

Child Abuse Allegations against Employees in Schools Procedures

Rationale:

All children 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:

- the safety of the child is the first consideration
- that all complaints are taken seriously and dealt with effectively
- that in the case of a complaint against an employee, action is guided by the applicable employment contract and principles of natural justice
- clear guidance for management and employee in respect of any allegations received concerning children within the school environment

Procedures

The recommended procedures should be followed in the event of suspicion, or disclosure of abuse. The child must be adequately protected.

There are two procedures to be followed here:

- the inter-agency reporting protocols in respect of the child
- the procedure for dealing with the employee

Employment issues will be managed by the Principal and/or BoT Chair. Reporting issues will be implemented as per the Sexual, Physical & Emotional Abuse procedures. These are all shared responsibilities.

The decision to follow up on an allegation of suspected abuse or neglect against an employee of the school should be made in consultation with the following:

- Child Youth & Family
- New Zealand Police
- Chairperson of Board of Trustees

The Principal and/or the Chairperson of the Board of Trustees will have a dual responsibility in respect of both the child and the employee.

Immediate consultation will be sought with agencies involved. The purpose of this consultation is to enable the Principal and the Board Chair to discuss the concern or allegation and to:

- determine the extent of the assistance they can give to the investigation
- consider the timeframe to be followed with regard to the possible conflict between what steps the Board may take as an employer and possible police intervention.
- consider the employer role of the board in conjunction with any procedures outlined in relevant employee contracts.

When it has been determined the Board should pursue the matter as an employer, the board should advise the person accused of the allegation and seek a response. It is vital that the Board should refer to the relevant employee contract in every case when proceeding with disciplinary action.

Under no circumstances should the child 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 contract.

All actions of the Board must be consistent and applicable with the collective employment contract or individual employment contract.

The Board of Trustees should take care to ensure actions taken by the school do not undermine or frustrate any investigations being conducted by any external agency. It is strongly recommended that the Board maintain a close liaison with Child, Youth & Family Service, the NZ Police and NZSTA to achieve this.