

Child Protection Policy

Rationale

- This policy outlines Educare's commitment to child protection. It includes our protocols when child abuse is reported to us or suspected by us. It also includes practice notes on measures to be taken to prevent child abuse and neglect.
- This policy is for all Educare staff, parents/caregivers and whānau, and any contractor or volunteer that comes into contact with children that attend Educare centres.
- This policy is a living document incorporated into daily business processes including recruitment and induction, professional development and to keep us safe while we do our job.
- We have an obligation to ensure the wellbeing of children in our care. We are committed to the prevention of child abuse and neglect, and to the protection of all children.
- The safety and wellbeing of the child is our top priority when investigating suspected or alleged abuse. We support the roles of the New Zealand Police and Oranga Tamariki in the investigation of suspected abuse and will report suspected and/or alleged abuse to the MOE and these agencies.
- We support families/whānau to protect their tamariki. We provide a safe supportive environment free from physical, emotional, verbal or sexual abuse.

Standards

- The interests and protection of the child are paramount in all our actions.
- There are no barriers to the reporting of actual or intended serious wrongdoing; based on genuine and reasonable belief. No person making a report will be victimised or be subject to adverse action if they make a disclosure.
- All concerns about the safety of children are taken seriously and are responded to quickly.
- We recognise the rights of family/whānau to participate in the decision-making about their children and support the principle of applying the least intrusive involvement necessary to protect vulnerable children.
- All staff are expected to be familiar with this policy and to abide by it. For the purpose of this policy, Educare staff are defined as all permanent, fixed-term, part-time, contracted and volunteer staff employed or engaged by Educare.
- This policy is to be shared with all contractors and agencies that work closely with Educare.
- We are committed to ensuring that all staff are able to identify the signs and symptoms of potential abuse and neglect and are able to take appropriate action in response.
- We are committed to building relationships with governmental and non-governmental agencies that are mutually supportive and promote a non-harmful outcome.
- We are committed to empowering and supporting all staff to work in accordance with this policy, to work with partner agencies and organisations to ensure child protection policies are consistent, are of high quality and are in line with governmental guidelines.
- We will always comply with relevant legislative responsibilities.
- We are committed to early intervention and sharing information in a timely way, to discuss any concerns about an individual child with the Centre Manager.

- We are committed to promoting a culture where the safety and security of children are paramount, and staff feel confident that they can constructively challenge poor practice or raise issues of concern without fear of reprisal.
- We are committed to upholding the safety and wellbeing of children by ensuring that pornographic or violent material (electronic games, DVDs, websites, magazines etc..) are not available to children.
- We are committed to ensuring a zero-tolerance approach to alcohol and drugs. No adult will have access to children on an Educare site or excursion that are under the influence of alcohol or drugs.

Procedures

- Any person can make a report directly to Oranga Tamariki and New Zealand Police.
- **Definitions of child abuse and neglect:**
 - (a) **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, and causing abrasions, strangulation, suffocation, drowning, poisoning and fabricated or induced illness.
 - (b) **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:
 - i. 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, the involvement of the child in activities for the purposes of pornography or prostitution.
 - ii. Non-contact abuse: exhibitionism, voyeurism, exposure to pornographic or sexual imagery, inappropriate photography or depictions of sexual or suggestive behaviours or comments.
 - (c) **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.
 - (d) **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:
 - i. Physical (not providing the necessities of life, like a warm place, food, and .
 - ii. clothing).
 - iii. Emotional (not providing comfort, attention, and love).
 - iv. Neglectful supervision (leaving children without someone safe looking after them).
 - v. Medical neglect (not taking care of health needs).
 - vi. Educational neglect (allowing chronic truancy, failure to enroll in education or inattention to education needs).
- **Identifying possible abuse or neglect:** every family situation is different, and signs of abuse or neglect can be hard to categorise. It is important to consider all available information about the child and their environment before reaching conclusions. It is normal to feel uncertain, but if you notice a pattern forming, it could be that something is wrong. Some signs of possible abuse or neglect are;

