

CHILD ABUSE PROCEDURES

HPP School, September 2016

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Child abuse is a serious problem that exists in all our communities. Educators, doctors, nurses and social workers are required by law to respond to signs of child abuse. The Western Cape Education Department has published a policy document called **Abuse No More: Dealing Effectively with Child Abuse**, which provides detailed guidelines on how to approach this sensitive issue.

This Policy does not replace a thorough reading of the Policy Document given the legal obligations of educators in terms of Section 15 of the Child Care Amendment Act (Act 96 of 1996).

While **intended for educators**, this Policy can also be referred to by others who wish to know more about the nature of child abuse, and how staff are obliged to respond to signs of learners' child abuse in their care. It considers:

- A. How to identify child abuse;
- B. Dealing with disclosure; and
- C. Dealing with alleged offenders.

Role Players

Tania Gray acts as HPP School's **Abuse-No-More Officer**. Tania Gray is overseen in this role by the Chairperson of the board of directors, **Mark Allen**.

A. How to identify child abuse

If you have any doubts, discuss your observations with the Abuse-No-More Officer or social worker.

Firstly the main types and typical symptoms¹ of child abuse is highlighted. Symptoms must not be viewed in isolation.

- **Physical abuse**, e.g. injuries over a period of time or at various stages of healing (cuts, bruises, burn marks, abrasions, fractures) which cannot be explained.
- **Neglect**, e.g. the child does not grow and/or loses weight, is pale and emaciated, is constantly vomiting and/or has constant diarrhoea or does not reach developmental milestones within normal age-range.
- **Sexual Abuse**, e.g. pain or unusual itching of genitals or anal area, sexually transmitted diseases, difficulty in sitting or walking, regular urinary infection or continual irritation and/or mouth sores (owing to forced oral sex).
- **Emotional abuse**, e.g. bedwetting, soiling and continual complaints of headaches, nausea, and/or stomach pain for which there is no physical cause.

If you suspect some form of child abuse:

1. Gather information about your suspicion without implicating any person.
2. Document your information in a file (e.g. information from the learner, information from other learners and/or parents, and reports from parents and educators).
3. Treat this information as highly confidential (all information gathered must be placed on a separate file and safely stored. This information may not be discussed with other staff, learners, or parents).
4. Report your suspicions to the Abuse-No-More Officer.

¹ Symptoms are covered in more detail in the Abuse No More document (pages 12 to 17)

B. Dealing with disclosure

B.1. DISCLOSURE FILE AND CONFIDENTIALITY

*Document all information gathered from the learner to ensure that you have enough information about the disclosure. This will help you should the South African Police Services (SAPS) require a sworn statement in a criminal case (Refer **Annex B** for Information Guidelines).*

When a learner communicates a complaint to you or when you suspect abuse:

- i. Open a file for the case;
- ii. Place all relevant statements and documents about the case in this file. If the alleged offender is an employee, the original documents must be forwarded as confidential to the H:SLES at the EMDC for the attention of the Labour Relations officer and copies of the documents must be kept in the folder;
- iii. Do not put a name on the file, and entrust it directly to the Abuse-No-More Officer;
- iv. The Abuse-No-More Officer must give the case a number, put this number on the folder, and record it in a confidential register which reflects the name and number of every case;
- v. So as not to reveal the identity of the complainant, both the folder and the confidential register must at all times be kept in a locked cabinet or safe to which only the Abuse-No-More Officer and Chairperson have access. They are therefore the only persons who can retrieve a folder or file when it is needed.

B.2. DISCLOSURE PROCESS

Disclosure of abuse can be a very traumatic experience for both the complainant and the educator assisting the child, and must be handled as sensitively as possible. (See **Annex C**). Take note of your specific role in the process and the role of the Abuse-No-More Officer.

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).
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.

3. Inform the Abuse-No-More Officer (unless he or she is implicated). No detailed information about the alleged abuse needs to be disclosed at this stage.
4. Assist the Abuse-No-More Officer in contacting the relevant role-players provided in the list below (within three days after the incident) in order to decide on the process of intervention. The local welfare organisation;
 - The school psychologist;
 - The Milnerton Child Protection Unit;
 - Hout Bay SAPS;
 - Labour Relations, when employees are the alleged offenders;
 - The complainant's parent(s), 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.If you are not sure which ones to contact, contact the school social worker or **WCED's Safe Schools Call Centre at 0800-45-46-47** or Cape Town School Clinic at (021) 465-2438.
5. Assist the Abuse-No-More Officer to compile a confidential report for the social worker and SAPS. Assist the Abuse-No-More Officer 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.
6. The Abuse-No-More Officer must report the case or incident to the Head: Specialised Support Services (H:SSS) at the relevant Education Management and Development Centre (EMDC).
7. The Abuse-No-More Officer will follow up with all the role-players, document the process and inform the employee of progress and also pass such information on to the Head: Specialised Support Services.
8. Keep the learner and, if appropriate, the parent(s) informed of steps taken by the role-players and the outcome of the investigation.
9. Assist the Abuse-No-More Officer 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 as necessary.

*NB: Once a complaint has been lodged with an employee by a complainant, the Abuse-No-More Officer or Chairperson and the employee must refer the matter to the **relevant people within three days**.*

C. Dealing with alleged offenders

The following guidelines refer to situations where the alleged offender is another learner or school employee, or the principal.

Under no circumstances should the incident of child abuse be discussed with the alleged offender.

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 Abuse-No-More Officer will refer the matter to the board of directors.)

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

- The parent, educator or employee to whom the disclosure was made should inform the Abuse-No-More Officer.
- The Abuse-No-More Officer will inform the Head: Specialised Support Services at the relevant EMDC, who will in turn inform the department's Labour Relations personnel.

What to do when the Abuse-no-More Officer is the alleged offender:

- The employee to whom the disclosure was made should inform the Chairperson. The employee and/or the Chairperson to whom the disclosure was made should also

forward all relevant documents to the Head: Specialised Support Services at the local EMDC.

ANNEX A: GLOSSARY

"Abuse-No-More Officer" means the person tasked with the oversight and execution of the Centre's Child Abuse policy;

"Centre" means the Hangberg Pre-Primary School facilities comprising of a pre-primary school and an after-care facility on a part of Sentinel Primary School's Erf2725. The Centre is governed by the Company and its Directors on behalf of the Trust;

"Chairperson" means the Chairperson of the Company's Board of Directors;

"child" or **"learner"** means any person receiving education or care at the Centre;

"Company" means the Hangberg Pre-Primary School Non Profit Company with company registration number 2015/391883/08;

"complainant" means a learner who has lodged a complaint of child abuse, stalking, intimidation or the breach of an interim or final protection order granted in terms of the Domestic Violence Act, no. 116 of 1998;

"educator" means a person employed as a teacher who is qualified per the requirements of the South African College of Education;

"parent" means—
(a) the biological or adoptive parent or legal guardian of a learner; or
(b) the legally custodian of a learner; or
(c) the person who undertakes to fulfil the obligations of a person referred to in paragraphs (a) and (b) towards the learner's care at the Centre;

"principal" means the person appointed or acting as the head of the Centre;

"policies of the Centre" means all policies required for the governance and management of the Centre of which this Policy is one;

"Policy" means the "Child Abuse Criteria Policy" of the Centre;

"Sentinel Primary School" means Sentinel Primary School with EMIS Number 0105 313 033;

"employee" or **"staff"** or **"office-bearers"** means employees of the Centre;

"Trust" means Hangberg Educational Trust IT1394/2012. It is a Public Benefit Organisation (PBO 930 040 922) with Non-Profit status (NPO 118-017);

"WCED Policy Document" means the Western Cape Education Department document called

ANNEX C: DISCLOSURE INFO GUIDELINES

THE COMPLAINANT'S DETAILS:

Name in full, Age, Sex, Present Class, Home address and telephone number, Details of parents or caregiver

THE NATURE OF THE INCIDENT:

- What did the alleged offender say to the complainant?
- What action did the alleged offender take against the complainant?
- Where did the alleged offender touch the complainant?
- Did the alleged offender threaten the complainant?
- What did the complainant say or do during the incident?

WHEN AND WHERE THE INCIDENT(S) TOOK PLACE:

The date(s), time(s) and place(s) when the incident(s) occurred.

THE CIRCUMSTANCES SURROUNDING THE INCIDENT:

Were there any other people present at the time of the incident?

Were there any other people who were in the surrounding area who might have witnessed the incident? *If there were witnesses, get their full particulars, i.e. for each:*

Full name, Home address and telephone number, Age, sex and present grade

If the complainant does not know these details, ask her or him the following:

- What were the physical attributes of the witness?
- Sex and approximate age and height of the witness?
- Did the witness have any distinguishing features?

HOW DID THE COMPLAINANT EXPERIENCE THE INCIDENT?

Write down the words that the complainant uses to describe the incident.

- How did the complainant feel at the time of the incident?
- Record the complainant's feelings in her or his own words.
- How is she or he feeling now?
- Is she or he experiencing any physical or psychological symptoms, and if so what are these symptoms?

FIRST DISCLOSURE BY THE COMPLAINANT?

- Has the complainant related the details of the incident to anyone?

If so, obtain the following details:

Full name; Home address and telephone number; Age and sex; Nature of the person's relationship to the complainant.

- Has the complainant reported the incident to the South African Police Services?

If so, obtain the following details:

The case number; name of the police station and the investigating officer; date on which the incident was reported; details of any witnesses who have made statements to the SAPS.

DETAILS OF ANY MATERIAL EVIDENCE:

Has the complainant been to a hospital, general practitioner, district surgeon, social worker, clinic, psychologist or psychiatrist?

If so, obtain the following details:

- The reference number, if any;
- Information whether there is a J88;
- The name of the hospital or clinic;
- The name and telephone number of the general practitioner, nurse, social worker, district surgeon, psychologist or psychiatrist;
- The dates on which the complainant attended one or more of these services.
- Obtain the originals or copies of any relevant documents in the complainant's possession, including any letters or notes received from the alleged offender.

Are there any clothes with stains or any other evidence of the incident? If so, obtain the originals or copies thereof, place them in a bag, and if the matter is reported to the SAPS, hand them over for forensic testing.

DETAILS OF THE ALLEGED OFFENDER:

The full name of the alleged offender; her or his position at the Centre (if relevant);

If the complainant does not know these details, ask:

- What were the physical attributes of the alleged offender?
- What were her or his sex and approximate age and height?
- Did she or he have any distinguishing features?