

Child Protection¹⁸

We are committed to child protection and our responsibilities under the Children's Act 2014. We understand we all have a key role to play in making sure all our tamariki are safe, well cared for and able to flourish as part of the community. We endeavour to imbed a culture of child protection that safeguards and promotes the wellbeing/oranga of children in our care.

Child protection is about ensuring the staff and students working with children have the knowledge and practices to identify potential abuse and neglect, respond appropriately and understand their role for the safety and wellbeing of all children in our care.

Definition of Children's Worker

A person whose work may or does involve regular contact with children and takes place without a parent or guardian of the child / children being present.

Definition of Core Worker

A children's worker that when working with children may be the only children's worker present and / or has primary responsibility for, or authority over the children present.

Definition of Non-Core Worker

A children's worker who is not a core worker.

Definition of 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.

Definition of Abuse

The harming (whether physically, emotionally, or sexually), ill treatment, neglect or deprivation of any child or young person.

Indicators

Indicators are signs or symptoms that, when found either on their own or in various combinations, point to possible abuse, or neglect.

Indicators do not necessarily prove or mean that a child has been harmed. They are clues that alert us that abuse or neglect may have occurred and that a child may require help or protection.

Roles and Responsibilities

The earliest help is the best help. Early intervention always produces the best outcomes for tamariki.

All staff understand their roles and responsibilities. They should be confident to follow the 4 R's approach:

- Recognise the signs of abuse and neglect
- Respond to concerns or disclosures
- Report within the centre and externally
- Record for our records and high-quality referral

¹⁸ Education (Early Childhood Services) Regulations 2008. Reg 46 and criteria HS 31, HS 32, HS 33

Our communities are culturally diverse so we need to build an understanding so we can work in a way that respects their culture and ways of caring for tamariki while ensuring protection and wellbeing for all. We will seek cultural advice if we feel this would support our engagement with the whānau.

Decision-making take notice and act. Trust your instincts do not be afraid of getting it wrong. Spot the warning signs. Talk to your colleagues working with the child and the whānau. Seek from your manager and/or Organa Tamariki. Always act in the short term to ensure the immediate safety of the child. If there is no short-term risk, take time to consult thoroughly to make a well-informed decision. If you have told the person, you believe is responsible for acting and they do not act, take further action yourself.

Recognising the signs of vulnerability, neglect, and abuse

Staff need to be familiar with the indicators of abuse and neglect. They should also be aware of the vulnerability factors, which are indicators for an increased risk.

Indicators of potential neglect

- Physical neglect – not providing the necessities of life, like a warm place, food, and clothing (e.g., looking rough and uncared for, dirty, without appropriate clothing, underweight, persistent nappy rash, or skin disorders).
- Emotional neglect - not providing comfort, attention, and love (e.g., sleep problems, low self-esteem, obsessive behaviour, inability to cope in social situations, sadness/loneliness, and evidence of self-harm).
- Neglectful supervision - leaving children without someone safe looking after them (e.g., out and about unsupervised, left alone, no safe home to return to).
- Medical neglect- not taking care of health needs (e.g., persistent nappy rash or skin disorders or other untreated medical issues).
- Educational neglect - allowing chronic truancy, failure to enrol in education or inattention to education needs (e.g., poor speech and social skills and developmental delays).

Indicators of potential abuse

- 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, causing abrasions, strangulation, suffocation, drowning, poisoning and fabricated or induced illness (e.g., unexplained injuries, burns, fractures, bruises, disengagement / neediness, aggression).
- Sexual abuse - any acts that involve forcing or enticing a child to take part in sexual activities, whether 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.

(e.g., unusual, or excessive itching, genital injuries, sexually transmitted diseases, age-inappropriate sexual play or interest, fear of a certain person or place).

- 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 whānau or intimate partner violence. (e.g., sleep problems, low self-esteem, obsessive behaviour, inability to cope in social situations, sadness/loneliness, frequent physical complaints- nausea, vomiting, headaches, and evidence of self-harm).

Vulnerability Factors

- financial difficulties, unemployment, housing struggles overcrowding, child with special needs, substance abuse***, parents with learning disabilities, isolated from friends and whānau, family violence***, mental illness that is untreated or unmanaged***, parents separating, transient families.

The toxic trio *** if you are aware of tamariki exposed to the toxic trio this information will be shared with Oranga Tamariki.