- (a) **Physical signs:** unexplained bruises, welts, cuts and abrasions, unexplained fractures or dislocations, burn marks.
- (b) **Other signs:** no clear explanation for any of the above, behavioural concerns such as emotional withdrawal, aggression or anxiety, developmental delays, changes or signs, the child talking about or subtly mentioning things that may indicate abuse, parents seeming stressed or not coping financially, drug and/or alcohol problems, parents not having friends or family to help, adults hitting or yelling, mental health problems, children are left home alone or seem to be neglected, children routinely not turning up to childcare.
- (c) **Signs of neglect:**
- i. **Physical signs:** looking rough and uncared for, dirty, without appropriate clothing, underweight.
 - ii. **Developmental delays:** small for their age, cognitive delays, falling behind in school, poor speech and social skills.
 - iii. **Emotional abuse/neglect:** sleep problems, low self-esteem, obsessive behaviour, inability to cope in social situations, sadness/loneliness and evidence of self-harm.
 - iv. **Behavioural concerns:** disengagement/neediness, eating disorders/substance abuse, aggression.
 - v. **Neglectful supervision:** out and about unsupervised, left alone, no safe home to return to.
 - vi. **Medical neglect:** persistent nappy rash, or skin disorders or other untreated medical issues.
- For further information on identifying signs of abuse and neglects you can follow this link: <https://www.orangatamariki.govt.nz/identify-abuse/>
 - **Responding to signs of abuse or neglect:** all suspicions or observed incidents or reports of incidents should be reported directly to the Centre Manager as soon as possible, who will immediately:
 - a) Take steps to protect the child/ren.
 - b) Ensure observations are recorded.
 - c) Make contact with Oranga Tamariki to seek advice and ask questions.
 - d) If there is clear evidence or reasonable cause to believe an instance of child abuse has taken place, the Centre Manager will notify the Police, Oranga Tamariki, and the Ministry of Education (MoE) (see Appendix 5 for a MoE contact list).
 - e) See Appendix 1 for responding to a child when the child discloses abuse and Appendix 2 for recording and notifying Oranga Tamariki of suspected child abuse or neglect.
 - **Additional guidance:**
 - i. In addition to guiding staff to make referrals of suspected child abuse and neglect to the statutory agencies, this Child Protection Policy will also help staff to identify and respond to the needs of the many vulnerable children whose wellbeing is of concern.
 - ii. Throughout Aotearoa New Zealand, statutory and non-statutory agencies provide a network of mutually supportive services. Educare will work with these organisations to respond to the needs of vulnerable children and families/whānau in a manner proportionate to the level of need and risk.

- iii. Staff members will discuss suspicions with their Centre Manager or a senior staff member. Where appropriate, the person making the allegation will be given a copy of this policy and asked to record their observations.
- **Allegations or concerns about the staff:** when a staff member is suspected, the processes will apply as in Appendix 3. The employee will be excluded from having contact with the child until the outcome of the investigation is complete and a decision is made.
 - i. If there is a need to pursue an allegation as an employer, Educare will consult with Oranga Tamariki and/or the New Zealand Police before advising the person concerned, informing them that they have a right to seek legal advice and providing them with an opportunity to respond.
 - ii. Any allegations are to be reported to the MoE, see Appendix 5 for a list of contact numbers.
 - iii. Educare's investigation will be guided by this Child Protection Policy, it's Serious Misconduct and Discipline and Dismissal Policy, as well as the Employees Individual Agreement and relevant statutory obligations.
 - iv. In certain circumstances, it is mandatory for Employers to report Teachers to the Education Council as outlined in Educare's Discipline and Dismissal Policy. A reporting form can be found on the Education Councils website: <https://teachingcouncil.nz/professional-practice/conduct-concerns/reporting-a-concern/> or alternatively the Education Council can be contacted on 04 471 0852.
 - v. We are committed to not using 'settlement agreements', where the conduct at issue concerns the safety or wellbeing of a child, use of such agreements would be contrary to our culture of child protection.
- **Confidentiality and information sharing:**
 - i. The Privacy Act 2020 and the Oranga Tamariki Act 1989 allow information to be shared to keep children safe when abuse or suspected abuse is reported or investigated.
 - ii. Under sections 15 and 16 of the Oranga Tamariki Act 1989, "any person who believes that a child has been, or is likely to be, harmed physically, emotionally or sexually or ill-treated, abused, neglected or deprived may report the matter to Oranga Tamariki or the New Zealand Police and, provided the report is made in good faith, no civil, criminal or disciplinary proceedings may be brought against them".
- **Recruitment and employment (safety checking):** safety checking will be carried out in accordance with the Children's Act 2014 and Educare's Personnel Appointments Policy.
 - i. This will include a police vet; identity verification; references and an interview. Work history will be sought and previous employers will be contacted.
 - ii. If there is any suspicion that an applicant might pose a risk to a child, that applicant will not be employed.
- **Training, supervision and support:** the Child Protection Policy will be reviewed by the teaching team annually to ensure the standards and procedures in the Policy are understood. Training will be provided where gaps of knowledge are identified. Training, Educare policy as per Criteria HS31 Licensing Criteria for Early Childhood Education and Care Centres 2008, and Regulation 47 Early Childhood Regulation 2016

resources and/or advice will be available to ensure that all staff can carry out their roles in terms of this Policy, particularly:

