

St Paul's Collegiate School *including Tihoi Venture School*

Child Protection Policy

March 2024



St Paul's
COLLEGIATE SCHOOL



Contents

Statement of Commitment.....	3
Section One: Introduction.....	4
Purpose	4
Guiding Principles	4
Scope.....	5
Legislation	5
Review	5
Definitions.....	5
Section Two: Roles and Responsibilities	8
Roles and Responsibilities.....	8
Board of Trustees.....	8
Section Three: Child Protection Procedures.....	9
Identification of Abuse.....	9
Responding to Child Abuse or Suspected Child Abuse	9
Allegation against Designated Person(s) or Headmaster	10
Responding to Disclosure of Abuse from a Child.....	10
Harmful Behaviour by One Child Towards Another.....	10
Suicidal Concerns and Self Harming Behaviour	11
Reporting Procedures	11
Keeping the Student's Family Informed and Involved.....	12
Confidentiality and Information Sharing	12
Relationships with Statutory and Specialist Agencies	13
Section Four: Safe Recruitment	14
Safe Recruitment	14
Police Vetting	14
Child Protection Training	14
Educating Parents, Caregivers and Students	15
Section Five: Safe Working Practices	16
Physical Contact	16
Physical Restraint.....	16
Managing Challenging Behaviour	17
Communication.....	17
Private Spaces	17
Photographs and Recordings	18
Trips and Excursions.....	18

Transportation	18
Boarding Facilities	19
Tihoi Venture School.....	19
Section Six: Allegations Against St Paul's Staff	20
Allegations Against Staff	20
Historical Abuse	20
Appendix 1: Indicators of Abuse	23
Appendix 2: Action Flowcharts	28
Appendix 3: Information Sharing Overview:.....	30
Appendix 4: Safe Working Practices Agreement	32
Appendix 5: Education Council of Aotearoa New Zealand	33
Appendix 6: Key points to remember when reporting	35
Appendix 7: Contact List	36
Appendix 8: Template Record of Issue or Concern	37

Statement of Commitment

The most effective way to safeguard students is to have a comprehensive and effective child protection policy.

St Paul's Collegiate School values students and is committed to the prevention of child abuse and to the protection of students.

This commitment means that the welfare and best interests of the child are the prime considerations when any decision is made about suspected child abuse.

Section One: Introduction

Purpose

- 1.1 A robust policy for the protection of students brings their wellbeing to the forefront of organisational thinking and is a tool whereby all adults and students associated with St Paul's Collegiate ("St Paul's"), including its boarding facilities, and the Tihoi Venture School ("Tihoi"), are given protection by clearly defining expectations and ensuring consistency of behaviour.
- 1.2 The purpose of this policy is to ensure that all people working for, at, or with St Paul's operate in ways which ensure that students are protected from all forms of harm. This involves being able to recognise and identify signs of abuse and know how to respond appropriately.
- 1.3 This policy confirms the commitment of St Paul's to the protection of students and proceeds to:
 - o outline the standards and principles by which all staff will abide
 - o define child abuse
 - o outline the action to be taken by staff where any form of abuse or neglect is known or suspected
 - o establish what action is required when allegations are made against staff
 - o outline expectations regarding staff training
 - o outline expected behaviour of staff.

Guiding Principles

- 1.4 St Paul's have a duty of care to protect the safety and wellbeing of all students in its care.
- 1.5 Students attending St Paul's and Tihoi have a right to feel safe and feel comfortable in the school environment.
- 1.6 St Paul's asserts that all students 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.
- 1.7 The decisions and actions of St Paul's in response to any child protection concern will be guided by the principle of *"the welfare and best interests of the child"*.
- 1.8 St Paul's acknowledges and will adhere to the principles of the United Nations Convention on the Rights of the Child.
- 1.9 All services provided by St Paul's for the safety and wellbeing of students adhere to the principles of partnership, protection and participation; and the rights and responsibilities accorded by Te Tiriti o Waitangi.
- 1.10 All services provided by St Paul's for the safety and wellbeing of students have regard to mana tamaiti (tamariki) – the intrinsic value and inherent dignity derived from a student's whakapapa and their belonging to a whānau, hapū, and iwi; ensuring the upholding, and protection, of Māori rights and interests, in accordance with the Oranga Tamariki Act 1989.

Scope

- 1.11 This policy applies to all St Paul's staff.
- 1.12 For the purposes of this policy, and for the avoidance of any doubt, the term "staff" is defined in the definitions section below, and includes the St Paul's Board of Trustees, all those associated with the St Paul's Boarding facility, and all those associated with the Tihoi Venture School.

Legislation

- 1.13 This policy has been written in accordance with the following legislation:

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

Review

- 1.14 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.
- 1.15 The overall responsibility for the review of this policy rests with the St Paul's Board of Trustees, in consultation with the St Paul's Headmaster.

Definitions

- 1.16 For the purposes of this Policy the following definitions apply:

"Child" means any person under 18 years of age.

"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" ("Designated Person") is a person, or persons, within St Paul's who is responsible for the safeguarding of students. This person is responsible for ensuring that child protection is a key focus within St Paul's both at a strategic level and on a day-to-day basis.

