Te Whānau o Ōtūmatua

Te Whānau o Ōtūmatua School Board

Board Response to Allegations of Historic Abuse Policy

Purpose

This policy sets out the Te Whānau o Ōtūmatua School Board responsibilities for responding to allegations of historic abuse relating to the school and its residential operation. The policy ensures that all allegations are managed safely, lawfully, respectfully, and in accordance with New Zealand legislation.

This policy provides the governance framework. A complementing Board procedure and a detailed operational procedure sit alongside this policy.

Policy Statement

The Board is committed to ensuring that all allegations of historic abuse are responded to with integrity, compassion, cultural safety, and procedural fairness. The Board upholds the mana and dignity of survivors, ensures natural justice for all parties, and maintains public trust through transparent governance oversight.

Legislative and Regulatory Framework

This policy is guided by the following legislation and regulatory requirements:

- Education and Training Act 2020
- Children's Act 2014
- Health and Safety at Work Act 2015
- Privacy Act 2020
- Human Rights Act 1993
- Oranga Tamariki Act 1989
- Crimes Act 1961
- Public Records Act 2005
- Ministry of Education Residential Schools Requirements
- ERO School Evaluation Indicators and Board Assurance Statements

Guiding Principles

The Board adopts the following principles for responding to historic abuse allegations:

- **Safety first:** The wellbeing of the person making the allegation is paramount.
- **Trauma informed practice:** Responses must minimise harm and avoid re traumatisation.
- **Cultural safety:** All processes must uphold tikanga Māori, Pacific values, and the cultural identities of those involved.
- **Natural justice:** Fairness, impartiality, and procedural integrity are essential.
- **Confidentiality:** Information is shared only when lawful, necessary, and appropriate.
- **Timeliness:** Allegations are acknowledged and acted on promptly.
- **Independence:** External agencies or independent investigators are engaged when appropriate.
- **Transparency and accountability:** The Board receives accurate, timely reporting.

Governance and Management Responsibilities

This section covers the Board's responsibilities and the management responsibilities assigned to the Tumuaki.

The Board will:

- Ensure the school has clear, current procedures for responding to historic abuse allegations.
- Maintain a Schedule of Delegations that defines responsibilities of the Tumuaki and the Board.
- Ensure financial delegation is given to the Presiding Member tasked with the review of the allegations.
- Ensure allegations involving potential criminal behaviour are referred to Police, and allegations involving harm to a child are referred to Oranga Tamariki.
- Ensure allegations involving staff trigger appropriate employment processes.
- Ensure independent investigators are engaged when required to maintain impartiality.
- Oversee risk management, including safety of current students, legal and regulatory compliance, reputational risk and staff wellbeing.
- Receive high-level reporting on the nature of the allegation, actions taken, agency involvement and investigation outcomes.
- Ensure the Board does not interfere with operational investigations or employment processes.
- Ensure secure record-keeping and compliance with the school's Privacy, Copyright and Official Information Policy, the Privacy Act 2020 and Public Records Act 2005.

The tumuaki must ensure that:

- All allegations are managed according to the school's detailed procedures.
- Safety and wellbeing supports are provided.
- Police and/or Oranga Tamariki are notified when required.
- The Presiding Member is informed promptly of any historic abuse allegation.
- External investigators are engaged when appropriate.
- Records are securely stored and managed.
- Communication with survivors is respectful, culturally safe, and supportive.
- Staff are trained and aware of their obligations to report concerns.

Communication and Media Management

The Presiding Member is the authorised spokesperson for matters relating to historic abuse allegations.
All media enquiries must be directed to the Presiding Member, who will ensure that:

- confidentiality is maintained
- survivor safety guides all communication decisions
- no staff member or board member comments publicly without authorisation

Review Schedule

This policy will be reviewed according to the Board's Review Schedule or earlier if required due to legislative change or identified need.

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