

Interviews and Outside Agencies

Guidelines and Procedures

Under the Children, Young Persons and their Families Act, one of the objectives of the Act is to promote the wellbeing of children, and the Police and Social Workers have a duty and power to investigate complaints about children's ill-treatment or neglect.

Police or Social Workers may request interviews at school with a student. With a child's best interests in mind, the Principal may agree to such a request, provided that the procedural guidelines below are followed.

- Parents or caregivers should be informed in advance of the interview, unless the child's welfare is thereby likely to be threatened.
- However, Section 17 of the Child Young Persons and their Families Act 1989 provides power to investigate any notifications relating to the care and protection of children by Social Workers. There is no condition or precedent to this investigation and it can commence without parental consent. Whilst Section 8 of the Act states that parents and others should be informed of any decisions made, it should be borne in mind that Section 6 is the overriding section. This section makes the welfare and interests of the child paramount, and if parents are informed after the event, any prior investigation is not invalidated.
- To support the child, the Principal or an appropriate staff member should be present at the interview.
- If, out of concern for the welfare of the child, the parents or caregivers are not present at the interview, the Principal must have a clear understanding with the interviewer of the means by which the parents or caregivers are informed.
- Interviews should not be prolonged unnecessarily and should be conducted in a manner appropriate to the school setting and the age of the child.
- If police are involved, they are expected to arrive and leave school in a discreet manner.
- Guardianship responsibilities of the Principal and teaching staff "in loco parentis" apply on school grounds and during school hours: e.g. If there is a need to make an immediate decision regarding the safety of the child then the rights and obligations of the Principal or teacher, as guardian, are those of a parent.
- On the basis that the child's wellbeing is paramount, the Principal or his/her authorised delegate should determine when or whether the school notifies a child's parent/s of any matter concerning the wellbeing of the child.

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