As at the date of this policy the Designated Persons for Child Protection for St Paul's are:

Theresa Miller (Associate Headmaster – Student Wellbeing)

Email: t.miller@stpauls.school.nz

Phone: 021 739 985

Blair Heaton (Guidance Counsellor)

Email: b.heaton@stpauls.school.nz

Phone: 07 957 8899 ext 8808

As at the date of this policy the Designated Person for Child Protection for the Tihoi Venture School is:

Peter Evans (Director of Tihoi)

Email: p.evans@stpauls.school.nz

Phone: 027 445 5572

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

"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. Students 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, (and can extend to members of the child's family or whānau), for the purpose of lowering the child's inhibitions and with the objective of sexual abuse.

"Neglect" is characterised as the persistent failure to meet a child'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. It may also include neglect of a child'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 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. 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, whether consensual or not. Sexual abuse can be committed by a relative, a trusted friend, an associate, or someone unknown to the child.

"Staff" refers to any person working at, for, with, or on behalf of, St Paul's and includes, but is not limited to, teaching and non-teaching staff employed directly by

St Paul'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 students in the care of St Paul's, and the St Paul's Board of Trustees. "Staff" extends to include those associated with the St Paul's boarding facility, the Tihoi Venture School, parent helpers, and volunteers.

"Student" refers to any person who is enrolled, or has at any time been enrolled, at St Paul's Collegiate, including the Tihoi Venture School.

Section Two: Roles and Responsibilities

Roles and Responsibilities

- 2.1 All staff have a full and active part to play in protecting students 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 or allegations immediately. Staff have a responsibility to ensure that any concern or allegation raised is taken seriously.
- 2.2 St Paul's leadership team is responsible for ensuring that all staff understand, and adhere to, this policy and have undertaken the appropriate child protection training.
- 2.3 Each member of staff must:
 - o be aware of, and alert to, potential indicators of abuse or neglect
 - o record a factual account of any concerns they have, or that are brought to their attention
 - o appropriately seek advice and support from the Designated Person(s) who will then contact external agencies if appropriate
 - o work in co-operation with the parents and caregivers unless this compromises the safety of the student.
- 2.4 The statutory responsibility to investigate allegations of child abuse rests with Oranga Tamariki and the New Zealand Police. No member of St Paul's staff, including the Designated Person(s) are permitted or mandated to investigate allegations of abuse.
- 2.5 The overall responsibility for the implementation of this policy rests with the St Paul's Headmaster.

Board of Trustees

- 2.6 The Board of Trustees are responsible for ensuring the needs and rights of students comes first and the safety and wellbeing of students is the paramount consideration in all circumstances.
- 2.7 The Board of Trustees will inform the Headmaster immediately should any member of the Board of Trustees become aware of a concern for the wellbeing and safety of a student who attends St Paul's.
- 2.8 The Chair of the Board of Trustees will be immediately informed of any allegation of abuse made against any Designated Person or the Headmaster.

Think "What if I am right?"

not "What if I am wrong?"

Section Three: Child Protection Procedures

The procedures set out in this policy provide guidelines to assist in identifying and responding appropriately to concerns of abuse and neglect.

Identification of Abuse

- 3.1 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 student or someone known to the student
 - Suspicions of abuse by those involved with the student
 - Allegations and/or direct observations or signs displayed in the student's physical or emotional behaviour
 - Direct witnessing of abuse.
- 3.2 Staff at St Paul's are uniquely placed to recognise and respond to concerns for the wellbeing of students. Any member of staff may directly witness child abuse or have allegations, made by a student or an adult, relayed to them. There may also be disclosures of abuse that have occurred prior to attending St Paul's. Sustained abuse and neglect of children, wherever it occurs, can have major long-term effects on all aspects of students health, development and well-being and their ability to sustain stable and meaningful relationships in the future.
- 3.3 The signs and indicators of abuse to a child may not be immediately obvious or identifiable. **Appendix 1** of this policy sets out a non-exhaustive list of signs and indicators to help identify abuse.
- 3.4 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(s) where appropriate.
- 3.5 At any time, staff may seek advice from Oranga Tamariki (0508 326 459) regarding child protection concerns.

Responding to Child Abuse or Suspected Child Abuse

- 3.6 When child abuse is suspected, disclosed or witnessed, everything must be done to ensure the ongoing safety of the student concerned, along with the ongoing safety of any other student who is in close connection to the alleged offender. In all cases, the student 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 student's safety comes first.
- 3.7 In a situation where any staff member believes that a student is in immediate danger, or in a situation where they believe that a third party is not prepared to secure the student's safety by contacting a statutory service, the staff member, in consultation with the Designated Person(s), will inform Oranga Tamariki or the Police of their concerns.
- 3.8 St Paul's staff will not act alone about concerns of abuse but will consult with the Designated Person(s), who will be committed to taking action as outlined in the procedures.

Allegation against a Designated Person or the Headmaster

- 3.9 If the allegation is against the Designated Person(s), or the Headmaster, the Chair of the Board of Trustees will be advised immediately.

As at the date of this policy the Chair of St Pauls Board of Trustees is:

Andrew Johnson

Email: chair@stpauls.school.nz

- 3.10 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, which is to be overseen and managed by the Designated Person(s).
- 3.11 Refer **Appendix 2** "Child Protection Procedure Flowchart".

