

# CHILD PROTECTION POLICY



## RATIONALE

- ◆ The Education (Early Childhood Services) Regulations 2008 require all early childhood services to have a child protection policy in place for the prevention of child abuse and a procedure for responding to suspected child abuse.
- ◆ New Beginnings Preschool recognises the important role and responsibility of all of our staff in the protection of children by identifying and responding to suspected child abuse or neglect and appropriately responding to concerns about the wellbeing of a child. The interest and welfare of the child or young person will be the primary consideration when any action is taken about suspected abuse.
- ◆ This policy applies to all staff, including volunteers and part-time or temporary roles and contractors. It is intended to protect all children that staff may encounter, including siblings, the children of adults accessing services and any other children encountered by staff as they provide their service
- ◆ We recognise the rights of family/whanau to participate in the decision making about their children
- ◆ The service provider excludes any person employed or engaged in the service from coming into contact with children if they have reasonable grounds to believe that the person: has physically ill treated or abused a child or committed a crime against children; or in guiding or controlling a child, has subjected the child to solitary confinement, immobilization, or deprivation of food, drink, warmth, shelter or protection, Reg. 56, The Education (Early Childhood Services) Regulations 2008

## Purpose

- ◆ To provide guidelines for the identification and reporting of child abuse and neglect, and information about how the service will keep children safe from abuse and neglect, and how it will respond to suspected child abuse and neglect.
- ◆ To provide a non-threatening environment for children and minimise the risk of abuse of children; making the safety and well being of children the main concern.
- ◆ To maintain a good working relationship with the statutory agencies and be familiar with the laws which serve to protect children and young persons from abuse.
- ◆ To ensure that concerns about the safety of children are taken seriously and responded to quickly.
- ◆ To provide guidelines on selecting staff. E.g. police vetting and background checks. (All ECE services must safety check their children's workers)
- ◆ To establish clear boundaries for staff when working with children.
- ◆ To support a culture of openness and accountability; allowing staff to feel they can constructively challenge poor practice and raise issues of concern without fear of reprisal.

The New Beginnings Preschool Centre Manager is the *Designated Person for Child Protection*

## Attachments

1. Definitions
2. Confidentiality and information sharing
3. Identifying suspected child abuse
4. Responding to suspected child abuse
5. Guidelines for selecting staff
6. Prevention of child abuse
7. Reporting process for child abuse flowchart

## Relevant Legislation;

- Children's Act 2014
- Care of Children Act 2004
- Privacy Act 1993
- Children, Young Persons and their families Act 1989 **is now Oranga Tamariki Act 1989**
- Victims' Rights 2002

## To be read in conjunction with:

Personnel Policy  
Complaints Procedure  
Supervision Procedure

## Responsibilities

Implemented by the Preschool Centre Manager as Designated Person for Child Protection.

### 1. Definitions

- *Child abuse* refers to the harming (whether physically, emotionally or sexually), ill treatment, abuse, neglect, or serious deprivation of any child/tamariki, young person/rangatahi (Section 14B **Oranga Tamariki Act 1989**).
- *Physical abuse* - any acts that may result in physical harm of a child or young person.
- *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.
- *Emotional abuse* - any act or omission that results in adverse or impaired psychological, social, intellectual and emotional functioning or development.
- *Neglect* - the persistent failure to meet a child's basic physical or psychological needs, leading to adverse or impaired physical or emotional functioning or development.
- *Family violence* may be witnessed / experienced by children and involve physical, sexual and emotional abuse.

### 2. Confidentiality and information sharing

- The preschool will seek advice from Oranga Tamariki **0508 326 459** and/or the Police before identifying information about an allegation is shared with anyone, other than the Designated Person

for Child Protection (Preschool Centre Manager). In general, when collecting personal information about individuals, privacy and confidentiality will be maintained.

