

## **Child Protection Policy**

**Designation:** Health & Safety

### **Rationale:**

Te Rāwhiti Kindergarten is committed to child protection and its responsibilities under the Vulnerable Children's Act 2014 as well as under section 6 of the Children, Young Persons, and their Families Act 1989. The interest, safety and well-being of tamariki is paramount. We aim to promote a culture where employees feel confident to raise issues of concern, keeping the tamariki at the centre of all decision-making when responding to suspected abuse. This policy recognises the important role and responsibility of all employees (including volunteers and contractors) in the protection of tamariki by identifying suspected child abuse or neglect and appropriately responding to concerns about the wellbeing of a tamaiti.

### **Te Whāriki:**

Well-being/Mana Atua: Tamariki experience an environment where they are kept safe from harm.

### **Procedures:**

#### **Definitions**

*Abuse: The harming (whether physically, emotionally, or sexually), ill-treatment, neglect or deprivation of any child.*

*Neglect: The persistent failure to meet the basic physical or psychological needs of a child, leading to adverse or impaired physical or emotional functioning or development.*

#### **Designated Person for Child Protection & Training**

1. The kaiārahi is Te Rāwhiti's Designated Person and is responsible for:
  - a) Prioritising the safety and wellbeing of tamariki.
  - b) Ensuring staff training is up to date.
  - c) Ensuring child protection remains a key focus within the team.
2. The kaiārahi is the first point of contact if a staff member has child protection concerns and are responsible for convening a Child Protection Team (CPT) in the allegation of abuse or neglect.
3. In the case of allegations against the kaiārahi, a nominated member of the Kāpiti Waldorf Trust (Service Provider) will step into this role.
4. All qualified kaiako receive professional training and guidance as part of pre-service teacher education and are aware of what to look for and how to act professionally in the best interests of tamariki in cases of suspected child abuse.
5. The kindergarten will work to help prevent abuse and support early recognition of signs of abuse by ensuring all staff receive Child Protection Training at least every 3 years. The kaiārahi will receive more in-depth training at least every 3 years.

#### **Safer Recruitment**

6. All adults working with tamariki will undergo required safety checks that comply with the Vulnerable Child's Act Oranga Tamariki 2014 and the Ministry of Education. Safety checks

will occur every 3 years for all staff and records will be kept by the kaiārahi. These checks will include:

- a) An interview.
- b) Reference checks from previous employer (at least one).
- c) A full work history.
- d) A police vet, or current practicing certificate and approval letter checked against the online register.
- e) Identity verification.
- f) Risk assessment.

### **Keeping Tamariki Safe with Safer Working Practices**

7. The kindergarten playgrounds, indoor rooms and tamariki bathrooms are designed to ensure they can be readily observed by supervising kaiako.
8. Whānau settling tamariki into the kindergarten are encouraged to stay and observe the session until such time as they feel secure in their child's safety.
9. Only adults named on the enrolment form can collect tamariki from the kindergarten. If a tamaiti is to be collected by someone other than the persons on their enrolment form, parents/legal guardians are required to give written or verbal permission to the kaiako, including an explanation of their relationship to the tamaiti.
10. If tamariki are picked up by anyone other than their parents or legal guardian, kaiako are required to record this on the sign in sheet.
11. Written permission from parents is required for their tamariki to participate in kindergarten outings.
12. Information regarding a tamaiti will be shared with both parents unless there are any custodial arrangements in place which will limit this.
13. A complaints procedure ensures issues of concern are dealt with appropriately. Parents are encouraged to express their feelings and concerns so that the operation of the kindergarten can be constantly improved.
14. Visitors and students are not allowed to change, wash down or toilet tamariki and are not to be left alone with any tamaiti or group of tamariki. Only permanent staff and qualified relief kaiako are responsible for nappy changing, washing/wiping down and toileting.
15. Parents will be notified of the presence of any visitor, student or reliever via the sign-in sheet.
16. Written documentation is kept on any issues of concern staff may have about a tamaiti. Full relevant and contextual factors are recorded in the confidential concern book which will be held by the kaiārahi in their office.
17. Staff will respond appropriately to a tamaiti who initiates physical contact in seeking affection, reassurance or comfort. It is not appropriate to force any form of unwanted physical affection on a tamaiti. Physical contact during the changing or cleansing of tamariki must be for the purpose of that task only and not be more than is necessary for the job.
18. We realise and accept our own limitations in dealing with issues of abuse. Professional agencies such as the Police and Oranga Tamariki will be involved in suspected cases of abuse.

