

Policy Title:	CHILD PROTECTION	
Approved by:	Board	Board Meeting: May 2023
Contact:	Leadership Team	Review Date: May 2026

PURPOSE

All children and young people should be treated with dignity and respect and have the right to have their needs met in a safe physical and emotional environment. Auckland Grammar School (the School) is committed to ensuring the well-being and safety of its students. This policy has been created in accordance with *Part 2 of the Children's Act 2014*.

This document contains the policy and procedure guidelines covering the identification, reporting and response to child abuse and neglect by School employees and contractors (Staff) and Physical Restraint procedures. It refers to circumstances where allegations of child abuse are received concerning students enrolled at the School. Such allegations include child abuse:

- a) by a Staff member; or
- b) reported to a Staff member

SCOPE

This policy is applicable to all Staff, volunteers and students.

DEFINITIONS

For the purpose of this policy, abuse includes:

- a) neglect
- b) physical abuse
- c) sexual abuse
- d) emotional abuse

A young person may be harmed by a parent/legal guardian, sibling, relative, caregiver, teacher, coach, peer, acquaintance or a stranger. The harm may result from a direct act or by the failure to provide proper care resulting in:

1. **Neglect:** The persistent failure to meet a child's basic physical and/or psychological needs, causing long-term serious harm to the child's health or development. Neglect could involve parents or caregivers providing inadequate: food, nourishment, clothing, housing, medical care, supervision, or emotional care. It could also include allowing chronic truancy

and an inattention to the young person's educational needs. Each of these actions may impair a student's health, development and education.

2. **Physical Abuse:** Behaviour or action that results, or may result, in injury to a young person. Physical abuse could involve being kicked, beaten with fists, objects and weapons, strangulation, poisoning, and being burned.
3. **Sexual Abuse:** Any sexual activity or experience that is imposed upon or participated in where the young person's innocence, trust and/or powerlessness is exploited, whether consent is given or not. This uninformed consent may be made through the use of fear, bribes and threats. It may be perpetrated by an adult or another child. The activity may be physical, and/or non-physical such as (but not limited to): exhibitionism, exposure to pornographic imagery, suggestive behaviours or comments.
4. **Emotional Abuse:** This includes severe emotional neglect, ill-treatment and/or rejection which has a significant effect on the behavioural and emotional development of the young person. It often occurs when there are extreme power differentials and can include, for example, yelling, isolation, degradation, constant criticism or negative comparison to others. Exposing a young person to family or intimate partner violence is also considered emotional abuse. It may reduce a person's ability to trust others, to develop friendships, lowers self-esteem and therefore the ability to achieve or to have a sense of well-being. Emotional Abuse is a component of all abuse, and can be the main form of abuse.

For the purposes of this policy, the following definitions apply to Physical Restraint:

1. **Physical Restraint** is using physical force to prevent, restrict or subdue the movement of a student's body or part of the student's body against the student's will.
2. **Harm** means harm to the health, safety, or well-being of the student or another person, including any significant emotional distress suffered by the student or the other person.
3. **Authorised staff member** means an employee of a registered school who is trained and authorised by the employer to use physical restraint in accordance with Section 99 of the Act.

POLICY STATEMENT

The School has ethical and professional responsibilities to ensure that its students are:

- a) safe from harm wherever abuse is current
- b) able to receive access to appropriate counselling wherever past abuse is disclosed

The New Zealand Police, Oranga Tamariki, and other statutory agencies, have clearly defined legal processes and responsibilities in the event of abuse being reported to them. While it is not always mandatory for the School to report all instances of abuse to such agencies, ethically it is important to do so if the student is in an unsafe situation.

The School recognises that there is increasing awareness that abuse of children can and does happen, and is determined to make a positive difference to this problem. All Staff, volunteers and students have a responsibility to ensure that the appropriate authority is notified when there is a belief a young person has been, or is likely to be, abused or neglected.

The School will always seek to ensure:

1. that the safety of the child or young person is the first consideration
2. that all complaints are taken seriously and dealt with effectively
3. that in the case of a complaint against a Staff member, appropriate procedures are followed to protect the rights of that employee
4. that clear procedures are in place in the event of a disclosure of child abuse to a Staff member
5. that confidentiality/privacy obligations are appropriately balanced against information sharing/reporting obligations

The designated person responsible for overseeing and reviewing Child Protection policies and procedures on an annual basis is the Associate Headmaster - Operations.

The School is committed to the continuous improvement of the School's Child Protection practices.

RESPONSIBILITIES

The School Board (Board) delegates responsibility for the implementation of this policy and the associated child safety and Physical Restraint procedures to the Headmaster. The Headmaster or their delegate will:

1. Comply with relevant legislative child safety procedural requirements and responsibilities
2. Ensure this policy is available on the School's intranet site or available on request
3. Ensure that every contract, or funding arrangement, that the School enters into requires the adoption of child protection policies where required
4. Ensure the interests and protection of the young person are paramount in all circumstances
5. Recognise the rights of family/whanau to participate in the decision-making about their children
6. Provide information so Staff are able to identify the signs and symptoms of potential abuse and neglect, deal with disclosures by young people and allegations against Staff members and are able to take appropriate action in response
7. Support all Staff to work in accordance with this policy, to work with partner agencies and organisations to ensure child protection policies are understood and implemented
8. Promote a culture where Staff feel confident they can raise issues of concern
9. Consult, discuss and share relevant information, in line with commitments to confidentiality and information sharing protocols, in a timely way regarding any concerns about an individual young person
10. Make available professional development, resources and/or advice to support Staff to carry out their roles in terms of this policy

11. Ensure that this policy forms part of the initial Staff Induction programme for each Staff member
12. Ensure practices and procedures within the School are consistent with a student protection approach (and within that, ensure this policy is reviewed within three years)

RELATED DOCUMENTS

The Children's Act 2014

Children's Action Plan – New Zealand Government

Privacy Act 1993

Oranga Tamariki Act 1989

Child, Youth and Family Guidelines

Employment Policy

Health and Safety at Work Act 2015

International Students Code of Pastoral Care

Education and Training Act 2020

Ministry of Education Physical Restraint Rules

Ministry of Education Guidelines 2023