Responding to Disclosure of Abuse from a Child

- 3.12 Disclosure of abuse may come directly from a student. It is important that staff take what the student 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
 - listen and hear
 - give time to the student to say what they want
 - reassure them that they were right to tell
 - tell the student that they are being taken seriously and that they are not to blame
 - explain that they have to pass on what the student has told them as soon as they are aware that the student is making a disclosure
 - give an age-appropriate explanation to the student of what the student can expect to happen next
 - record in writing what was said as soon as possible, using the student's own words where possible.
 - Report the concern to the Designated Person(s).

Staff must not:

- make the student repeat the story unnecessarily
- promise to keep secrets
- enquire into the details of the alleged abuse
- ask leading questions.

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

Harmful Behaviour by One Child Towards Another

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

- 3.15 If harmful behaviour by one student towards another is alleged or observed, St Paul's staff must consult with the Designated Person and seek external support to appropriately respond to the behaviour.
- 3.16 Refer to the St Paul's **"Bullying and Harassment Policy"**.

Suicidal Concerns and Self Harming Behaviour

- 3.17 It is important to be aware that students can harm themselves or attempt suicide. When a student identifies thoughts of suicide, or self-harming behaviour, this must be taken seriously and the Headmaster and/or Designated Person(s) notified immediately. If the concern relates to a student at the Tihoi Venture School, then the Tihoi Venture School Designated Person should be notified immediately.
- 3.18 If an immediate response is required to ensure the student's safety, contact the NZ Police or the Waikato Hospital Crisis Assessment and Home Treatment Service ("CAHT").

WAIKATO DHB – CAHT

PH: 0800 50 50 50

- 3.19 Self harm, suicide and child protection issues for students can be distressing for both the student, and for St Paul's staff. It is important that staff consider their own care and seek help and support from their line manager, HR Manager or Headmaster.

Reporting Procedures

- 3.20 All St Paul's staff must report concerns or allegations of child abuse to the Designated Person at the first possible opportunity to best ensure the safety of the student. If the Designated Person is unavailable, then consultation should occur with the Secondary Designated Person. A decision will be made as to whether to notify Oranga Tamariki. If an immediate response is required to ensure the student's safety, staff should contact the NZ Police and/or Oranga Tamariki directly.
- 3.21 All concerns or allegations of sexual abuse must be reported to Oranga Tamariki and the NZ Police.
- 3.22 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.

Keeping the Student's Family Informed and Involved

- 3.23 Wherever possible, a student's family and whānau should participate in the decisions affecting that student and the relationship between the student and their family or whānau should be maintained and strengthened.
- 3.24 Although the parent or caregiver of the student 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 student may be intimidated into silence
 - there is a likelihood that evidence will be destroyed
 - the student 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 student's family or whānau based solely on the student's wish should be made with careful consideration and in consultation with the Headmaster and the Designated Person(s).
- 3.25 Where St Paul's does engage with family or whānau members in circumstances where abuse is suspected, witnessed or disclosed, they must inform them of the procedures in this policy. In these circumstances St Paul's must ensure that, wherever possible, they work in partnership with the family and whānau. 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.

Confidentiality and Information Sharing

- 3.26 The safety of a student is paramount and St Paul's has a responsibility to know when and how to share appropriate information with external agencies to protect the safety and wellbeing of students.
- 3.27 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.
- 3.28 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 or whānau should be kept informed of what information has been shared and to which agency, and for what purpose.
- 3.29 The Oranga Tamariki Act, and the Family Violence Act, place the wellbeing and best interests of a child 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 their family or whānau, or any person with whom the child is in a domestic relationship with.
- 3.30 Under section 66 of the Oranga Tamariki Act 1989, St Paul's can be mandatorily required to provide information that relates to a student's health, safety and wellbeing, when requested by:
- the Chief Executive of Oranga Tamariki
 - a care and protection co-ordinator, or
 - a constable.
- 3.31 Under section 66C of the Oranga Tamariki Act 1989, St Paul's may share information about a student 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 student
 - Make or contribute to an assessment of the risks or needs of a student
 - Make, contribute to or monitor any support plan for a child 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 student or for their family or whānau
 - Carry out any function in relation to a family group conference for a student in care or anything else related to the care or protection of a student.
- 3.32 Under the Oranga Tamariki Act 1989, and the Family Violence Act 1989, if St Paul'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 Paul's.
- 3.33 **Appendix 3** of this policy provides an overview of the information sharing provisions of the Oranga Tamariki Act 1989 and information sharing considerations.
- 3.34 Should St Paul's be contacted with a request for information or access to interview a student then the following procedure will be followed:
- Confirm the identity and credentials of the person requesting the information
 - Notify the Headmaster
 - Identify the specific information required and the purpose of the request
 - Check that St Paul's holds the information requested
 - The Headmaster is to identify a way forward and provide permission to share information
 - Depending on the reason for the request, and risk to the student as judged on a case-by-case basis, inform the family/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 student's Child Protection File.
- 3.35 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 Headmaster, Associate Headmaster or Designated Person(s).

Relationships with Statutory and Specialist Agencies

- 3.36 The Designated Person(s) will maintain good working relationships with Oranga Tamariki and with the NZ Police as they have the statutory powers to intervene. St Paul's Designated Person(s) will consult with Oranga Tamariki, Police, and with other appropriate agencies that have specialist knowledge to help protect students from abuse.

