

	Policy
	Policy Category: Health & Safety
	Date Created: November 2016
	Policy Name: HS31 Child Protection Policy

Purpose

The purpose of this operational policy is to

- detail the definition of neglect and abuse of a child to establish a common understanding within our centre;
- detail how centre management and staff will ensure children are appropriately protected from neglect, abuse and harm
- explain our commitment to training and support of staff in this context
- describe how the centre will respond to suspected child abuse and neglect

The policy is designed to meet provisions of the Children's Act (2014), the Education and Training Act (2020), the Education (Early Childhood Education) Regulations 2008, and the Early Childhood Education Licensing Criteria HS31.

For the purpose of this policy, abuse is used in the context of adult to child. This could be staff to child or an adult (outside of the centre) to the child.

Abuse relating to child-to-child or child-to-adult is not within the scope of this policy.

Issues relating to child-to-child or child-to-adult behaviours is covered by C10, whereby behaviour is managed by positively seeking to develop social competence in children that helps them to establish and maintain appropriate relationships with children and adults.

Position Statements

We have an obligation to ensure the wellbeing of children in our care and 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.

We support families/whānau to protect their children.

We provide a safe environment, free from physical, emotional, verbal or sexual abuse.

Our centre is committed to work with other agencies where necessary to respond to the needs of vulnerable children and families/whānau.

Issue Outline

Child abuse and neglect is not acceptable. Children need our protection.

Prevention is always better than cure. Adults need to be vigilant and provide protection to the children in their care.

The ECE sector has a key role to play in providing a safe environment for children, free from physical, emotional, verbal or sexual abuse and also supporting families/whānau to protect their children.

If we believe a child is in immediate danger, our staff will phone New Zealand Police on 111.

If we are concerned about the wellbeing of a child, or want to discuss, report, or refer a concern, our staff will contact Oranga Tamariki:

- Phone 0508 EDASSIST (0508 332 774)
- Email edassist@ot.govt.nz

If parents have concerns about the safety and wellbeing of a child then they should approach one of our staff. Discussions of such matters will need to take place in private.

Definitions

Child Abuse is defined by Oranga Tamariki as “any child or young person that has been, or is likely to be, harmed (whether physically, emotionally, or sexually), ill-treated, abused, neglected or deprived”.

Child Abuse can be:

- Physical Abuse
- Emotional Abuse
- Verbal Abuse
- Sexual Abuse
- Neglect.

Child Neglect “is a pattern of behaviour which occurs over a period of time and results in impaired functioning or development of a child. It is the failure to provide for a child’s basic needs.

Neglect may be:

- Physical - failure to provide necessary basic needs of food, shelter or warmth
- Medical - failure to seek, obtain or follow through with medical care for the child
- Abandonment - leaving a child young person in any situation without arranging necessary care for them and with no intention of returning
- Neglectful supervision – failure to provide developmentally appropriate or legally required supervision
- Refusal to assume parental responsibility - unwillingness or inability to provide appropriate care for a child.”

From Child Matters website: www.childmatters.org.nz

<https://www.childmatters.org.nz/insights/what-is-child-abuse/what-is-child-abuse/>

Our centre staff undertakes documented efforts (i.e. records of professional training undertaken on the subject and/or information shared amongst staff or sought from agencies, advice sought and received, or other efforts undertaken) to gain an understanding of child abuse and neglect as defined by Oranga Tamariki.

The centre will review this policy every three years and share information about centre practices with parents, as per HS31 of the Licensing Criteria.

Policy principles: How does our centre keep children safe?

The interest and protection of the child is paramount in all actions.

Centre strategies will emphasise prevention of child neglect and abuse and support for families.

We recognise the rights of family/whānau to participate in the decision-making about their children.

We recognise children's rights to make decisions about themselves and have agency.

We have a commitment to ensure that all staff are able to identify the signs and symptoms of potential abuse and neglect and are empowered to take appropriate action in response.

In order for children to be safe from abuse and or neglect, both parents and teachers need a shared understanding of what abuse and neglect is, how it can present, and how it can be prevented. This shared understanding and commitment is shared with parents and whānau.

We are committed to supporting all staff to work in accordance with this policy, to work with partner agencies and organisations to ensure child protection policies are consistent and of high quality.

We will always comply with relevant legislative responsibilities.

