

# CHILD PROTECTION POLICY

**Rationale:** Management and Centre staff 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:**

- J To provide a safe environment for all children and staff.
- J To ensure all staff are aware of the steps to take when dealing with suspected child abuse.
- J To ensure all records and conversations remain confidential.
- J To ensure all involved at the Centre are aware that anybody can report a suspected abuse situation.
- J To meet the requirements of the Vulnerable Children Act 2015

**Principles**

- J The interest and protection of the child is paramount at all times.
- J We recognize the rights of families to participate in decisions about their child.
- J We are committed to all staff being able to recognize signs and symptoms of potential abuse and neglect and taking appropriate action in response.
- J We are committed to share information in a timely way and to discuss any concerns about a child with colleagues or Management.
- J 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.
- J We are committed to working with other organisations to ensure child protection is of consistently high quality.
- J We will comply with relevant legislation responsibilities.
- J We are committed to supporting staff to work in accordance with this policy.

**Definitions**

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 Centre Manager/Supervisor or designated person responsible for providing advice and support to staff where they have a concern about a 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

The Ministry for Vulnerable Children (MVCOT) – 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 (Police) – the agency responsible for responding to situations where a child is in immediate danger and for working with The Ministry for Vulnerable Children 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.

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 is 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

Closed space - any area where another adult has restricted visual access from the outside

Inappropriate material - anything of an explicitly sexual or violent nature.

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/wh nau 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).

# PROCEDURES

## Prevention of Child Abuse

### Responsibility of Management

1. The Centre Manager/Supervisor will undertake to implement the requirements of:
  - a. Education (Early Childhood Services) Regulations 2008 56 and 57 as set out in **Appendix C** to ensure children are protected from ill-treatment and their health and safety is maintained.
  - b. The Vulnerable Children Act 2014 to ensure all employees, contractors and people undertaking paid work in the Centre undergo a safety check process.
  - c. The Privacy Act 1993 and the Children, Young Persons and their Families Act 1993 to keep children safe when abuse or suspected abuse is reported or investigated.
2. The Centre Manager/Supervisor will keep a record of all safety checks completed.

### Children's Worker Safety Checks

1. The Centre will ensure **Children's Worker Safety Checks (CWS Checks)** set out in **Appendix D** have been completed (with **Police Vetting** completed and results received prior to employee starting work), for all potential staff, relief staff, students and contractors prior to their beginning work in the Centre, with any offer of employment remaining conditional until such time as full checks have been completed and deemed satisfactory.
  - a) Teachers who have teacher registration must supply proof of their registration status, and Management will ensure that registration is checked using the Education Council of New Zealand (EDUCANZ) website.
  - b) **CWS Checks** made by the student's Education Institution/Training Provider will be accepted, with any incomplete components completed by the Centre.
  - c) Potential staff that have lived overseas will be checked by obtaining a copy of a **Police Vet** from their country of citizenship, or from any country in which they have lived for one or more years within the last ten years.
2. Non-registered staff will complete the **CWS Checks** every three years, on or about the third anniversary of the last completed check.
3. In the event of an unexpected event, emergency or being unable to access relief staff with a current **CWS Check** completed by the Centre, the Centre will employ the person for up to five days (with a Proof of Identity Check completed prior to them beginning work and a **CWS Check** beginning on their first day in the Centre), provided that person has had a full **CWS Check** completed elsewhere.
4. Any person without a complete **CWS Check** will not be left alone with children.
5. All information related to a **CWS Checks** and **Police Vetting** information will be treated confidentiality and stored appropriately by Management.

### Parent Involvement

1. The Centre has an open door policy where parents are welcome to visit at any time and be involved as much as possible within the Centre.
2. Parents and visitors are not permitted to undertake any caregiving routines or be alone with other people's children.
3. Parents must ensure that a staff member knows that they are removing their child from the Centre and sign out on the **Sign-In Sheet** before leaving the Centre.
4. 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:
  - a) Ask the parent/adult if anyone can be contacted to take them home or a taxi fare offered.

- b) 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.
5. Children cannot leave the centre without written permission from parents, except in an emergency. If a non-custodial parent/guardian or unauthorised person wishes to collect a child from the Centre, consent is to be obtained from the custodial parent before the child leaves the Centre. Staff are to request proof of identity from any unfamiliar adult wishing to collect a child.

### Professional Conduct

1. For the safety and protection of all children at the Centre staff will be familiar with and abide by:
  - o Child Protection Policy
  - o Health & Safety for Children Policy (Especially Supervision of Children, Nappy Changing & Toileting)
  - o ICT & Cyber Safety Policy
  - o Excursions Policy
  - o Developing Social Competence Policy
  - o Complaints Policy
  - o The Centre's Code of Conduct
2. All staff must be informed and made aware of those not having legal rights of access to a child.
3. 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.

