

Chapter Ten

Dilworth today

Introduction

- 10.1 The Dilworth community today is very different from that of previous eras. Being forced to confront its history of extensive abuse has meant many positive but essential changes have been made since 2018. School leadership and the Board have fully supported the need for change, and the Board has provided generous funding to ensure Dilworth students are protected from bullying, sexual abuse and a hostile environment to the highest standard possible. Indeed, we have little doubt that the policies will now become a model for the protection of children in residential accommodation elsewhere.
- 10.2 One of the most significant changes is the ethnic make-up of the community. As at 6 July 2023, the total Dilworth roll was 49.6 percent Pacific peoples, 22.8 percent Māori, 14.8 percent New Zealand European/Pākehā, 11.4 percent Asian, 1.2 percent Middle Eastern, Latin American and African, and 0.2 percent recorded as “other”.¹¹³⁵
- 10.3 Many traditional features important to the school have not changed. A key concept is that Dilworth is more than an education institution. It provides day-to-day care for young people during critical years of their development. Indeed, we have heard Dilworth referred to by former and current students and staff as a “community” or “whānau”. Within that context then, the issue of protecting a student’s health and wellbeing is emphasised and treated as a broader and overriding objective for the school.

¹¹³⁵ Data provided by Dilworth School to the Inquiry, 7 August 2023. The Inquiry has not independently verified this data.

- 10.4 Besides its implementation and accreditation from Child Wise,¹¹³⁶ many other positive changes in the school environment are the result of legislative and other educational developments and societal changes, and recognition by the Board and headmaster of the need to keep up with those changes. Again, these changes have been essential. Dilworth has previously operated within its own vacuum, with little recourse to current educational thinking or compliance with external educational standards, and it is an important acknowledgment of the many past deficits that these issues are now being addressed.¹¹³⁷
- 10.5 The reason for many of these changes is not lost on current students and whānau. They are aware, in general, of the school's history of serious abuse. The Inquiry is satisfied that Dilworth is now on a positive track. To maintain the progress made is now vital for the continuing success of the school. The most important of these changes have been implemented only since 2018. For the safety of current and future students and the peace of mind of their families and whānau, these changes must be embedded in the school's systems and subjected to vigilant, ongoing monitoring.¹¹³⁸

Current policies and procedures to protect health and wellbeing

- 10.6 This chapter reviews the school's current policies and procedures and their adequacy to protect the health and wellbeing of current and future students.¹¹³⁹
- 10.7 We have:
- reviewed all current child safety policy documentation provided by the school
 - reviewed the school's Child Wise child safety review conducted by Child Wise before the accreditation process
 - reviewed the school's improvement plan submitted as part of its application for Child Wise accreditation
 - interviewed the current headmaster, Mr Dan Reddiex
 - received the school's safeguarding presentation by Mr Reddiex and members of the school's safeguarding committee, including the head of student services and the school's designated safeguarding officer

¹¹³⁶ A student safety programme. Refer to 10.31 below.

¹¹³⁷ We note that where a culture that has permitted abuse to exist for decades, it will naturally take a long time for the remnants of that culture to be eradicated.

¹¹³⁸ As the school is now well aware there is often a delay between a child being abused and their report of it. It may be several years before it can be confident no further sexual abuse has been perpetrated on any of its students. Its Child Wise protocols should enable students to seek help and be given support much more promptly than in the past. We also note that Child Wise accreditation is based on continuous monitoring.

¹¹³⁹ Inquiry into Abuse at Dilworth School, *Terms of Reference*, 2022, cl 4(d) (set out in appendix 1 of this report).

- Interviewed the headmaster, head of student services, and child protection officer on matters arising out of school policy, Child Wise certification and day-to-day procedure relating to child protection
- held hui and fono with each of the school's four parent groups: Whānau Māori, Pacific Advisory Group, Dilworth Family Connect, and Safeguarding Group
- facilitated two wānanga with two groups of current students in years 12 and 13 to discuss concepts of wellbeing to them and their whānau, what they see being done by each part of the Dilworth school community to protect it, and what they think could be done better by the school community to protect student health and wellbeing. In total 24 students participated in the two wānanga
- interviewed all current Board members, including the Board Chair, Aaron Snodgrass and current Child Safety Trustee, Peter Alexander.

10.8 In addition to the above, we consider the place of current state based external monitoring as forming part of the tools available to a school like Dilworth.

10.9 There has been significant policy and procedural development and an increase in the use of technology to assist in safeguarding and day-to-day operations. Recent initiatives include the following:

- *Stymie* an online reporting tool that allows students to make anonymous reports about wellbeing, safety or any other areas of concern. Once a notification is made, the school is immediately notified, and a response initiated.¹¹⁴⁰
- a secure intranet splash page accessible to staff on and off site, providing them with access to Dilworth policies, key campus and curriculum information, commonly used tools and support.
- *KAMAR* a student management system commonly used in schools to communicate with whānau and students through an online portal. This system centralises all student data and personal details for staff to access. It is also used to record and track pastoral care information.

¹¹⁴⁰ For more information about Stymie, see its website, www.stymie.co.nz.

- Orah Nuture¹¹⁴¹ described by the school as a platform that supports the school's new curriculum Ako Puāwaitanga – Flourishing. The platform is used to improve communication around student wellbeing and includes a wellbeing tool.
- *Reach Boarding* which focuses on the boarding setting, lets staff track and report on student movements in, out and around the school. This can assist in addressing incidents varying in scale from the everyday to large-scale emergencies.

Developments in government's approach

Health and wellbeing of tamariki, rangatahi and whānau in Aotearoa

- 10.10 The wellbeing of tamariki, rangatahi, and whānau in Aotearoa New Zealand has been a matter of renewed public and government focus since at least 2018. As part of putting the school's current framework into wider context, below we discuss aspects of the government's strategy for child and youth wellbeing, which was announced in 2019.
- 10.11 The term 'wellbeing' is used to describe aspects of an individual's life that are important for their happiness, quality of life and welfare.¹¹⁴² The concept is culture bound with no single definition that predominates the literature on the topic.¹¹⁴³ Non-indigenous models of wellbeing tend to prioritise the individual at the expense of examining whānau, societal and cultural values, and perspectives on wellbeing that are important for Māori.¹¹⁴⁴
- 10.12 Internationally, Aotearoa New Zealand was placed 35 out of 41 OECD countries for child wellbeing outcomes in a 2020 UNICEF report.¹¹⁴⁵ We also note in the same report, the country had a rate of suicide of 14.9 people aged 15 to 19 years per 10,000. This was the second highest of all countries and more than twice the average among the 41 OECD countries surveyed.¹¹⁴⁶

1141 Student engagement platform.

1142 SE Maessen, BJ Taylor, G Gillon, H Moewaka Barnes, R Firestone, RW Taylor, B Milne, S Hetrick, T Cargo, B McNeill and W Cutfield, A better start national science challenge: Supporting the future wellbeing of our tamariki – E tipu, e rea, mō ngā rā o tō ao: Grow tender shoot for the days destined for you, *Journal of the Royal Society of New Zealand*, vol 53(5), 2023, pp 673–696.

1143 Maessen and others, "A better start national science challenge".

1144 F Cram, Measuring Māori children's wellbeing: A discussion paper, *MAI Journal* 8(1), 2009, pp 16–32.

1145 UNICEF Innocenti, *Worlds of Influence: Understanding what shapes child well-being in rich countries* (report card 16), UNICEF Office of Research, 2020, p 11.

1146 UNICEF Innocenti, *Worlds of Influence*, p 11.

- 10.13 The Aotearoa New Zealand strategy for child and youth wellbeing points out that the country's younger generation are increasingly diverse.¹¹⁴⁷ The strategy notes that 33 percent of the population are under the age of 25. More and more children and young people identify with multiple ethnicities and identities. The government's strategy aims to be responsive to this diversity.¹¹⁴⁸
- 10.14 While Aotearoa New Zealand's overall population is rapidly ageing, Māori and Pacific peoples are youthful populations, with median ages of 24 and 22 years respectively (compared with 41 years for the New Zealand European/Pākehā population). Some young New Zealanders identify as belonging to the LGBTQIA+ (or Rainbow) communities.¹¹⁴⁹ The government has noted a lack of recent data on children and young people with disabilities, but the 2013 Disability Survey found an estimated 11 percent of those aged under 15 have disabilities.¹¹⁵⁰
- 10.15 In 2020, Stats NZ reported that 11 percent of people aged 15–24 reported experiencing high levels of psychological distress in the past four weeks compared with 7 percent overall.¹¹⁵¹
- 10.16 The Child and Youth Wellbeing Strategy also recognises the crucial role of parents, caregivers, and families and whānau and their need to have the right kind of support at the right time to provide a nurturing environment for their children.¹¹⁵²
- 10.17 For tamariki, rangatahi and whānau Māori, this means recognising te Tiriti o Waitangi and transforming systems, policies and services to work better for Māori, supporting Māori to deliver solutions for Māori, and empowering local communities to make the changes that work best for them. This also includes seeing tamariki and rangatahi Māori in the context of their whānau, hapū and iwi. It is noted that a whānau-centred approach should be applied to policy and service design and delivery.¹¹⁵³

1147 Department of the Prime Minister and Cabinet, *Child and Youth Wellbeing Strategy*, 2019. www.childyouthwellbeing.govt.nz.

1148 Child and Youth Wellbeing, New Zealand's children and young people (webpage), 29 August 2019. www.childyouthwellbeing.govt.nz.

1149 LGBTQIA+ stands for lesbian, gay, bisexual, transexual, queer or questioning, intersex, asexual and other sexual identities. Based on a sample survey taken from the Stats NZ Household Economic Survey, for the year ended June 2021, 10.6 percent of young adults (aged 18–24) identified with sexual identities from within the Rainbow communities.

1150 Child and Youth Wellbeing, New Zealand's children and young people (webpage), www.childyouthwellbeing.govt.nz.

1151 Stats NZ, *Kei te pēhea tātou? A snapshot of New Zealand's wellbeing* (webpage), 27 August 2021.

1152 Department of the Prime Minister and Cabinet, *Child and Youth Wellbeing Strategy*, 2019.

1153 Department of the Prime Minister and Cabinet, *Child and Youth Wellbeing Strategy*. 2019.

- 10.18 Alongside commitments to te Tiriti o Waitangi, there is a wider international context to children and young people's wellbeing in the form of the United Nations Convention on the Rights of the Child.¹¹⁵⁴ Aotearoa New Zealand ratified this Convention in 1993.
- 10.19 In an article published in 2017, the then children's commissioner Judge Andrew Becroft (now Justice Becroft), wrote of the importance of the Convention, noting that in Aotearoa New Zealand, the Convention at that time was seldomly mentioned, whereas in European countries it was generally the starting point for discussions about children.¹¹⁵⁵ The Convention, according to Judge Becroft, was capable of improving the quality of the country's policies and processes. He cited as an example, article 12.1 of the Convention, which provides:

States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

- 10.20 Judge Becroft said there was potential to apply the Convention in an Aotearoa New Zealand context:

If this practice was ingrained in government departments and community groups, there would be a significant change in the way policy is created here – for example in areas of education, health and housing, and in the way we respond to child poverty.

In short, children's voices need to be heard in our country. We are very bad at seeking out their voices, listening to them, factoring them into our decision making and then reporting back to children the decisions made.