Section Four: Safe Recruitment

Safe Recruitment

- 4.1 St Paul'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 Paul's, regardless of whether this position is paid or voluntary, permanent, part time or casual.
- 4.2 Before making any appointment, St Paul's will complete a robust safety checking process to ascertain the candidate's suitability and safety to work for, or at, St Paul's.

SAFETY CHECKING PROCESS

- Identity verification check
- Employment verification check
- Reference check
- Professional membership check
- New Zealand Police vetting check
- Oranga Tamariki check
- Risk assessment
- Interview(s) with the applicant

- 4.3 Further information regarding safety checking and the recruitment of staff is found in the St Paul's "**Recruitment Process**" and "**Safety Check Form**".

Police Vetting

- 4.4 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.
- 4.5 Until such time as the Police vetting process has been completed and the results have been received, all newly appointed staff working with students will be supervised in their role and will not be permitted to work alone.
- 4.6 The Police vetting requirement extends to all staff, including, but not limited to, contractors, volunteers, host families, coaches, and parent helpers attending overnight school camps.
- 4.7 If the candidate has lived in another country in the last five (5) years, they must supply a background check conducted in that country.

Child Protection Training

- 4.8 All staff will be required to be familiar with, and adhere to, the St Paul's "**Child Protection Policy**" and "**Code of Conduct**". All staff are required to sign the "**Safe Working Practices Agreement**" which will be kept by St Paul's and included in each staff file. Refer to **Appendix 4** of this policy.
- 4.9 St Paul's will ensure that all staff will be given appropriate training, covering basic awareness of child protection in order to protect students and to recognise and respond when students are at risk.

- 4.10 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.
- 4.11 All new staff will receive child protection training, and will be given a copy of this policy, as part of the induction process.
- 4.12 All other staff, including the Headmaster and the Designated Person(s), will receive updated child protection training a minimum of every three (3) years.

Educating Parents, Caregivers and Students

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

Section Five: Safe Working Practices

- 5.1 Staff should always maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. Staff who work with students 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 student
 - Ensuring that they are visible to others when with a student
 - Using an open door policy where possible
 - Treating all students with respect at all times, 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
 - Avoiding circumstances where their behaviour (both verbal and physical) may be misinterpreted as hostile, suggestive, inappropriate, offensive, or neglectful
 - Promoting an environment where students feel safe and comfortable in the care and contact of St Paul's
 - Not transporting a student, other than their own, alone at any time other than in an emergency situation
 - Not removing any student from St Paul's without prior written consent from the student's parent or guardian – except in an emergency situation
 - Acting swiftly to ensure that any perceived risk to a student is immediately reported
 - Monitoring visitors to St Paul's at all times
 - The HR Manager must be notified of all volunteers onsite or who are in contact with students
 - Not taking, or displaying, images of students unless they have consent to do so from the student's parents or caregivers, and the student themselves if appropriate
 - Ensuring that all interaction and communication with students, by whatever means, is transparent and open to scrutiny.

Physical Contact

- 5.2 There is a necessity to have a balance between the rights of the student and the need for intervention. When physical contact is made with a student 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 student's reaction or feelings and use a level of contact and/or form of communication which is acceptable to the student for the minimum amount of time necessary.

Physical Restraint

- 5.3 The use of physical intervention should always be avoided unless it is necessary to prevent a student 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:
- a. The physical restraint is necessary to prevent imminent harm, including significant emotional distress, to the student or another person
 - b. The teacher/authorised staff member reasonably believes there is no other option available in the circumstances for preventing the harm
 - c. The physical restraint is reasonable and proportionate in the circumstances (only applying as much force as is necessary for the minimum time necessary).

- 5.4 Where physical restraint is required, the child's physical and psychological state should be monitored during the restraint, and in the aftermath of the incident, for signs of distress.
- 5.5 All instances where physical restraint is used will be reviewed by the St Paul's Board of Trustees.
- 5.6 All forms of physical intervention should form part of a broader approach to the management of challenging behaviour.
- 5.7 Refer to the *Education (Physical Restraint) Rules 2023* and the *Education and Training Act 2020*.

Managing Challenging Behaviour

- 5.8 St Paul's recognises that at times there will be students who have more complex needs and may present with challenging behaviours.
- 5.9 When it comes to students with challenging behaviour, individual care plans outlining specific difficulties and individual needs will be developed. St Paul's will ensure that staff working with these students are provided with adequate, and tailored, training and support to keep themselves safe and to best support the individual student.
- 5.10 Refer to the St Paul's **"Misbehaviour and Consequences Document"**, **"Boarding Handbook"** and the **"Tihoi Discipline Guideline"**.

Communication

- 5.11 Any communication between students and adults, by whatever method, should take place within clear and professional boundaries. This includes technology such as mobile phone, text messaging, emails, digital cameras, videos, webcams, websites, social media and blogs.
- 5.12 Staff should not share any personal information with a student. They should not request, or respond to, any personal information from the student other than that which might be appropriate as part of their professional role.
- 5.13 Staff should ensure that all communications are transparent and open to scrutiny.
- 5.14 All communication between staff and students should be for professional purposes only. At no time should communication be for personal reasons or to entice a friendship or relationship with a student.
- 5.15 If at any time a staff member suspects that inappropriate communication has occurred between a staff member and a student, it must be reported to the Headmaster immediately.