- i. Understanding child abuse and indicators of child abuse.
- ii. How to reduce the risk of child abuse.
- iii. Understanding and complying with legal obligations in regard to child abuse.
- iv. Working with outside agencies on child abuse issues.
- v. Planning of the environment and supervision to minimise risk. See Appendix 4.
- vi. Dealing with children, parents, caregivers, family and whānau.
- vii. How to document to keep children safe, and to ensure the correct processes are followed for any outside agency requesting information.

- **Related documents and review:** this Policy will be reviewed annually.

Reviewed: February 2023

Next Review: February 2025

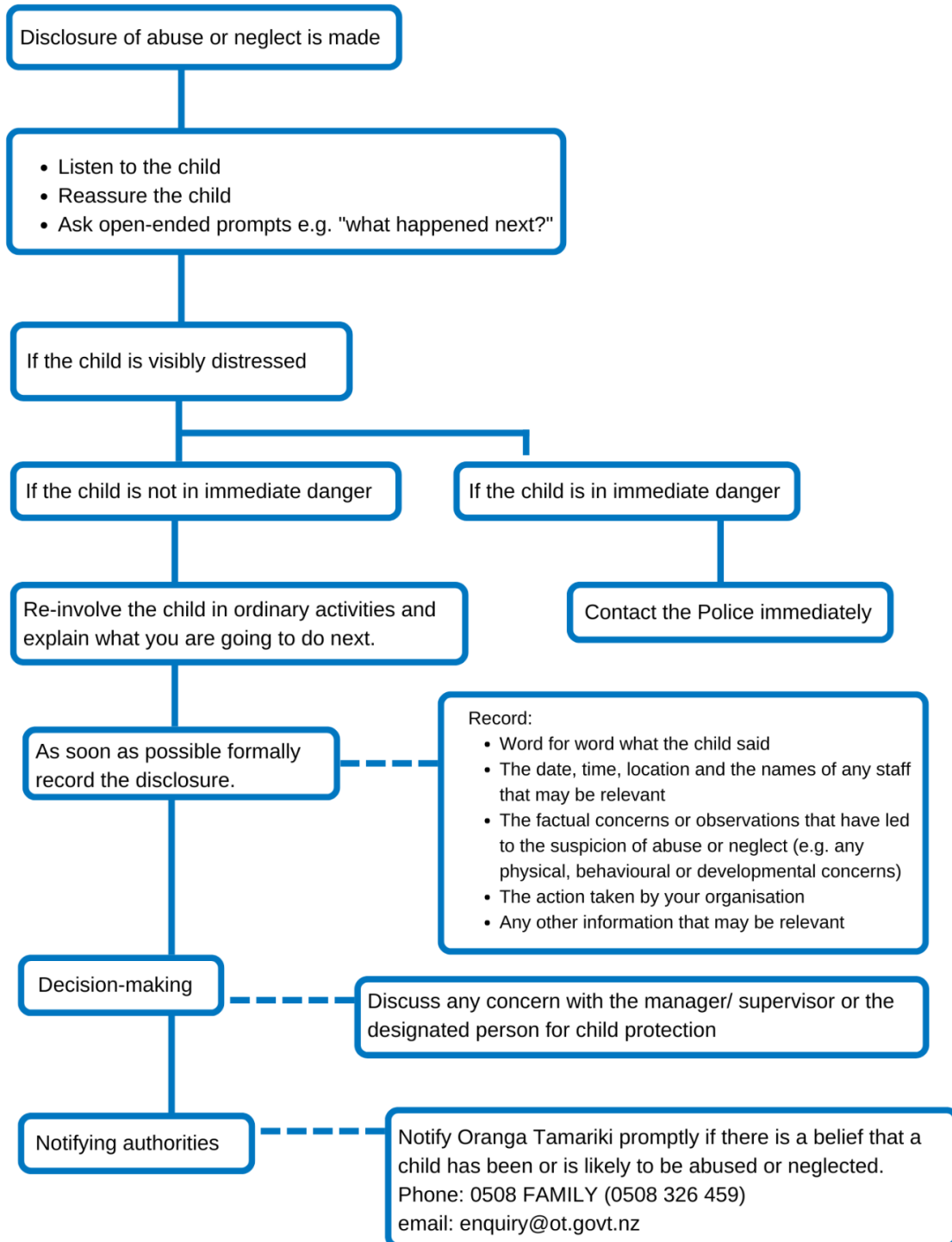
www.educare.co.nz

Appendix 1:

Responding to a child when the child discloses abuse:

Note: Child Youth and Family, are now known as Oranga Tamariki.