### Preventative Education

1. Once each year the Child Protection Policy will be discussed at a staff meeting to ensure staff are familiar with the policy and are aware of how to prevent, recognise and respond to abuse.
2. Each year a staff member will attend a Child Matters CPS Workshop, with all teaching staff attending every 4 years.
3. Information is provided on the prevention and recognition of child abuse on the MVCOT website (See link below).
4. 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.

### Protection from Exposure to Inappropriate Material

1. All staff will be made aware of cyber safety practices when using ICT with children (See ICT & Cyber Safety Policy).
2. Any magazines and other materials provided for children to use will be checked for inappropriate images.

### Responding to Suspected Child Abuse

1. The 'Procedures where Child Abuse is Suspected/Discovered' flowchart is attached as Appendix A.
2. The 'Procedures where an Employee is Accused of Child Abuse' flowchart is attached as Appendix B.
3. Outside Organisations which offer support is attached as Appendix E.

Licensing Criteria HS 31-33.

Ref: Vulnerable Children Act 2014 RC v 1.00 May 2015 A Practical guide for Early Childhood Education Services Ng K hanga Reo, Playgroups, Schools and Kura

Link: Child Abuse information: [www.mvcot.govt.nz](http://www.mvcot.govt.nz) (under 'Resources')

SIGNED: \_\_\_\_\_

NAME: \_\_\_\_\_

POSITION: \_\_\_\_\_

## Appendix A

## PROCEDURES WHERE CHILD ABUSE IS SUSPECTED / DISCOVERED

## WHEN A CHILD DISCLOSES ABUSE:

1. LISTEN to the child and BELIEVE what they say.
2. SAY 'I'm glad you told me' and 'Sorry this happened'
3. LET THEM KNOW it was not their fault and you will help

SUPPORT the child and make sure they are safe and protected in the Centre environment

ADVISE the Centre Manager / Supervisor as soon as possible, who will keep a record of any formal discussions

RECORD facts and observations on a **Concern Form** and file with the Centre Manager/Supervisor within 24 hours.  
Store child's relevant artwork and information relating to the case confidentially in the Centre's locked cabinet.

If it is suspected 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 the suspected abuse has occurred OUTSIDE the family, or by a person not closely known to the family, speak to the parents before reporting the suspected abuse to MVCOT and/or Police.

If child is in IMMEDIATE DANGER act with URGENCY contacting MVCOT and/or the Police.

If child is not in immediate danger, take time to consult thoroughly in order to make a well-informed decision.

## CONSULT WITH OUTSIDE AGENCIES (HEALTH NURSE, MVCOT)

## Concerns Confirmed

1. REPORT to MVCOT and/or Police. Await further contact before taking any action.
2. SEEK SUPPORT from the Centre Manager/Supervisor or the BoD, who will provide the opportunity for a debrief and/or counselling if necessary.
3. INFORM BoD Chairperson as soon as possible.
4. PUBLIC REPRESENTATION is only made by the BoD Chairperson where there is media or community interest. The Special Education Traumatic Incident Coordinator can offer support and advice – 0800 TI Team (0800 848 326)

## Concerns NOT Confirmed

MONITOR the situation closely in consultation with others.

## NOTES:

1. Staff are able to take concerns of suspected abuse directly to MVCOT and/or Police.
2. Staff have the right to ask for confidentiality when reporting a suspected abuse case and if required they must clearly state this in the first contact with MVCOT / Police.
3. Staff should not assume responsibility beyond their level of expertise and should contact professional agencies for support where necessary.

## Appendix B

## PROCEDURES WHERE AN EMPLOYEE IS ACCUSED OF CHILD ABUSE

## WHEN A CHILD DISCLOSES ABUSE:

1. LISTEN to the child and BELIEVE what they say.
2. SAY 'I'm glad you told me' and 'Sorry this happened'
3. LET THEM KNOW it was not their fault and you will help

SUPPORT the child and make sure they are safe and protected

## Disclosure implies abuse by Employee

1. ADVISE the Centre Manager / Supervisor as soon as possible, who will keep a record of any formal discussions.
2. RECORD facts and observations on a **Concern Form** and file with the Centre Manager/Supervisor within 24 hours. Store child's relevant artwork and information relating to the case confidentially in the Centre's locked cabinet.

## Disclosure implies abuse by Centre Manager

1. ADVISE the BoD Chairperson as soon as possible, who will keep a record of any formal discussions.
2. RECORD facts and observations on a **Concern Form** and file with the BoD Chairperson within 24 hours, together with child's relevant artwork and information relating to the case.

Speak to the parents before reporting the suspected abuse to The MVCOT and/or Police.

If child is in IMMEDIATE DANGER act with URGENCY contacting MVCOT and/or the Police.

If child is not in immediate danger, take time to consult thoroughly in order to make a well-informed decision.

## CONSULT WITH OUTSIDE AGENCIES (HEALTH NURSE, MVCOT)

## Concerns Confirmed

1. REPORT to MVCOT and/or Police. Await further contact before taking any action.
2. INFORM 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. Immediately take the employee off contact with children into a non-contact role until the investigation has been completed or grant the employee discretionary leave.
3. INFORM BoD Chairperson as soon as possible.
4. CONTACT insurer and/or legal advice.
5. CONDUCT an Abuse Incident Investigation internally reviewing the **Concern Form** along with any other statements and related documents to:
  - a) Minimise the possibility of this type of abuse occurring again.
  - b) Evaluate the effectiveness of policy and procedure and make changes if required.
 Store all information in the confidential **Abuse Incidents File**.
6. INVOKE **Discipline and Dismissal Procedures** (See **Personnel Policy**) as per the employee's **Employment Contract**. The person managing the child abuse accusation will not be the same person dealing with employment issues.
7. REPORT immediately to the Education Council, if the employer has reason to believe that a registered teacher has engaged in any of the serious misconducts listed under Rule 9 of the Education Council Rules 2016.
8. PUBLIC REPRESENTATION is only made by the BoD Chairperson where there is media or community interest. The Special Education Traumatic Incident Coordinator can offer support and advice – 0800 TI Team (0800 848 326)
9. SEEK SUPPORT (any staff) from the Centre Manager/Supervisor or the BoD, who will provide the opportunity for a debrief and/or counselling if necessary.

## Concerns NOT Confirmed

MONITOR the situation closely in consultation with others.

## NOTES:

1. Staff are able to take concerns of suspected abuse directly to MVCOT and/or Police.
2. Staff have the right to ask for confidentiality when reporting a suspected abuse case and if required they must clearly state this in the first contact with MVCOT / Police.
3. Staff should not assume responsibility beyond their level of expertise and should contact professional agencies for support where necessary.
4. The employee will be treated fairly and according to their contract.

## Appendix C

### 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, or as the case requires, is excluded from the home and does not enter it or remain in it while the educator is providing education and care.

#### 57 Health and 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 or, as the case requires, is excluded from the home and does not enter it or remain in it while the educator is providing education and care.

(4) 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.

## Appendix D

### Children's Worker Safety Checklist

#### Checks Required for Children's Workers

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:
    - The identity exists (i.e. that it is not fictitious) by checking an original primary identity document.
    - 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.
    - 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.
    - 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 the last employer and at least one referee, not related to the potential children's worker or part of their extended family.
5. Seeking information from The Education Council of New Zealand, or other relevant organisation, including (but not limited to) confirmation that the potential children's worker holds a current Registered Teacher Practising Certificate or is currently a member of the relevant organisation
6. Obtaining and considering information from a New Zealand Police Vet, unless at least three-yearly New Zealand Police vetting is already completed by The Education Council of New Zealand
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.



## 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 Education Council of New Zealand 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 Education Council of New Zealand has confirmed that the registration is current. Investigation of overseas police vetting or clearance should the employee have worked overseas.
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.

## Checks Required for An Existing Children's Worker

The following checks must have been completed by the date specified in the legislation for all people who are already employed or engaged by a specified organisation. For existing core children's workers this is by 1 July 2018 and for non-core children's workers, 1 July 2019.

Identity confirmation, either by:

Seeking information from 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. 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.

Following the regulatory process to provide confidence that:

1. The identity exists (i.e. that it is not fictitious) by checking an original primary identity document. 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.
2. 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.
3. Searching personnel records to check that the identity has not been claimed by someone else.
4. Obtaining and considering information from a New Zealand Police vet, unless at least three-yearly New Zealand Police vetting is already a condition of the children's worker holding professional registration or a practicing certificate (and the specified organisation confirmed that the registration is or certificate is current.)

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 worker role or a non-core children's worker role.

Confirmation that the children's worker has not changed their name from the name on the documents produced during the identity confirmation (i.e. the presented primary or secondary document).

Links:

Police Vetting: <http://www.police.govt.nz/advice/businesses-and-organisations/vetting/forms>

Child Worker Safety Check: <http://childrensactionplan.govt.nz/whats-new/childrens-workforce-guidelines-available/>

## Appendix E

### Outside Organisations which offer support

- The Ministry for Vulnerable Children – 0508 326 459
- Police – 111
- Community Public Health Nurse: Morrinsville - 07 889 5335; Hamilton – 07 838 3565
- Waikato DHB:
  - Family Health Team: Matamata – 07 888 6901
  - Waikids (Waikato Hospital) – 07 839 8899
  - Infant, Child & Adolescent Mental Health (Hamilton) – 0800 50 50 50
- Child & Family Counseling services:
  - Barnados – 0800 227 627
  - The Parenting Place – 09 524 0025 or 0800 53 56 59
- Child Help Lines:
  - The Crisis Assessment and Home Treatment Team - 0800 50 50 50
  - Lifeline – 0800 543 354
  - Suicide prevention line - 0508 TAUTOKO 0508 828 865
  - Depression Helpline – 0800 111 757
  - Youthline – 0800 376 633
  - Kidsline – 0800 KIDSLINE 0800 543 754
  - Whats Up - 0800 942 8787
  - Samaritans – 0800 726 666