Private Spaces

- 5.16 St Paul's staff are not permitted to enter a private space, such as a toilet, bathroom, dorm room, or changing facility while it is being used by students.
- 5.17 In the event that an adult is required to enter a private space that is being used by students, they must ensure that they have at least one other adult with them and

that they knock, announce themselves, and wait for permission from the students prior to entering

Photographs and Recordings

- 5.18 Written consent must be obtained for all photographs to be taken, and/or displayed, of students, whether they are intended for internal or external use. This includes, but is not limited to, the posting of images on social media.
- 5.19 Where possible, all photographs and recordings should be carried out using St Paul's equipment and not with personal devices.

Trips and Excursions

- 5.20 Taking students 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 student.
- 5.21 Before any trip, parents and caregivers will be informed by written notice of the details of same, including but not limited to:
 - o The venue
 - o The method of transport
 - o The date
 - o The time
 - o The contact details of the trip organiser.
- 5.22 Parents and caregivers must give written consent for their student to attend any planned trip.
- 5.23 All adults taking part in the trip or excursion must be appropriately safety checked prior to the trip or excursion taking place.

Transportation

- 5.24 All precautions must be taken to ensure that when transporting students their safety and wellbeing is paramount.
- 5.25 Only approved, fully licensed, and Police vetted adults will be responsible for transporting students. All adults must be free from alcohol and non-prescription drugs.
- 5.26 All vehicles transporting students 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.
- 5.27 Drivers must not deviate from the agreed route and must carry a mobile phone with them at all times in case of emergencies.
- 5.28 Students should not be transported alone, except in an emergency, or as necessary for the health and safety of a student. This can be achieved by:
 - o having a central drop off and pick up point for trips so there isn't one student left at the end of a trip
 - o using vans and transporting big groups at once
 - o encouraging caregivers to accompany their own child/ren to events.

- 5.29 In circumstances where transporting a student is unavoidable due to an emergency situation or where it is required for the health and safety of a student, staff must:
- Let the student's parent and/or caregiver know what is happening, where you are going, and when you will be back;
 - Let the Headmaster, Manager or Designated Person(s) know the situation
 - Ensure that the student sits in the back seat of the vehicle.

Boarding Facilities

- 5.30 St Paul's recognises that boarding facilities present a high risk in terms of abusive behaviour between adults and students, and between students with other students.
- 5.31 Staff working in the St Paul'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.
- 5.32 In addition to the ensuring adherence to the St Paul's Child Protection Policy and Code of Conduct, staff must also ensure adherence to the St Paul's **"Boarding Handbook"** and the St Paul's **"Residential Policies and Procedures"**.

Tihoi Venture School

- 5.33 St Paul's recognises that the Tihoi Venture School may present a high cumulative risk in terms of abusive behaviour from adults towards students and between students with other students.
- 5.34 In addition to the ensuring adherence to the St Paul's Child Protection Policy and Code of Conduct, staff must also ensure adherence to the Tihoi Venture School **"Outdoor Safety Policies and Guidelines"**.

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

Section Six: Allegations Against St Paul's Staff

Allegations Against Staff

- 6.1 Allegations, suspicions or complaints of abuse against staff will be taken seriously and reported directly to the Headmaster who, along with the St Paul's Board of Trustees, will deal with them immediately, sensitively and expediently within the procedures outlined in this policy.
- 6.2 If the allegation is against a member of the Leadership Team then this must be reported directly to the Chair of the St Paul's Board of Trustees, who will deal with the allegation in consultation with the rest of the Board's Trustees.
- 6.3 When there are suspicions of abuse by a staff member, both the staff member's and the student's rights are to be upheld. This means that the safety of the student is of first concern, and that the staff member must have access to legal and professional advice, in accordance with the Employment Relations Act 2000.
- 6.4 In all child protection cases, St Paul's will co-operate fully with Oranga Tamariki and the Police in their investigations and assessments.
- 6.5 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.
- 6.6 If there is insufficient evidence to pursue a criminal prosecution, then an internal disciplinary investigation may still be undertaken subject to internal disciplinary procedures.
- 6.7 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 5**.
- 6.8 St Paul's does not support the use of settlement agreements. Some settlement agreements allow staff to agree to resign provided that no disciplinary action is taken, and a future reference is agreed. Where the conduct at issue concerns the safety or wellbeing of a student, the use of such agreements is contrary to a culture of Child Protection.
- 6.9 A person tendering his or her resignation, or ceasing to provide their services to St Paul's, will not prevent an allegation of abuse against a student being followed up in accordance with these procedures.
- 6.10 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 students. 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 Paul's will, at all times, place the safety and wellbeing of students as the paramount consideration.

Historical Allegations

- 6.11 St Paul'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 Paul's is committed to providing redress and taking all steps to prevent any possible recurrence of abuse.

- 6.12 Any person, collective group of persons, or advocate or support person, may submit an allegation of historical abuse against St Paul's, either verbally or in writing, directly to the Headmaster or Chairperson of the Board of Trustees.
- 6.13 Refer to the St Paul's "**Historical Abuse and Redress Policy**".

