



CHIVIRIKANI PRIMARY SCHOOL

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SCHOOL POLICY

Child Abuse

EFFECTIVE DATE: _____

REVISION HISTORY:

As amended on:

11 October 2016 (South African Schools Act, 1996 (Act No. 84 of 1996))
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11 October 2016 - Employment of Educators Act, 1998, as amended by the Education Laws Amendment Act, 2000.
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PURPOSE

The purpose of this policy is to put measures and procedures in place to respect and protect the rights of learners, particularly their rights to safety, personal security, bodily integrity, equal treatment and freedom from discrimination, and especially to create an environment where learners can maximize their opportunity to learn, free from abuse.

AIMS

- The identification of abuse
- The management of suspected abuse
- The management of disclosure
- Introversion

ACCOUNTIBILITY AND RESPONSIBILITY

- The principal of our school is accountable for implementing managing and sustaining the policy procedure described in this document. There must always be confidentiality in this matter. The principal will be assisted by a management committee.
- All educators have legal obligation in terms of Section 15 of the Child Care Amendment Act (Act 96 of 1996) to report abuse to the principal.
- The principal will report abuse to the Head of the specialised Learner and Educator Support at EMDC Level.

PROCEDURE FOR SUSPECTING CHILD ABUSE

Apply the following procedure if you suspect some form of child abuse:

- Gather information about your suspicion without implicating any person.
- Document your info in a file (e.g. information from the learner, information from other learners and/or parents, and reports from parents and educators).
- Treat information highly confidential (place file in strong-room or safe).
- Report to principal to outline the procedure.
- Follow these steps:
 - **Step 1:** Ensure the **safety** of the learner (in collaboration with the SAPS and the social worker, ensure that the learner will not have direct contact with the alleged offender).
 - **Step 2:** Explain to the learner that you will treat all the information in a confidential way, but in order to help her or him, you are legally obliged to report the case to other role-players such as the social worker and/or the SAPS. Explain the **roles** that they will play as well as the procedures that will be followed in steps 3 – 9.
 - **Step 3:** Inform the school principal (unless he or she is implicated). No detailed information about the alleged needs to be disclosed at this stage.
 - **Step 4:** Assist the school principal in contacting the relevant role-players provided in the list below (within three days after incident) in order to decide on the process of intervention. (If you are not sure which ones to contact, contact the school social worker or the Safe Schools Call Centre. Other contact numbers are provided:
 - The local welfare organisation.
 - The school psychologist.
 - The Child Protection Unit.
 - The SAPS in the residential area of the complainant.
 - Labour Relations, when employees are the alleged offenders.
 - The complainant's parent(s) (with the consent of the complaint, if she or he is over 14), provided that they are not the alleged offenders.
 - The Child Protection Centre.
 - The Department of Health and the Department of Social Services.
 - The school nurse (if available), or (if applicable) the ELSEN school nurse.
 - **Step 5:** Assist the school principal in compiling a confidential report for the social worker and the SAPS. Ensure that confidentiality is maintained.
 - **Step 6:** Assist the school principal in meeting with the relevant role-players mentioned in Step 4, to draw up a plan of action to indicate the responsibilities of each participant in the intervention process. The school principal must then report the case or incident to the Head: Specialised Support Services at the relevant Education Management and Development Centre (EMDC).
 - **Step 7:** The school principal will follow up with all the role-players, document the process and inform you of progress. He or she will also pass the information on to the Head: Specialised Support Services at the relevant EMDC.
 - **Step 8:** Keep the learner and her or his parent(s) informed of the steps taken by the role-players and the outcome of the investigation.
 - **Step 9:** Assist the school principal in monitoring the learner's emotional, mental and physical health, discuss it with his or her parents, and refer the learner for further professional help if necessary.

THE PURPOSE OF THE MULTI-DISCIPLINARY APPROACH

Purpose

- Dealing effectively with child abuse demands a multi-disciplinary approach in order to provide holistically for the needs of the complainant.
- The effective management of abuse therefore depends on collaboration, co-ordination and co-operation between the various role-players and service providers during the intervention process, and each institution should formulate a way to liaise effectively with all of them.

The **Roles and Functions** of the various team-members are as follows:

The Employee and the Educator

The employee and the educator are accountable to all learners and their caregivers to:

- Educate learners in a safe and non-discriminating environment.
- Identify any possible form of child abuse.
- Report suspected cases of child abuse to the institution manager.
- Facilitate disclosure.
- Support the complainant through the process that follows disclosure.
- Keep the parents, and all other concerned, abreast of the progress of the process.
- Implement and sustain a preventative programme in the curriculum.

The Institution Manager

- The institution manager is accountable to the learners, the employees, the parents and the community.
- The institution manager is also accountable to the WCED to ensure that the contents of this document are brought to the attention of all staff-members at the institution.
- The institution manager's **responsibilities** are to ensure that:
 - The complainant does not have to do any unnecessarily repeat disclosure details.
 - The matter is dealt with confidentially at all times.
 - All employees receive on-going training to equip them with the necessary skills, including how to deal with incidents of child abuse.
 - The complainant's parents are informed of the plan of action and made aware of the support available to them.
 - The incidents are reported to the relevant role-players, to follow up on the process and to make all the services provided by the WCED available to the learner and her or his caregivers.
 - Intimidation of the complainant by other learners, employees or members of the community does not take place.
 - Support is provided to the employee to whom the complainant has disclosed the abuse.
 - An assessment of the facts available is made without interviewing the complainant.
 - The safety of the complainant is assessed and assured.
 - Information is not released to the media.
 - A list of all service providers within the community is compiled and kept up to date.