We are committed to share information in a timely way and to discuss any concerns about an individual child with colleagues or the Person in Charge.

We are committed to promote a culture where staff feel confident that they can raise issues of concern without fear of reprisal.

Detail

Competent and supported staff

We make sure all staff know and understand what abuse and neglect are, and how to recognise indicators (see Appendix 1).

We make sure that all staff know and understand that corporal punishment and seclusion of children are strictly prohibited in our centre, in line with Section 24 of the Education and Training Act 2020.

We encourage our staff to talk to someone experienced, for a different point of view, or for ideas about how to support families / whānau. We also have these contacts readily displayed on our noticeboard and in newsletters:

- Parent Help – 0800 568 856
- Oranga Tamariki – 0508 326 459
- Are You OK – 0800 456 450 (Family Violence Information Line)
- PlunketLine on 0800 933 922.

Safety Checking of Staff

- We conduct safety checks of all staff in accordance with Ministry of Education, Licensing Criteria (GMA7A) and Children's Act 2014 requirements. (as per the centre Safety Check Procedure)

Relationships with Parents

We will form good relationships with parents and be aware of issues that make life extra hard for parents (see Appendix 2).

We will monitor situations and offer help and support to parents / whānau where we can.

We will make available and provide information and contact details of support agencies within our community

Our centre will share with parents of children who attend our centre our centre child protection policy.

The Managers/Team Leaders will:

- Always prioritise the safety and wellbeing of the child. If a child's safety is in danger, the police will be called.
- Maintain confidentiality. Failure of staff to comply with this policy will be regarded as serious misconduct
- Maintain and increase staff and parental awareness of how to prevent, recognise and respond to abuse, including learning about appropriate touching
- Carry out staff safety checking (including Police Vetting) in accordance with the Children's (Requirements for Safety Checks of Children's Workers) Regulations 2015
- A Supervision Policy is in place. Unauthorised persons are not left unsupervised with children. Give no persons, other than employed staff over the age of 17 years, tasks that involve nappy changing, toileting or responsibility for the supervision of children
- Ensure that staff and other adults visiting or working in the centre are well supported and visible in the activities they perform with children. While the centre respects the privacy of our children, staff and visitors, visibility will be given priority to ensure the safety of all concerned
- Understand Safe Practice: Respond appropriately to a child who initiates physical contact in seeking affection, reassurance or comfort. It is not appropriate to force any form of unwanted affection/touching on a child. Touching should not be initiated to gratify adult needs. Physical contact during the changing or cleansing of children must be for the purpose of that task only and not be more than is necessary for the job
- Ensure no child is taken from the centre by any staff member or adult, without the permission of a parent, except in the case of an emergency
- Maintain appropriate records
- Ensure the centre's procedures protect staff from unjustified allegations of abuse
- Ensure the centre has educational and informational resources for children and adults on child abuse

Should a neglect or abuse situation occur or come to the attention of the centre, and should a report/referral to Oranga Tamariki or the Police be made, the centre is also under an obligation to report the matter to the Ministry of Education (HS34).

Staff will:

- Always prioritise the safety and wellbeing of the child. If a child is in danger, the police will be called.
- Familiarise themselves with this centre policy

- Immediately notify the Managers and/or Team Leaders if they observe signs of child abuse or anyone reports to them any suspicions of child abuse of children at the centre, or a pattern of neglect or concerns is identified
- Maintain confidentiality. Failure of staff to comply with this policy will be regarded as serious misconduct
- Understanding Safe Practice: Respond appropriately to a child who initiates physical contact in seeking affection, reassurance or comfort. It is not appropriate to force any form of unwanted affection/touching on a child. Touching should not be initiated to gratify adult needs. Physical contact during the changing or cleansing of children must be for the purpose of that task only and not be more than is necessary for the job
- Never take a child from the centre without the permission of a parent, except in the case of an emergency.

Preventing Contact, Identifying, and Responding to suspected abuse

Preventing Contact

If you suspect someone of child abuse, you must prevent them from coming into contact with any children at your service. You may need to exclude them from your premises (see [Regulation 56](#)).