- All staff may disclose information in conjunction with the Designated Person for Child Protection (Preschool Centre Manager) under the Privacy Act/Health Information Privacy Code where there is good reason to do so – such as where there is a serious risk to individual health and safety (see privacy principle 11/Code rule 11). Disclosure about ill-treatment or neglect of a child/young person may also be made to the Police or Oranga Tamariki under sections 15 and 16 of the Children, Young Persons, and Their Families Act 1989.

### **3. Identifying and responding to suspected child abuse**

#### **Identifying child abuse and neglect**

- The physical and behavioural signs, symptoms and history listed below may indicate abuse or neglect. However, they are not specific to abuse or neglect. In certain situations, contexts and combinations they may indicate other conditions. All signs must be examined in the total context of the child or young person's situation.
- It is normal for people to feel uncertain, however, the important thing is that staff should be able to recognise when something is wrong, especially if a pattern is noticed or several signs together cause concern.
- The Designated person for Child Protection (Preschool Centre Manager) will provide up-to-date information and training to staff on responding to and recognizing the signs of child abuse.
- Appropriate agencies will be contacted for information and support for staff when required.

#### **Some signs of potential abuse / neglect**

- Physical signs of abuse: unexplained injuries, burns, fractures, unusual or excessive itching, genital injuries, sexually transmitted diseases.
- Neglect: looking rough and uncared for, dirty, without appropriate clothing, underweight
- Medical neglect (e.g. persistent nappy rash or skin disorders or other untreated medical issues).
- Developmental delays (e.g. small for their age, cognitive delays, falling behind in school, poor speech and social skills).
- Emotional abuse/neglect (e.g. sleep problems, low self-esteem, obsessive behaviour, inability to cope in social situations, sadness/loneliness and evidence of self-harm).
- Behavioural concerns (e.g. age- inappropriate sexual interest or play, fear of a certain person or place, eating disorders/substance abuse, disengagement/neediness, aggression).
- The child talking about things that indicate abuse (sometimes called an allegation or disclosure).

**Notes:** it is not important to identify what specific kind of abuse might be occurring. Staff will need to be aware of and able to recognise the whole range of concerning signs.

### **4. Responding to suspected child abuse**

- If this concern is about possible abuse or neglect, staff need to know how to contact with the statutory agencies (Oranga Tamariki or the Police) to make a referral. Discuss any concern with the designated person for child protection. No decisions should be made in isolation.

- Oranga Tamariki National Contact Centre 0508 **Family (0508 326 459)**
- All staff (including contractors and volunteers) have a responsibility to discuss any child protection concerns, including suspected abuse or neglect, the *Designated Person for Child Protection*.
- Where any person reports to a staff member any suspicions of child abuse at the centre, the staff member, if appropriate, shall immediately notify the *Designated Person for Child Protection*. It is advisable that no staff member will take action alone in these matters and that any action taken should ideally be after consultation with the *Designated Person for Child Protection*. However, it is important to note that **ANY** person may directly report suspected child abuse to Oranga Tamariki 0508 Family (0508 326 459) or if the child is immediate danger contact the New Zealand Police.
- If the suspected abuse was reported to the *Designated Person for Child Protection* and circumstances are such that it is reasonable to believe that the complaint will not be or has not been acted on by the *Designated Person for Child Protection*, then the staff member or parent themselves should contact an outside support agency.
- Those involved in the allegation, investigation or report must not discuss these matters with other staff, nor the person/s or parents involved in the alleged abuse, nor other parents, nor with persons outside the centre. Where appropriate the person making the allegation will be given a copy of this policy.
- Information volunteered by a child should be fully and accurately recorded. No child should be interviewed or in any way questioned about the suspected abuse. Record word for word what the child said and the date, time and who was present.
- Support will be offered to the person reporting and the child reported on.
- When advised about an incident or allegation, the *Designated Person for Child Protection* shall immediately investigate and shall fully, carefully, objectively and accurately record in writing both the allegation and a diary version of the process and results of the investigation.
- The Designated Person for Child Protection must, as soon as possible, contact the New Beginnings Preschool Board of Trustees and advise them of the situation and keep them informed of any developments.
- The *Designated Person for Child Protection* shall where appropriate seek the assistance of Oranga Tamariki, the Ministry of Education or other ‘professional support’ agencies in order to carry out a suitable and fair investigation. During the investigation priority must be given to protect the child and to protect the rights of those involved
- Where there is an incident involving a child while at the preschool that is required to be notified to a [specified agency](#), the preschool must notify the Ministry of Education at the same time. A copy of the notification sent to the specified agency should also be provided to the Ministry of Education.

