

8. DISCLOSURE OF ABUSE

Rationale

The James Hargest College Board of Trustees and Staff are committed to the physical and emotional safety of all students. Furthermore, the Children's Act 2014 (amended 2017) and the Children, Young Persons, and their Families (Oranga Tamariki) Legislation Act 2017 obliges the school to have a child protection policy that provides procedures and guidelines for any staff, or contractors who become aware of, or are concerned about the emotional and/or physical safety of any student.

Purpose

To provide guidelines and procedures for staff, or contractors, for when a student discloses physical, emotional, racial or sexual abuse, or when a staff member becomes aware/concerned about a student's physical, emotional, racial or sexual safety.

To ensure school policy aligns with the Children Act 2014 (amended 2017) and the Children, Young Persons, and Their Families (Oranga Tamariki) Legislation Act 2017.

Guidelines

- When abuse is suspected or an allegation made against another person, the first consideration will be to ensure the safety of the young person.
- Physical, emotional, racial or sexual abuse is any activity or experience imposed upon or participated in that is an exploitation of the individual's innocence, trust and/or powerlessness. The Board considers any form of abuse is unacceptable. [Indicators of abuse here](#)
- Any member of staff, or contractor, working with a student who suspects abuse or has abuse disclosed to them (eg risk of death, grievous bodily harm, neglect, or sexual assault) **must** follow the procedures outlined below. Under no circumstances are they to deal with the suspicion on their own. The Guidance team or Senior Leadership Team is to be notified immediately.
- All new members to staff, or contractors, will be made aware of this Disclosure of Abuse Policy and procedure during the induction stage of their employment. An annual presentation recapping the policy will be presented to all staff at a staff meeting.

Procedures for Disclosure of Abuse

If a young person voluntarily discloses abuse or shows concerning behaviours indicative of abuse

1. Staff will not question a young person who has disclosed abuse. However, it is important that the young person is listened to and responded to appropriately.

Staff are directed to:

- Reassure the young person that it was right to disclose.
- Not interview the young person

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- Record the discussion in the young person’s language as soon as possible. Sign, date this information. It is only to be disclosed to the guidance team and Senior Leadership Team.
 - Not agree to keep the matter secret. Tell the young person that the abuse needs to stop and a member of the guidance team or Senior Leadership Team needs to be involved and then disclose information to those teams.
2. Staff will report disclosure, or concerns to a member of the Guidance team or member of the Senior Leadership team immediately. Staff may also make a report of concern directly to Oranga Tamariki or the Police.
 3. The guidance counsellor or senior leadership team member will notify Oranga Tamariki and/or the Police as appropriate.
 4. The notification will be recorded on the ‘Concerns and OT notification’ register that is held by the school compliance officers (Associate Principal at the Senior Campus and Deputy Principal at the Junior Campus) by the person making the notification.
 5. Although the parent or caregiver of the young person will usually be informed of concerns, there may be times when those with parental responsibility may not be initially informed e.g. when the parent or caregiver is the alleged perpetrator and may put the child at further risk or when custodial orders prevent this.
 6. Debriefing and support will be offered to the member of staff who has received the disclosure.

Allegations against staff members

Child abuse concerns involving staff members may come about through observation or disclosure. These may reflect conduct within the school environment, but we also respond to allegations regarding staff behaviour outside of school. Any allegations against staff are taken seriously and dealt with as a matter of urgency. If a staff member has been accused of abuse, the school may take steps to prevent contact between that person and students at the school.

Any allegations against staff members should be reported to the Principal. If a concern involves the Principal, it should be reported to the Presiding Member. See [Protected Disclosure](#) for the procedures that ensure staff feel confident they can raise concerns without fear of retaliation.

At the Principal’s discretion the school reports allegations of child abuse by staff members to Oranga Tamariki and the police. It is the responsibility of these authorities to assess any evidence and investigate whether child abuse has occurred. The school does not directly investigate allegations. While student safety is our primary concern, we follow a fair disciplinary process in cases of alleged abuse. We uphold the rights of staff to respond to allegations and seek independent advice. During an investigation by Oranga Tamariki or the police, the school does not conduct its own internal investigations that may prejudice an external decision.

We aim to protect any actual or potential legal action by, as much as possible, following the advice of authorities in terms of contact with students, family/whānau, and those facing allegations. If there is insufficient evidence for a criminal prosecution, and following the advice of authorities, the school may conduct its own internal investigation.

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Abuse and neglect are classed as a serious breach of the [Code of Professional Responsibility | Ngā Tikanga Matatika](#) under the Teaching Council Rules 2016 (Part 3). If we have reason to believe that a teacher has engaged in this type of serious misconduct, we make a mandatory report to the Teaching Council of Aotearoa.

Resources:

[Definitions of Abuse](#)

[Childrens Act 2014 - requirements for schools and Kura](#)

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