

DEALING WITH CHILD ABUSE ALLEGATIONS AGAINST EMPLOYEES IN SCHOOLS POLICY

RATIONALE:

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

PURPOSE:

To ensure and/or provide:

- a) the safety of the child or young person is the first consideration;
- b) that all complaints are taken seriously and dealt with effectively;
- c) that in the case of a complaint against an employee, action is guided by the applicable Employment Agreement and/or principles of natural justice;
- d) clear guidance for management and employee in respect of any allegations received concerning children or young persons within the School environment.

GUIDELINES:

The recommended procedures should be followed in the event of suspicion or disclosure of abuse against an employee. The child or young person must be adequately protected.

Refer to the Procedures under the "Child Protection Policy - Reporting Child Abuse & Neglect".

Please note there are two procedures to be followed here:

- a) the reporting procedure in respect of the child/young person; and
- b) the procedure for dealing with the employee.

In all cases, no one person will have responsibility for dealing with both the reporting issues and the employment issues.

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

1. The Principal should consult with the child advocate or guidance counsellor to ensure implementation of policy regarding reporting.
2. If the Principal is involved, then consult with the Chairperson of the Board of Trustees.
3. The Chairperson of the Board of Trustees will be informed as soon as possible.
4. The Principal is to ensure records are kept of any comments by the child, complaints and/or allegations, and follow-up action taken.

5. The decision to follow up on an allegation of suspected abuse or neglect against an employee of the School will be made in consultation with the following:
 - New Zealand Police
 - CYFS
 - Chairperson of the Board of Trustees
6. The Principal and/or the Chairperson of the Board of Trustees will have a dual responsibility in respect of both the child or young person and the employee. An immediate consultation is sought with the agencies involved. The purpose of this consultation is to enable the Principal and the Board Chairperson to discuss the concern or allegation and to:
 - a) determine the extent of the assistance they can give to the investigation;
 - b) consider the time frame to be followed with regard to the possible conflict between what steps the Board may take as an employer and possible police intervention;
 - c) consider the employer role of the Board in conjunction with any procedures outlined in relevant employee agreements.
7. When it has been determined the Board should pursue the matter as an employer, the Board will advise the person accused of the allegation and seek a response. The employer will refer to the relevant Employee Agreement in every case when proceeding with disciplinary action.
8. The employee complained against will be advised of their right to seek support/advice from:
 - a) NZEI, PPTA counsellor or field officer, or other appropriate union/representative; and/or
 - b) A legal representative.
9. Under no circumstances will the child or young person raising the concern or making the allegation be exposed to unnecessary risk. This may require the Board to contemplate removal of the employee from the School environment subject to the requirements of the applicable Employee Agreement.
10. All actions of the Board must be consistent and applicable with the Collective Employment Agreement or Individual Employment Agreement.
11. The Kamo Primary School Board will take care to ensure any action taken by the school does not undermine or frustrate any investigations being conducted by any external agency. The Board will maintain a close liaison with the Police and CYFS and to achieve this.

Reviewed: 29/5/13


.....Chairperson, BOT

Review date: Term 2 2016