For further information relating to reporting child abuse please use the attached ‘Reporting Process for Child Abuse’ chart attached

#### **When a Staff Member is suspected:**

- New Beginnings Preschool Board of Trustees will be notified as soon as an allegation has been made
- The staff member will be removed from contact with the children until the investigation of the allegation is completed.

- The child must not be exposed to unnecessary risk. This may mean suspending an employee from their duties, subject to the requirements of the applicable employment contract and relevant legal obligations. At the very least separate the child and the staff member. The procedures set down in the Personnel Policy and Individual Employment Agreements will be followed at all times.
- Initial report of any incident must be written down in full as soon as possible.
- Where appropriate the Designated Person for Child Protection (Preschool Centre Manager) will discuss the incident as soon as practicable with the staff member and other possible witnesses. The staff member's version of the incident will be investigated before any decision is made.
- Where any evidence that an instance of child abuse has taken place, an appropriate outside support agency should be contacted by the Designated Person for Child Protection (Preschool Centre Manager). \*While it is preferable that any complaint of suspected child abuse against a staff member be dealt with through the Designated Person for Child Protection (Preschool Centre Manager), it is important to note that **ANY** person may directly contact Oranga Tamariki, Ministry of Education or the Police that an investigation is underway.
- The Designated Person for Child Protection (Preschool Centre Manager) will contact the Board Chair and Board HR committee as soon as possible and inform them of the incident.
- The centre will take into account the advice of Oranga Tamariki or other support agency as to whether Police or parents will be advised, unless it is clear that a criminal offence has taken place, in which case the Police will be advised directly.
- The parent of the child (or children) affected will be advised as soon as possible after the investigations are reasonably complete, if the accusation or implication appears to be substantiated, unless such advice is deemed by the Designated Person for Child Protection (Preschool Centre Manager) to be inappropriate.
- Whilst the protection of the child is paramount, the next obligation of the management shall be a fair and full investigation. Care will be taken to ensure that the presumption of innocence of those accused or implicated will be maintained until investigations are complete. Counseling and support will be offered to any member of staff who has been falsely accused.
- The Education Act 1989 stipulates that an employer must provide a mandatory report to The Teaching Council of Aotearoa New Zealand | Matatū Aotearoa in various circumstances. A mandatory report must be made by The Designated Person for Child Protection (Preschool Centre Manager) when they have reason to believe that a teacher has engaged in serious misconduct.
  - *1. The criterion for reporting serious misconduct is that an employer suspects on reasonable grounds that a teacher has engaged in any of the following: a. the physical abuse of a child or young person (which includes physical abuse carried out under the direction, or with the connivance, of the teacher) b. the sexual abuse of a child or young person.*
  - *2. Physical, sexual, or psychological abuse is reportable whether it occurs as— a single act; or (b) a number of acts forming part of a pattern of behaviour, even if some or all of those acts, viewed in isolation, are minor or trivial.*
  - See <https://teachingcouncil.nz/content/criteria-reporting-serious-misconduct> for mandatory reporting forms.

#### **When abuse outside the preschool is suspected**

- Where there are reasonable grounds to suspect that a child has been or is subject to abuse, (but not in immediate danger) the Designated Person for Child Protection (Preschool Centre Manager) will be advised and will arrange for the child to be observed and a confidential record initiated.

