensures children's immediate and long-term safety and will treat suspicions or allegations against a staff member with the same seriousness as suspicions or allegations made against any other person.
2. Reefton Area School will not act alone, and will refer all suspected situations of child abuse to Police or Oranga Tamariki. The safety of the child will be the primary consideration, and no person in this organization will collude to protect an adult or organization.
3. Allegations will be treated in such a way that the rights of adults and the stress upon the staff member are also taken into consideration;
4. The school must ensure that the suspected individual is immediately suspended without prejudice, as a precautionary measure.
5. The Board Chairperson is to be notified immediately, preferably along with a written notification.

6. When abuse is suspected, staff will follow the process for Responding to suspected child abuse included in this policy.
7. The person managing the child abuse issue will not be the same person as that managing the employment issue.
8. Reefton Area School will adhere to the principles of the Employment Contract's Act and give the staff member all information regarding their rights.
9. Reefton Area School recognizes the added stress to fellow staff in such a situation, and will ensure support is available.
10. The school will liaise with Oranga Tamariki and the Police regarding the process and progress of the investigation.
11. If the school is aware that a member of staff it has placed on precautionary suspension also works with children for another organization, either as an employee or a volunteer, it will ensure that the other organization is informed of the suspension and the subsequent outcome. Consultation with Oranga Tamariki or the Police will determine how this information is conveyed.
12. 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 may have occurred. The allegation may represent inappropriate behaviour or poor practice by the member of staff, which needs to be considered under internal disciplinary procedures.
13. Records will be kept of any comments, complaints or allegations by the complainant and any follow-up action taken.
14. The principal will consult with the policy regarding reporting.
15. The designated person for child protection is advised to ensure records are kept of any comments by the child complaints and /or allegations, and follow-up action.
16. The decision to follow up on an allegation of suspected abuse against an employee of the school should be made in consultation with the following:
 - a. Oranga Tamariki
 - b. New Zealand Police
 - c. Ministry of Education Local Office
17. Where an allegation of suspected abuse has been determined, the principal will advise the person accused of the allegation and seek a response. The employer will refer to the relevant employee contract and seek NZSTA industrial support in every case when proceeding with disciplinary action. The accused employee/volunteer is to be immediately suspended to protect all children at the service and the employee concerned.
18. We commit not to use 'settlement agreements', where these are contrary to a culture of child protection. Some settlement agreements allow a member of staff to agree to resign provided that no disciplinary action is taken, and a future reference is agreed. Where the conduct at issue concerned the safety or wellbeing of a child, use of such agreements is contrary to a culture of child protection.
19. The principal will take care to ensure actions taken by the school do not undermine or frustrate any investigations being conducted by any external agency. It is strongly recommended that the principal maintain a close liaison with Oranga Tamariki and the police to achieve this.

Quick Reference for Allegations of Child Abuse Against Staff Member



RECORDING

Carefully documented records are to be kept of all steps involved in this process, conversations, actions, observations etc. All Records must be dated and signed and stored in a safe manner to guard confidentiality.

Roles and Responsibilities of Staff

Reefton Area School ensures that all staff working with children are employed in accordance with the Safe Recruitment & Employment Policy. The ability of staff to protect children in their care is critical.

Induction Training

- All staff will be required to read and have a copy of our Child Protection Policy.
- At the earliest convenience a new staff member will attend training provided by Safe-guarding Children Initiative or engage E-Learning to receive training in identifying vulnerability, risk factors and child abuse.

Refresher Training

- The Designated Person for Child Protection will ensure that all staff receive annual refresher training to remain familiar and up to date with the Child Protection policy.
- E-Learning or attendance at local seminars will be encouraged for staff to remain up to date with recognising the signs and symptoms of child abuse.
- Reference to the Child Protection Policy will be made on a regular basis in staff meetings so that staff remain familiar with and up to date with the policy statements and procedures.

Safe Working Practices

- Reefton Area School has guidelines on safe work practices to protect children from abuse and at-risk situations and to protect staff from unwarranted suspicion. Our Safe Working Practices can be found within our Safe Recruitment and Employment Policy.