I have noted that as I talk about the Convention to community groups and New Zealanders generally, it seems to me that the phrase 'children's rights' tends to alienate New Zealand audiences.

¹¹⁵⁴ United Nations, Convention on the Rights of the Child, adopted 20 November 1989 by General Assembly resolution 44/25.

¹¹⁵⁵ A Becroft, *Getting it Right for children in Aotearoa*, Office of the Children's Commissioner, November 2017, www.manamokopuna.org.nz.

Perhaps with our colonising past, we still believe that children are simply ‘potential adults’ whose views need not be taken seriously until they are adults. Perhaps also talk of ‘rights’ invokes the spectre of legal action, as in the United States, where it is not entirely unknown for children to sue parents of breaching their rights.

In New Zealand, we have a unique context with Te Tiriti o Waitangi, to apply the Children’s Convention for all children. As a country, I think we need to be much more enthusiastic and positive about child rights – rooted in the context of their family, whānau, hapū, iwi and community. Talk of children’s rights does not mean ousting the fundamental importance of family and whānau in the life of a child.

10.21 In consulting on the Child and Young People Wellbeing strategy, the government heard from over 6,000 children and young people.¹¹⁵⁶ Nine overarching principles guide the development and implementation of the strategy.¹¹⁵⁷

- Children and young people are taonga.
- Māori are tangata whenua and the Māori Crown relationship is foundational.
- Children and young people’s rights need to be respected and upheld.
- All children and young people deserve to live a good life.
- Wellbeing needs holistic and comprehensive approaches.
- Children and young people’s wellbeing is interwoven with family and whānau wellbeing.
- Change requires action by all of us.
- Actions must deliver better life outcomes.
- Early support is needed.

¹¹⁵⁶ Department of the Prime Minister and Cabinet, *Child and Youth Wellbeing Strategy* 2019, 2019, p 3.

¹¹⁵⁷ Department of the Prime Minister and Cabinet, *Child and Youth Wellbeing Strategy* 2019, pp 16–17.

- 10.22 One of the strong themes of the consultation hui held as part of developing the strategy was that:

Adults told us they had high hopes that something real and tangible will come from the Strategy, but worried it may end up being discarded with any change in government. Adults told us that child wellbeing is too important to be a ‘fad’ and that this Strategy shouldn’t be about short-term solutions and ‘easy wins’. They emphasised the need for long-term commitment to actions that would lift the wellbeing of all children and young people and change some of the major systemic issues that have typically been considered “too hard” or “too big” to address.¹¹⁵⁸

- 10.23 Whilst these comments from adults who were consulted on the government’s child wellbeing strategy are in response to wider nationwide issues relating to child wellbeing, they are an important reminder in the context of Dilworth’s current response. The school must maintain the changes made for the long term and ensure the school’s safeguarding and wellbeing focus does not wane over time or because of a change of school leadership. The school also needs to prepare for the changing ethnic composition of the students who will make up its roll in the decades ahead.

¹¹⁵⁸ Department of the Prime Minister and Cabinet, *Summary Report – National engagement on New Zealand’s first child youth and wellbeing strategy*, 2019, pp 5–6.

Legislative changes

- 10.24 In care or protection law, since July 2019, the Oranga Tamariki Act 1989 has included a greater focus on holistic wellbeing by the inclusion of tikanga Māori and tikanga-based concepts.¹¹⁵⁹ For example, concepts such as mana tamaiti, whanaungatanga, and whakapapa are defined in the Act in such a way as to be applicable to the different cultural contexts of non-Māori.¹¹⁶⁰
- 10.25 In education settings, the government has picked up on some of the themes to come out of the strategy for children and young people's wellbeing. The Education and Training Act 2020, reflects some of those changes, such as providing for an education system that supports health, safety and wellbeing¹¹⁶¹ and honours te Tiriti and supports Māori Crown relationships.¹¹⁶²

Current state-based external monitoring

- 10.26 As set out in chapter 8, while the Education Review Office (ERO) currently reviews private schools, that review is narrow in its ambit and is essentially limited to whether the school is meeting the criteria for registration under Schedule 7 of the Education and Training Act 2020. There is a gap in the legislative responsibility for monitoring the provision of education and safety and welfare of private school students.
- 10.27 To supplement the superficiality of the ERO process and to ensure he is fulfilling his role as headmaster, Mr Reddiex made it a condition of his contract with the school that he have an extensive external annual review of his role.¹¹⁶³ He has also led moves to introduce greater parental involvement and to provide significantly improved measures to protect the students and to engage them, parents and staff in health and welfare reforms. The current board has been fully supportive of all these moves.
- 10.28 Having come from a similar position in the state sector and seeing the value of providing measurable outcomes, Mr Reddiex also informally provides the Board with his assessment based on state school criteria, including the National Administration Guidelines and National Education Goals.¹¹⁶⁴
- 10.29 Having laid out some wider context, we now look at some of the specific steps the school has taken since 2019 to ensure its safeguarding of student health and wellbeing is adequate.

1159 Oranga Tamariki Act 1989, sections 2, 4A, 5 and 13.

1160 Oranga Tamariki Act 1989, section 2.

1161 Education and Training Act 2020, section 4(a).

1162 Education and Training Act 2020, section 4(d).

1163 This review is undertaken by an education consultant with experience as a chief executive or headmaster of two schools and currently sits on two school trust boards.

1164 Dan Reddiex Inquiry interview.

Child Wise accreditation

- 10.30 In March 2020, Dilworth commissioned Child Wise Australia to work with the school for it to obtain Child Wise accreditation.
- 10.31 Child Wise is an organisation that, through consultancy, coaching and accreditation, helps organisations strengthen their internal child safeguarding capacity and ensure compliance with child safety principles and legislation.¹¹⁶⁵
- 10.32 This accreditation process involves measuring an organisation's level of adherence to the National Principles.¹¹⁶⁶ These principles reflect 10 child safe standards recommended by the Australian Royal Commission into Institutional Responses to Child Sexual Abuse.¹¹⁶⁷
- 10.33 In 2013, the Australian government established the Australian Royal Commission in response to community concern about widespread reports of cases where Australian institutions failed to protect children from sexual abuse. The National Principles draw on the work of the Australian Royal Commission, Australia's children's commissioners and guardians, and the 2005 National Framework for Creating Safe Environments for Children.¹¹⁶⁸
- 10.34 In describing the characteristics of a child safe organisation with reference to the National Principles, the Australian Human Rights Commission describes such an organisation as one that "creates a culture, adopts strategies and takes action to promote child wellbeing and prevent harm to children and young people".¹¹⁶⁹ The commission describes a child safe organisation as one that consciously and systematically:¹¹⁷⁰
- creates an environment where children's safety and wellbeing is at the centre of thought, values and actions
 - places emphasis on genuine engagement with, and valuing of children
 - creates conditions that reduce the likelihood of harm to children and young people
 - creates conditions that increase the likelihood of identifying any harm
 - responds to any concerns, disclosures, allegations or suspicions.

1165 www.childwise.org.au

1166 Australian Human Rights Commission, *National Principles for Child Safe Organisations An initiative of the Council of Australian Governments*, 2018, www.childsafety.gov.au

1167 Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report: Making institutions child safe* (vol 6), Commonwealth of Australia, 2017, p 13, www.childabuseroyalcommission.gov.au

1168 Australian Human Rights Commission, *National Principles for Child Safe Organisations: An initiative of the Council of Australian Governments*, 2018, p 4.

1169 Australian Human Rights Commission, *National Principles for Child Safe Organisations*, preamble.

1170 Australian Human Rights Commission, *National Principles for Child Safe Organisations*, preamble.

10.35 The National Principles are as follows:¹¹⁷¹

- Child safety and wellbeing is embedded in organisational leadership, governance and culture.
- Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.
- Families and communities are informed and involved in promoting child safety and wellbeing.
- Equity is upheld and diverse needs respected in policy and practice.
- People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
- Processes to respond to complaints and concerns are child focused.
- Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
- Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
- Implementation of the national child safe principles is regularly reviewed and improved.
- Policies and procedures document how the organisation is safe for children and young people.

10.36 The National Principles emphasise the importance of culturally safe environments and practices for Aboriginal and Torres Strait Islander children and young people.¹¹⁷² It is also noted that Aboriginal and Torres Strait Islander communities are more likely to access services that are culturally safe.¹¹⁷³ While these principles are crafted for Australian cultural requirements, for Aotearoa New Zealand they have resonance, given the significant proportion of tangata whenua and the increasing proportions of Pacific peoples in Aotearoa New Zealand. It is our view that the need for culturally safe services are as important in this country as they are in Australia. Given the changing composition of Dilworth's school population, these factors assume even greater significance.

¹¹⁷¹ Australian Human Rights Commission, *National Principles for Child Safe Organisations*.

¹¹⁷² Australian Human Rights Commission, *National Principles for Child Safe Organisations*, preamble.

¹¹⁷³ Australian Human Rights Commission, *National Principles for Child Safe Organisations*, preamble.

- 10.37 As part of the accreditation process, Dilworth participated in a detailed child safety review. This involved Child Wise reviewing 85 documents; four individual leadership interviews; student, whānau and staff surveys and focus groups;¹¹⁷⁴ and three virtual site visits.¹¹⁷⁵
- 10.38 Following that review, 108 recommendations were made across the 10 child safe principles for the school to implement before accreditation. The school's Child Wise advisor worked closely with the school to develop a tailored improvement plan, setting out how each recommendation would be addressed.¹¹⁷⁶
- 10.39 After the school completed the improvement plan, it used the plan to implement the changes made and to monitor progress from the child safety review. After a period of implementing the plan, the school was then assessed for accreditation.
- 10.40 A panel of Child Wise decision-makers was assigned to review the school's progress against the recommendations and decide whether the benchmark for accreditation had been met. A summary of the Child Wise accreditation process and the school's accreditation by standard and rating is in appendix 4.
- 10.41 Below, we summarise the school's main child safeguarding policies.

Current policy and procedure

- 10.42 Alongside the work done by the school in obtaining Child Wise accreditation, it has also made significant efforts in policy development. This has built on the work done in 2018 to 2020 when the school appointed an independent psychologist with expertise in all fields of abuse, including child sexual abuse, to assist the school. From 2018, the school has implemented new policies and protocols to strengthen its protection of its students, including a policy and protocol to establish a stronger approach to the governance and management of child sexual abuse and all kinds of abuse at Dilworth. The school told the Abuse in Care Royal Commission that this policy and protocol was written by a team of independent experts, peer reviewed and endorsed by experts in the field in Australia and Aotearoa New Zealand. As this work progressed, the school delivered new education programmes on abuse. As part of these refreshed education programmes, the independent psychologist developed a resource paper for the school on child sexual abuse. This paper formed part of the renewed education programme in the school.¹¹⁷⁷

1174 Survey totals: 160 students surveyed, 114 parents or caregivers, 22 teaching staff, 14 school staff. Focus groups: 8 student groups, 2 staff groups, 2 whānau groups.

