



# Sir Keith Park

## SPECIAL SCHOOL

### PROCEDURE: Dealing with Child Abuse Allegations Against Employees

Health & Safety Policy : NAG 5

#### **Rationale:**

This policy is made on the basis that all children and young people should be treated with dignity and respect and have the right to have their needs met in a safe environment. When allegations are made that threaten that safety, school management will act on those allegations while taking care to treat the employee fairly.

#### **Purpose:**

To ensure and / or provide:

- the safety of the child or young person 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 application of employment contract and / or principles of natural justice.
- provide clear guidance for management and employee in respect of any allegations received concerning students within the school environment.

#### **Guidelines / Procedures**

These steps will be followed when there is an allegation of suspected abuse against an employee. If the child or young person is in danger or unsafe, act immediately to secure their safety.

#### **Note: There are two procedures to be followed:**

- a) The reporting procedure in respect of the child or young person
- b) The procedure for dealing with the employee
  - Refer to the Procedure for reporting under the "Child Protection Policy".
  - No one person should be responsible for dealing with both the reporting and the employment issues.
  - The Principal or the Board Chairperson should immediately notify the insurance company of the pending process

The 'protected disclosure' policy may also need to be considered.

#### **These are the steps to be followed when dealing with an employee:**

1. Inform the Principal
2. The Chairperson of the school Board of Trustees will be informed as soon as possible.
3. The school's employment procedures will include checking of applicants previous work history. Management will endeavour to personally contact both referees and some past employers. This will be done with the applicants' consent. The school's prime considerations when choosing staff will be ensuring that they have skills and attributes which contribute to the emotional, intellectual and social development and will not put students at risk of abuse.
4. The school will ensure that all staff are well supervised and visible in the activities they perform with students. Opportunities for staff to be alone with students will be kept to a minimum. Students will not be taken on outings without parental approval in writing (or by phone in an emergency) and will usually be accompanied by more than one adult. The school has established a set of rules about acceptable touching of students. All adults working in the school will be made aware of these rules.
5. The school encourages parents to be involved in our activities and management where appropriate. Our child abuse prevention policy will be made available to all parents. If parents have any concerns about the treatment of a student by any of the staff, they are encouraged to make these known and we will ensure that the matter will be fully investigated and acted upon if necessary. An advisor and / or mediator from outside the school will be used if independent investigation or arbitration is indicated to be necessary.

The student must be adequately protected. See 'reporting child abuse' policy. The Principal should consult with the child advocate to ensure implementation of policy regarding reporting.

6. The Chairperson of the Board of Trustees should be informed as soon as possible.
7. The Principal should ensure records are kept of any comments by the student, complaints and/or allegations, and follow-up action taken.
8. The decision to follow up on an allegation of suspected abuse or neglect against an employee of the school should be made in consultation with the following: NZCYPS, the NZ Police, and the Chairperson of the Board of Trustees.
9. The Principal and Chairperson of the Board of Trustees will have dual responsibility in respect of both the student and the employees. The purpose of the above consultation is to enable the Principal and Board chair to discuss the concern or allegation and to:
  - Determine the extent of the assistance they can give to the investigation;
  - Consider the timeframe to be followed with regard to the possible conflict between what steps the board may take as an employer and possible police intervention;
  - Consider the employer role of the board in conjunction with any procedures outlined in relevant employee contracts.
10. When it is determined the board should pursue the matter as an employer, the board / Principal should advise the person accused of the allegation and seek a response. The Board will refer to the relevant employee contract in every case when proceeding with disciplinary action.
11. The employee complained against should be advised of their right to seek support / advice from:
  - NZEI counsellor or Field Officer, or other appropriate union representative.
  - Other relevant teachers' organisation if applicable.
12. Under no circumstances should the child or young person raising the concern or making the allegation be exposed to unnecessary risk. This may require the board to contemplate removal of the employee from the school environment subject to the requirements of the applicable employee contract.
13. All actions of the board must be consistent and applicable with the collective employment contract or individual employment contract.
14. The board will maintain a close liaison with NZOT and the police to ensure actions taken by the school do not undermine or frustrate any investigations being conducted by any external agency.

**Board Statement:**

Sir Keith Park School is committed to providing a safe physical and emotional environment for learners.

Reviewed & Adopted by the Board of Trustees: October, 2019