Appendices

Appendix 1: Indicators of Abuse

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

Physical indicators:	Injuries to a child 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'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'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's age and stage of development. For example, it is normal for younger students 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 students 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 students 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 persons, seek advice from the Designated Person(s), Headmaster, or Oranga Tamariki.

Emotional Abuse Indicators

- 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 students 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
 - Involves child in adult issues such as separation or disputes over child's care
 - Exposes child 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
 - Regularly attends school without lunch
 - 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 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
 - Fractures in very young students
- 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 students 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 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

- 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 students

Family Violence Indicators

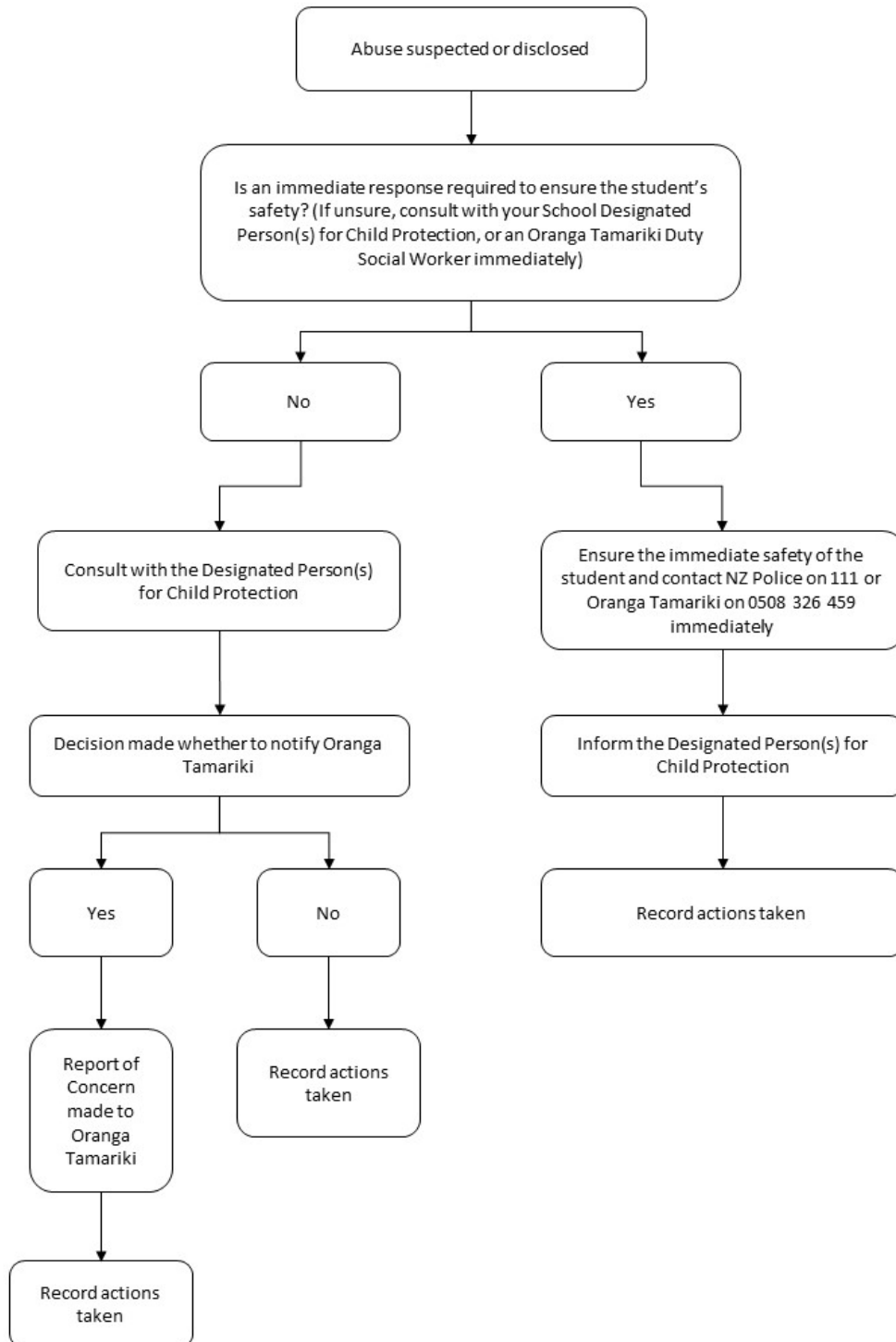
- Indicators in the Child:
 - Physical injuries consistent with the indicators of Physical Abuse
 - Absenteeism from school
 - Bullying or aggressive behaviour
 - Complaints of headaches or stomach aches with no apparent medical reason
 - Talking or describing violent behaviours