Responding

When a child tells you about abuse:

- Listen to the child. Disclosures by tamariki are often subtle and need to be handled with care, including an awareness of the child's cultural identity and how that affects interpretation of their behaviour and language.
- Reassure the child. A child's initial disclosure of abuse is a critical moment. Your response is extremely important: Do not put words into the child's mouth. Allow them to tell only as much as they want to. Let the child know that they are not in trouble and have done the right thing – do not agree 'not to tell anyone'. Let them know, you're glad they told you, you're sorry it happened. It's not their fault, you'll help.
- Ask open ended prompts. Do not interview the child. Questions should be open prompts for the child to continue - e.g. What happened next? Do not make promises that can't be kept.
- If the child is visibly distressed. Provide appropriate reassurance and engage in appropriate activities under supervision until they can participate in ordinary activities.
- If the child is in immediate danger. Contact the police immediately on 111
- Record. As per guidelines below.
- Seek advice. Call Oranga Tamariki and together you can work on a plan.
- Store relevant information securely. Store the record of concern, any related discussions and correspondence, advice received, actions organisation took including rationale.

If you are worried about the child wellbeing/oranga or safety.

- Trust your instincts
- Spot the warning signs
- Listen

- Talk to other professionals
- Record
- Seek advice

If you notice the child and/or their whānau may be struggling, get involved early.

- Listen to them and let them know you are there to help.
- Provide encouragement and offer support.
- Linking them with others who can offer support. If appropriate, you can put them in touch with other people and services. See Safeguarding Children's list of service providers who can help you guide you in the right direction. [Support Services_SC Resource \(28.09.21\) \(safeguardingchildren.org.nz\)](#)
- Record. As per guidelines below.
- Seek advice. Call Oranga Tamariki and together you can work on a plan.

Recording

Using the 'Child Protection 'Record of Concern' and document as soon as possible as accurately as you can:

- what the child told you, using the words they used, how you responded and how disclosure came about i.e., role play, drawing...
- factual concerns or observations that led to the suspicion of abuse or neglect.
- the date, time, location, and names of staff/person who were present.
- the actions taken by the service and advice received.

Share information with the right people at the right time. The Oranga Tamariki Act 1989 information sharing provisions enables those working with the child's welfare and protection sector to share relevant, accurate and up to date information for the safety and wellbeing of the child and to support their best interests.

Store relevant information securely and record of advice received.

Reporting and notifying authorities regarding suspected abuse or neglect

- Anyone can report a concern. Share information with care and respect.
- If you have a concern about a child's safety or wellbeing, we encourage you to report this to your manager and/or seek advice from Oranga Tamariki in the first instance. This will be done at the first possible opportunity to best ensure the safety of the child.
- The manager has the ultimate responsibility to ensure appropriate authorities are notified.

If you have concerns, you have a responsibility to report your concern:

- For emergencies or immediate safety concerns call the **Police on 111**. The primary response must be to ensure the safety of the child.
- If you're worried about a child and want advice, to report a concern call: **Oranga Tamariki 0508 Family (0508 326 459)** or email contact@ot.govt.nz
- If the concern has involved an allegation from a registered Kaiako a mandatory report to the **Teaching Council of Aotearoa NZ** will be required.
- If the concern has resulted in serious injury or harm to a child or adult carrying out work, or as a result of the education and care of children provided by the service contact **Worksafe NZ on 0800 030 040**
- Contact local Ministry of Education advising of Incident at the same time as report to any of the above agencies and specialists.

Follow the advice and guidance provided by the relevant expert agencies.

Dealing with allegations or concerns made against a staff member

Allegations, suspicions or complaints of abuse or neglect against staff, volunteers or representatives of other agencies will be taken seriously and reported to the Manager or Service Provider immediately.

We will respond to suspicions and allegations of child abuse by a member of staff in a manner which best ensures children's immediate and long-term safety and will treat suspicions or allegations against a staff member with the same seriousness as suspicions or allegations made against any other person.

The decision to follow up on an allegation of suspected abuse or neglect against an employee should be made in consultation with Oranga Tamariki and if relevant the Teaching Council, to ensure that any actions taken do not undermine any investigations being conducted, or to be conducted, by the external agencies.