1175 Dilworth child safety presentation to the Inquiry, 3 March 2023.

1176 Dilworth improvement plan to Child Wise accreditation panel, 29 August 2022.

1177 Dilworth School: Response to Notice to Produce No 2, Schedule A(1), 25 May 2020.

- 10.43 This work, alongside that done by the school as part of the Child Wise accreditation process, has culminated in the suite of child protection policies currently in place. Below, we consider in detail the policies in place as at May 2023.
- 10.44 In a major change from the past, the school's main child protection policies are now publicly available on the school's website. This means parents and whānau can view and assess them as part of the decision-making on whether to send their children to Dilworth.
- 10.45 The current policy documents considered in this section are the:
- Student Protection Policy: Safeguarding & Child Protection
 - Student Safety: Code of Conduct for Staff
 - Dilworth Complaints Policy
 - Protected Disclosure/Whistleblower Policy
 - Kaimahi/Staff Handbook
 - Ākonga and Whānau Handbook
- 10.46 Complementary to these policies, the school has also established a new learning curriculum, *Ako Puāwaitanga – Flourishing*, which seeks to bring a wellbeing focus to the school's day-to-day curriculum. This curriculum is incorporated into some of the main policy documents such as the *Kaiako/Teacher Handbook*.
- 10.47 Next, we summarise these policies, making observations where necessary.

Student Protection Policy

- 10.48 The Student Protection Policy's stated purpose is to "drive efficient, effective and safe practice in upholding and implementing our student's rights to safety and protection".¹¹⁷⁸ The foundation to this policy is the school's Statement of Commitment to Child Safety, which is included in all its policy documentation.¹¹⁷⁹ We consider this a positive step.

¹¹⁷⁸ Dilworth School, Student Protection Policy: Safeguarding & child protection, 1 January 2022.

¹¹⁷⁹ Dilworth School, Safeguarding policies: Statement of commitment to child safety.

- 10.49 In our interview with the Board chair, Mr Aaron Snodgrass, he pointed out that the previous policy, a four-page document, was developed by the previous headmaster and communicated down to staff. The current policy was developed from the bottom up with the involvement of staff, including support staff, trustees and parents. This process was confirmed by the school's parent safeguarding group we spoke with.
- 10.50 The school states the key principles that form the foundation of its practices and policies are collaboration, safety, choice, empowerment, cultural competency and trustworthiness.
- 10.51 This policy outlines a zero tolerance for abuse of any kind and describes the wellbeing and prevention of harm done to students, whānau and staff as the school's single greatest priority.
- 10.52 Staff, contractors and volunteers are directed to adhere and abide by the Student Protection Policy and the Student Safety: Code of Conduct for Staff. In the policy, the school, in delivering services for the safety and wellbeing of students, also commits to adhering to the principles of partnership, protection and participation, and rights and responsibilities accorded by te Tiriti o Waitangi. The point is also made that a safe school environment is one that is culturally safe.
- 10.53 The school has also taken steps to ensure child safeguarding is at the forefront of workforce recruitment and development. Under the Children's Act 2014, the school is legally required to conduct vetting processes when recruiting staff or other people undertaking unpaid work as part of an educational course. We were told by the school that it has further developed the vetting requirements of the Act and adopted a process it calls Child Safer Recruitment.
- 10.54 The Child Safer Recruitment process applies to all people being employed (staff) or engaged (such as volunteers) by Dilworth. This is so regardless of whether the position is student facing. This process also applies to any contractors whose role (or part of their role) or work environment permits contact with students, although the policy permits adaptation so it is proportionate to specific roles.
- 10.55 In addition to this process, when hiring international tutors, the school has implemented a policy of requiring an assessment and report from an independent psychologist on the suitability of the applicant for a role as tutor at the school.
- 10.56 Staff supervision, management and appraisals also have a safeguarding focus. Staff supervision, management and appraisals include questions targeted at identifying issues staff have seen in practice and examples of how safeguarding issues have been dealt with.

Safeguarding Committee

- 10.57 The Safeguarding Committee is made up of the school's senior leadership team, safeguarding officer and safeguarding trustees. It is chaired by the director of student services, and there is provision for other members to be appointed.¹¹⁸⁰
- 10.58 It is encouraging to see the school has put this committee in place, but we make one observation about its composition: there is a large staff membership, but no student or parent representation. Including parent or whānau and student representation on this committee would further strengthen it. As outlined in other policy documents, the school has taken the step of establishing student safeguarding ambassadors, a student-led committee on hauora (wellbeing) and a parent safeguarding group. Inclusion of such representatives would be a natural progression and would be in line with Child Wise standards 2 to 4.¹¹⁸¹

Safeguarding trustees

- 10.59 As outlined above, there is provision for two safeguarding trustees on the Safeguarding Committee. These trustees keep the wider board informed of the committee's work and help ensure the committee and Board are working together to ensure safeguarding policies and procedures are implemented.¹¹⁸² We were told by Mr Snodgrass that this role was developed by him and the first safeguarding trustee, Mr Peter Alexander.
- 10.60 In addition, the safeguarding trustees manage any protected disclosures made under the school's Protected Disclosure/Whistleblower Policy.
- 10.61 All trustees receive student safety training sessions. These sessions have been facilitated by Child Wise Australia and covered topics such as trauma-responsive practice, an introduction to safeguarding principles and the school's policies, and safeguarding and risk management from a governance perspective.

Safeguarding reporting to monthly Board meetings

- 10.62 Child safeguarding is a dedicated agenda item for every Board meeting. The school, as part of a strengthened safeguarding structure, has developed a Board child safety/safeguarding reporting tool, which ensures the Board report includes any relevant information or steps taken in the area of Child Wise accreditation and identifies key events such as training and document development that relate to implementation or maintenance of the child safety strategy. The report also includes a dedicated section on Stymie notifications by topic and number, incident reports relating to students and staff, and trends and insights.

¹¹⁸⁰ Dilworth School, Safeguarding Committee Summary, May 2023.

¹¹⁸¹ Standard 2: Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously; Standard 3: Families and communities are informed and involved in promoting child safety and wellbeing; Standard 4: Equity is upheld and diverse needs respected in policy and practice.

¹¹⁸² Dilworth Trust Board, Role of the safeguarding trustee(s) as at May 2023.

Designated safeguarding officer

10.63 The school has employed a full-time safeguarding officer, who oversees Dilworth's strategic and operational child safety focus points, needs and achievements.

Safeguarding champions

10.64 The safeguarding champions are a pool of staff who take on this additional role to support the school's Safeguarding Committee and safeguarding officer. The champions help implement the school's safeguarding approach and support any student, family or whānau, or staff member who has a child safety concern. Champions are present in all campuses and at the Isabella Dilworth Lodge.

Safeguarding ambassadors

10.65 The safeguarding ambassadors are students who play a similar role to that of the safeguarding champions, but with revised responsibility, reflecting the fact students do not carry the same obligations and responsibilities as staff.

Safeguarding training

10.66 The school has committed to ensuring all staff, including trustees and frontline staff, receive child safety training applicable to their role and responsibilities. The school's child safety training strategy includes a variety of mandatory courses and specialist training options for safeguarding staff or those with specific safeguarding responsibilities.

Parent Safeguarding Group

10.67 The school formed the Parent Safeguarding Group in 2021. The Inquiry met with members of this group, who described their role as consulting on safeguarding policies and ensuring there is understanding of those policies before they are implemented.¹¹⁸³ The group is made up of eight parent members.

Student Safety: Code of Conduct for Staff

10.68 The school's Student Safety: Code of Conduct for Staff reiterates its statement of commitment to child safety.¹¹⁸⁴ The code's purpose is to set out expectations regarding conduct and boundaries for all staff.

¹¹⁸³ Meeting of members of Dilworth's Parent Safeguarding Group with Inquiry.

¹¹⁸⁴ Dilworth School, Student Safety: Code of Conduct for Staff, effective January 2022.

- 10.69 The code stresses to staff that child rights are part of the foundation of the school's policy framework. It refers to the four guiding principles in the Convention on the Rights of the Child; namely, non-discrimination, survival, development and protection, and participation. It also outlines clear roles and responsibilities across the varying roles at Dilworth, including those for the Board, the headmaster, staff and volunteers.
- 10.70 The code's glossary provides a comprehensive list of categories of abuse and related terms. These definitions were adapted from definitions provided by Child Wise.¹¹⁸⁵
- 10.71 The code makes clear that a failure to meet the code of conduct can be considered misconduct and may result in appropriate disciplinary action. It includes reference to internal disciplinary proceedings and the fact any breaches of the law will be reported to New Zealand Police and other statutory services, including Oranga Tamariki. The code focuses on aspects, which we summarise below.

Position of trust

- 10.72 The fact members of the Dilworth workforce are in positions of trust is made clear in the code of conduct. It states that there is, therefore, a power dynamic that differs from that which ordinarily exists between adults and children. The school notes there is potential for this power or position to be misused to persuade and encourage or intimidate a student into certain negative behaviours and activities. All staff are required to uphold safeguarding expectations and act as positive role models.

Physical contact

- 10.73 The code of conduct describes necessary physical contact as being conduct that is necessary to meet the needs of the student (such as first aid) or to meet the needs of any instructional learning (sports, developing technique, instructional guidance). Such physical conduct should also uphold professional boundaries and be in open environments such as in sight of others such as staff, adults or other children.
- 10.74 As well as providing general guidance on what is acceptable physical contact, the code expressly prohibits physical contact that is unnecessary, is unwanted, is inappropriate, or in any way constitutes physical or sexual abuse.

¹¹⁸⁵ Dilworth School, Student Safety: Code of Conduct for Staff.

Verbal engagement

- 10.75 The code of conduct encourages staff to engage with students using language and discussing topics that are appropriate and relevant to students. Instructional language should assist the student's development, participation and belonging at Dilworth.
- 10.76 The code expressly precludes verbal and non-verbal engagement that is emotionally abusive; ignores, permits or enables physical abuse; or may be perceived as being non-contact abusive or suggestive behaviour (such as flirting, innuendo or inappropriate messaging).

Online communication

- 10.77 The code of conduct highlights the risks that exist for the misuse of digital resources and online platforms and subsequent safeguarding risks for young people. It stresses that the conduct expectations outlined in the code encompass all environments, both physical and online.
- 10.78 In addition to adhering to the school's social media policy, staff must uphold all aspects of the code and are required to communicate with students only through Dilworth accounts (email). Staff must ensure any sharing of student information is in accordance with the school's privacy procedures.
- 10.79 The code stresses that online conduct is taken as seriously as all other forms of conduct and any breaches may be subject to disciplinary action, including discipline. As with other instances of misconduct, it is made clear that any breaches of the law will be reported to police.

Imagery

- 10.80 The school has identified the risks associated with generating and sharing child imagery, particularly when accompanied by identifying and/or personal information.
- 10.81 To help minimise any risks, the school has put in place strict guidelines around the use of student imagery. Pivotal to this is the requirement for parental or guardian and student consent for all imagery taken of the student. Any images taken must focus on the activity rather than the student and be strictly for a school purpose.
- 10.82 It is made clear that any appointed professional photographers or videographers will be appointed using the Child Safer Recruitment process, which requires them to adhere to the school's Child Protection Policy and safeguarding requirements as well as other requirements such as not being allowed unsupervised access to students.

Overnight stays

- 10.83 In addition to the applicability of the code of conduct to all overnight stays, staff are required to ensure all risk assessment and mitigating processes are put in place, parental consents are obtained, and all event information is communicated with all applicable stakeholders. Any logistics such as transport or supervision need to comply with all school safeguarding requirements, including ensuring accommodation is suitable and staff sleeping arrangements are separate from students.