- 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

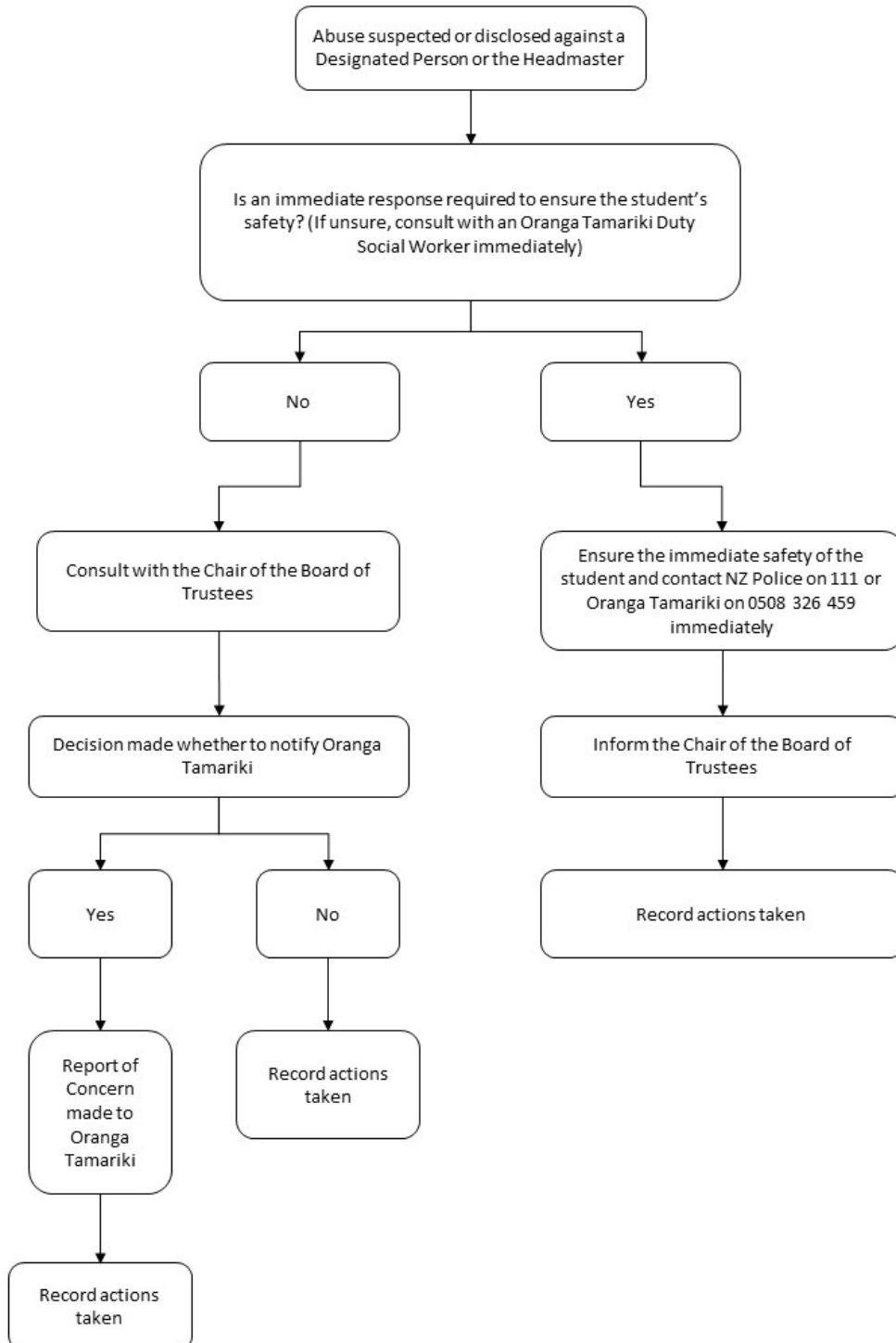
- Indicators in the Offender:
 - Isolates and controls partner and children
 - Threatens, criticises, intimidates, uses aggressive and physical abuse towards partner and children
 - Minimises and denies own behaviour, or blames victim for the perpetrators own behaviour

Appendix 2: Action Flowcharts

Action Flowchart:



Action Flowchart if allegation is against the Designated Person or the Headmaster:



Appendix 3: 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's safety and wellbeing.

The wellbeing and best interests of a child 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 you have shared and why is important to help demonstrate you shared in good faith.)

PRIVACY:

The principles of the Privacy Act 2020 must be followed by St Paul's when collecting, storing, using or disclosing personal information. When there is conflict between the Oranga Tamariki Act 1989 and the Privacy Act 2020, the Oranga Tamariki Act 1989 **prevails**.

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

CONSIDER:



Appendix 4: Safe Working Practices Agreement

Safe Working Practices Agreement

As a St Paul's Collegiate School staff member, I **WILL**:

- Ensure that I have read and understood the St Paul's Child Protection Policy and Code of Conduct.
- Treat all students with respect at all times, 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.
- Promote an environment where students feel safe and comfortable in my care and contact.
- Act professionally and maintain appropriate boundaries at all times.
- Avoid circumstances where my behaviour (both verbal and physical) may be misinterpreted as hostile, suggestive, inappropriate, offensive, suggestive or neglectful.
- Act swiftly to ensure that any perceived risk to a child is immediately reported to the Designated Person(s) for Child Protection.
- Inform the Designated Person(s) for Child Protection of breaches in safe working practices, regardless of whether this has resulted in the harm of a student.
- Not engage in any unwarranted or inappropriate touching of a student.
- Ensure that all communications with students, by whatever methods, are transparent and open to scrutiny.

