

Child Protection Policy



Rationale: The management and staff of the centre are committed to the prevention of physical, emotional and sexual abuse of children. This commitment means that the interests and welfare of children are the prime considerations when any decision is made about suspected abuse.

Purpose: To provide a safe environment for all children and staff. To ensure all staff are aware of the steps to take when dealing with suspected child abuse. To ensure all records and conversations remain confidential. To ensure all involved at the centre are aware that anybody can report a suspected abuse situation.

PRINCIPLES

- The interest and protection of the child is paramount at all times.
- We recognise the rights of families to participate in decisions about their child.
- We have a commitment to all staff being able to recognise signs and symptoms of potential abuse and neglect and are able to take appropriate action in response.
- We will comply with relevant legislation responsibilities.
- We are committed to share information in a timely way and to discuss any concerns about any individual child with colleagues or management.
- We are committed to promote a culture where staff feel confident, they can constructively challenge poor practice or raise issues of concern without fear of reprisal.
- We are committed to working with other organisations to ensure child protection is consistent and of high quality.
- We are committed to supporting staff to work in accordance with this policy.

DEFINITIONS

- **Physical abuse** – any acts that may result in the physical harm of a child or young person. It can be, but is not limited to: bruising, cutting, hitting, beating, biting, burning, abrasions, strangulation, suffocation, drowning, poisoning and fabricated or induced illness.
- **Sexual abuse** – any acts that involve forcing or enticing a child to take part in sexual activities, whether or not they are aware of what is happening. Sexual abuse can be, but is not limited to: contact abuse: touching breasts, genital/anal fondling, masturbation, oral sex, penetrative or non-penetrative contact with the anus or genitals, encouraging the child to perform such acts on the perpetrator or another, involvement of the child in activities for the purposes of pornography or prostitution.
- **Non-contact abuse:** exhibitionism, voyeurism, exposure to pornographic or sexual imagery, inappropriate photography or depictions of sexual or suggestive behaviours or comments.
- **Emotional abuse** – any act or omission that results in adverse or impaired psychological, social, intellectual and emotional functioning or development. This can include: Patterns of isolation, degradation, constant criticism or negative comparison to others. Isolating, corrupting, exploiting or terrorising a child can also be emotional abuse. Exposure to family/whānau or intimate partner violence.

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DATE ADOPTED: Term 3 2024

DATE FOR REVIEW: Term 2 2025

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- **Neglect** - neglect is the most common form of abuse, and although the effects may not be as obvious as physical abuse, it is just as serious. Neglect can be: Physical (not providing the necessities of life, like a warm place, food and clothing). Emotional (not providing comfort, attention and love). Neglectful supervision (leaving children without someone safe looking after them). Medical neglect (not taking care of health needs). Educational neglect (allowing chronic truancy, failure to enrol in education or inattention to education needs).

Given the link between family violence, intimate partner violence and child abuse, it is also important to understand these terms:

- **Family violence** - has been defined by the NZ Family Violence Clearinghouse as violence and abuse against any person whom that person is, or has been, in a domestic relationship with. This can include sibling against sibling, child against adult, adult against child and violence by an intimate partner against the other partner (NZ Family Violence Clearinghouse; Issues Papers 3 & 4 April 2013).
- **Family violence** - is also defined in Te Rito, the NZ Family Violence Prevention Strategy, as covering a broad range of controlling behaviours, commonly of a physical, sexual and/or psychological nature that typically involve fear, intimidation or emotional deprivation. It occurs within a variety of close interpersonal relationships, such as between partners, parents and child siblings, and in other relationships where significant others are not part of the physical household but are part of the family and/or are fulfilling the function of family. Common forms of violence in families/whānau include:
 1. Spouse/partner abuse (violence among adult partners).
 2. Child abuse/neglect (abuse/neglect of children by an adult).
 3. Elder abuse/neglect (abuse/neglect of older people aged approximately 65 years and over, by a person with whom they have a relationship of trust).
 4. Parental abuse (violence perpetrated by a child against their parent);
 5. sibling abuse (violence among siblings), (Te Rito – NZ Family Violence Prevention Strategy, Ministry of Social Development, 2002).