- Where there are reasonable grounds to believe that a child is in immediate danger of abuse when they leave the centre or where an investigation or observations reveal evidence of abuse, the Designated Person for Child Protection (Preschool Centre Manager) shall notify the appropriate outside agency as soon as possible (i.e. Oranga Tamariki or Police). It should be noted that although it is preferable for the Designated Person for Child Protection (Preschool Centre Manager) to report any suspected abuse, ANY other person may report this to Oranga Tamariki or the Police.
- All observations, after an investigation has been notified, shall be kept in writing.
- If it is clear from an investigation that the parents are not involved in the abuse, they will be offered support, information and be made aware of a suitable support service.
- This is a stressful situation and support will be offered to the person reporting and the child reported on.

## 5. Guidelines for selecting staff

- 1) The Children's Act 2014 requires all people who will have access to children to be screened.
- 2) All new employees will be subject to disclosing/ declaring any previous criminal record or offences on the initial application form.
- 3) Thorough checks will be made regarding previous employment history.
- 4) In order to avoid violation of prospective employee privacy rights, all records will be confidential.
- 5) No appointments will be made without an interview.
- 6) Should any applicant refuse permission for screening, they will forfeit their employment opportunity.
- 7) Person responsible and all teaching staff who work during normal opening hours must be Police vetted/safety checked before starting to work with children. A Police check/safety check must be renewed every three years.
- 8) The Preschool will need to carry out all of the other components of the safety checking process for registered teachers. It must also: meet the teacher in person; check a primary identification document; check a specified form of photographic identification; check that the name on the practising certificate matches the name on the person's identity documentation; check the Education Council's online register (<http://www.educationcouncil.org.nz/search-the-register>) for the latest updates to the teacher's registration and practising certificate status; undertake a risk assessment.
- 9) The preschool will not employ or engage a person as a new children's worker until the **safety checks** have been completed. Centres/services cannot rely on a safety check done by a different employer (either current or previous) as the check was not done on their behalf. They must carry out all of the components themselves.
- 10) All new core children's workers must be safety checked prior to employment commencing. From 1 July 2016, new non-core children's workers must be safety checked. After 1 July 2018 you **cannot** continue to employ an existing core children's worker until the safety check has been completed. After 1 July 2019 you **cannot** continue to employ an existing non-core children's worker until the safety check has been completed.
- 11) Rechecking must be done every three years.

A **safety check** is made up of seven components:

1. Confirm their identity (including previous identities) (two identity documents required)

2. Interview applicant
3. Ask for a work history (CV)
4. Check at least one referee out of two or more provided
5. Gain more information from any relevant professional organisation or registration body
6. Do a New Zealand police vet
7. Complete a risk assessment.

A safety check of a **new employee** requires all seven components to be completed.

A safety check of an **existing employee's** requires the following four of the seven components to be completed:

1. Confirm their identity (including previous identities) (two identity documents required)
5. Gain more information from any relevant professional organisation or registration body
6. Do a New Zealand police vet, and
7. Complete a risk assessment.

All staff who have access to children would be considered a '**core children's worker**', as there will be times during the day when their duties require them to have 'primary responsibility for, or authority over' children. A '**non-core children's worker**' would include staff whose main duties do not require them to have 'primary responsibility for, or authority over', but whose work may include having access to children. All new core children's workers must be safety checked prior to employment commencing.

## 6. Prevention of Child Abuse

- It is the expectation of this preschool that no adult; be they staff member, trainee, parent or visitor; shall by their failure to act, collude in or cause any instance of child abuse.
- It is the duty of all staff, trainees or other adults in the centre to take all steps necessary to prevent any instance of child abuse at the centre.
- All staff should examine the opportunities or possible situations where staff could be alone with children. This should be avoided wherever possible and wherever possible an open door policy for all spaces should be used. The "openness" of the preschool will be encouraged and practiced.
- Opportunities will be limited for staff and other adults to be alone and out of sight with child/children.
- The bathroom and change areas will have viewing windows and doors will remain open when in use. The only acceptable touching of the genital area will be when a child is soiled and needs washing and changing or the application of ointment or medication. Cultural touching practices will be discussed with parents.
- All changes of clothes and nappies and any use of ointment or medication will be recorded.
- Any students, volunteers or informal help working in the preschool will not be left unsupervised with children or be permitted to undertake changes or toileting of children. A child's need for space and privacy will be respected.
- Sleeping children will be supervised.
- Staff should be aware of where all children are at all times and check to ensure what they are doing is appropriate. Be aware of situations where children are out of sight together (dens, playhuts etc.) and supervise accordingly.