### **Confidentiality**

19. We understand confidentiality to be of the utmost importance in cases of suspected child abuse. Suspected child abuse will only be discussed between the CPT. If the matter is to be taken further, the information will only be shared with Oranga Tamariki, the child's GP, the Police and/or the child's parents, as appropriate.
20. When a parent is suspected, the child's parents will be informed after consultation with Oranga Tamariki or the Police.
21. Advice will be sought from Oranga Tamariki and/or the Police before identifying information about an allegation is shared with anyone other than the kaiārahi.
22. Any person who believes that a tamaiti has been, or is likely to be, physically, emotionally or sexually harmed, or ill-treated, abused, neglected or deprived may report the matter to Oranga Tamariki or the Police. Provided the report is made in good faith, no civil, criminal or disciplinary proceedings may be brought against them. All information and discussion, including the identity of any informant, will be kept confidential to the CPT. Documents and data will be stored in one place known only by the kaiārahi.
23. In the case of suspected abuse, the kindergarten will set up a CPT. In the first instance the kaiārahi will be informed and will take over the issue that is reported. The CPT will be chosen on a case-by-case basis and should comprise no less than three people from the following:
  - a) Kaiārahi (Designated Person).
  - b) The person reporting the suspected abuse.
  - c) A representative from the Kāpiti Waldorf Trust.
  - d) A kindergarten kaiako.
  - e) The school principal and/or leadership team.
24. Failure of staff to comply with this policy will be regarded as serious misconduct.

### **We recognise the signs of potential abuse**

25. Physical signs (e.g., unexplained injuries, burns, fractures, unusual or excessive itching, genital injuries, sexually transmitted diseases).
26. Developmental delays (e.g., small for their age, cognitive delays, falling behind in school, poor speech and social skills).
27. 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).
28. Behavioural concerns (e.g., age inappropriate sexual interest or play, fear of a certain person or place, eating disorders/substance abuse, disengagement/neediness, aggression).
29. The child talking about things that indicate abuse (sometimes called an allegation or disclosure).

### **We are aware of the signs of potential neglect:**

30. Physical signs (e.g., looking rough and uncared for, dirty, without appropriate clothing, underweight).
31. Developmental delays (e.g., small for their age, cognitive delays, falling behind in
32. school, poor speech and social skills).
33. 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).
34. Behavioural concerns (e.g., disengagement/ neediness, eating disorders/substance abuse, aggression).

35. Neglectful supervision (e.g., out and about unsupervised, left alone, no safe home to return to).
36. Medical neglect (e.g., persistent nappy rash or skin disorders or other untreated medical issues).
37. Every situation is different and staff will consider all available information about the child and their environment before reaching conclusions. For example, behavioural concerns may be the result of life events, such as divorce, accidental injury, the arrival of a new sibling etc.