People who are unwell could be unwell physically or mentally. If you suspect someone of being physically or mentally unwell in a way that could pose a risk to children, you must prevent them from coming into contact with any children at your service, which may involve excluding them from your premises (see [Regulation 57](#)):

Physical or mental unwellness includes:

- any physical or mental condition that could be dangerous (for example, strange or disturbing behaviour, aggression)
- any infectious or contagious disease or condition (for example, the flu or COVID-19)

Alcohol / Drugs:

You must ensure that no adults in your service community are abusing or are under the influence of alcohol or any other substance that has a detrimental effect on their behaviour or ability to function during service hours (including drop-offs and pick-ups). It applies to any adult in your service community, including any adults living in a home where home-based education and care takes place.

Making sure adults with access to children are safe

Safety checking

You must carry out a formal safety check on your children's workers before they can start work, and then re-check them every three years (see Part 3 of the Children's Act). Nearly everyone working in your early learning service is considered a children's worker.

Identifying and reporting real or potential cases of harm to children

- For further information and contact details for agencies providing assistance:
<https://www.education.govt.nz/early-childhood/child-wellbeing-and-participation/child-protection/>
<https://www.education.govt.nz/early-childhood/child-wellbeing-and-participation/child-protection/#reporting>

Responding

- **Anyone can report child abuse**
- **If a child is in danger, call 111**
- Responding to a child when the child discloses abuse or when there are concerns about abuse or neglect – a phone call to Oranga Tamariki to discuss appropriate next steps
- Responding to more general concerns about the wellbeing of a child, where referral to the statutory agencies (Oranga Tamariki or the Police) is not appropriate – e.g., referral to a family/whānau support agency in the community, such as Social Workers in Schools, Strengthening Families or Whānau Ora is more appropriate.
- **Process of Responding to a child when the child discloses abuse:**

1) Listen to the child	Disclosures by children are often subtle and need to be handled with particular care, including an awareness of the child’s cultural identity and how that affects interpretation of their behaviour and language.
2) Reassure the child	Let the child know that they: <ul style="list-style-type: none"> • Are not in trouble. • Have done the right thing.
3) Ask open-ended prompts – e.g., “What happened next?”	Do not interview the child (in other words, do not ask questions beyond open prompts for the child to continue). Do not make promises that can’t be kept, e.g., “I will keep you safe now”.
4) If the child is visibly distressed	Provide appropriate reassurance and re-engage in appropriate activities under supervision until they are able to participate in ordinary activities.
5) If the child is not in immediate danger	Re-involve the child in ordinary activities and explain what you are going to do next.
6) If the child is in immediate danger	Contact the Police immediately
7) As soon as possible formally record the disclosure	Record: <ul style="list-style-type: none"> • Word for word, what the child said. • The date, time and who was present.

- **Responding to other concerns**

Where a concern about a child doesn't amount to suspicion of abuse or neglect, it could be harmful to the wellbeing of the child and their family/whānau to make a notification to the statutory agencies. Instead, organisations should work to partner with social service providers in their communities to identify and address the needs of the child.

The services available in each community will vary and may include a range of government and non-government providers who will be able to help the child and their family/whānau. For example, Strengthening Families, Whānau Ora, Iwi Social Services, Social Workers in Schools, Children's Teams, family/whānau counselling agencies, budget services and mental health and drug and alcohol services.

Source: <https://www.orangatamariki.govt.nz/assets/Uploads/Working-with-children/Childrens-act-requirements/Safer-Organisations-safer-children.pdf>

Confidentiality and information sharing

The Privacy Act 2020 and the Children's Act 2014 allow information to be shared to keep children safe when abuse or suspected abuse is reported or investigated. Under the Children's Act, 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 Police and, provided that the report is made in good faith, no civil, criminal or disciplinary proceedings may be brought against them.

Please note the ECC recommends that all instances of suspected abuse be reported to Oranga Tamariki. If staff are in doubt, the decision to report should be referred to the Managers and Team Leaders Responsible for a final decision. In making this decision to report or not, the staff will need to be able to show that the decision they made was a reasonable one based on the information they have or should have asked for (including physical, behavioural and anecdotal). In addition, putting aside potential bias, they should consider whether a reasonable person in their shoes would have come to a different view and suspected potential child abuse. Failure to exercise a decision to this high standard potentially places child wellbeing at high risk. ECC will be available to assist if you are or your staff need urgent assistance with this matter. Call 0800 742 742 option 5 or 3.

Alignment with Other Policies

- Personnel policies – police checks and careful employment of temporary staff, casual staff, friends of friends, volunteers
- Outings and excursions policy
- Information & