# Board of Trustees Policy: Child Protection (NAG 5)

## Blind & Low Vision Education Network NZ

## 1. Statement of Intent:

This policy outlines the Blind & Low Vision Education Network NZ’s (BLENNZ) commitment to the prevention of abuse and neglect of ākonga and to the important role and responsibility of all BLENNZ staff in the protection of ākonga. This policy applies not just to staff within BLENNZ and the Homai Early Childhood Centre, but also to contractors, parents/whānau, volunteers, sector partners and other organisations delivering services to BLENNZ ākonga.

BLENNZ is committed to:

1.1 Acting at all times in the best interest of ākonga to whom it provides a service.

1.2 Dealing with abuse, suspected abuse or disclosure of abuse in line with the Children’s Act (CA) 2014.

1.3 Complying with all relevant legislation to ensure a safe environment for ākonga and staff.

1.4 Being a Child Protection focused organisation where ākonga safety is paramount;

1.5 Being CA 2014 compliant and enforcing robust Child Protection procedures and safety checking of staff and volunteers.

1.6 Ensuring all decisions are not made individually or in isolation, but through consultation with the ākonga teaching team and appropriate Senior Manager or Principal.

1.7 Full cooperation with police in any matter related to historic or current cases that may come to the attention of BLENNZ.

1.8 Ensuring that any incident whereby ākonga are in serioud/immediate threat to their safety the police will be contacted, if an immediate threat this will be through 111.

This policy will be reviewed a minimum of every three (3) years 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.

Overall responsibility for the implementation of this policy rests with the Principal, in consultation with Senior Managers and the Board of Trustees.

## 2. Guiding Principles:

2.1 All services provided by BLENNZ for the safety and wellbeing of ākonga will adhere to the principles of partnership, protection and participation; and the rights and responsibilities accorded by Te Tiriti o Waitangi.

2.2 The safety and wellbeing of ākonga is the primary concern, with ākonga at the centre of all decision making.

2.3 The recognition of the culture of the family/whānau, its importance and the rights of family/whānau to participate in the decision-making about their children.

2.4 A commitment to work together to produce the best possible outcomes for ākonga and to work towards continuous improvement in child protection practices.

2.5 A commitment to open and transparent relationships with ākonga and their family/whānau including being willing to share concerns about child safety issues unless this would result in an escalation of risk to the ākonga.

2.6 A commitment to promote a culture where staff feel confident to constructively challenge unsafe practice and raise issues and concerns without fear of reprisal.

2.7 The recognition that all staff and Trustees have a full and active part to play in protecting ākonga from harm.

## 3. Definitions (see Appendix 1 for further information):

“Ākonga” or “child” for the purposes of this policy is defined as someone on the BLENNZ roll (0-21 years).

 “Child protection” – an activity or initiative for the purpose of preventing or responding to a specific or suspected incident of child abuse.

“Children’s Worker” – a person who works in, or provides, a regulated service, and the person’s work:

1. May or does involve regular or overnight contact with a child or children (other than with children who are co-workers) and
2. Takes place without a parent or guardian of the child or of each child, being present.

“Contact” – physical, oral, or any communication through electronic medium (including writing or visual images).

“Cumulative Harm” – is the existence of compounded experiences of multiple episodes of abuse or ‘layers’ of neglect. The unremitting daily impact on the child can be profound and exponential, covering multiple dimensions of the child’s life.

“Child Abuse” – can involve ongoing, repeated or persistent abuse, or may arise from a single incident. Child Abuse may take many forms but it can be categorised into four different types:

* Physical Abuse
* Sexual Abuse
* Emotional Abuse
* Neglect.

“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 any act or acts that result in the sexual exploitation of ākonga whether consensual or not. Sexual abuse can be committed by a relative, a trusted friend, an associate, or someone unknown to the child. Sexual abuse includes situations where the adult seeks to have the child touch them for a sexual purpose, and where they involve the child in pornographic activities or prostitution.

Emotional Abuse” – is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effect on the child’s self-esteem and emotional development. This can include a pattern of rejecting, degrading, ignoring, isolating, corrupting, exploiting or terrorising a child. It may also include age or developmentally inappropriate expectations being imposed on children and their social competence underminded or eroded over time. A child can also experience emotional abuse by being exposed to a dysfunctional environment which includes seeing or hearing the ill treatment of others, including but not limited to being exposed to family violence.

“Family Violence” – can take many forms and may include, but is not limited to, actual physical violence (to a person, pet or property), threats of physical violence (to a person, pet or property), psychological, economic or sexual abuse. Children are always affected either emotionally or physically where there is family violence even if they are not personally injured or physically present.

“Neglect” – is characterised as the persistent failure to meet a child’s basis 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.

“Police Check” – includes information held by the Ministry of Justice (and accessed by the Police in terms of the Privacy Act 1993) in respect of that person’s criminal convictions. The term “Police Check” is also applicable to overseas Police and criminal history checks when required.

“Police Vet” – Includes criminal convictions but can also include information on any contact with the police.

“Regular Contact” – the person has contact (other than merely incidental contact) with a child or children overnight, at least once a week, or on at least four days each month. It does not matter whether the regular or overnight contact is with the same or a different child or children each time.

“Safety Checks” – required checks as set out in the BLENNZ policy on “Safety Checking of Employees and Volunteers” (NAG 6).

 “Staff” – refers to any person working at, for, or on behalf of, BLENNZ and includes, but is not limited to, persons employed directly by BLENNZ, 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 students, consultants, contractors, associates and any persons contracted or invited to provide services to children in the care of, or in contact with, BLENNZ. For the purposes of this policy, “staff” also refers to the BLENNZ Board of Trustees.

“Oranga Tamariki” – Ministry for Vulnerable Children.

“Designated Person for Child Protection” – is a person within the workplace who is responsible for the safeguarding of children. This person is responsible for ensuring that child protection is a key focus within their organisation both at a strategic level and on a day to day basis.

## 4. Scope:

4.1 This policy applies to all BLENNZ staff, parents and whānau.

4.2 The recognition that this policy applies to all ākonga receiving services as well as to those ākonga with whom personnel come into contact during the course of their work with BLENNZ.

## 5. Roles and Responsibilities:

### Board of Trustees

5.1 The Board of Trustees has an obligation to ensure the needs and rights of ākonga come first i.e. the safety and wellbeing of ākonga is paramount. Advice will be sought through appropriate agencies in all cases of suspected or alleged abuse.

5.2 The Board will support the Principal to ensure that all allegations are managed appropriately. No investigation will occur without appropriate consultation and a decision whether a response from Oranga Tamariki or the Police is required. The Board will also support the Principal to ensure that allegations or complaints against teaching staff are appropriately referred to the Education Council of Aotearoa New Zealand (EDUCANZ).

5.3 The Board will inform the Principal immediately should any member of the Board of Trustees be aware of a concern for the wellbeing and safety of ākonga attending any BLENNZ programme.

5.4 The Chair of the Board of Trustees will be directly informed of any allegations of abuse against the Principal.

### The Principal and Senior Managers

The overall responsibility for the implementation of this policy rests with the Principal.

The role of the Principal, together with Senior Managers, is to:

5.5 Ensure that child protection is a key focus within BLENNZ and that appropriate protocols, procedures and training are in place.

5.6 Ensure that the needs and rights of BLENNZ ākonga come first – the safety and wellbeing of each ākonga is the paramount consideration in all circumstances.

5.7 Receive information that suggests potential or actual risk of harm to BLENNZ ākonga, irrespective of whether the alleged abuse is current, past or likely to occur. The Principal will advise and support staff and, where appropriate, will make any referrals to Oranga Tamariki or the NZ Police.

5.8 Ensure that all allegations are managed appropriately.

5.9 Ensure that there is no internal investigation without appropriate consultation and a decision whether a response from Oranga Tamariki or the Police is required.

5.10 Ensure that allegations or complaints are appropriately referred to the Education Council of Aotearoa New Zealand (EDUCANZ).

5.11 Ensure, and safeguard, clear, confidential, detailed and dated records on all child protection cases. These must contain all available information relating to the cause for concern and any subsequent action taken, including when it has been decided not to make a notification to Oranga Tamariki or the NZ Police. These records will be kept separate from ākonga records for the purpose of confidentiality.

5.12 Maintain a current awareness of the ākonga identified on a risk register, and regularly highlight these ākonga to the appropriate staff.

5.13 Ensure that all staff are aware of, and have access to, full copies of the procedures for reporting child abuse.

5.14 Establish close links with the relevant local agencies to ensure clear and effective communication and be a recognised contact within BLENNZ for agencies to contact regarding child protection concerns.

5.15 Ensure that all staff are recruited and employed in accordance with the guidelines identified in the BLENNZ “Staff Appointment and Recruitment Policy” and that procedures are in place to identify those people safe to work with ākonga.

5.16 Ensure that all staff receive child protection training.

5.17 Consult with each other regarding all child protection concerns.

### BLENNZ Staff

5.18 All staff are enabled to recognise the signs and symptoms of potential abuse and neglect and are familiar with BLENNZ policies and procedures in how to respond.

5.19 In line with Section 15 of Oranga Tamariki Act 1989, any person within BLENNZ who believes that any ākonga has been, or is likely to be, harmed (whether physically, emotionally or sexually), ill-treated, abused, neglected or deprived must follow BLENNZ procedures. The matter may also be reported to a social worker or the local police in partnership with the appropriate senior manager.

5.20 The statutory responsibility to investigate allegations of child abuse rests with Oranga Tamariki and the NZ Police. No member of BLENNZ staff, including the Principal, Senior Manager, or Board of Trustees, are permtted or mandated to investigate allegations of abuse.

Each member of staff must:

5.21 Be vigilant, have knowledge and awareness of the indicators of neglect, potential or actual abuse and to report any concerns, suspicions or allegations of suspected abuse immediately and ensure that the concern is taken seriously and reported.

5.22 Record a factual account of any concerns they have, or that are brought to their attention (see Appendix 3).

5.23 Appropriately seek advice and support from their line manager who will then liaise and inform the appropriate co-ordinator, senior manager or principal. It will be the responsibility of the senior team member, or their delegate, to contact external agencies (refer to section 6.7).

5.24 Work in co-operation with parents and caregivers unless this compromises the safety of ākonga.

### External Providers

5.25 Contracted workers who will be providing services to ākonga and hold some form of responsibility for them will be required to provide a copy of their own Child Protection Policy or read and sign the BLENNZ Child Protection Policy.

5.26 The contracted provider holds a responsibility to safety check their staff. It is the responsibility of the Principal to gain assurance from the contracted provider that this safety check has been completed prior to beginning their service. This is a non negotiable requirement in the safety, best interests, and welfare of ākonga, and for the overall protection of BLENNZ.

## 6. Child Protection Procedures

### Identification of Abuse

6.1 BLENNZ staff are uniquely placed to recognise and respond to concerns for the wellbeing of ākonga. Any member of staff may directly witness child abuse or have allegations, made by ākonga or an adult, relayed to them.

6.2 Staff should be alert and aware of the fact that child abuse can occur in many different settings and forms and may come to light in a variety of ways. These can include, but are not limited to:

* Direct or indirect disclosure by ākonga;
* Direct or indirect disclosure from someone known to ākonga;
* Suspicions of abuse by those involved with ākonga;
* Allegations and/or direct observations or signs displayed in the physical or emotional behaviour of ākonga;
* Direct witnessing of abuse.

6.3 The signs and indicators of abuse to ākonga may not be immediately obvious or indentifiable. Appendix 1 of this policy sets out a non-exhaustive list of signs and indicators to help identify abuse.

6.4 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 Principal or Senior Manager. If the Principal and Senior Manager are unavailable for advice and guidance, then staff should consult with their Coordinator or line manager. At any time, staff may seek advice from Oranga Tamariki (508 326 459) regarding child protection concerns.

### Handling Disclosures from Ākonga

6.5 If ākonga make a verbal disclosure to a member of staff it is important that staff take what the ākonga says seriously. This applies irrespective of the setting, or the member of staff’s own opinion on what the ākonga is saying. Further information regarding responding to a disclosure is included in Appendix 2.

6.6 Under no circumstances should a member of staff attempt to conduct an investigation or deal with concerns regarding child abuse alone. Any incidents, concerns or suspicions must be reported following the procedures set out above.

### Harmful Behaviour by one Ākonga Towards Another

6.7 It is important to be aware that ākonga can harm each other. These behaviours are outside of what may be considered the normal range, and can extend to bullying, violence or sexual assault. When ākonga allege inappropriate harmful behaviour by another ākonga then the child protection procedures outlined in this policy must be followed for both ākonga.

6.8 If an incident occurs whereby ākonga pose a serious threat to the safety of themselves or others, move other ākonga to safety and call the police immediately on 111.

### Suicidal Concerns or Self-Harming Behaviours

6.9 It is important to be aware that ākonga can harm themselves or attempt suicide. When ākonga identify thoughts of suicide, or self-harming behaviour, this must be immediately notified to the Principal through either the immediate line manager, Co-ordinator or Senior Manager. If immediate action is required phone the mental health team at the local hospital (see Ministry of Education Resource: Preventing and Responding to Suicide for further information) or the NZ Police who have the ability to provide immediate assistance.

### Reporting Procedures

6.10 All concerns of potential, suspected or alleged abuse must be brought to the attention of the appropriate Senior Manager who will consult with the Principal. If the Senior Manager is unavailable then consultation should occur directly with the Principal. When reporting an incident staff should:

 a) inform the Principal through their Senior Manager as soon as possible;

 b) record in writing all conversations and actions taken.

6.11 Effective documentation, including referrals and notifications, must include the following:

 a) record of facts, including observations, with time and date;

 b) what was said and by whom, using the person’s words;

 c) what action has been taken, by whom and when.

6.12 All decisions must be recorded in writing, including where the concern does not require notifying Oranga Tamariki. Records are to be kept securely in a Child Protection file with the reasons clearly identified and explained. This file will be in a secure location on the Homai Campus. Further information regarding reporting and the reporting flowchart is included in Appendix 2.

### Reporting for Itinerating Services

(Itinerating Services includes but is not limited to: Resource Teachers Vision, Therapists, and Development Orientation & Mobility Specialists)

6.13 At the commencement of BLENNZ services to be provided to ākonga in a new educational setting, BLENNZ will notify the professional leader of the education setting, of the BLENNZ reporting obligations and processes.

6.14 The itinerating staff member must bring all concerns of potential, suspected or alleged abuse to the attention of the Designated Child Protection Person (DCPP) within the education setting the ākonga is attending. This will be done through their line manager, co-ordinator, senior manager or principal. The DCPP in the educational setting may be the Principal, school social worker or another designated person. If the DCPP is unavailable then consultation should occur with the professional leader. A decision will be made as to whether to seek further advice or notify Oranga Tamariki. The itinerating staff member will keep their BLENNZ line manager, co-ordinator, senior manager or principal informed of any actions taken.

6.15 In instances where the itinerating staff member’s views regarding the need to notify Oranga Tamariki do not align with those of the local educational setting, they will consult through their line manager, with their Senior Manager or Principal. A decision will be made as to whether to seek further advice or notify Oranga Tamariki.

6.16 The BLENNZ Senior Manager will contact the educational setting to notify the professional leader of the discussion that was held and the reason for the decision to notify Oranga Tamariki.

6.17 When reporting an incident staff will:

 a) inform the Principal through their Senior Manager as soon as possible;

 b) record in writing all conversations and actions taken.

6.18 Effective documentation, including referrals and notifications, must include the following:

 a) record of facts, including observations, with time and date;

 b) what was said and by whom, using the person’s words;

 c) what action has been taken, by whom and when.

6.19 All decisions must be recorded in writing including where the concern does not require notifying Oranga Tamariki. Records are to be made for both the local school and BLENNZ and kept securely in a Child Protection file with the reasons clearly identified and explained.

### Keeping the Family of the Ākonga Informed and Involved

Wherever possible, the family and whanau of ākonga should participate in the decisions affecting them and the relationship between the child and their family and whanau should be maintained and strengthened.

6.20 Although the parent or caregiver of the ākonga will usually be informed of concerns, there may be times when those with parental responsibility may not be initially informed. This may happen when:

 a) there is potential that the parent or caregiver may be the perpetrator;

 b) the parent or caregiver is the alleged perpetrator;

 c) informing the parent or caregiver may alert the perpetrator;

 d) it is possible that the ākonga may be intimidated into silence;

 e) there is a strong likelihood that evidence will be destroyed;

 f) the ākonga does not want their parent or caregiver involved and they are

of an age and understanding to make an informed decision.

Such a decision will only be made following consultation with senior management. If there is any potential for doubt in terms of risk of further harm to the ākonga, err on the side of caution and do not contact the parent or caregiver. The Principal or senior management will contact Oranga Tamaraki or the Police first for further guidance.

### Sharing Information and Confidentiality

6.21 The safety of ākonga is paramount. At times ākonga cannot speak or protect themselves. BLENNZ therefore has a greater responsibility to know when and how to share appropriate information with external agencies to protect the safety and wellbeing of ākonga.

6.22 Giving information to better protect ākonga is not a breach of confidentiality. Wherever possible the family/whānau should be kept informed of what information has been shared and to which agency, and for what purpose. Principle 11 of the Privacy Act 2020 states “disclosure of the information is necessary to prevent or lessen a serious threat”.

6.23 Should BLENNZ be contacted with a request for information or access to interview ākonga then the following procedure will be followed:

 a) confirm the identity and credentials of the person requesting information;

 b) notify the Principal through the inline Senior Manager and/or Co-ordinator;

 c) identify specific information required and purpose;

 d) check information held – does BLENNZ have the information requested;

 e) Principal, in consultation with inline Senior Manager, to identify way forward

 and provide permission;

f) depending on the reason for the request, and risk to ākonga as judged case

 by case, inform the family that information has been requested, by whom and

 seek permission. If this is a child protection issue, permission from the family

 is not required.

6.24 Document all steps in the process. Ensure that all documentation is placed on the BLENNZ Child Protection file.

#### Information Sharing Provisions of the Oranga Tamariki Act

6.25 The Oranga Tamariki Act 1989 places the wellbeing and best interests of ākonga 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 and whanau, or any person with whom the child is in a domestic relationship with.

6.26 Under section 66 of the Oranga Tamariki Act, BLENNZ can be mandatorily required to provide information that relates to a child’s health, safety and wellbeing, when requested by:

* The Chief Executive of Oranga Tamariki
* A care and protection coordinator, or
* A constable.

6.27 Under section 66 of the Oranga Tamariki Act, BLENNZ may share information about a child 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 child;
* Make or contribute to an assessment of the risks or needs of a child;
* 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 child or for their family or whanau;
* Carry out any function in relation to a family group conference for a child in care or anything else related to the care or protection of a child.

6.28 Under the Oranga Tamariki Act 1989, if a member of staff raises a legitimate concern in good faith about suspected child abuse, which proves to be unfounded on investigation, no civil, criminary or disciplinary proceedings may be brought against BLENNZ, or that member of staff.

6.29 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 Principal, Senior Manager or Board of Trustees.

## 7. Allegations Against Staff:

7.1 All staff have:

* a responsibility to understand what constitutes appropriate behaviour to ākonga
* a responsibility to maintain appropriate standards of behaviour and to report lapses in these standards by others

7.2 Anyone who has reason to raise a concern or make a complaint will be made aware of the BLENNZ concerns and complaints process. Any such concern or complaint that raises a child protection issue will be referred directly to the Principal who will then consult with the Board of Trustees.

7.3 Concerns or complaints may be raised in a number of ways:

 a) directly by staff hearing or observing issues of concern or behaviour of concern

 b) direct disclosure by the ākonga

 c) indirect disclosure e.g through written or art work or through friends

 d) complaint from a parent or caregiver or whānau member

 e) reports by other colleagues or agencies

 f) as an anonymous report.

7.4 At the outset it must be clearly communicated with the ākonga or adult that their concern or complaint is being taken seriously and will be responded to in accordance with the BLENNZ Concerns & Complaints Policy.

7.5 If the allegation is against the Principal then this must be reported directly to the Chair of the Board of Trustees.

7.6 It is not the responsibility of staff to investigate allegations of child abuse. Allegations against staff will be discussed with the Board of Trustees where a decision will be made if a notification to Oranga Tamariki is required.

7.7 In all child protection cases BLENNZ will co-operate fully with both Oranga Tamariki and the Police in their investigations and assessments.

7.8 If the Police decide to undertake a criminal investigation then the member of staff may be suspended, without prejudice, as a precautionary measure. It is important that no internal investigation is undertaken, and no evidence gathered that might prejudice the criminal investigation.

7.9 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 or inappropriate behaviour may have occurred. The allegation may represent poor practice by a member of staff which needs to be considered under internal disciplinary procedures.

7.10 A complaint or allegation against a member of staff may require a report to Education Council of Aotearoa NZ (EDUCANZ). Further information can be found on the EDUCANZ website: [Link to Education Council of Aotearoa NZ website](http://www.educationcouncil.org.nz/)

7.11 A person tendering their resignation, or ceasing to provide their services, will not prevent an allegation of abuse against ākonga being followed up in accordance with these procedures.

## 8. Safe Working Practices:

8.1 All BLENNZ staff are required to behave in accordance with the BLENNZ Code of Conduct (NAG 3). Safe working practices have been developed by BLENNZ to ensure that staff are working consistently, in ways that reduce risk to ākonga, and that the opportunity for harmful behaviour to occur is minimised.

8.2 Main safe working practices include:

* Staff should not discuss “adult” topics of conversation within hearing of ākonga
* Ākonga should not be present when staff use the toilet or bathroom facilities for personal needs
* Close personal relationships or care-taking activities outside the work environment are not encouraged.
* Staff should not share any personal information with ākonga.
* Only under extreme circumstances or an emergency situation should an adult staff member restrain ākonga to restrict them from injuring themselves or some one else.
* Health care plans should be established where ākonga need regular medication
* An intimate care plan should be developed where ākonga need assistance with toileting, changing or other intimate care on a regular basis.

Further information can be found in Appendix 7: Safe Working Practices

## 9. Training:

9.1 All staff will receive child protection training at the level appropriate to their role. The BLENNZ “Child Protection Champions” will undertake more intensive training. These persons will be accessible to staff to provide advice and support.

9.2 Training will include:

 a) roles and responsibility of staff regarding child protection

 b) recognising and responding to the signs and indicators of actual or

 suspected abuse

 c) ensuring staff understand and can follow the Child Protection Policy and the

 procedures for reporting a concern.

9.3 All staff will receive updated training every three years as a minimum.

9.4 All new staff will receive child protection training as part of their induction.

9.5 All new staff will be given a copy of this policy as part of the induction process.

## 10. Safe Recruitment:

10.1 In accordance with the Children’s Act 2014 and the BLENNZ Policy on Safety Checking of Employees and Volunteers (NAG 6), all staff and volunteers will be required to undergo Police vetting. This includes contracted and unpaid staff (e.g. student placements).

10.2 The safety checking recruitment process consists of two steps. The first is to gather the following information:

 a) identification verification

 b) candidate interviews

 c) collect information about work history

 d) reference check

 e) gather information from any relevant professional organisation or body

 f) Police vetting.

 The second step is to conduct a risk assessment. This involves:

 a) identifying any unexplained gaps in a person’s work history

 b) looking for patterns of concerning attitudes or behaviours

 c) evaluate

 d) make a decision.

10.3 If concerns do arise, the candidate must be given an opportunity to respond to the concerns. If the candidate has been convicted of a Schedule 2 Offence under the Children’s Act 2014, BLENNZ will not employ the candidate unless an exemption has been granted through the official Ministry of Social Development Exemption Process.

10.4 In accordance with the Children’s Act 2014 requirements, BLENNZ will undertake periodic checks, repeated a minimum of every three years to:

 a) confirm whether the employee has changed their name since the last safety

 check

 b) complete a Police check

 c) obtain the names of any professional organisation, licensing authority or

 registration authority they belong to and check that the person is currently

 registered.

10.5 Where volunteers and/or parent helpers are given supervisory responsibility by BLENNZ of children other than their own, during an overnight course and or Immersion programme, a full police check must be undertaken.

10.6 Parents who are staying on campus with their children will be advised that other adults and ākonga may be present in the accommodation during the time of their stay. The safety and wellbeing of their children is their responsibility and we would advise their children should not be left with anyone outside of their family.

10.7 The specific procedures to follow when recruiting staff are outlined in the flow chart (Appendix 8).

10.8 The specific procedures to follow in regards to short stay accommodation where parents and/or caregivers are staying with their children are outlined in Appendix 10.

## Supporting Documents:

Appendix 1: Identifying Child Abuse

Appendix 2: Responding to Child Protection Concerns

Appendix 3: BLENNZ Record of Concern Form

Appendix 4: Oranga Tamariki Children’s Team Referral Process

Appendix 5: Oranga Tamariki Children’s Team Referral Form

Appendix 6: Oranga Tamariki Report of Concern Form

Appendix 7: Safe Working Practices

Appendix 8: Child Focussed Recuitment

Appendix 9: BLENNZ Non Employee Safety Checking Employer Endorsement Form

Appendix 10: Short Stay Accommodation Guidelines

## Further Guidance:

BLENNZ Operational Policies. These can be found on the group drive/Policies/BLENNZ Policies Current/BLENNZ Operational Policies

1. Traumatic Incidents (NAG 5)

2. Protected Disclosures (NAG 6)

3. Intimate Care (NAG 5)

4. Administration of Medication (NAG 5)

5. Infectious Diseases (NAG 5)

6. Anti-Bullying (NAG 5)

7. Managing Ākonga Attending BLENNZ Programmes (NAG 5)

8. Ākonga Mental Health and Wellbeing (NAG 5)

9. Restraint and Seclusion (NAG 5)

10. Handling and Transfer of Ākonga (NAG 5)

11. Surrender and Retention of Property and Searches Policy (NAG 5)

12. BLENNZ Cybersafety and Digital Citizenship (NAG 5)

13. Non-Custodial Parents Access to Ākonga and their Records (NAG 6)

14. Safety Checking of Employees and Volunteers (NAG 6)

15. Use of BLENNZ Accommodation (NAG 5)

16. Student Alcohol (NAG 5)

17. Drug Free (NAG 5)

18. Concerns and Complaints (NAG 3).

19. Health and Safety Visitors (NAG 5).

Link to MOE website: [Ministry of Education website: Identification, Assessment and Management of Risks](https://education.govt.nz/ministry-of-education/specific-initiatives/health-and-safety/risk-identification-assessment-and-management/)

Ministry of Education Resource Kit for Schools: Preventing and Responding to Suicide

Ministry of Education Resource Kit for Schools: Managing Emergencies and Traumatic Incidents

[Link to MOE-STA-CYFS Protocols for Reporting Abuse](https://education.govt.nz/assets/Documents/School/Traumatic-incidents-and-emergencies/MoE-STA-CYFProtocolForReportingActualOrSuspectedChildAbuseNov09Amendment-3-2015.pdf) (2009)

[Link to Privacy Commission Website](file:///%5C%5Cblennz-fs01%5CGroup%20Drive%5CSenior%20Management%20Team%5C1%20Senior%20Manager%20Administration%5C2018%20Policy%20Review%5C2018%20Child%20Protection%20Policy%5Cwww.privacy.org.nz%5Cblog%5Cparents-right-to-know-childrens-right-to-privacy%5C)

[Link to NSCC UK Website - Gillick Competency Guidelines](https://www.nspcc.org.uk/preventing-abuse/child-protection-system/legal-definition-child-rights-law/gillick-competency-fraser-guidelines/)

[Link to NZ Medical Journal - What Makes a Child A Competent Child?](https://www.nzma.org.nz/journal/read-the-journal/all-issues/2010-2019/2015/vol-128-no-1426-4-december-2015/6751)

[Link to Privacy - Parents and Children's Rights to Know](https://www.privacy.org.nz/blog/parents-right-to-know-childrens-right-to-privacy/)

Our Code, Our Standards [Education Council of NZ](https://educationcouncil.org.nz/content/our-code-our-standards)

## Related Legislation:

This policy has been written with the United Nations Convention on the Rights of the Child in mind, and in accordance with the following legislation:

1. Care of Children Act 2004 [Link to Care of Children Act 2004](http://www.legislation.govt.nz/act/public/2004/0090/67.0/DLM317233.html)

2. Children’s Act (2014) [Link to Children’s Act 2014](http://www.legislation.govt.nz/act/public/2014/0040/latest/whole.html)

3. Crimes Act 1961 [Link to Crimes Act 1961](http://www.legislation.govt.nz/act/public/1961/0043/137.0/DLM327382.html)

4. Employment Relations Act (2000) [Link to Employment Relations Act 2000](http://www.legislation.govt.nz/act/public/2000/0024/112.0/DLM58317.html)

5. Family Violence Act 1995 [Link to Family Violence Act 1995](file:///C%3A%5CUsers%5Cjcooke%5CAppData%5CLocal%5CMicrosoft%5CWindows%5CINetCache%5CContent.Outlook%5CEV90DT7O%5Cwww.legislation.govt.nz%5Cact%5Cpublic%5C1995%5C0086%5Clatest%5CDLM371926.html)

6. Health Act (1956) [Link to Health Act 1956](http://www.legislation.govt.nz/act/public/1956/0065/121.0/DLM305840.html)

7. Human Rights Act (1993) [Link to Human Rights Act 1993](http://www.legislation.govt.nz/act/public/1993/0082/latest/DLM304212.html)

8. Oranga Tamariki Act 1989 [Link to Oranga Tamariki Act 1989](file:///C%3A%5CUsers%5Cjcooke%5CAppData%5CLocal%5CMicrosoft%5CWindows%5CINetCache%5CContent.Outlook%5CEV90DT7O%5Cwww.legislation.govt.nz%5Cact%5Cpublic%5C1989%5C0024%5Clatest%5CDLM147088.html)

9. Privacy Act (2020) [Link to Privacy Act 2020](file:///C%3A%5CUsers%5Cjcooke%5CAppData%5CLocal%5CMicrosoft%5CWindows%5CINetCache%5CContent.Outlook%5CEV90DT7O%5Cwww.legislation.govt.nz%5Cact%5Cpublic%5C2020%5C0031%5Clatest%5CLMS23223.html)

10. United Nations Convention on the Rights of the Child [Link to information on the UNCROC - Ministry of Social Development (MSD) website](file:///C%3A%5CUsers%5Cjcooke%5CAppData%5CLocal%5CMicrosoft%5CWindows%5CINetCache%5CContent.Outlook%5CEV90DT7O%5Cwww.msd.govt.nz%5Cabout-msd-and-our-work%5Cpublications-resources%5Cmonitoring%5Cuncroc%5C)

## Contact List:

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Oranga Tamariki: 0508 326 459

Ratified by the Board: 

Date: 27 May 2022

Next Review: 2025

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(Signed to confirm policy read & understood) (Name)

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(Date)