#### **Procedures for Suspected Abuse by a Person Outside of Kindergarten Staff**

38. If the tamaiti is in immediate danger, act immediately to secure his or her safety.
39. Make confidential detailed and factual notes of any report, disclosure or concern (comments and events surrounding the concern). Avoid making judgements, simply record what is said.
40. When responding to the tamaiti:
  - a) Do not interview them; obtain only relevant information necessary for clarification.
  - a) Reassure the tamaiti.
  - b) Do not make promises or commitments that you may not be able to keep.
41. Inform the kaiārahi immediately. The kaiārahi will ensure that the tamaiti has a responsible adult support them through the process and will clearly define this support.
42. The kaiārahi will convene the appropriate CPT for each case.
43. The child's parents will be informed with appropriate and accurate information, unless, in opinion of the kaiārahi this might place the tamaiti at risk. Where the tamaiti may be at risk, appropriate outside agencies involved will inform the parents.
44. The CPT will agree on appropriate actions and agencies that need to be contacted. If a tamaiti is at serious risk or a crime against a tamaiti has been committed, this must be reported immediately. Call 111 and ask for Police.
45. To discuss or report your concerns call Oranga Tamariki free on 0508 FAMILY (0508 326 459) or contact the local Police station.
46. If there is disruption to the kindergarten or community, negative impacts on other tamariki and/or staff, media interest or a public profile, seek support from the Special Education Traumatic Incident Coordinator on 0800 84 8326.
47. All decisions and actions will be recorded promptly after they happen.
48. The CPT will await further contact and advice from the appropriate agencies before any more action is taken.
49. The kaiārahi will ensure that relevant staff members have the support they need.

#### **Procedures for Allegations of Abuse or Misconduct by a Staff Member**

50. The kindergarten will act immediately on any allegations or suspicions by following the procedures outlined below. The staff member will be treated fairly, and in accordance with their employment contract and principles of natural justice. The tamaiti and whānau will be assured safety, privacy and respect at all times.
51. The issue will be reported immediately to the kaiārahi. In the event of any allegation being made against the kaiārahi, the nominated Kāpiti Waldorf Trust member will take on the role of the Designated Person.

52. The kaiārahi will report the issue to the nominated Kāpiti Waldorf Trust member immediately. These two people will form the CPT for this case, unless they decide to create a bigger team which may include the leadership team or other members of the Trust.
53. The staff member will be informed of the allegations in writing and will be advised to seek legal advice.
54. The CPT will consider suspending the staff member on full pay while the investigation is underway. Further action will depend on the outcome of the investigation.
55. The rest of the staff will be informed appropriately throughout the process.
56. The CPT will commence a full investigation of the allegations until an outcome is reached. The CPT may choose to involve an outside agency in this process in which case the agency will investigate, and the kindergarten will act on their advice.
57. All actions will be recorded as accurately as possible and promptly after they occur. The Designated Person will keep these records and ensure they are confidentially stored.