Confidentiality and Information Sharing

- Reefton Area School recognises that all staff must act within the legal requirements of the Privacy Act, Children, Young Person's and their Families Act, Health information Act and other statutes. There are provisions within each of these acts for sharing information needed to protect children and enable other people to carry out their legitimate functions. In general staff will not share information if they believe that by doing so this will endanger the child.
- Reefton Area School encourages the sharing of information when appropriate steps have been taken.
- Staff may be asked to provide information to Oranga Tamariki, the Police, Court or Lawyers and Psychologists.
- Information sharing will be restricted to those who have a need to know in order to protect children.
- When any of the above contacts a staff member for information that staff member must first refer to the senior leadership team and have consent gained from the principal before providing the information.
- Information will be only be given after the staff member has identified the person making the request, the actual purpose of the request, what use the information will be put to, and who will see the information.

- In the case of a Social Worker or Counsel for Child wishing to interview a child while in the care of our school, the staff member must consult the senior leadership team to be certain that such an interview will be undertaken legally and in the best interests of the child.
- A child's records will be kept as factual as possible, and nothing will be recorded as fact without evidence to back it up. This means, for example, that no entry will be made on a child's record about guardianship of a child without sighting the appropriate documentation.
- When a child leaves Reefton Area School, any current record of concern will be notified to the school a child enrolls in. This will be done through a red flag on ENROL. The record of concern will be forwarded to Oranga Tamariki if the student's destination is unknown.

Relationships with External Agencies

- Reefton Area School will maintain a good working relationship with Oranga Tamariki and with Police, and be familiar with the laws that serve to protect children from abuse. We will consult with Oranga Tamariki, the Police, and with other appropriate agencies that have specialist knowledge to help us protect children from abuse.
- We believe that in order to keep children safe, people who suspect or uncover abuse should not be tempted to deal with cases themselves. 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.
- We will ensure that our contacts for Oranga Tamariki and Police offices are up to date. The Designated Person for Child Protection will maintain this information.
- A list of specialist agencies will be kept and updated by the Designated Person for Child Protection.
- The Designated Person for Child Protection will meet regularly with a contact person from a specialist agency to ensure that a trusted relationship is maintained in order that our school can seek help easily and appropriately.
- We encourage the networking of agencies, and our staff will undertake an active programmes for maintaining the relationships between the agencies.

Collection of Children & Access Arrangements

- Parents are to be reminded that they need to keep their child's collection details up to date on their enrolment form.
- Parents to notify the teachers of any changes to their child's collection routines.
- If there is no legal access order, staff cannot lawfully withhold any child from their parent.
- Children are only permitted to be collected by persons who Reefton Area School has prior written parental consent for. In the event that this is a spontaneous

arrangement with the parent Reefton Area School will phone the parent for verbal consent to release the child into the collectors care and details of this will be recorded.

- In the event of a person attempting to uplift a child without parental consent the police will be rung immediately, and staff will ensure the safety the child.
- If there is an access agreement, staff will use their best efforts to protect a child without endangering other children or staff members.
- When Reefton Area School staff are informed of a child being the subject of a custody arrangement or dispute, they will explain this section of the policy to the parent and ensure they have completed the information on the child's enrolment form and a copy of the court order is held on the child's file.
- All staff will be informed. The child's name and contact details will be clearly identified on the student management system. At no time will a child who is the subject of an access order be left on site with only one staff member.

Updated January 2017

Oranga Tamariki National Contact Centre

Making a Report of Concern to Oranga Tamariki

The below email address is used exclusively for any Reports of Concern.
All other Education email enquiries please send to: edassist@cyf.govt.nz

1. Please ensure you make contact by phone if:

- **Immediate action is required**
- **Your matter is urgent**
- **You need advice about a student prior to making a report of concern**

PHONE
0508 332774
0508 EDASSIST

2. Email report of concern service

- **An email report of concern TEMPLATE form is attached.**
- **Please read the instructions on it prior to sending.**
- **You will get an automatic response immediately your email has been received by Oranga Tamariki.**
- **Please check for this directly after sending your email.**

Email address

contact@mvcot.govt.nz

The CYF email notification system is secure

You may also send encrypted emails. **[SEE TEMPLATE ON NEXT PAGE](#)**

ORANGA TAMARIKI NATIONAL CONTACT CENTRE

EMAIL/FAX REFERRALS

Contact Centre Telephone:
FREE PHONE 0508 332774 [0508 EDASSIST]

Contact Centre Email Address: contact@mvcot.govt.nz

Contact Centre Fax: (09) 914 1211

Details of person sending the email / fax:

DATE:

TO: Tamariki Oranga National Contact Centre

FROM:

NOTIFIER'S FAX ADDRESS:

NOTIFIER'S EMAIL ADDRESS:

Note: Emails sent to Tamariki Oranga National Contact Centre generate an automatic reply as follows:

Your email has been received by the Tamariki Oranga National Contact Centre generic email address.

This email address is monitored regularly from 8am Monday morning until 6.00 am Saturday morning.

If you have concerns that need urgent follow-up outside of the above hours then please phone Oranga Tamariki toll free number [0508 326 459] for further assistance.

This email address is for the use of Professionals and Agencies only.

If you have spoken to an Intake Social worker about this notification, please complete the following details:

NAME OF ISW: _____

DATE/TIME OF THE CONVERSATION: _____

Type of Abuse: *(Please identify category/categories.)*

Physical

Sexual

Emotional

Neglect

Other

FOR **EACH** CHILD BEING REFERRED PLEASE SUPPLY FULL CONTACT DETAILS INCLUDING:

Full Name:

Date of Birth:

Gender:

Ethnicity (incl Iwi if known):

Home address and contact telephone numbers:

Mother's name: *(and address if different from child's)*

Father's name: *(and address if different from child's)*

Step parents: *[address(es) if different from child's]*

Caregiver:

Siblings: *[Full Names, Dates of Birth, Schools, address(es) if different from child's.]*

Other Members of Immediate Household: *(Relationship to child)*

Other Family/Whanau: *(Full Name, Age, Address, contact telephone number, contact person):*

Pre-School / School: *(Address, contact telephone number, contact person):*

Other Agencies Involved with Oranga Tamariki: *(Address, contact telephone number, contact person):*

Medical & Social Work Contacts at Agency: *(Names, Contact telephone/Locator Numbers)*

REASON FOR REFERRAL

Concerns: *(Please identify concerns. As far as possible give time, date, and place for each. Use additional pages as necessary.)*

Background/Additional Information: *(Relevant child / family medical and social history, other background matters of importance to investigation of abuse or neglect.)*

**WHAT SERVICES EXACTLY DO YOU ENVISAGE ORANGA TAMARIKI PROVIDING?
PLEASE BE SPECIFIC.**

1)

2)

Your Name:

Designation:

Service/Group:

Address, Usual Contact Numbers:

WHERE CAN YOU BE REACHED NOW?

LIMITED CONFIDENTIALITY

Do you wish (as far as is legally possible) departmental social workers not to tell any person being investigated as a result of the information you have given, that you are the source of that information?

NO

YES – Because

DATE:

SIGNED:



[Home](#) > [Child Protection Policy](#) > [Section 4 - Additional Resources](#) > Dealing with Disclosures of Abuse

Dealing with Disclosures of Abuse

Only a minority of children actively disclose abuse. Most child abuse is disclosed accidentally or through observation by an adult of a child's behaviour, words and physical appearance.

When a child does disclose abuse, this needs to be taken very seriously. It is important that any disclosure is dealt with appropriately, both for the wellbeing of the child and also to ensure that your actions do not jeopardise and legal action against the abuser.

There are a number of basic 'rules' that should be followed to ensure the safe handling of any disclosures of abuse from a child:

- Don't panic.
- Remember that the safety and well-being of the child come before the interests of any other person.
- Listen to the child and accept what the child says.
 - Look at the child directly, but do not appear shocked.
 - Don't seek help while the child is talking to you.
 - Reassure them that they did the right thing by telling someone.
 - Assure them that it is not their fault and you will do your best to help.
 - Let them know that you need to tell someone else.
 - Let them know what you are going to do next and that you will let them know what happens.
 - Be aware that the child may have been threatened.
- Write down what the child says in their own words – record what you have seen and heard also.
 - Make certain you distinguish between what the child has actually said and the inferences you may have made. Accuracy is paramount in this stage of the procedure
- Tell your manager or supervisor as soon as possible.
- Refer to Oranga Tamariki or the Police.
- After making the referral to Oranga Tamariki or the Police, look after yourself. Discuss the matter with your manager, supervisor or relevant person.