Any person can make a report directly to Oranga Tamariki and New Zealand Police.



Appendix 2:

Recording and notifying Oranga Tamariki of suspected child abuse or neglect:

What Process to Follow	Example	Key Considerations
(i) Recording	Formally record:	<ul style="list-style-type: none"> • Anything said by the child. • The date, time, location and the names of any staff that may be relevant. • The factual concerns or observations that have led to the suspicion of abuse or neglect (e.g. any physical, behavioural or developmental concerns). • The action that was taken by Educare. • Any other information that may be relevant. Relevant information can inform any future actions.
(ii) Decision making	Discuss your concerns with your Centre Manager or the designated person for child protection.	<ul style="list-style-type: none"> • No decisions should be made in isolation

(iii) Notifying authorities	<p>Notify Oranga Tamariki promptly if there is a belief that a child has been, or is likely to be abused or neglected.</p> <p>A phone call to the National Contact Centre (see below) is the preferred initial contact with Oranga Tamariki as this enables both parties to discuss the nature of the concerns and appropriate response options. Phone: 0508 326 459 Email: contact@ot.govt.nz</p> <p>Notify MoE when a report to Oranga Tamariki has been made.</p>	<ul style="list-style-type: none"> ● Oranga Tamariki will: <ol style="list-style-type: none"> i. Make the decision to inform the parents or caregivers in consultation with Educare. ii. Advise what, if any, immediate action may be appropriate, including referring the concern to the Police.
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(iv) Following the advice of Oranga Tamariki	<p>Oranga Tamariki will include what, if any, immediate action may be appropriate, including referring the concern to the Police.</p>	<p>Oranga Tamariki is responsible for looking into the situation to find out what may be happening, whether we need to work with the family or to put them in touch with people in their community who can help.</p>
(v) Storing relevant information	<p>Securely store:</p>	<ul style="list-style-type: none"> ● The record of the concern. ● A record of any related discussions (including copies of correspondence where appropriate). ● A record of any advice received. ● The action your organisation took, including any rationale. ● This concern with any earlier concerns, if the notification is based on an accumulation of concerns (rather than a specific incident). Records assist in identifying patterns.

Appendix 3:

When an allegation is made against a member of staff:

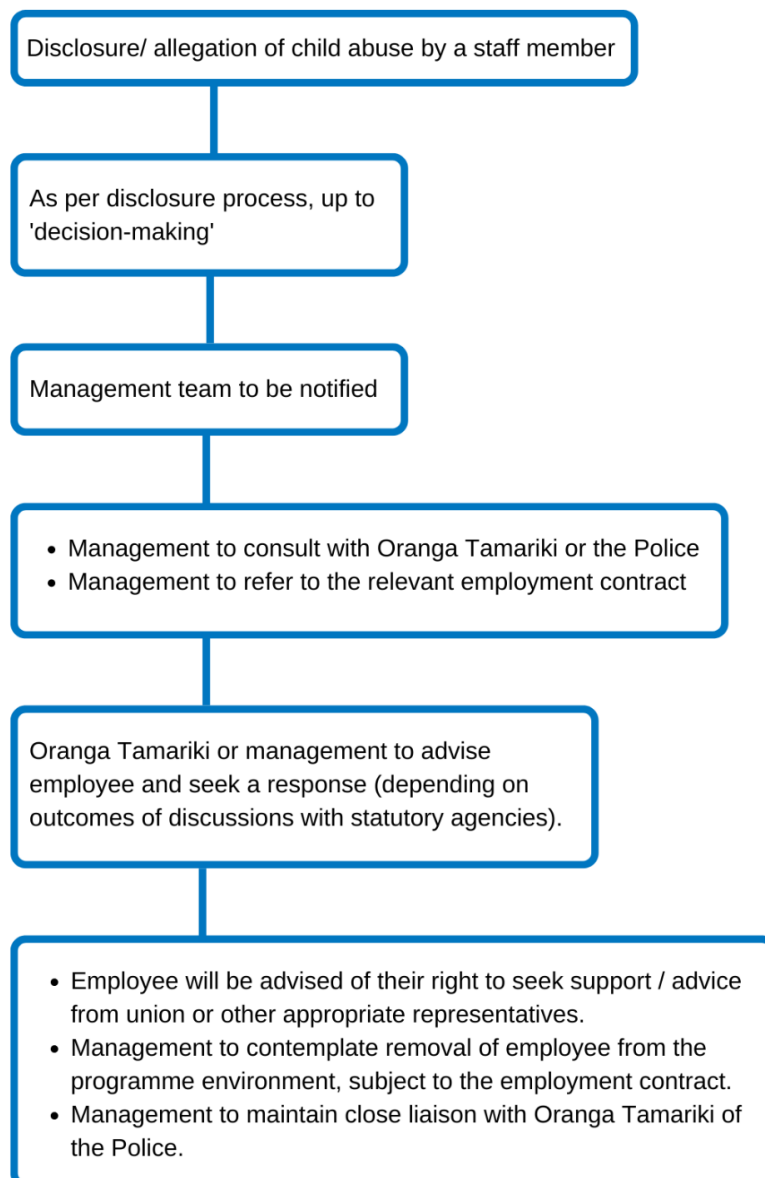
Note: Child Youth and Family, are now known as Oranga Tamariki.