- A management committee is established (if needed) as a sub-committee of the Governing Body to help in managing abuse in the institution. The function of this committee is not to discuss specific cases (and break confidentiality) but to ensure the implementation of this policy. In a school with a large enrolment, a representative of each school phase can be responsible to manage implementation (and the accountability that goes with it). This committee should report monthly to the Governing Body.
- The whole matter of child abuse is integrated into the institution's Life Orientation programme.
- A record of any findings made by Labour Relations is kept in the file of the alleged employee offender.
- All statistics on complaints lodged are forwarded monthly to the H: SLES at the EMDC.

Head Office and EMDC Personnel

Their **responsibilities** are to:

- Train and develop employees in order to provide them with skills in the management of incidents of child abuse.
- Help the institutions with the management of complaints.
- Provide the necessary professional services as required by learners, parents and employees.
- Use the services available in the community in the best interest of learners and institutions.
- Compile a register of all reported cases of child abuse.
- Ensure that the institution manager and employees implement the policy document.
- Ensure that the prevention of child abuse is dealt with in the curriculum and school programmes.

South African Police Services

The **responsibility** of the SAPS is to:

- Receive and investigate complaints.
- Obtain sworn statements from (among others) the complainant and her or his parents.
- Arrest the alleged offenders.

Medical Services or District Surgeon

Their **roles** are to:

- Safeguard the complainant's physical health.
- Collect forensic evidence for a possible court case.
- Refer the complainant for long-term medical care.

Parents

Their **roles** are:

- To give emotional support to the learner.
- Never to reproach, condemn or blame the learner.
- To use experts to help the learner and the family.

Department of Justice

Its **roles** are to:

- Protect the child from abuse by order in the Children's Court.
- Protect the child from abuse by way of Protection Orders (Interdicts).
- Bring the alleged offender to trial.
- Subpoena the witnesses to appear in court.
- Sentence the offender (if convicted).

Social Workers of the Department of Welfare and Welfare Organisations

Their **roles** are to:

- Ensure the safety of the complainant.
- Investigate the incident and compile a report for the Children's Court and/or the Criminal Court.
- Prepare the complainant, parents and employee for the court procedure.
- Render reconstructive services to the complainant and her or his family.

The Directorate: Labour Relations of the Education Department

Note to the employee:

The Directorate: Labour Relations is responsible for managing incidents of misconduct (when disclosure or a complaint has revealed that the alleged offender is an employee).

The **roles** of Labour Relations are to:

- Investigate all complaints (ensuring that the complainant's safety, privacy and confidentiality are maintained at all times).
- Suspend an employee immediately as a precautionary measure when there is substantial evidence.
- Serve charges on the employee.
- Proceed with a disciplinary inquiry in a manner which protects the interests and the special needs of the child witness (es).
- Take a final decision on termination or continuation of service in terms of the Employment of Educators Act, 1998, as amended by the Education Laws Amendment Act, 2000.

The Safe Schools Call Centre

The **role** of the Safe Schools Call Centre includes:

- Receiving and documenting all complaints received.
- Receiving complaints lodged by complainants and forwarding them to the institution manager.
- Setting up immediate support and help for the complainant.

The Safe School Programme

The **role** of the Safe Schools programme includes:

- Supporting institutions in the implementation of this policy.
- Providing training to employees when necessary.

DEALING WITH ALLEGED OFFENDERS

The following guidelines refer to situations where the alleged offender is another learner, an educator or school employee, or a school principal:

What to do when a learner is the alleged offender

- Follow steps 1 – 9 above to assist the alleged learner offender.
- This should be seen as an attempt to prevent the alleged offender from committing further abuse.
- Implement the following additional procedure if necessary:
 - Contact the alleged offender's parents, inform them of the incidents and discuss a plan of action for support and intervention.
 - Refer the alleged offender for emotional support and therapy if necessary.
 - Arrange for temporary suspension of the alleged offender, depending on the circumstances and only if in the best interest of other learners and the school (if the offence was serious enough to merit suspension or expulsion the school principal will refer the matter to the Governing Body of the school).

What to do when an educator or school employee is the alleged offender

- The parent, educator or employee to whom the disclosure was made should inform the school principal.
- The school principal will inform the Head: Specialised Support Services at the relevant EMDC, who will in turn inform the department's Labour Relations personnel.

DATABASE OF SUPPORT SERVICES WITHIN OUR AREA

Make our world a safer place for the children in our care.

SCHOOL			
CONTACT PERSON	TEL. NO. (H)	TEL. NO. (W)	CELLPHONE NO.
Institution Manager			

EMDC				
DEPARTMENT	CONTACT PERSON	TEL. NO. (H)	TEL. NO. (W)	CELLPHONE NO.
H: SLES				
Labour Relations				
School Psychologist				
School Social Worker				

COMMUNITY RESOURCES				
ORGANISATION OR DEPARTMENT	CONTACT PERSON	TEL. NO. (H)	TEL. NO. (W)	CELLPHONE NO.
SAPS				
Department of Welfare				
Child Protection Unit				
Safe School Call Centre				
Childline / Safeline				
Rape Crisis				
Welfare Organisation(s)				
NGO(s)				