Changing rooms

- 10.84 Guidance on the use of changing rooms includes the school's preference for using Dilworth's changing room facilities exclusively. Where that is not possible, for example when students are offsite, the staff are asked to facilitate the exclusive use of the facilities for Dilworth students, even if it is for a limited period. The use of any resource that can capture photos or videos is strictly prohibited from changing rooms or any other personal environment.
- 10.85 There is also flexibility in the guidelines to ensure a child-friendly process for the use of such facilities such as child-friendly signage confirming the school's reporting and complaint processes should anyone feel unsafe. If a student shows concern or distress at the need to change or shower, staff are encouraged to offer other possible solutions, such as showering or changing after other students have finished, but it is stressed that no pressure is to be placed on the student.

Transport

- 10.86 There are also strict requirements regarding transport. Dilworth staff are to make certain all Dilworth transport is compliant with all laws and regulations and that all drivers and supervisors have completed all relevant Child Safer Recruitment processes. Only those students whose parents have given consent are allowed to be transported and, where possible, adults are to avoid being seated next to a student. If this is not achievable, other supervisors must be within sight of the student and supervisor.
- 10.87 As an overall rule, staff are prohibited from travelling alone with or transporting a student in their own vehicles. The exceptions to this are in an emergency and when the headmaster has given permission.

Understanding and acceptance

- 10.88 The code of conduct notes that the code and the Student Protection Policy are part of all new staff induction. It is reported that within the first week, all new staff will know these requirements and how to access them.
- 10.89 The code explains that Dilworth operates an internal mandatory reporting process and, where applicable, abides by the Teaching Council of Aotearoa New Zealand's mandatory reporting requirements.
- 10.90 The code applies to any person serving, working at or representing the school or the Board, regardless of whether that person is in a paid, voluntary or contracted position or in a permanent or temporary position (including people co-located from other organisations) and includes those in teaching and non-teaching positions. The code states it also applies to those staff who work directly or indirectly with students.
- 10.91 Finally, all staff are required to sign their commitment to the code of conduct and participate in a regular review process (for example, to be reviewed and re-signed as part of any annual performance review process), thereby acknowledging they have read and understood their obligations and are committed to upholding the code.
- 10.92 The eight areas of focus under the code of conduct cover, in large part, the areas of concern that arise from the abuse we have heard about. However, given the evolving nature of circumstances leading to abuse, it is important for this code to be monitored and updated to respond to societal changes and trends.
- 10.93 The inclusion of such extensive definitions in the code for student safety is an important step. We note, however, that all of the cited conduct referred to in those definitions have long been areas of concern within a residential boarding and school environment. We think it important to keep sight of the fact current developments at the school are, in many instances, catching the school up to where it should have been decades ago.

Dilworth Complaints Policy

- 10.94 The Dilworth Complaints Policy reiterates the school's statement of commitment to child safety, by summarising the full policy upfront.¹¹⁸⁶
- 10.95 The policy is described as having two key purposes. First, to ensure students and whānau have access to a complaint system that promotes their rights and prioritises the safety and wellbeing of Dilworth students. Second, the policy is communicated to staff, students, and family and whānau so everyone understands what to expect from the complaints management process.

¹¹⁸⁶ Dilworth School, Dilworth Complaints Policy, effective 1 January 2022.

- 10.96 It is recognised that a credible complaints management system cannot sit in isolation from the school's overarching safeguarding culture in which student and family and whānau voices are heard and valued.
- 10.97 The policy also recognises and lists the barriers that can exist to students and family and whānau wanting to make complaints, and identifies the steps the school will take to address them.
- 10.98 The school has invested in multiple avenues for complaints to be made and received, including through a dedicated complaints email, by post, by telephone, by using Stymie (an online portal for students available through the feedback and complaints page on the Dilworth website), by complaints forms located in boarding houses, or by using the Dilworth complaints form available online through the school's Google suite.¹¹⁸⁷
- 10.99 Complaints are assessed to understand existing or potential risks. Alongside this, investigation or assessment of a complaint includes reviewing any systemic or environmental issues that may have contributed to issues identified in the complaint.
- 10.100 All complaints are categorised into one of three levels:
- Level 1 complaints are those that can be dealt with as soon as possible after their initial receipt. All staff carry this responsibility.
 - Level 2 complaints are those that cannot be resolved as a level 1 complaint because of some aspect of complexity or potential systemic or serious issues. They are escalated to an appropriate senior manager to resolve.
 - Level 3 complaints are those that cannot be resolved as a level 2 complaint or are of a very serious nature. They are escalated to be dealt with by the headmaster, director of student services, director of human resources, and safeguarding officer. If there are concerns or suspicions that a complaint involves actual or potential child safeguarding issues, the complaint must be immediately categorised as level 3.

¹¹⁸⁷ Dilworth School, Dilworth Complaints Policy.

- 10.101 After consulting with parent groups about the best way to communicate important policy to parents, the school recorded a summary of the policy on video presented by Mr Reddiex. The video was sent to parents using a text message link.
- 10.102 In this report, we have referred to policy from the school's earlier periods as indicating the thinking of the school, providing an insight into the environment, and confirming many aspects of what we were told by former students who had been abused or witnessed abuse.
- 10.103 Given the school's ongoing mishandling of abuse complaints until at least 2006, the Dilworth Complaints Policy, as with other current policies, will require particular, ongoing attention to ensure it reflects best practice.
- 10.104 It is encouraging to see that in the policy, the school illustrates some of the important principles and context that underpin a credible complaints system relating to children, young people, and their families and whānau in the school environment. It will be more effective because it was developed in consultation with students and their families and whānau to ensure it is fit for purpose, well-accepted, and inclusive and removes barriers to making complaints.

Stymie anonymous online reporting tool for students

- 10.105 The school's safeguarding policies refer to the use of the online portal Stymie as a key tool for students to be able to seek help for themselves, their peers or other members of the Dilworth community.¹¹⁸⁸ Stymie is a web-based platform students can access to report anonymously on all forms of harm from bullying and cyberbullying to illegal activity, discrimination, concerns for wellbeing, suicidal ideation, self-harm, sexual harassment and abuse, damage to property and family violence.¹¹⁸⁹ Once a notification is made, the school is immediately notified and it undertakes its response procedures.
- 10.106 The platform is operated by a third party that is independent of the school. The service is Australian based and was built to support existing student wellbeing and pastoral care frameworks in schools and was built in consideration of the Australian Student Wellbeing Framework and the recommendations from the Australian Covert Bullying Prevalence Study.¹¹⁹⁰

¹¹⁸⁸ Dilworth School, Kaimahi/Staff Handbook 2023.

¹¹⁸⁹ The relevant website is www.stymie.co.nz.

¹¹⁹⁰ See Stymie website

- 10.107 Since the adoption of Stymie at the school on 15 March 2021, the school advises it has had 401 notifications on a variety of issues.
- 10.108 While providing a name is optional when making a notification, there has been a positive trend in some students feeling able to put their name to a Stymie notification. The school adopts a “no blame approach” and emphasises that message among students, to direct their focus on the issues underlying a Stymie notification rather than on who made the notification. We were told that one of the most common notifications made by senior students was when they noticed fellow students appearing to suffer from low wellbeing. The school advised that when such a notification occurs, it is referred on to the school counselling and psychologist teams.
- 10.109 In workshops facilitated by the Inquiry with current students, all students indicated they were aware of Stymie and how it worked. Over half of the students who attended the workshops indicated they had used Stymie for one reason or another since it had started.

Incident reporting form

- 10.110 As well as the complaints system outlined above and use of Stymie, we were advised by the safeguarding officer and head of student services that the school has developed an incident reporting document as part of its Google Suite of documents available online for completion.¹¹⁹¹ Whenever an incident involving a student arises (regardless of whether a complaint is made through the above process), it can be registered and the form completed. The safeguarding officer and head of student services receive an email notifying them the process has started, and each incident is entered into a spreadsheet so it can be progressed, monitored and resolved. The incident's place in the process is colour-coded for various stages from open to closed.
- 10.111 Significant incidents and those regarding safeguarding issues are reported directly to the Board. We were told threads and trends in incidents are monitored, and the school's counsellor and psychologist are involved in that process through the school's Protection and Response Committee, which meets monthly, and reports are made to the Board. The school advised that the Child Wise administrators were impressed by the form/spreadsheet that had been developed and that Dilworth has allowed them to use the template with other schools it works with.

¹¹⁹¹ Safeguarding officer, head of student services and headmaster Inquiry interview.

Protected Disclosures/Whistleblower Policy

- 10.112 The Dilworth Protected Disclosures/Whistleblower Policy supplements the school's complaints policy.¹¹⁹² It provides Dilworth staff with clear information about making a protected disclosure about serious wrongdoing under the Protected Disclosures (Protection of Whistleblowers) Act 2022.
- 10.113 When the Inquiry reviewed the policy on the school's website on 18 May 2023,¹¹⁹³ it had been in place since 2019 and set out procedures for making a disclosure under the Protected Disclosures Act 2000. This legislation was repealed on 1 July 2022 when the Protected Disclosures (Protection of Whistleblowers) Act 2022 came into force.
- 10.114 The 2022 Act kept the general disclosure framework in place by requiring that disclosures that relate to "serious wrongdoing" be made in good faith. However, it also made significant changes, including extending the "serious wrongdoing" definition to include "serious risk to the health and safety of any individual",¹¹⁹⁴ the ability to report direct to an appropriate authority at any time,¹¹⁹⁵ strengthening the 'no contracting out provisions',¹¹⁹⁶ and providing clear guidance on how to handle such disclosures.¹¹⁹⁷ Our analysis of relevant changes made to the 2022 Act is in appendix 4.
- 10.115 On 29 May 2023, the school approved an updated policy to reflect changes in the underlying legislation, which became effective on 31 May 2023.
- 10.116 We make two observations about the school's new policy. First, the school has a history of tardy review and implementation of policies affecting the health, safety and welfare of its students. We are, therefore, concerned that it took almost a year before the necessary amendments required by legislation were made.

1192 Dilworth School, Protected Disclosure/Whistleblower Policy, effective 31 May 2023.

1193 Dilworth School, Dilworth Protected Disclosures [Whistleblower] Policy, 2019.

1194 Protected Disclosures (Protection of Whistleblowers) Act 2022, section 10(a)(iii).

1195 Protected Disclosures (Protection of Whistleblowers) Act 2022, section 11(1).

1196 Protected Disclosures (Protection of Whistleblowers) Act 2022, section 24.

1197 Protected Disclosures (Protection of Whistleblowers) Act 2022, section 13.

10.117 Second, one of the most significant amendments in the 2022 Act enables a protected disclosure to be made directly to an appropriate authority at any time.¹¹⁹⁸ Given the history of the school's response to complaints, this amendment provides an important process by which those associated with the school can make a disclosure directly to an external agency should they not feel comfortable doing so within the school's internal processes. Dilworth has not complied with this provision. Its new policy retains the limitations of the earlier Act by suggesting a staff member cannot make a disclosure to an external authority unless certain preconditions have been met.¹¹⁹⁹ The current policy states:

- E. A disclosure may also be made to an appropriate authority (listed below) if the person disclosing has good reason to believe:
- The highlighted Dilworth authority (e.g. Headmaster and/or Board) is or may be involved in the wrongdoing;
 - Immediate reference to another authority is justified by urgency or exceptional circumstances; or

There has been no acknowledgement, action or recommended action within 20 working days of the date of the disclosure.