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PROCEDURES FOR PREVENTION OF CHILD ABUSE

RESPONSIBILITY OF MANAGEMENT

- The manager will undertake to implement the requirements of **Education (Early Childhood Services) Regulations 2008 56 and 57** as set out in Appendix B to ensure children are protected from ill-treatment and their health and safety is maintained.
- The manager will undertake to implement the requirements of **The Children's Act 2014** to ensure all employees, contractors and people undertaking paid work in the centre undergo a safety check process.
- The manager will undertake to implement the requirements of **The Privacy Act 2020 and the Children, Young Persons and their Families Act 1993** to keep children safe when abuse or suspected abuse is reported or investigated.

STAFF SELECTION

- The centre will employ staff only after an interview and thorough checking on the applicant's work history. This will include completing the 7 point safety check set out in Appendix C.
- All employees, including contractors, will have been passed through the Police vet check process.
- All staff not holding a current Registered Teacher Practising Certificate will have a 7 point safety check every three years.
- Management will ensure when selecting staff that they have the skills and attributes to ensure children's safety.
- When employing temporary or casual staff, the applicant's referees will be contacted prior to employment.
- All staff, including volunteers, will be required to read and abide by the Child Protection Policy.
- The centre will ensure 7 point safety check have been completed for all relief staff prior to their beginning work in the centre.
- In the event of an unexpected event, emergency or being unable to access relief staff with a current 7 point safety check completed by the centre, the centre will employ the person for up to five days without a full 7 point safety check provided that person has had a full check completed elsewhere. The centre will complete a proof of identity check prior to the person beginning work. The 7 point safety check process will begin on the person's first day in the centre or earlier if possible.

SAFETY CHECKS FOR STUDENTS

The Centre will accept 7 point safety checks that have been completed on their behalf by another provider.

- Before a student begins working in the centre the manager will check with the students Education Institution/Training Provider that they have completed all the components of a safety check consistent with the requirements for that student, any components not completed by them will be completed by the centre.
- The centre will complete the identity check and risk assessment for all children's workers, including students even if these have already been completed by another person or organisation.

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STAFF SUPERVISION

- Two staff members will be rostered on at all times. At no time will a teacher be left alone with children in the centre or be alone with children in a closed space in the centre.
- Careful consideration will be taken in the deployment of staff to ensure children are supervised at all times, and staff are at all times visible to other staff. Teachers should identify secluded areas in the centre environment and inform another adult if they are to enter those areas when children are present.
- If it is necessary for a child to be withdrawn by an adult this should be to an open space in the centre.
- The care of children involves physical contact; this is normal, natural and desirable. It is natural to touch them to show affection, to comfort, to reassure them, and to give them praise, as well as taking care of some of their physical needs. However, it is not acceptable to force unwanted affection or touching on a child. Physical contact with children during changing or cleansing must be for the purpose of that task only and be no more than is necessary.
- When staff are changing nappies or toileting children, other staff should be made aware that they are carrying out these duties.
- Procedures for changing wet or soiled children will be displayed in the bathroom area.
- A record will be kept of every child who is changed at the centre. This will include the date, time, and signature of the staff member changing the child. Whenever possible, children will be supported to change their own clothes.
- Students and casual relievers will work with children only under direct supervision and are not permitted to undertake any caregiving routines.
- If children are to leave the centre as part of the centre programme they will always be accompanied by a teacher and one or more adults.

PARENT INVOLVEMENT

- The centre has an open door policy where parents are welcome to visit at any time and to be involved as much as possible.
- Parents and visitors are not permitted to undertake any caregiving routines with other people's children or be alone with them.
- If any teacher is concerned that a parent/adult collecting a child may be under the influence of alcohol or drugs they will seek support from another staff member and:
 1. Ask the parent/adult if anyone can be contacted to take them home or a taxi fare offered.
 2. In the case of parents/adults where the above is not satisfactory and the safety of children and staff is at risk, the Police will be informed.
- Children cannot leave the centre without written permission from parents, except in an emergency. If a non-custodial parent/guardian wishes to collect a child from the centre the custodial parent will be informed before the child leaves the centre.