Important Notes:

- The same action should be taken if the allegation is about abuse that has taken place in the past, as it will be important to find out if the person is still working with or has access to the children
- Dealing with an allegation that a professional, staff member, foster carer or volunteer has abused a child is difficult but must be taken seriously and dealt with carefully and fairly.

Things TO SAY when a child discloses

- Repeat the last few words in a questioning manner
- 'I believe you'
- 'I am going to try to help you'
- 'I will help you'
- 'I am glad that you told me'
- 'You are not to blame'

Things NOT TO SAY when a child discloses

- 'You should have told someone before'
- 'I can't believe it! I am shocked!'
- 'Oh that explains a lot'
- 'No not...he's a friend of mine'
- 'I won't tell anyone else'
- 'Why? How? When? Where? Who?'

Things TO DO

- Reassure the child that it was right to tell you.
- Let them know what you are going to do next.
- Immediately seek help, in the first place from the designated child protector.
- Write down accurately what the child has told you. Sign and date your notes. Keep all notes in a secure place for an indefinite period.
- Seek help for yourself if you feel you need support.

Things NOT TO DO

- Do not attempt to deal with the situation yourself.
- Do NOT formally interview the child:
 - Never ask leading questions.
 - Never push for information or make assumptions.
 - Only necessary relevant facts should be obtained, when clarification is needed.
- Do not make assumptions, offer alternative explanations or diminish the seriousness of the behaviour or alleged incidents.
- Do not keep the information to yourself or promise confidentiality.
- Do not take any action that might undermine any future investigation or disciplinary procedure, such as interviewing the alleged victim or potential witnesses, or informing the alleged perpetrator or parents or carers.
- Do not permit personal doubt to prevent you from reporting the allegation to the designated child protection officer.

Reference: <http://www.childmatters.org.nz/258/child-protection-policy/section-4-additional-resources/dealing-with-disclosures-of-abuse>

Appendix: Indicators of Abuse

Indicators of Abuse

Emotional Abuse

Physical Indicators:

- Bed wetting or bed soiling with no medical cause
- Frequent 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 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 as inferior or publicly humiliates the child (e.g. name calling)
- Treats the child differently from siblings or peers in ways that suggest dislike for the child
- Actively refuses to help the child
- Constantly threatens the child with physical harm or death
- Locks the child in a closet or room for extended periods of time
- Teaches or reinforces criminal behaviour
- Withholds physical and verbal affection
- Keeps the child at home in role of servant or surrogate parent
- Has unrealistic expectations of child
- Inappropriately involves child in adult issues such as separation or disputes over child's care
- Exposes child to witnessing, either seeing or hearing, situations of arguing and violence in the home

Abuse by Neglect

Physical Indicators:

- Dressed inappropriately for the season or the weather
- Often extremely dirty and unwashed
- Severe nappy rash or other persistent skin disorders
- 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

Caregiver Indicators:

- Puts own need ahead of child's
- Fails to provide child's basic needs
- Demonstrates little or no interest in child's life - does not attend school activities, social events
- Leaves the child alone or inappropriately supervised
- Drug and alcohol misuse
- Depressed

Physical Abuse

Physical Indicators (often unexplained or inconsistent with explanation given):

- 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
- Fractures in very young children, especially those not yet mobile

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
- Is violent to other children or animals

Caregiver Indicators:

- Inconsistent or vague explanations regarding injuries
- May appear unconcerned about child's wellbeing
- May state the child is prone to injuries or lies about how they occur
- Delays in seeking medical attention
- May take the child to multiple medical appointments and seek medical treatment without an obvious need

Sexual Abuse

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
- Urinary tract infections
- 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, place, sound or smell
- 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

Caregiver Indicators:

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

Intimate Partner Violence

Indicators in the Child:

- 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 Perpetrator:

- Isolates and controls partner and children
- Threatens, criticizes, intimidates, uses aggressive and physical abuse towards partner and children
- Minimizes and denies own behaviour, or blames victim for the perpetrators own behaviour