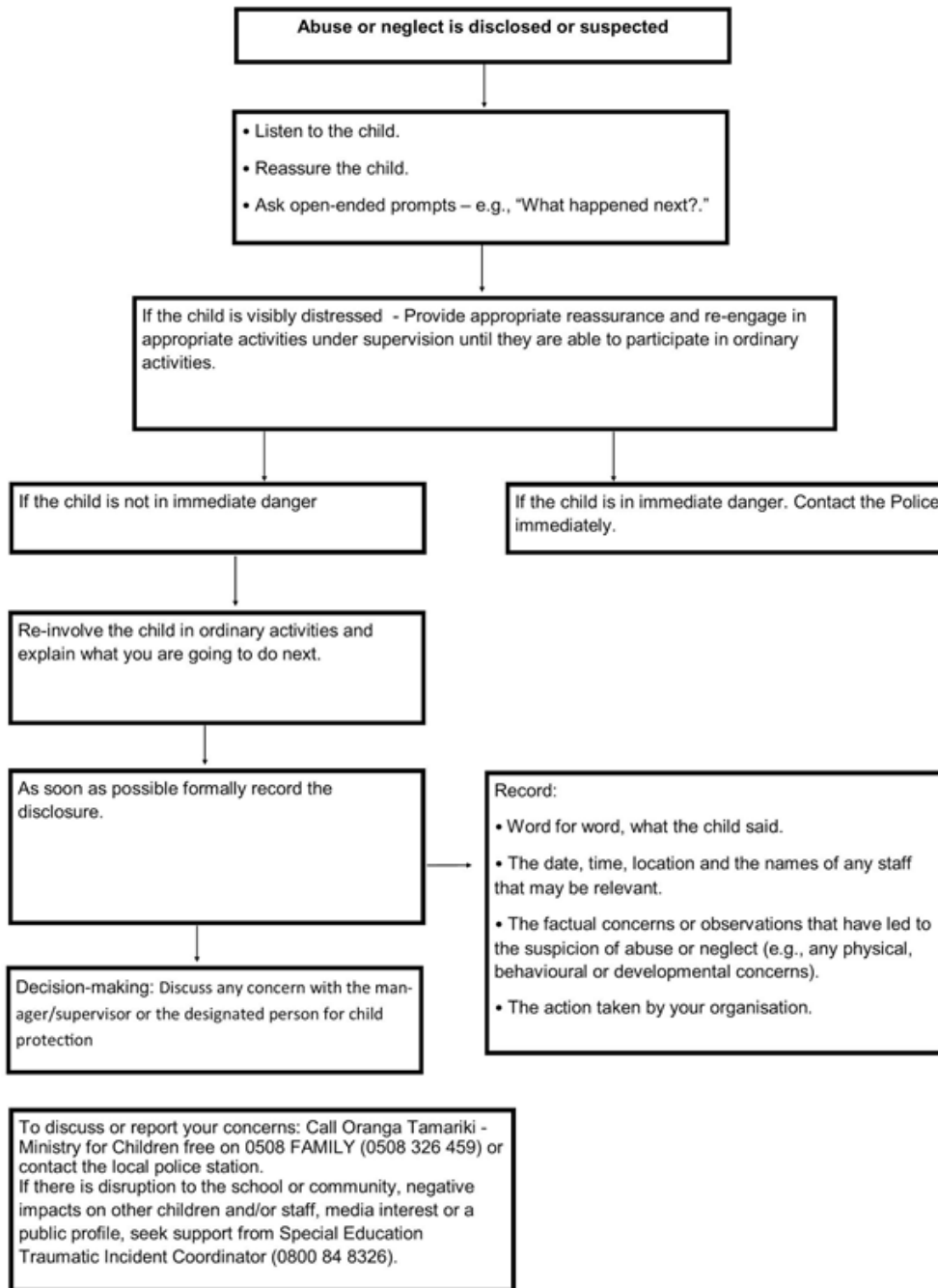
**Outside Agencies:**

- Oranga Tamariki Ministry for Children.
- Police – Investigation and possible prosecution.
- CAT (child abuse team) - Police Investigation team.
- HELP/Rape crisis – Victim support and information.
- DSAC (Doctors for sexual abuse care) – Victim support.
- CAPS (Child abuse prevention Society) – Information.
- The Child Abuse Prevention Parent Helpline is the only nationwide parenting helpline in NZ that is available seven days a week. They have no time limit on calls and their telephone support workers can offer immediate help as well as information, referral, and ongoing support to those affected by child abuse, concerned about the welfare of a child or needing family or parenting support. Call 0800 568 856.

**Links To:**

- Ministry of Education Licensing Criteria: HS31
- Education (ECS) Regulations: 56, 57
- Vulnerable Children’s Act 2014
- Children, Young Persons, and their Families Act 1989, Section 6
- Te Rāwhiti Concerns and Complaints Policy
- Te Rāwhiti Discipline and Dismissal Policy
- Te Rāwhiti Privacy Policy

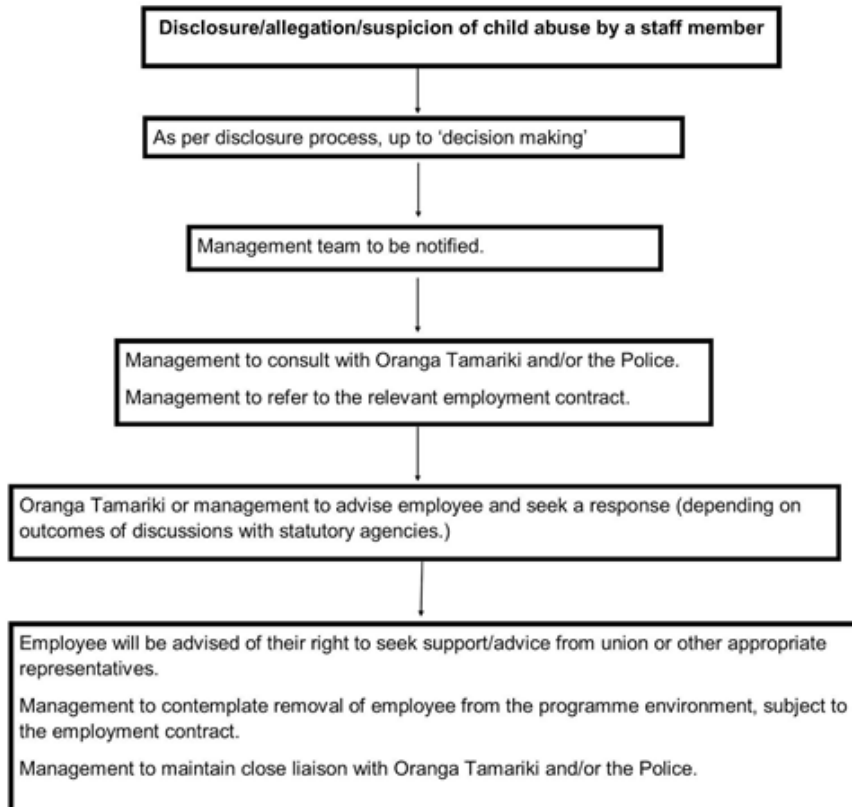
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**When an allegation is made against a member of staff**

All matters involving allegations against staff need to be escalated to the management team.

To ensure the child is kept safe, management may take steps to remove the staff member against whom an allegation has been made from the environment, subject to the requirements of the applicable individual or collective employment contract and relevant employment law.



We commit not to use 'settlement agreements', where these are contrary to a culture of child protection. Some settlement agreements allow a member of staff to agree to resign provided that no disciplinary action is taken, and a future reference is agreed. Where the conduct at issue concerned the safety or wellbeing of a child, use of such agreements is contrary to a culture of child protection.

## Definitions

The following definitions apply to this policy:

**Abuse** – the harming (whether physically, emotionally or sexually), ill-treatment, neglect or deprivation of any child

**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

**Child** – any child or young person aged under 17 years, and who is not married or in a civil union

**Child protection** – activities carried out to ensure that children are safe in cases where there is suspected abuse or neglect or the risk of abuse or neglect

**Designated person for child protection** – the manager/supervisor or designated person responsible for providing advice and support to staff where they have a concern about an individual child or who want advice about the child protection policy

**Disclosure** – information given to a staff member by the child, parent or caregiver or third party in relation to abuse or neglect

**Child, Youth and Family** – the agency responsible for investigating and responding to suspected abuse and neglect and for providing a statutory response to children found to be in need of care and protection

**New Zealand Police** – the agency responsible for responding to situations where a child is in immediate danger and for working with Child, Youth and Family in child protection work, including investigating cases of abuse or neglect where an offence may have occurred

**Children’s services** – any organisation that provides services to children or to adults where contact with children may be part of the service. These organisations should have child protection policies. Organisations that provide services to adults who may be caring for or parenting children should also consider developing a policy, e.g., adult mental health and addiction services

**Safer recruitment** – following good practice processes for pre-employment checking which help manage the risk of unsuitable persons entering the children’s workforce

**Standard safety checking** – the process of safer recruitment that will be mandatory for organisations covered by the Vulnerable Children Act 2014

**Workforce restriction** – a restriction on the employment or engagement of people with certain specified convictions under the Vulnerable Children Act 2014

**Children’s workforce/children’s workers** – people who work with children, or who have regular contact with children, as part of their roles



**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.

**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.

**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).