PROFESSIONALISM

- Management will encourage staff to keep their personal and professional lives separate. Confidentiality is to be maintained at all times.

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- At least once each year, the Child Protection Policy will be discussed at a staff meeting to ensure staff are familiar with the policy and are continually reminded of their responsibilities.
- The management team is committed to ensuring staff are familiar with this policy, and is aware of how to prevent, recognise and respond to abuse. All new staff will familiarise themselves with this policy during their induction process.
- Other information relating to preventing child abuse will be included in our parent library enabling parents and staff to access the information at all times.
- If parents have concerns about the treatment of a child by our staff, they are encouraged to make this known to the manager/head teacher, who will ensure that the matter is investigated and acted on immediately as per the complaints procedure.

PREVENTATIVE EDUCATION

- All teachers follow the Developing Social Competence in Children Policy, which promotes positive guidance of children's behaviour.
- Teachers work as a team to ensure they can support each other in managing children's challenging behaviours. If a teacher is feeling stressed by the behaviour of a child/ren they should immediately communicate this to another member of the teaching team.
- Information is provided on the prevention and recognition of child abuse as set in Children's Action Plan Guidelines.
- Education of children and parents/whanau is important in the prevention of child abuse. We encourage parents to make use of education programmes organised by agencies in the community.

USING PROFESSIONAL AGENCIES

- The management team and staff will be aware of the professional agencies to contact in the case of suspected child abuse. The staff could contact the Community Public Health Nurse, or Parentline for support, or contact the Care and Protection division of Oranga Tamariki. In a serious case, the staff may have contact with the Police.
- Staff should not assume responsibility beyond their level of expertise, and management should contact a professional agency for support where necessary.

PROTECTION TO EXPOSURE FROM INAPPROPRIATE MATERIAL

- Inappropriate material is anything of an explicitly sexual or violent nature.
- All teachers will be made aware of cyber safety practices when using ICT with children.
- Any magazines and other materials provided for children to use will be checked for inappropriate images
- No person under the influence of alcohol or any other substance that has a detrimental effect on them is to be present within the centre during the service's hours of operation.

RESPONDING TO SUSPECTED CHILD ABUSE

Any Person is able to report suspected child abuse to Oranga Tamariki, team leaders or management.

- Always believe what children tell you, and what you see.

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- Always take action in the short term to ensure the immediate safety of the child. This may mean contacting Oranga Tamariki or the Police if you think there is an immediate risk of the child being abused again.
- Record your concerns or communication with the child which cause concern. Record observations and keep any relevant art work from the child if this could help. All records will be stored confidentially in the Centre's filing system and made available only to people directly dealing with the abuse.
- Do not make decisions alone. Consult with someone experienced. If there is no short-term risk, take time to consult thoroughly in order to make a well-informed decision. If you are certain that the suspected child abuse has occurred outside the family or by a person not closely known to the family, speak to the parents before you report the suspected abuse. Be sure you have the skills, help and support to present the information to the parents.
- If you suspect that the abuse may have been perpetrated by a family member or someone close to the family, do not contact them. Obtain support from an appropriate person who will inform them at an appropriate time.
- If you suspect that child abuse has been perpetuated by a staff member or other person assisting at the centre, you should report the matter promptly to management, who will then report the matter to statutory authorities. This procedure does not preclude the right of any staff member to report instances of child abuse directly to Oranga Tamariki or the New Zealand Police.
- Act on your concerns. Don't leave it to someone else or hope it won't happen again. If you have told the person you believe is responsible for taking action and they do not act, take further action yourself.
- The situation can be stressful. Seek support for yourself by informing management. Management will obtain support from agencies and organisations that specialise in abuse situations.
- Outside organisations which offer support are Oranga Tamariki, Police, Community Public Health Nurse, Area Health Boards, child and family counseling Services, Awhina Wahine, child help lines, Community Mental Health.