When abuse is suspected or an allegation made against a staff member, the first consideration will be to ensure the safety of child. We will adhere to the principles of the employment agreement in which the suspected staff member (or volunteer) will be informed fully of their rights. A risk assessment must be undertaken to determine what level of access, if any, that person should have, to other children. If risk is low, they will still be prevented from having further unsupervised access to children during any investigation.

If the concern has involved an allegation from a staff member contact the local Ministry of Education Office notifying them of the allegations.

Centre practice procedures

Staff Employment and Safety Checking

New employees, volunteers, and any other person in regular unsupervised contact with tamariki will undergo a thorough checking of their credentials, as per the guidelines in the Children's Act 2014 summarised below. For full procedures see the Children's Worker Safety Checking Policy and Human Resource Management Policy.

- Identity Check (as per Children's Act 2014 procedures).
- Interview with applicant.
- Work history covering the applicant's preceding five years of employment.
- Verbal contact with at least one referee that is not related to or part of the applicant's extended family.
- Seeking information from any relevant professional organisations.
- A New Zealand Police vet (unless at least three-yearly New Zealand Police vetting is already a condition of the applicant's holding professional registration or a practicing certificate, and the specified organisation has confirmed that that registration or certificate is current).
- Information gained from the above credentials and checks will be used to assess the risk the potential applicant would pose to the safety of children if employed. Applicants are carefully considered ensuring they have the appropriate skills and attributes which will not compromise the safety and well-being of tamariki.

Staff Training

The service is committed to protect our children against child abuse and neglect by developing staff expertise to:

- recognise and respond appropriately to indications of child abuse and neglect.
- be familiar with the expectations, know their roles and implement appropriate procedures especially regarding documentation, contacting and working with child abuse / protection agencies.
- be aware of the laws and regulations, rights and responsibilities of children, staff parents and agency personnel, which relate to child abuse and protection.
- We offer various forms of professional learning and development for staff to educate and support the implementation of this policy:
- Staff will be provided with a health and safety induction and annual refresher training to develop their knowledge and understanding of:
 - The signs and symptoms of child abuse and neglect
 - Roles and responsibilities around record keeping and reporting
 - Responsibilities to children
 - Limitations of their role
 - How to recognise and report suspected or actual child abuse and neglect
 - Record keeping – your concerns, details of incidents / events / signs emerging or noticed patterns including dates, the reasons why you think this child is at risk or suffering abuse or neglect.

Acceptable Touching and Handling of Children:

- If a child initiates physical contact in the seeking of affection, reassurance or comfort it is appropriate to respond.
- In staff initiated physical contact, the principle that they will only do so to meet the child's physical or emotional needs should guide staff.
- It is not appropriate to force unwanted affection or touching on a child.
- Physical contact of children during changing or cleaning must be for that task only and be no more than is necessary. Encourage children to take care of themselves as they get older.
- Regular relievers will only be allowed to change or toilet children at the discretion of the Person's Responsible.

Students on Practicum

- All students on practicum at the centre must be safety checked by the tertiary education organisation that they are enrolled in. The centre needs
- to confirm that the safety check is to the Children's Act 2014 standard and do an identity check and a risk assessment.
- The centre will need to confirm the identity of the student by checking two forms of identity documents –
 - An original primary identity document (e.g., passport) and
 - A secondary identify document (e.g., a driver's license)
- Once this information has been gathered an assessment is made of the risk the student would pose to the safety of tamariki if engaged.

Visitors to the Centre

- All visitors to the centre must first report to the office and sign in. Visitors at no time will be left unattended with children. Visitors should be always supervised by staff without exception. No visitors or relieving staff are to complete care procedures for children, this includes nappy changing or putting children to bed when they would be in an isolated situation.

- ‘Visitors’ include (but are not limited to): volunteers, parents and whānau, student teachers on practicum, Ministry of Education and Education Review Office officials, health workers, children’s entertainers, and contractors.

Smoke-free, Vape-free

We are committed to the aims of the smoke free law under the Smokefree Environments and Regulated Products (Vaping) Amendment Act 2020 which is to:

- Protect staff, tamariki, whānau and visitors to our Centre from second-hand smoke
- Reduce the harm caused to individuals by their smoking
- And further promote a smoke-free lifestyle as the norm.

The building and grounds of our Centre are always smoke-free and vape-free.

Alcohol / Drugs

- Staff members must not use or be under the influence of alcohol or any other substance responsible for children attending the service. No alcohol is to be consumed on premises during licensed hours. Failure to comply with this will be a breach of employment conditions treated as serious misconduct.
- If any parent arrives to pick up their child whilst suspected to be under the influence staff will use their discretion to decide whether the child is safe to be driven by the parent. Staff can offer to call another family member to pick up the child if they see fit.
- Any staff member, parent or visitor who arrives at the service and is under the influence of alcohol or drugs may be denied access to the service.

Physical and Mental Health

- The service will safety check all employees prior to employment to ensure that to best of our knowledge and evidence available the potential worker has not physically ill-treated or abused a child or committed a crime against children or presents any risk of danger to children.
- Any person will be excluded from encountering children if there are reasonable grounds to believe:
 - that the person is in a state of physical or mental health that presents any risk of danger to children.
 - has physically ill-treated or abused tamariki or committed a crime against tamariki.
 - in guiding or controlling a child, has subjected a child to solitary confinement, immobilisation, or deprivation of food, drink, warmth, shelter, or protection
 - has an infectious or contagious disease or condition.

Inappropriate Material

- All practicable steps are taken to protect children from exposure to inappropriate material (sexual or violent nature).
- Any printed material (i.e., magazines) donated to the service will be checked to ensure no inappropriate content.
- Censor classifications will be used as a guide. All material particularly online material will be previewed for suitability before sharing it with children.
- Children will be supervised when using computers or online technology.
- We will ensure WIFI is password protected and parental locks used.
- Staff are to report promptly to the persons responsible if unsolicited, inappropriate material is inadvertently accessed through normal and legitimate activities.

- If a child brings inappropriate material from home staff will remove the material and put it away in a secure place. Discussion with parents will be had informing them of what happened, your response and concerns. Material returned to family if appropriate to be removed from Centre premises.

Storing relevant information

- All suspected child abuse or neglect concerns will be recorded in writing, noting any observations, impressions, and communications in regard to a specific child/child.
- Recording of these observations or concerns should be made on the “Child Protection Record of Concern” form.
- These records will be kept in a secure area, and access to these will be limited only to those authorised by the Oranga Tamariki on a “need to know” basis. Confidentiality and professionalism must be always maintained.

Confidentiality and information sharing

- Information sharing will be restricted to those who have a need to know to protect children.
- Staff will not inform whānau of suspected or actual abuse unless this has been discussed with and approved by the Oranga Tamariki.
- We recognise that all staff must act within the legal requirements of the Privacy Act, Children’s Act 2014, Health information Act and other statutes. There are provisions within each of these acts for sharing information needed to protect children and enable other people to carry out their legitimate functions. In general staff will not share information if they believe that by doing so this will endanger the child.
- When collecting personal information about individuals it is important to be aware of the requirements of the privacy principles – i.e., the need to collect the information directly from the individual concerned and when doing so to be transparent about: the purposes for collecting the information and how it will be used; who can see the information; where it is held; what is compulsory/voluntary information; and that people have a right to request access to and correction of their information.
- Staff may, however, disclose information 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). As noted above, disclosure about ill-treatment or neglect of a child/young person may also be made to the Police or Oranga Tamariki under the Children’s Act 2014.

Collection of Children.

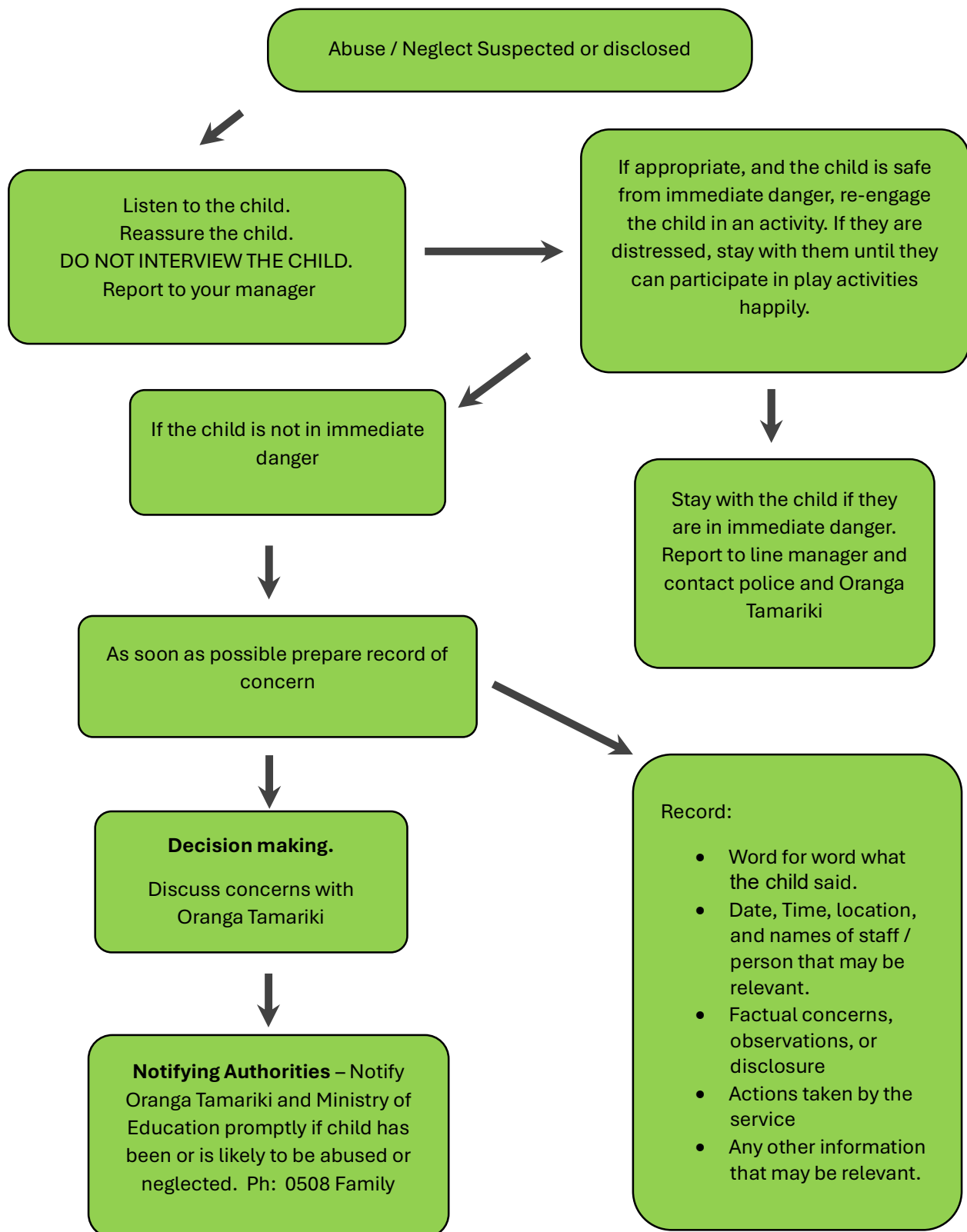
- The authorised person collecting the child must sign the child out using their individual pin number, indicating time of departure.
- The names and contact numbers of all people authorised to collect the child are included in the enrolment form.
- If the child is to be collected by a person whose name is not on the enrolment form as a person authorised to pick up the child, parents/caregivers must have personally informed a staff member, prior to pick up. The person picking up the child should be asked to bring photo identification, as they will be required to provide proof of identification to a Kaiako if they have not met them previously.
- If staff have not been notified and an unauthorised person comes to pick up the child authorisation will be obtained via a phone call to the authorised parent, prior to releasing the child.

- Tamariki will not to be released into the care of persons not authorised to collect the child, e.g., court orders concerning custody and access. If an unauthorised person is not willing to leave the premises without the child, a staff member will call the police.

Contacts:

- **Police:** for urgent matters where tamariki believed to be at risk phone **111**.
- **Oranga Tamariki:** Confidential line for advice and support if you have concerns regarding the wellbeing of a child or family 0508 FAMILY or 0508 326 459

Response Flowchart for Suspected Abuse or Neglect



Response Flowchart for Suspected Allegations of a Staff Member

Continue with response flowchart for suspected neglect / abuse up to '**Decision-making**'.



Decision-making
Discuss concerns in consultation with Oranga Tamariki and if relevant the Teaching Council



Manager to discuss and maintain any contractual obligations subject to investigation of employee.
Employee will be advised of their right to seek support and advice as per Employment Agreements and Human Resource Management Policy



Manager working with Oranga Tamariki, Police and Teaching Council of Aotearoa NZ, will advise employee and seek a response.