Any person can make a report directly to Oranga Tamariki and New Zealand Police.

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.



Appendix 4: Keeping yourself safe in the workplace

To avoid staff being alone with children, all staff should examine the opportunities or possible situations where staff may be alone with children. Wherever possible an open door policy for all spaces should be used (this excludes toilets). Staff should be aware of where all children are at all times.

- a. Visitors should be monitored at all times by staff, and volunteers and outside instructors should be monitored by staff.
- b. If activities require one to one physical contact i.e. classes in swimming, gymnastics, etc, parents/caregivers should be advised.
- c. Where a child requires assistance, e.g. if they are intellectually or physically disabled, if possible involve the parents/caregivers and outside agencies. For example, in the education sector, the Ministry of Education's Special Education Group may be able to assist. If this assistance is not available, ensure staff members are aware of appropriate procedures when giving assistance.
- d. Staff should avoid being alone when transporting a child unless an emergency requires it.
- e. Except in an emergency, children are not to be taken from your organisation's premises, or from the programme your organisation provides, without written parental consent.

Appendix 5:

Ministry of Education Contact List

Area	Local Office	Email Contact	Phone number
Northland	Tai Tokerau	enquires.whangarei@education.govt.nz	09 436 8900
Auckland	Auckland	enquires.auckland@education.govt.nz	09 632 9401
	North West	enquires.auckland@education.govt.nz	09 487 1100
	West Auckland	enquires.auckland@education.govt.nz	09 632 0390
	Botany	enquires.auckland@education.govt.nz	09 265 3000
Waikato	Hamilton	enquires.hamilton@education.govt.nz	07 850 8880
Wellington	Lower Hutt	enquires.lowerhutt@education.govt.nz	04 463 8699
	Porirua	enquires.lowerhutt@education.govt.nz	04 463 4800
South Island	Christchurch	enquires.christchurch@education.govt.nz	03 378 7300

Appendix 6:

Oranga Tamariki Notification Process

This form is to be completed by the Person Responsible, following the Child Protection Policy.

Action Taken	Completed time/date and record detail
1. Complete your incident report, and supplementary sheets. More detail is better than brief notes.	
2. Email this to your Area Manager for review prior to notification.	
3. Discuss with the Area Manager to share the decision to notify and have support and guidance in the process.	
4. Make the call to Oranga Tamariki without delay. Ask for the Oranga Tamariki staff member's name that you are talking to and record this on your incident report with the time and date of the call.	
5. Ask for an email address to forward the incident report to. If declined, ask for a reason. Record this on the "action taken" part of your incident report.	
6. Ask for a timeline that you will receive formal notification that the report has been received and give your Educare email address.	
7. Send a notification email to the MoE every time a notification to Oranga Tamariki or the Police is made: <ul style="list-style-type: none"> ● Details to include: name of child, date of the incident(s), suspected abuse or neglect or care and protection matters, name of Oranga Tamariki caseworker reported to, and date this was completed. 	
8. Keep the incident report active until you have received confirmation from Oranga Tamariki, and/or indication a case worker has been appointed. <i>(If you have not heard anything within 5 working days follow up with Oranga Tamariki and escalate to your Area Manager)</i>	
9. Continue to make notes and keep records and observations of the child involved moving forward.	
10. Ensure all documents are saved into a private file in the Centre Manager's folder.	

Note: If you are considering a notification, but uncertain, refer to your Area Manager in the first instance. If in doubt, refer.

Educare policy as per Criteria HS31 Licensing Criteria for Early Childhood Education and Care Centres 2008, and Regulation 47 Early Childhood Regulation 2016

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