OUTSIDE SUPPORT ORGANISATIONS

- Oranga Tamariki
0508 326 459
- POLICE
(03) 307 8400 OR 111
- Community Public Health Nurse
(03) 307 8378
- Area Health Board
(03) 308 4149
- Awhina wahine
04) 232 9817
- Child Help lines –

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0800 kidsline, 0800whatsapp, Youthline 0800 376633 or Free TXT 234 and Healthline 0800 611 116

- Community Mental Health. Ashburton Adult Community Service
03 307 6923

GUIDELINES FOR STAFF WHEN A CHILD DISCLOSES ABUSE

Staff must:

- **LISTEN** to the child.
- Believe what they say.
- Say that you are glad they told you.
- Say "Sorry it happened".
- Let them know it was not their fault.
- Let them know you will help.
- Record and date the disclosure.
- **Remember that questioning can lead to misrepresentation of the actual events.** Take caution with any questions asked. Focus should be on allowing the child to talk and disclose information to an adult rather than an adult asking questions.
- **Most importantly you are there to support the child.**

ALLEGATIONS OR CONCERNS ABOUT STAFF

If an allegation of abuse is made about a staff member the centre will:

- If a staff member is aware that an allegation of abuse of a child has been made against them they are strongly advised to follow this procedure:
- Contact a lawyer specialising in allegations of abuse of children or, if a member, NZEI Te Riu Roa.
- The centre will follow the procedures set out in Appendix A.
- Should allegations of abuse against a staff member be proven this will be treated as serious misconduct.

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APPENDIX A

Licensing Criteria HS 31-33

PROCEDURES WHERE CHILD ABUSE IS SUSPECTED/DISCOVERED	
ABUSE SUSPECTED/DISCOVERED	
Advise the manager or team leader or Oranga Tamariki	
If in immediate danger (i.e. child cannot return home) act with urgency. Contact Oranga Tamariki.	Concerns for the safety and wellbeing of the child may be discussed with Oranga Tamariki, management or team leaders if required.
FACTS RECORDED	
CONSULT WITH OUTSIDE AGENCIES (HEALTH NURSE, ORANGA TAMARIKI)	
Concerns Confirmed	Concerns not Confirmed
1. Report to Oranga Tamariki/Police. <i>Await further contact before taking any action.</i> 2. Seek support for yourself.	1. Continue to closely monitor the situation in consultation with others.
NOTE: The centre staff or manager/team leaders have the right to ask for confidentiality when reporting a suspected case of abuse to Oranga Tamariki/Police. This must be stated clearly in the first contact with Oranga Tamariki/Police.	

IF A STAFF MEMBER IS ACCUSED OF ABUSING A CHILD

The Manager will:

- Make sure that the child is safe and protected in the childcare centre environment.
- Inform the employee of their right to support from a person/s of their own choosing, such as a legal representative, union counsellor, family member or friend.
- Inform Governance/Owners as soon as possible.
- Keep records of any formal discussions regarding the matter.
- Contact the child's parents/caregivers when appropriate.
- Contact insurer and/or legal advice.

The Manager and/or Governance/Owner will:

- Grant the employee discretionary leave.
- Conduct the initial investigation.
- Inform Oranga Tamariki and the Police if necessary. The decision to follow up on any allegations should be made in consultation with these agencies.
- Invoke disciplinary procedures as per the staff member's employment contract.
- The centre will treat employees accused of child abuse fairly and according to their contract.

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APPENDIX B

Education (Early Childhood Services) Regulations 2008

56 ILL-TREATMENT OF CHILDREN

- (1) In order to ensure that the standards set out in this Part are complied with, the service provider of a licensed service and any educator who provides education and care for a licensed home-based education and care service must comply with subclause (2) if the service provider or educator has reasonable grounds to believe that a person employed or engaged in the service, or any other person:
- a) has physically ill-treated or abused a child or committed a crime against children; or
 - b) in guiding or controlling a child, has subjected the child to solitary confinement, immobilisation, or deprivation of food, drink, warmth, shelter, or protection.
- (2) The service provider and the educator must ensure that:
- a) the person is excluded from coming into contact with the children participating in the service or, as the case requires, the children being educated by the educator; and
 - b) if satisfied that it is necessary to do so to ensure that no child is ill-treated, ensure that the person is excluded from the service and does not enter or remain in any premises where the service is provided while it is being provided.

57 HEALTH & SAFETY OF CHILDREN

- (1) In order to ensure that the standards set out in this part are complied with, the service provider of a licensed service and any educator who provides education and care for a licensed home-based education and care service must comply with subclause (2) if the service provider or educator has reasonable grounds to believe that a person employed or engaged in the service, or any other person:
- a) is in a state of physical or mental health that presents any risk of danger to children; or
 - b) has an infectious or contagious disease or condition.
- (2) The service provider and the educator must ensure that:
- a) the person is excluded from coming into contact with the children participating in the service or, as the case requires, the children being educated by the educator; and
 - b) if satisfied that it is necessary to do so to ensure that no child becomes ill, ensure that the person is excluded from the service and does not enter or remain in any premises where the service is provided while it is being provided.
- (3) This regulation does not apply in respect of a licensed hospital-based education and care service to which the Health and Disability Services (Safety) Act 2001 applies.

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APPENDIX C

7 POINT SAFETY CHECK

The following checks must have been completed for all people a specified organisation is seeking to employ or engage as a children's worker (including as a contractor) from 1 July 2015 for core children's workforce roles, and from 1 July 2016 for non-core children's workforce roles.

1. Identity confirmation, either by:
 - a) Use of an **electronic identity credential** (e.g., the RealMe identity verification service), and a search of personnel records to check that the identity has not been claimed by someone else.
 - b) Following the regulatory process to provide confidence that:
 - i. The identity exists (i.e. that it is not fictitious) by **checking an original primary identity document**.
 - ii. The identity is a 'living' identity and the potential children's worker uses that identity in the community by **checking an original secondary identity document**.
 - iii. The potential children's worker links to the identity either by checking an identity document that contains a **photo**, or by using an **identity referee**.
 - iv. Searching **personnel records** to check that the identity has not been claimed by someone.
2. An **interview** of the potential children's worker. The interview may be conducted via telephone or other communications technology.
3. Obtaining and considering a **work history**, covering the preceding five years, provided by the potential children's worker.
4. Obtaining and considering information from at least one **referee**, not related to the potential children's worker or part of their extended family.
5. Seeking information from any relevant professional organisation, licensing authority, or registration authority, including (but not limited to) confirmation that the potential children's worker is currently a member of the organisation, or currently licensed or registered by the authority, i.e. Teaching Registration Number and research it on the Teachers Council website.
6. Obtaining and considering information from a New Zealand Police vet and if applicable an overseas Police certificate if the worker has lived in another country for a year or more, unless at least three-yearly New Zealand Police vetting is already a condition of the potential children's worker holding professional registration or a practicing certificate (and the specified organisation has confirmed that that registration or certificate is current). Get a verified copy of their teaching qualification e.g. JP signed copy of University Qualification.
7. Evaluation of the above information to **assess the risk** the potential children's worker would pose to the safety of children if employed or engaged, taking into account whether the role is a core children's worker or non-core children's worker role.

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CHECKS REQUIRED FOR PERIODIC RECHECKING

Every three years following their checks at the required standard, the following checks must be complete for each person an organisation continues to employ or engage as either a core or non-core children's worker.

1. Confirmation that the children's worker has not changed their name from the name on the documents produced during the initial identity confirmation (i.e., the presented primary or secondary document). If there has been a change to the person's name since he or she was last safety checked, the person must reconfirm his or her identity by producing a supporting name change document relating to his or her name change.
2. Seeking information from the Teaching Council of Aotearoa or any relevant professional organisation, licensing authority, or registration authority, including (but not limited to) confirmation that the person is currently a member of the organisation, or currently licensed or registered by the authority.
3. Obtaining and considering information from a **New Zealand Police vet**, unless the worker holds a Current Registered Teacher Practicing Certificate and the Teaching Council of Aotearoa has confirmed that the registration is current.
4. Evaluation of the above information to **assess the risk** the children's worker would pose to the safety of children if employed or engaged, taking into account whether the role is a core children's workforce or non-care children's worker role.