- F. Appropriate authorities include (but are not limited to):
- Ombudsman;
 - Commissioner of Police;
 - Director of the Serious Fraud Office;
 - Solicitor-General; or
 - The head of every public sector agency.¹²⁰⁰

1198 Protected Disclosures (Protection of Whistleblowers) Act 2022, section 11(1). Under the Protected Disclosures Act 2000, disclosure to an appropriate authority (an agency outside the organisation complained about) was limited to cases where there were reasonable grounds to believe the head of the organisation is or may be involved in the serious wrongdoing alleged, immediate reference to another authority is justified by urgency or exceptional circumstances, or where there had been no action or recommended action within 20 working days of the date of the disclosure.

1199 An earlier section of the policy also refers to the school's "preference" that the disclosure is submitted to one of three listed staff members: Dilworth School, Protected Disclosure/Whistleblower Policy, effective 31 May 2023.

1200 Dilworth School, Protected Disclosure/Whistleblower Policy, p 11.

Kaimahi/Staff Handbook

- 10.118 Safeguarding is discussed in a dedicated section of the Kaimahi/Staff Handbook,¹²⁰¹ which emphasises to staff that their single greatest priority and responsibility is to provide a safe, caring, nurturing environment and a school environment that ensures the wellbeing and prevention of harm for tamariki, rangatahi, whānau and staff.¹²⁰²
- 10.119 The collective, structured approach to child safeguarding, discussed in depth in the Student Protection Policy, is reiterated. In addition, specific guidance is given to staff about what to do should abuse be disclosed. That guidance includes:
- thanking the student for having the trust to disclose the information to the staff member
 - not promising to keep the information shared secret as the school's process requires a senior kaimahi or staff member to be informed
 - making sure the student feels safe and supported
 - not asking the student leading questions; however, asking open questions to clarify things are fine
 - taking notes on the key facts that the student independently shares, with staff being encouraged to focus on “think, tell, explain, describe”
 - filling out the abuse notification form for which a link to the school's online documents portal is provided.
- 10.120 Pastoral care at the school consists of a network of staff who take an interest in student wellbeing. The director of student services leads the pastoral care team, which comprises the school's registered psychologist, counsellor and chaplain and registered nurses. Alongside this team, the boarding staff, year-level deans and teaching staff are responsible for ensuring students are supported and their pastoral needs are met.
- 10.121 Student health is also provided for, with registered nurses employed at both the junior and senior campuses. The school's local general practitioner also visits the school two mornings a week. The students have daily access to a registered physiotherapist with two morning clinics and three afternoon clinics available each week.

¹²⁰¹ Dilworth School, Kaimahi/Staff Handbook, January 2023.

¹²⁰² Dilworth School, Kaimahi/Staff Handbook, January 2023.

- 10.122 The school has taken the step of developing and implementing a school relationship management plan. The Dilworth Relationship Management Plan's purpose is to support positive behaviours for learning and living well at Dilworth. The school describes an emphasis on pro-social behaviours, noticing and acknowledging positive behaviour, as well as supporting interventions, education, and restoration of relationships and behaviours that fall below the schools shared and communicated expectations.¹²⁰³
- 10.123 This plan is based on the school's values of respect, compassion, service, excellence and integrity. The school, in consultation with the school community, has tied this to its flourishing learner's framework by aligning positive behaviours with what it have described as "flourishing waypoints": tupuranga – growth, manaakitanga – care and safety, hononga – connection and mauri – vitality.

Ako Puāwaitanga – Flourishing

- 10.124 In 2023, the school launched its new curriculum, Ako Puāwaitanga. The name is taken from te reo Māori for learn – ako and puāwaitanga – to flourish, as a plant will bloom. The school has defined the concept of flourishing as having a healthy relationship with oneself, others, God and the world. They are described as the four pathways on the school's flourishing compass.¹²⁰⁴
- 10.125 The Flourishing curriculum works in conjunction with the academic curriculum and is described by the school as providing students with the "tools to flourish in life and learning at and beyond Dilworth". Ako Puāwaitanga lessons are held over three 30-minute lessons per week and are run by the pouako, a teacher assigned to a group of students who works with them throughout their time at the junior and then senior campus.

Student leadership and prefects

- 10.126 As we outlined in previous chapters, the school has had a long tradition of giving authority and responsibility to senior students. As late as 2018, staff guidelines stated that prefects held authority equivalent to that of staff members and students were expected to obey reasonable instructions made by them.¹²⁰⁵ The Board has said, however, that in practice that mentality ceased earlier and was not the model Mr Reddiex inherited.

¹²⁰³ Dilworth School, Kaimahi/Staff Handbook, January 2023.

¹²⁰⁴ Dilworth School, Ako Puāwaitanga: Pouako guide for leading and supporting the flourishing curriculum, 2023.

¹²⁰⁵ Dilworth School, Staff Guidelines, 2018.

- 10.127 In 2023, the school's policy regarding prefects, as outlined in the Kaimahi/Staff Handbook, has a different focus. It outlines the role of prefect as being to provide students with an opportunity to make a positive difference to Dilworth. The focus is on setting the tone of the school and developing school spirit by being encouraging role models for younger students. Prefects are expected to set good standards in academic work, dress and behaviour, support and commitment to school activities, and service to the wider community. Prefects have specific duties intended to reinforce these responsibilities.
- 10.128 The handbook also notes that all students can develop their leadership in a variety of committees. These student-led committees are supported by staff and cover most aspects of school life, including academic, sporting, hauora, service and boarding matters.
- 10.129 In a positive development, we note the handbook no longer confers on students the same level of authority as staff, thereby removing the entrenched and negative school hierarchy among students that led to unacceptable levels of bullying.

Ākonga and Whānau Handbook

- 10.130 The Ākonga and Whānau Handbook,¹²⁰⁶ the first of this kind reviewed by the Inquiry, contains dedicated sections on safeguarding and pastoral care, student expectations, boarding life, whānau involvement, and student and whānau responsibilities, as well as other areas.
- 10.131 It may be that something similar was produced in previous years, but no such document was provided as part of the disclosure process to the Inquiry. As indicated earlier in this report, for many years important Dilworth school policies were marked confidential to the staff of the school, which was a failure in itself. Relevant school policies and procedures need to be available to students, parents and external parties. This handbook largely fills that gap and provides information on key matters involving students and their families and whānau.
- 10.132 There is also some consistency between this handbook, the Kaimahi/Staff Handbook, the Statement of Commitment to Child Safety, and the Child Protection Policy. Aspects of each of these key policies have been summarised so that the essence is communicated well for both students and families and whānau.
- 10.133 Stymie, the anonymous reporting tool for students, is promoted and explained in the Ākonga and Whānau Handbook, which contains a direct link to the Stymie website.

¹²⁰⁶ Dilworth School, Ākonga and Whānau Handbook, 2023.

- 10.134 The school's relationship management plan, its expectations of students in the student code of conduct, the framework for living and learning well at the school, and boarding life at the school are all clearly explained in the handbook. Boarding life is also covered in a dedicated section.
- 10.135 Isabella Dilworth Lodge, which was established in recognition of the fact the boarding environment is challenging for some students, particularly when they have major issues in their own lives, is also explained in the handbook. The lodge was established in 2010 to provide temporary residential care to students who needed additional wraparound support until they were able to transition back into their boarding house. It is a significant investment by the Board in child welfare support and protection for its students.

Inquiry workshops with current students

- 10.136 The inquiry held two workshops with groups of year 12 and year 13 students.¹²⁰⁷

Year 12 workshop summary

- 10.137 Among the year 12 group, the need to be connected with family and whānau and to be able to communicate with them was a strong theme. This meant being able to discuss any issues students were going through and being culturally connected through whānau activities and relationships. Several students referred to the need to ensure their physical, mental, spiritual and social wellbeing was looked after. Others referred to ensuring all aspects of their hauora were covered.
- 10.138 In the school context, these students raised the fact health and wellbeing was related to environment and routine, including eating and sleeping well and balancing schoolwork, friends, hobbies and sport. This session of the workshop was summed up by the statement that health and wellbeing was about "being the safest we can possibly be". In group discussion, the Stymie portal came up when a student said that wellbeing at the school means putting a system in place to be able to raise a concern.
- 10.139 When asked to consider what the Dilworth school community does to protect student health and wellbeing, one student said, "there is a culture at the school that because we are boarding, that we live together as brothers. We have to look after each other". He added, "there are positives and negatives to that, though".
- 10.140 Group discussion followed about those positives and negatives. The positives included always having support, building strong friendships and having fun. The negatives were a lack of privacy and one's own space, managing relationships and the pressure not to "snitch".

¹²⁰⁷ In total, 24 students.

- 10.141 The group was asked to elaborate about snitching. Some of the students' insights were that you can be put on the outside of the group for snitching and it was an issue when you know you are going to see that person every day. The students explained that they can recall snitching being addressed at two assemblies where the very clear message from the school was that students were not helping anyone by keeping quiet about issues. At the same time, the students were reminded about the Stymie anonymous reporting platform. The students also mentioned that having student leaders pick up on these issues and help lead the discussion was also helpful for getting student buy in.
- 10.142 The students talked about school assemblies being a valuable forum used by the school's leadership to reiterate messages to protect student wellbeing. Topics they could recall being discussed at assemblies included the use of Stymie, boundaries, protocols about gaining permission to enter another person's dorm, and Child Wise accreditation. Other things students saw as the school protecting the wellbeing of students included plenty of staff across the campus; a strong wellbeing system, including counsellors, nurses and psychologists; cameras around the school; a safeguarding officer; the REACH system; the new Ako Puāwaitanga curriculum; improved parental involvement; and an active student council and committees.
- 10.143 The students were asked to identify what the Dilworth school community could do to better protect student health and wellbeing. One major theme of the feedback in this session was the ability to spend more time out of what they described as "the Dilworth bubble". They suggested this could be done by co-ordinating more with neighbouring schools as well as connecting more with other schools in the local area. One student elaborated on this. He said it was important to get out of the small geographical radius that they occupy. This was a point supported by others in the group. At times, the student observed, the students exist within a 200–400 metre radius, in that their dorms, classrooms, dining halls and extracurricular activities are all on site. The student noted that all the external stressors of school exist within that radius and it is unhealthy to stay there, only being able to leave it on weekend trips home. While leave was available after school, students wanted to see more organised efforts to get them out of the school premises.
- 10.144 There was a call for the school's staff to be more representative of the cultural backgrounds of students. A deeper recognition of culture was also raised. One student commented that celebrating Samoan language week was "more than just posters and food and saying talofa". Another suggested that this was an important aspect of cultural wellbeing through identity. He said languages other than English should be incorporated across the year not just in one week.

10.145 The students were specifically asked their perception of the role of the Board. The variety of views included making money, providing funding for the school and monitoring funding, ensuring the right staff are recruited, ensuring the school is a safe place, and making sure that Mr James Dilworth's will was followed. They also said that they saw Board members only at enrolment but that was where the journey ended, emphasising that they should be more involved in the school and talk to students, so they understood the Board's role. Reference to the Board's role in withdrawal of scholarships was also made.¹²⁰⁸

Year 13 workshop summary

- 10.146 To the year 13 students, connecting with family and whānau by spending time together, talking and knowing through those connections that they are loved and cared for were essential to what made up wellbeing to them and their families and whānau. For this group, spending time outdoors connecting with nature was also important as were sports, music, and maintaining good nutrition and hydration.
- 10.147 In the school setting, personal privacy, respect and dignity, kindness and empathy were important. Having these things present in interactions with students and staff improved wellbeing. Active school councils and committees were also mentioned, and, on the whole students, felt they had a say. Stymie was also cited as an important tool for being able to report safety and wellbeing concerns. The students also reported ample wellbeing support being available through counsellors, a psychologist, a registered nurse and staff.
- 10.148 One of the major changes these students had seen was the removal of hierarchy among students. This changed when Mr Reddiex started as headmaster. They noted it has made life better, but one said it felt unfair: they had started when there was still a hierarchy and, having been through that, they no longer had the benefit of being able to boss others around in the same way.
- 10.149 When they were younger, and before moving from the Mangatāwhiri campus to the senior campus, there were stories about what senior students did to junior students that frightened them. This included being "rushed" and "ripped". Rushing involved groups rushing towards a student and physically bullying them. Being ripped involved a senior student pulling a student's underwear up from behind, lifting them off the ground to rip their underwear.

¹²⁰⁸ The Board advised that it makes efforts to be visible on campuses on many occasions, including at the time of the Board meetings and when Board members have lunch in the dining room with the students and interact with them. It also queries whether boards in other schools are known to students. The Inquiry expects there are no uniform responses to this.

- 10.150 All noted that once the new headmaster arrived at the beginning of 2019 that behaviour stopped, the result of the very clear zero tolerance for bullying and immediate efforts to change the school culture.
- 10.151 This group was also able to reflect on the differences between headmasters Mr MacLean and Mr Reddiex. Mr Reddiex was much more involved in the school in general and more visible, welcoming and engaging, including at assemblies. Some said that compared with Mr MacLean's approach, they felt there was a greater level of care from Mr Reddiex.
- 10.152 Since Mr Reddiex took over, the students also said they were aware of Operation Beverly and many had watched the *Sunday* television programme that focused on the abuse suffered by former students.¹²⁰⁹ One said that many things remained unaddressed and after watching the programme, students realised where some of those things happened in the school. For example, it was hard to avoid feeling uncomfortable in the chapel after watching the programme where abuse was described in that area. He also said some places in the school had been locked off completely and some were old and unappealing, leading to speculation about what had happened in those areas and negative thoughts about where abuse had occurred.
- 10.153 When asked what more could be done by the school community to protect student health and wellbeing fully, the students said there was room for greater student advocacy on issues. For example, all students in this group felt "weekly notes" was no longer fit for purpose. The way ratings were delivered was considered arbitrary and did not always make sense to students.
- 10.154 Diversity of staff was also raised as an area for improvement. Students said more diverse staff would make it easier to respond to them and make students more comfortable around them.
- 10.155 Including family and whānau more in school life came through as a strong theme from all students. One student said, "at times when you go home it is hard to reconnect and you spend so much time away that it feels like you're not part of the family anymore, not that that is true, just that it feels like you are less connected." Attendance at chapel did not always meet this need for connection and may not feel welcoming for parents.
- 10.156 When discussing how the Board could do better to protect health and wellbeing, the students said they understood the Board provided financial support. However, most students said that Board members were hardly seen except for Mr Snodgrass. They felt like it was a different organisation from the school. One student said, "if someone is going to play an important role in your life, you should know who they are not just see them in your application interview and then at the end when you finish".

1209 26 June 2022, "God Forbid", Sunday Programme, TVNZ

Inquiry engagement with current families and whānau

Dilworth Family Connect

- 10.157 Parents from Dilworth Family Connect believe their primary role is to act as a bridge between the school and families and whānau, including organising events such as new parents evenings, new students barbeques and other seasonal events for parents. The name of the group was deliberately changed from Dilworth Friendship Club to signal that connecting families with the school was its central purpose.¹²¹⁰
- 10.158 Parents and their sons' experiences with the school were positive, and none had any safety concerns. They were confident the current headmaster's open-door policy and their ready access to the head of junior campus meant they would be able to address any safety issues directly with the school.
- 10.159 All knew about Stymie and thought it a positive tool for their sons to use, particularly where they worried about snitching. The parents appreciated the headmaster's strong stance with the students, encouraging them to speak up, and his emphasis on zero tolerance for bullying.
- 10.160 Zoom sessions for parents who live out of Auckland and cannot readily attend Dilworth Family Connect events are promoted as well as remote events to complement work on wellbeing being undertaken at the school. There was regular and convenient parent feedback through the use of surveys. Board access and representation was discussed and, although not every parent would wish to be personally involved, the consensus was for parent representation on the Board from each of the parent groups. It was specifically noted that the absence of mothers on the Board meant there was no maternal lens. Comment was made about a model that separated the Board into governance that would manage the assets and a separate body to ensure wider representation.

Parent Safeguarding Group

- 10.161 The establishment of the Parent Safeguarding Group was considered a positive step. The group allowed parents to contribute to the important aspects of student wellbeing, including consultation and feedback on the development of the school safeguarding policy. Mr Reddiex had been receptive to feedback about communicating school policies and other important information. In response, the school has produced short videos explaining some of the school policy, which are sent out by text message link so handheld devices can be used to view the videos.

¹²¹⁰ The Dilworth Friendship Club held its inaugural meeting in 1972: *The Dilworthian*, 1972.

- 10.162 One parent said, "It made a difference having direct input into the policy. It helped to bring about some changes. We got to contribute directly to that document which is a living document".
- 10.163 Another parent emphasised, "We need to revisit again its purpose, definitely see what has been happening, how it has been going. It has been a while since we last met".
- 10.164 When asked about the signs they see that policies are being put into practice, the parents said that while in the past there may have been barriers to communication with teachers, now the "barrier had been brought down". Ongoing communication about potential issues was helpful, and not avoiding issues before they become problems was important.
- 10.165 Employment of a full-time safeguarding officer of Pacific descent was another reassuring sign for the parents of this group that the school was putting good policies in place. The officer provides another open line of communication for the Parent Safeguarding Group, and members of this group were comfortable going to the officer or the headmaster. They would prefer trying to resolve matters this way rather than go directly to the Board. Two areas of improvement were identified: engagement with the designated safeguarding trustee and ongoing growth of the school in its cultural responsiveness so it reflects its school community.
- 10.166 The designated safeguarding trustee had attended one of the earlier Zoom meetings of the group, but more regular contact with him would help communication and a more direct flow of information. This was articulated by one as, "they might have information we haven't had yet".
- 10.167 Cultural competency and responsiveness were identified as an area for further growth. Cultural identity was mentioned by all parents we spoke with as being critical to student wellbeing. The group gave examples the school could take towards greater cultural inclusiveness, including:
- embracing cultural backgrounds for uniforms, allowing students to wear 'ie faitaga or tupenu
 - strengthening the school's ability to teach Pacific languages to its students
 - diversifying the history curriculum so Pacific history is taught
 - recruiting more diverse kaimahi/staff to reflect the school community.

10.168 The parents in this group had a sense of trust in the school reinforced by the current headmaster's openness to them and are confident the school was doing everything it could to ensure the safety of their children. They also appreciated the regular message dispelling "scholarship fear" – the fear that complaining would jeopardise any scholarship. Mr Reddiex, who had established the parent groups, made sure parents were able to provide feedback on the Child Protection Policy and they could see that suggested changes were taken on board by the school.

Pacific Advisory Group

10.169 The Pacific Advisory Group was formed in 2020, as was the whānau Māori advisory group discussed below. Parents from the group attending a fono with the Inquiry said the group's establishment had provided greater agency for Pacific parents to have a say in the school.

10.170 The group had met recently with a wider group of Pacific parents to develop the school's first Pacific strategic plan, which incorporated Fuimaono Karl Pulotu-Endemann's Fonofale model of wellbeing as a key part.¹²¹¹

10.171 The parents of year 12 and 13 students told us that from the time their sons started in year 7 until 2019 when Mr Reddiex arrived, there was a wall between the school and parents. The school's attitude was "drop them off and pick them up". There was not a lot of access for parents to the school outside of chapel and other school events. They felt more isolated from the school under Mr MacLean.

10.172 The parents in this group are confident that, currently, Dilworth is a safe school and the issues that existed in the past are no longer there. The new headmaster, Mr Reddiex, has an open-door approach, ensuring this group has good access to him, and a policy of inclusion.

10.173 Another parent had felt uncomfortable at the school as a Pacific person under the previous headmaster, sensing she and her son were just numbers. Communication on important issues was also a problem. When her son was about 14 or 15, she had attended a parent-teacher interview with him. Before the interview started, his teacher asked him, "how was your session?". The mother asked the teacher what she meant. The teacher said her son had been getting weekly counselling sessions outside the school for the last few weeks. When she asked why, the teacher said that although he produced excellent results on assignments, he was very quiet in class, and they had wondered whether there might be things happening at home. The mother was very unhappy with the lack of consultation and counselling arrangements being made without her knowledge. Had the school contacted her, it would have learned her son was naturally a very shy boy. Staff were now much easier to approach and contact with the school had improved under the current leadership.

1211 F K Pulotu-Endemann, *Fonofale Model of Health*, September 2001.

- 10.174 A father of a boy who had just started in the senior campus had never held any safety concerns for either of his sons at the junior campus. He also said Mr Reddiex was making changes and appeared to have a genuine interest in what was going on and in hearing from parents. Mr Reddiex had also been supportive in establishing the Pacific Advisory Group.
- 10.175 He raised the challenge of communicating safeguarding policies to parents for whom English is a second language. The parents emphasised the importance of understanding that there will be a level of deference or “non-questioning” that is inherent with many Pacific parents when interacting with the school. Developing methods of communication is very important.
- 10.176 There remains a fear among some Pacific parents that scholarships might be taken away if a parent speaks up about a particular issue. However, the group acknowledged the work done under the school’s current leadership to promote a message that complaints are welcome and scholarships are not under threat.
- 10.177 There was a view that the Board was not accessible. The establishment of the Pacific Advisory Group was valuable and had improved communication between Pacific parents and the Board, but the absence of parent representation on the Board created a barrier. There was no direct access to the Board. The group noted that the Pacific strategy it had developed was given to the headmaster, who then liaised with the Board about it. They would have expected direct contact from the Board with the group to ensure the strategy was understood and fully supported by the Board.
- 10.178 The disconnect between the Board, parents and students was a matter of concern for all attending the fono who wanted a direct line of communication with the Board. Although they had contact through the headmaster, a direct line would promote an additional sense of safety and a confidence they could contribute to the school’s governance.

Whānau Māori advisory group

- 10.179 The whānau Māori we met had predominantly positive things to say about their experience dealing with the school about their sons. No whānau members expressed concerns about their son’s health or wellbeing, with many saying if they did have concerns, they would raise them or remove their sons from the school. All whānau members at the hui agreed the work the school had done to become the only Child Wise accredited school in the country was impressive and it gave them a lot of reassurance.

- 10.180 All whānau members referenced Professor Sir Mason Durie's Whare Tapa Whā model as an expression of hauora for them and their sons.¹²¹² They said the school was supportive in most areas but needed to improve in some areas such as the appropriate use of tikanga Māori.
- 10.181 All clearly understood and were supportive of the school's zero tolerance policy for bullying.
- 10.182 One parent described her son's difficult time with homesickness when he first started and her concern that he might be bullied. The staff had been very supportive, and their response flowed on to the other students in his dorm. She knew of no bullying and after her son recovered from his homesickness, it had never been raised by his peers since.
- 10.183 Although their experiences were predominantly positive, most parents in the group described "Pākehā ignorance" they had encountered at the school, mostly from staff. For example, staff said they were surprised a woman's son was Māori even though he had a Māori name. There had also been occasions where teachers had asked Māori-knowledge based questions to Pacific students, assuming they were Māori.
- 10.184 The point was made that spiritual and cultural safety is different for Māori, using the example of a parents hui that had been stopped when no opportunity for whakawhanaungatanga¹²¹³ was provided. The school was very strong in its religious teachings about spiritual wellbeing, but there was some way to go to understand the connection between Māori spiritual wellbeing and identity.
- 10.185 Nonetheless, the school had been willing to work with one whānau to secure cultural and spiritual wellbeing, enabling a student to attend Waitangi celebrations for the week with his whānau. Although he missed the first week of school, Dilworth understood the significance for his iwi and supported it.
- 10.186 All parents were of the view that the current head of Māori studies was doing a good job and beginning to address some issues, including the need for training to address cultural ignorance, but as the primary Māori contact with whānau Māori, he carried a lot of that on his own. One parent noted it was critical for staff to see "whanaungatanga at its best" to help prepare for the future.

1212 Sir Mason Durie, 1985, A Māori perspective of health. *Social Science and Medicine* 20(5): 483-486.

1213 Introductions and making connections.

- 10.187 A kuia who attended the hui observed that whānau Māori make a conscious decision when weighing the benefits of the school to consider what can realistically be offered from a te ao Māori perspective by a school like Dilworth. She also made the point that things that might not traditionally be kaupapa Māori can enhance Te Whare Tapa Whā. For example, in her whānau, learning and playing musical instruments has been a big part of her whānau identity over generations. The fact her mokopuna was learning three instruments at the school was integral to his wellbeing and ability to connect to that aspect of their whānau.
- 10.188 There were discussions about the difference between being in an advisory role compared with being in a governance role, which centred on te Tiriti o Waitangi and tikanga Māori. The approach of the former headmaster was to allow contact between Dilworth Family Connect (comprising mostly women) only through him to the Board. If the school and whānau looked to progress the current idea of a rūnanga,¹²¹⁴ it needed to have connection with the Board. The absence of Board members at any of the whānau Māori hui held to date was an example of the current disconnect.
- 10.189 Vetting of staff was a matter of importance as was the safety of students who might be at risk when other students presented with serious behavioural problems, an issue that parents at all schools worry about. The many issues raised indicated that parents were eager to be more closely involved in the school, ready to consider assuming greater responsibilities, and hopeful that their spiritual and cultural knowledge and their concern for the safety and aspirations of their children could be accommodated in a more formalised setting.
- 10.190 All whānau agreed that the single most significant change had come in the form of the new headmaster, Mr Reddiex. His leadership had made a difference. He has had a strong focus on reducing scholarship fear and constantly reinforces the fact he wanted to hear any complaints from parents. They told us he was a straight talker, was genuine, and could be trusted. When he addresses the students at assembly or chapel, whānau see the students listen and take notice.

¹²¹⁴ Council or assembly.

Incorporating cultural concepts into policy and procedure

From a former student

I know the Dilworth student community has changed. I know it is mostly Māori and Pacific. I want the school's leadership and systems to ensure it looks after its indigenous students, particularly Māori. There should be tikanga in the school's mission statement and values. They need to have the right kaitiaki in place to look after the students as house masters, matrons, and tutors.

...

The school has always been driven by colonial values. Those values which are racist values go back a long way to its origins. It is also an Anglican school, so the religious colonisation is also a part of it.

...

The school needs to ask itself, "Are we still driven by colonial values?", if it is, it needs to review those values and reset them in a way which serves its now changed ethnic make up.¹²¹⁵

- 10.191 The observation and wero or challenge above is important given the school's current ethnic make-up.
- 10.192 Students and whānau we spoke to in the current school community made clear to us what they see as pivotal to their health and wellbeing. Whānau Māori we spoke to referred immediately to Sir Mason's Te Whare Tapa Whā model. Pacific whānau we spoke to referenced Mr Pulotu-Endemann's Fonofale model, which we were told has been included in the Pacific parents' strategy document recently presented to the school.¹²¹⁶ The school also included a commitment to cultural safety and the rights and responsibilities accorded by te Tiriti o Waitangi in its Statement of Commitment to Child Safety.¹²¹⁷

¹²¹⁵ Student BX statement to the Inquiry.

¹²¹⁶ This was confirmed by members of the Pacific Advisory Group in its fono with the inquiry.

¹²¹⁷ Dilworth School, Student Protection Policy: Safeguarding & Child Protection, 1 January 2022.

10.193 As is evident in the school's current policies discussed above, the school has taken several steps in its policies and practices in an effort to have the school reflect the make-up of the community,¹²¹⁸ and we commend it for doing so. However, following our review of the school's policies and engagement with current students and their families and whānau, we are of the view there is still room for the school to improve. Next, we look closely at what we consider underpins that conclusion.

Pacific concepts of wellbeing

10.194 Qualitative research on Pacific peoples' aspirations for their health and wellbeing highlighted the importance of taking a strength-based approach, which centres family.¹²¹⁹

10.195 Fonofale requires a holistic approach to health and wellbeing. All of the pou or posts of the fale are important, as are the foundation and the roof. Developed by Mr Pulotu-Endemann, the model came from the need for Pacific self-determination following the Dawn Raids of the 1970s.¹²²⁰ This transitioned into a "for Pacific by Pacific" approach in the 1980s.¹²²¹ The model was finalised in 1995 and was named Fonofale after Mr Pulotu-Endemann's maternal grandmother, Fonofale Talauega Pulotu, who accompanied him to Aotearoa New Zealand in 1959 to join his parents.¹²²²

10.196 The Fonofale model incorporates the common values of Pacific peoples, with family as the foundation of the fale, culture the roof, and four pou representing the physical, spiritual, mental and other aspects of wellbeing, including sexuality, gender, age and socioeconomic status. The fale is encapsulated in the concepts of context, time and environment as a means of capturing the vā – the Pacific concept of relationality.¹²²³

10.197 The Pacific concept of the vā is critical. It varies in different Pacific cultural practices, but there are common essential aspects across various Pacific cultures.¹²²⁴

1218 See as an example its Ākonga and Whānau Handbook, 2023.

1219 F Firestone, T Funaki, S Dalhousie, A Henry, M Vano, J Grey, A Jull, R Whittaker, L Te Morenga and C Ni Murchu, Identifying and overcoming barriers to healthier lives, *Pacific Health Dialog* 21(2), 2018, pp 54–66.

1220 The Dawn Raids occurred in Auckland in the 1970s when, in the early hours of the morning, police (on the government's instruction) forcibly entered the New Zealand homes of Pacific people alleged to be overstayers. Most overstayers (individuals who remained in New Zealand after the expiry of their visas) were from Europe and North America not Pacific nations.

1221 FK Pulotu-Endemann, *Fonofale Model of Health*, September 2001.

1222 Pulotu-Endemann, *Fonofale Model of Health*, p 1.

1223 Pulotu-Endemann, *Fonofale Model of Health*, 2001, p 3.

1224 M Reynolds, Relating to Vā: Re-viewing the concept of relationships in Pasifika education in Aotearoa New Zealand, *AlterNative: An International Journal of Indigenous Peoples* 12(2), 2016, pp 190–202, p 194, cited in Abuse in Care Royal Commission of Inquiry, *He Purapura Ora, he Māra Tipu: From Redress to Puretumu Torowhānui* (vol 1), note 162, 2021.

10.198 Tongan academic Mr Tevita O Ka'ili describes *teu le vā* and *tauhi vā* within the Tongan context as the tending to and nurturing of interconnected relationships or *vā* between people, as well as between people and places.¹²²⁵

10.199 Samoan academic and theologian, Sister Vitolia Mo'a, describes the *vā* as:

relationship and mutuality – the *vā* – signifies the *vā-tapu* and *vā-tapuia*, or the sacred relational space among inter-connected entities. Inherent in the concept of *vā* is the recognition of both distinctiveness and relationality. Samoan people's understanding of the workings of their social, cultural, economic, and religious systems is rooted in *vā* and this recognition of interconnectedness. *Faasinomaga* or identity "situates the Samoan person within the interconnected and inter-related levels of *vā*, in that which is understood as a cosmic cyclic form of existence."¹²²⁶

10.200 Accordingly, when harm is done to a Pacific person, damage is done to the *vā* that exists between that person (and their family) and the person doing the harm. Damage can also be done to the *vā* that exists between the harmed person and others they are connected with such as their family. Within different Pacific cultures there are different customs and practices for healing the *vā* and returning to a state of balance. Examples include *ifoga* (Samoa), *ho'oponopono* (Hawai'i), *isorosoro* (Fiji) and *fakalelei* (Tonga).¹²²⁷

10.201 The school has made a strong commitment to cultural safety as an important aspect of overall student wellbeing. However, as we have briefly outlined above, cultural safety and wellbeing needs to be defined from the perspective of those of that culture. Among Pacific cultures there are similarities as well as differences.

10.202 For the school to deliver on its commitment to cultural safety as part of student protection, significant steps will need to be taken to develop the school's capability to do so for its Pacific students and families. Given the school's current staffing and Board composition, this will require more meaningful and ongoing engagement with its parent community and a sharing of governance responsibilities.

1225 T Ka'ili, *Tauhi vā: Nurturing Tongan sociospatial ties in Maui and beyond*, *The Contemporary Pacific* 17(1), 2005, pp 89–90, p 109, cited in Abuse in Care Royal Commission of Inquiry, *He Purapura Ora, he Māra Tipu*, note 161.

1226 V Mo'a, *Faasinomaga (identity) and vā (relational space): Samoan ethics*, in T Suaalii-Sauni (Ed), *Pacific Ethics of Research and Care*, Huia Publisher, forthcoming 2023, cited in Abuse in Care Royal Commission of Inquiry, *He Purapura Ora, he Māra Tipu*, note 159.

1227 Abuse in Care Royal Commission of Inquiry, *He Purapura Ora, he Māra Tipu*, p 62.

Māori worldview

10.203 One student's mother made the following point:

Talking about policy, operations, strategy around wellbeing – it is fine to have language like te reo Māori, te Tiriti in those policies etc. But my big question is, how does that positively impact rangatahi Māori at the Kura? Particularly in two areas:

- Accelerating achievement.
- All aspects of Te Whare Tapa Whā.

Yeah, it's great to have these tikanga concepts as part of the school approach... and policy but who is it benefitting? Is it just the school, the staff? So they ... can say they have teachers who kōrero Māori, incorporate some tikanga etc? At the end of the day those things need to benefit the Māori in the school.

10.204 The point is an important one, and it provides a Māori perspective of what we observed above about the school delivering on its commitment to Pacific cultural safety and wellbeing.

10.205 Te Whare Tapa Whā is the model for wellbeing created by Sir Mason that uses the symbol of the wharenuī to illustrate the four cornerstones of wellbeing: taha wairua (spiritual health), taha hinengaro (mental health), taha tinana (physical health), and taha whānau (family health).¹²²⁸

10.206 Due to the model's simplicity and clarity, it is well suited as a model for Dilworth, which has adopted it. In the school's response to the Abuse in Care Royal Commission, the school emphasised its value, saying in respect of pastoral care, "At Dilworth, pastoral care is at the centre of everything the school does. The school's focus is Mason Durie's 'te whare tapa whā' model of hauora, physical, social, spiritual and mental and emotional wellbeing".¹²²⁹

1228 Government Inquiry into Mental Health and Addiction, *He Ara Oranga: Report of the Government Inquiry into Mental Health and Addiction*, 2018, p 22, www.mentalhealth.inquiry.govt.nz/inquiry-report/he-ara-oranga.

1229 Dilworth School: Response to Notice to Produce No 2, Schedule A(1), 25 May 2020, p 7.

- 10.207 As a concept, Te Whare Tapa Whā is derived from Te Ao Māori,¹²³⁰ drawing on tikanga Māori,¹²³¹ to provide a possible representation of the essential components of hauora or wellbeing. Ngāti Awa tohunga and academic Professor Sir Hirini Moko Mead states that tikanga Māori “help us differentiate between right and wrong in everything we do and in all of the activities that we engage in”.¹²³²
- 10.208 We note that the school in referencing Te Whare Tapa Whā has chosen to replace “whānau” with “social” wellbeing.¹²³³ We have observed this in other school documentation and from comments current students made in the workshops during this Inquiry. However, this fact in and of itself illustrates the point made by the mother quoted above. By altering that aspect of the whare, it takes the focus away from whānau wellbeing.
- 10.209 To discuss whānau, means to consider hapū and iwi as well as critical aspects of whanaungatanga and whakapapa. In the Waitangi Tribunal report on the first stage of Te Paparahi o te Raki Inquiry the tribunal noted that whanaungatanga is a “defining principle” of the Māori world view.¹²³⁴
- 10.210 Below, we briefly discuss tikanga relating to whānau, whanaungatanga and whakapapa.
- 10.211 Whakapapa is integral to a child’s identity and wellbeing. Ngāti Hine leader, Te Waihoroi Shortland’s views on children and whakapapa were reported in the Waitangi Tribunal’s inquiry on Oranga Tamariki:

the starting point for the Māori worldview is “he tamaiti, he taonga”; every child is precious, every child is a taonga of their entire whānau, hapū, and iwi – and as such tamariki are the responsibility of all of them.

He explains that it is whakapapa that connects tamariki – to their parents, to their tūpuna, to the atua, and to the spiritual world. And through whakapapa, tamariki are endowed with attributes fundamental to their cultural, physical, and spiritual well-being such as mana, tapu, wairua, and mauri. Further, and importantly, rangatiratanga is the inherent birthright of all tamariki Māori.¹²³⁵

1230 The Māori world view.

1231 Māori way of thinking.

1232 Dr Hirini Moko Mead, *Tikanga Māori: Living by Māori Values*.

1233 Dilworth School: Response to Notice to Produce No 2, Schedule A(1), 25 May 2020.

1234 Waitangi Tribunal, *He Whakaputanga me te Tiriti The Declaration and the Treaty: The report on stage 1 of the Te Paparahi o te Raki Inquiry* (WAI 1040), 2014, p 23. Te Paparahi Inquiry deals with claims brought by hapū from Ngāpuhi, Ngāti Hine, Ngāti Wai and other northern iwi.

1235 Waitangi Tribunal, *He Pāharakeke, He Rito Whakakikīnga Whāruarua: Oranga Tamariki Urgent Inquiry* (WAI 2915), 2021, p 15.

10.212 The concept of whānau has many translations including family, to be born and offspring.¹²³⁶ These translations are quite simple and straightforward, but the fundamental meaning of whānau must be considered from a Māori worldview. Whānau is not limited to the nuclear family, but:

includes aunts, uncles, grandparents, great-grandparents, cousins, nieces and nephews. When a Māori person talks about her kuia, she may very well be speaking about any one of her grandmother's or grandfather's sisters. When a Māori person talks about her tuakana (often translated as older sister) she may very well be talking about an older cousin ...

The word whānau has a number of meanings including being the word for giving birth or being born. Taking all of these things into consideration, including the various meanings of the word and the associated metaphors, it is clear then that whānau has a much deeper meaning than family, or extended family. It is also about extending families and is about whakapapa.¹²³⁷

10.213 As we outlined in earlier chapters, traditionally, the school took the approach of limiting any whānau involvement with their sons to the very narrow opportunities provided in some school events and Sunday chapel. Whānau of current Māori and Pacific students we have spoken to who were at the school under Mr MacLean's leadership have observed that this approach was maintained until his departure in 2018. Parent involvement has since improved, supported by the fact there are currently four parental groups at the school.

10.214 The aspects of whānau referenced above are by no means exhaustive, and nor are they referenced by this Inquiry in a prescriptive manner. It is not for this Inquiry to pronounce on how these aspects of tikanga apply to the students and whānau Māori of the school; ultimately, that is a matter for the students and whānau Māori themselves to establish and communicate to the school, and opportunities for this to occur should be created and encouraged.

10.215 We have highlighted these aspects to illustrate the depth of meaning that flows from the concept of whānau, as well as whanaungatanga and whakapapa to which it is connected. We note that the tikanga associated with other aspects of the whare – tinana, hinengaro and wairua – have their own deep meaning. We have focused on the aspect of whānau to further illustrate the point that was well made by the mother of a current student we spoke to.

1236 Te Aka Māori Dictionary (website), 2023.

1237 A Thomas and C Merrick, *Kia Kākano Rua te Ture: A te reo Māori handbook for the law*, Lexis Nexis, 2019, p 20.

- 10.216 As the mother we quoted above points out, applying these aspects of tikanga Māori in the school context must benefit Māori students in a way that is truly meaningful to them and their whānau. If the school gets that right, it will be well positioned to have other parts of the student and family community benefit from that approach.
- 10.217 We discuss Te Tiriti o Waitangi in the context of whānau involvement in more detail next.

Tiriti o Waitangi

- 10.218 Te Tiriti o Waitangi is included in all school policy that includes the school's Statement of Commitment to Child Safety. That statement requires that all services provided by the school for the safety and wellbeing of tamariki and rangatahi adhere to the principles of partnership, protection and participation and to the rights and responsibilities accorded by Te Tiriti o Waitangi. We note that the school environment needs to ensure tamariki, rangatahi and staff are culturally safe.
- 10.219 Te Tiriti o Waitangi was discussed in our hui with whānau Māori.
- 10.220 A whānau member who attended led discussions by explaining that she understood that Te Tiriti conversation in the school started after the new headmaster arrived and just before COVID-19. When Te Tiriti is spoken about, the question for Māori then centres on governance and decision-making. When the discussion started, she asked who was at the top in governance. She said the school's response left her unclear how Te Tiriti related to the running of the school. Based on her understanding from what the school has said, the Board comprises businesspeople and they manage the school's assets. As the school is a private school and not a state school, it is not the Crown, in effect contradicting the policy adopted by the school for Te Tiriti observance and application. She said it was frustrating to have that response because in her view if you want to talk about Te Tiriti you have to be ready to have a discussion at the governance level and be prepared to listen to the Māori view on that.¹²³⁸
- 10.221 Another parent at the whānau Māori hui made the point that such an approach to governance discussions was stifling. They observed it felt like Māori parents were brought in more in an advisory capacity than anything else. It was an issue for Māori parents to be in only an advisory role rather than in a governance role over important aspects to do with their sons' wellbeing and education.¹²³⁹

¹²³⁸ Inquiry hui with whānau Māori.

¹²³⁹ Reference to te Tiriti o Waitangi in key policy is to include reference to tino rangatiratanga, which is guaranteed in article 2 of te Tiriti. For this reason, the school needs to continue its dialogue with Māori parents.

10.222 Recently, Te Hiringa Mahara, the Mental Health and Wellbeing Commission, in an impact insights paper on the exercise of rangatiratanga during the COVID-19 pandemic, observed the following:

For Māori, wellbeing is greater than the individual. Inextricably linked with whānau and the wider community, wellbeing must also be understood from a collective perspective. From a collective te ao Māori perspective, a key component for wellbeing, recognised in He Ara Oranga wellbeing outcomes framework, is when all tāngata, whānau and hāpori experience tino rangatiratanga me te mana Motuhake ... Specifically, the framework includes that to thrive:

- Māori exercise authority and make decisions about how to flourish. Tino rangatiratanga is expressed in many self-determined ways.¹²⁴⁰

10.223 We discussed Te Tiriti o Waitangi with the current Board chair, Mr Snodgrass. When discussing the incorporation of Te Tiriti into the Dilworth Student Protection Policy, he described Te Tiriti as “going right through the culture of Dilworth”. He also made the point that as a multi-cultural school, inclusion and respect for all cultures was important. When considering the capacity of the Board in terms of Te Tiriti and Te Ao Māori, he recognised that the Board needs diversity. He pointed out that two further appointments are to be made and diversity will be a focus in these recruitments.

10.224 In the conclusion below, we draw together our analysis of the current policy documentation and voices of current students and staff.

¹²⁴⁰ Te Hiringa Mahara – Mental Health and Wellbeing Commission, *Exercising Rangatiratanga During the COVID-19 Pandemic* (COVID-19 Impact Insights paper 6), May 2023, p 7, www.mhwc.govt.nz.

Conclusion

Policies and procedures

- 10.225 Many of the former students we have spoken to told us their reason for coming forward to the Inquiry was to ensure that what occurred to them or what they saw happening to others would never happen again. It is for that reason that our terms of reference required the Inquiry to review the school's current policies and procedures to protect health and wellbeing.
- 10.226 Over the years of abuse that occurred, there were many opportunities for the school to have intervened. In some instances, a lack of adequate policy was a contributing factor to abuse being allowed to continue. In others, it was a failure to act in accordance with policy.
- 10.227 Having reviewed the current school policies in depth, we commend the school for the work it has done in developing safeguarding policies and procedures, including the Child Wise accreditation, a New Zealand first for a secondary school. Parents we spoke to were greatly impressed by the work done by the school to obtain accreditation and felt a level of assurance and confidence that their children were safe as a result.
- 10.228 The current suite of child protection policies indicate that the school has learned to respond to the large number of cases of abuse that have occurred over the past decades. These efforts demonstrate that the school understood the significant failings that enabled abuse to continue over decades required urgent attention.
- 10.229 Child Wise accreditation, and the suite of complementary child protection and complaint policies, while a vast improvement, do not replace the need for Dilworth to be subject to other, more comprehensive, regular and binding external monitoring of its overall performance as a school, akin to that which ERO provides to state and integrated schools. As we outlined in chapters 1 and 8, because of Dilworth's position as a private school, state-based reviews of the school have, for a long time, been a light touch. This has remained so despite revelations of widespread historical abuse being made public.

Board's role from now on

- 10.230 We view the culture of the Board as a critical indicator of the future success of the school community. It is the Board's responsibility to guide, oversee and provide the resources and support to the school managers and headmaster to guarantee that student health and safety is at the forefront of its work. The history of abuse recorded in this report adds further stress to staff, students and the Board. All will be obliged to guard the school's reputation as a forward-looking, responsive and safe place where students can flourish educationally, culturally and spiritually. Only then can James and Isabella Dilworth's dream for the school be achieved and its students fulfil their potential.