- All visitors, volunteers and outside instructors should be monitored by permanent preschool staff
- No single employee will take children on outings.
- Children cannot leave the centre without written permission from parents except in an emergency.
- Clear professional boundaries will be established. There will be no baby-sitting, no holiday care and no after school care by staff involving any of the children enrolled at the centre. Staff will keep their professional and personal lives separate.
- Information leaflets, pamphlets and kits on child abuse will be available in the centre. Professional development /staff training will be available to staff if required.
- Professional development/staff training will be available to staff annually or when there is a change in legislation. It will also be part of the induction process when employing new staff.
- Consultation with parents will occur prior to any programmes on abuse being developed and /or introduced to children in the Preschool.
- Children will not have access to any devices e.g. laptops, computers, that may hold explicit material
- Any magazines or reading material that is being used for collage area, or the book corner will be first screened by a staff member.
- Training, resources and/or advice will be available to ensure that all staff can carry out their roles in terms of this policy, particularly:
  - Understanding child abuse and indicators of child abuse
  - How to reduce the risk of child abuse
  - Understanding and complying with legal obligation in regard to child abuse
  - Working with outside agencies on child abuse issues
  - Planning of environment and supervision to minimize risk
  - Dealing with child/parent/family/whanau

This policy will be part of the initial staff induction programme.

- The Preschool will use robust safety checking recruitment policies to help keep children safe, including confirming identity, obtaining references, conducting interviews and seeking a Police vet. All children's workers who have access to children are safety checked in accordance with the Children's Act 2014.

Date adopted:

Date for review: April 2020

Signed:

New Beginnings Preschool Board Chair

Signed:

New Beginning Preschool Centre Manager

**PROCEDURES WHERE  
Child Abuse is Suspected / Discovered**



**ABUSE SUSPECTED / DISCOVERED**  
Advise the Centre Manager



<p><i>If in immediate danger (i.e. child cannot return home) act with urgency.</i> Contact Oranga Tamariki National Contact Centre 0508 326 459</p>	<p><i>All staff have the right to take any concerns for the safety and well-being of a child directly to Oranga Tamariki and/or the Police.</i></p>
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**FACTS RECORDED**



<b>CONSULT WITH OUTSIDE AGENCIES (HEALTH NURSE)</b>	
<b>Concerns Confirmed</b>	<b>Concerns not Confirmed</b>
<ol style="list-style-type: none"> <li>1. Report to OT / Police. <i>Await further contact before taking any action.</i></li> <li>2. Seek support for yourself.</li> <li>3. Advise Centre Manager</li> </ol>	<p>Continue to closely monitor the situation in consultation with others.</p>

**NOTE: The Centre Manager have the right to ask for confidentiality when reporting a suspected case abuse to OT/ Police. This must be stated clearly in the first contact with OT / Police.**

## Child Protection Policy addition:

### Parent Involvement read in junction with the Enrolment Policy.

- The Centre has an open door policy where parents are welcome to visit at any time and to be involved as much as possible within the Centre.
- 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 any other substance that's has a detrimental effect on their functioning or behaviour, they will seek support from another staff member and:
  - Ask the parent/adult if anyone can be contacted to take them home or a taxi fare offered.
  - 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.
- If a parent or caregiver has special custody arrangements (i.e., anybody who is legally prevented from picking up or having contact with a child), they will be requested to bring in the court parenting orders for copying noting on the enrolment form, and APT Child management System under notes- custody issues. This information to be passed onto staff by the Administrator and a list kept in the yellow children's information folder (locked filing cabinet). This information will be revisited at each staff meeting.
- Photographs of any person unable to come into the Centre will be kept private and confidential.