

## BOARD POLICY: HISTORIC ABUSE

### 1 Background

- 1.1. The Royal Commission of Inquiry into Abuse in Care (the Commission) is now underway.
- 1.2. The Commission's inquiry is focused on care in state and faith-based institutions and covers the period from 1950 to 1999. It includes abuse that is sexual, physical, emotional and psychological.
- 1.3. The Commission aims to uncover the circumstances of abuse in any institution that had the responsibility for the care of an individual. This applies to the vulnerable, an expansive definition including young, elderly, and disabled.
- 1.4. The aim is to assess the impact of abuse, the systemic factors involved, and will attempt to redress and rehabilitate to transform how care is provided.
- 1.5. The Treaty of Waitangi is important in providing a set of values and concepts for the inquiry that is accessible to all who may want to have a voice.
- 1.6. There are six principles guiding the Commission – manaakitanga; openness; transparency; learning; connected and aligning with agencies; meeting Treaty obligations.
- 1.7. The Commission has the power to issue interim reports and recommendations at any time.

### 2. Application to St Andrew's College

- 2.1. If complaints come through the Commission, the College will co-operate and be guided by this policy. The College may also receive complaints directly.

### 3. Purposes

- 3.1. The purposes of this policy are as follows:
- 3.2. To ensure the College is well prepared to respond to any such complaints and handles these in an appropriate and empathetic manner.
- 3.3. To document the College's procedure for the handling of such complaints.
- 3.4. To ensure that survivors feel safe, listened to and supported by the College.

### 4. Guidelines

- 4.1. The College will be guided by the following guidelines in handling such complaints and giving effect to this policy.
- 4.2. **Actions:** At all times the representatives of the College will act in alignment with the St Andrew's College values: truth, excellence, faith, creativity and inclusivity.
- 4.3. **Records:** In preparation for any potential complaint the College will take steps to ensure it can easily access available College records relating to such matters.
- 4.4. All records relating to any complaint are to be protected and no evidence tampered with or destroyed.
- 4.5. **Receiving a complaint:** A complaint may come in any form, whether written, verbal or by a visit to the College by a survivor or their advocate.
- 4.6. Upon the receipt of a complaint, it will in the first instance be directed to the Rector who will notify the Board Chair and legal representative.
- 4.7. The Rector will invite the complainant to a meeting at the College. Unless otherwise obliged, the Rector will have the College's General Manager or designated Board representative in attendance at such meetings and the meeting will be minuted.
- 4.8. The purpose of the initial meeting is to listen, gain an understanding of the potential issue and empathise with the complainant, with the aim being to show consideration and understanding to the survivor and seek to assist them to overcome any remaining issues from their experience.
- 4.9. The College will not make assumptions and, as appropriate, will carry out an investigation and report back to the complainant in a timely fashion. The investigation will commence with a thorough search of available records from the time period of the complaint and may also involve interviewing current and former staff subject to legal privilege.
- 4.10. The College will not undertake any investigation unless it has received a complaint.

- 4.11. **Notification / reporting:** If the complaint is of a criminal nature, the complainant will be encouraged and supported to report the matter to the Police. The College will co-operate in any subsequent Police investigation, and will not investigate independently so as not to undermine or prejudice the Police process.
- 4.12. If a complaint is made directly to the College, when considered appropriate the complainant will be encouraged to engage with the Commission.
- 4.13. A complaint of serious misconduct or misconduct against a teacher will be reported to the Teaching Council, including if the teacher is no longer at the College but is registered and teaching at another school.
- 4.14. Notification of the complaint to the alleged perpetrator will be determined on a case by case basis and dependant on circumstances and the nature of the complaint. This decision will be made by the Rector and Board Chair after consultation with the College's legal representative.
- 4.15. **Outcomes:** After information is gathered, legal advice will be taken in the process of deciding upon any further action including any response to the complainant.
- 4.16. Any written response to a survivor will be subject to legal review and sign off. Responsibility for wrongdoing will not be acknowledged unless this is proven by a Police or private investigation.
- 4.17. The College will not pay financial compensation for alleged historic abuse. The College may consider offering a financial contribution to a survivor for professional services or other support where considered appropriate in the circumstances.

**Media:** Should the media become involved the College will respond to any questions received in a timely manner after taking legal advice. Only the Rector or appointed Board representative will respond to the media.