I certify that I have read, understood and will comply with the St Paul's Child Protection Policy and Code of Conduct:

Name: _____

Signature: _____ Date: _____

Appendix 5: Education Council of Aotearoa New Zealand

Education Council of Aotearoa New Zealand Criteria for Reporting Serious Misconduct (Education Council Amendment Rules 2018)

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) A teacher's employer must immediately report to the Education Council in accordance with section 394 of the Act if the employer has reason to believe that the teacher has committed a serious breach of the Code of Professional Responsibility, including (but not limited to) 1 or more of the following:

- (a) using unjustified or unreasonable physical force on a child or young person or encouraging another person to do so:
- (b) emotional abuse that causes harm or is likely to cause harm to a child or young person:
- (c) neglecting a child or young person:
- (d) failing to protect a child or young person due to negligence or misconduct, not including accidental harm:
- (e) breaching professional boundaries in respect of a child or young person with whom the teacher is or was in contact as a result of the teacher's position as a teacher; for example,—
 - (i) engaging in an inappropriate relationship with the child or young person:
 - (ii) engaging in, directing, or encouraging behaviour or communication of a sexual nature with, or towards, the child or young person:
- (f) viewing, accessing, creating, sharing, or possessing pornographic material while at a school or an early childhood education service, or while engaging in business relating to a school or an early childhood education service:
- (g) acting dishonestly in relation to the teacher's professional role, or committing theft or fraud:
- (h) being impaired by alcohol, a drug, or another substance while responsible for the care or welfare of a learner or a group of learners:
- (i) permitting or acquiescing in the manufacture, cultivation, supply, offer for supply,

administering, or dealing of a controlled drug or psychoactive substance by a child or young person:

(j) an act or omission that may be the subject of a prosecution for an offence punishable by imprisonment for a term of 3 months or more:

(k) an act or omission that brings, or is likely to bring, the teaching profession into disrepute.

(2) Misconduct described in any of paragraphs (a) to (e) and (k) of subclause (1) may be—

(a) a single act; or

(b) a number of acts forming part of a pattern of behaviour, even if some of the acts when viewed in isolation are minor or trivial.

- *Teaching Council Rules 2016/Education Council Amendment Rules 2018*

Appendix 6: Key points to remember when reporting

KEY POINTS

RESPOND:	Respond to the person (adult or child) – Believe what they tell you and/or what you see.
SAFETY:	Ensure the safety of the child. Always take action in the short term to ensure the immediate safety of the child. 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.
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 Protection Policy and your Designated Person(s). 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.

Appendix 7: Contact List

CONTACT LIST

The St Paul's Designated Person(s) For Child Protection are:

Theresa Miller (Associate Headmaster – Student Wellbeing)

Email: t.miller@stpauls.school.nz

Phone: 021 739 985

Blair Heaton (Guidance Counsellor)

Email: b.heaton@stpauls.school.nz

Phone: 07 957 8899 ext 8808

The St Paul's Headmaster is:

Ben Skeen

Email: b.skeen@stpauls.school.nz

Phone: 07 957 8899 ext 8830

The Tihoi Venture School Designated Person For Child Protection is:

Peter Evans (Director of Tihoi)

Email: p.evans@stpauls.school.nz

Phone: 027 445 5572

The St Paul's Board of Trustees Chairperson is:

Andrew Johnson

Email: chair@stpauls.school.nz

Ministry for Children - Oranga Tamariki

0508 326 0459

New Zealand Police

111

Child Matters

07 838 3370

Appendix 8: Template Record of Issue or Concern**RECORD OF ISSUE OR CONCERN**

Any person associated with St Paul's, including the boarding facility and the Tihoi Venture School, who suspects the abuse or neglect of a child, or whom a concern has been disclosed to, must complete this form. It is a tool to assist with recording factual observations in accordance with the St Paul's Child Protection Policy

Students Name:	DOB:
Date:	Time:
Name of Parent/s/Guardian/s: Contact Details:	
Issue or Concern	
<p><u>Issue or Concern:</u></p> <ul style="list-style-type: none"> - <i>What is the concern for this student?</i> - <i>What has prompted you to complete the Record of Issue or Concern?</i> <p>NOTE: <i>This is a record of the facts. Remember to record:</i></p> <ul style="list-style-type: none"> • <i>observations</i> • <i>times and dates</i> • <i>what was said, and by whom – Use the persons own words if possible</i> <hr/>	

Additional Information:

- *Is there any additional information that needs to be disclosed or may be helpful for St Paul's or statutory authorities to know?*

NOTE: *At times incidents viewed in isolation may not be cause for concern however, when viewed in relation to other incidents these can form a larger picture of concern*

Action:

- *What action has been taken?*
- *Have statutory authorities been consulted? If so, record those details.*
- *Why was this action taken/Not taken? (Clearly identify and explain the reasons)*
- *By whom was this action taken, and when?*
- *Who has been informed?*

Follow Up: <ul style="list-style-type: none"> - <i>Next steps</i> - <i>Is a follow up required? If yes, by whom and when?</i> <div style="border-bottom: 1px solid black; width: 50%; margin-left: 40px; height: 15px;"></div>		
Signed:		Date:
Full Name:		
Position:		
Contact Details:		

Please give this form to a Designated Person(s) for Child Protection.

(Designated Person for Child Protection to complete)

I, (Full name and position)..... confirm that the above record of issue or concern has been brought to my attention and consultation with the person making the record of issue or concern, and named above, has taken place. The record of issue or concern will be held securely and confidentially.

The following action has been taken:

Signed

Dated

Contact Details (Phone/Email)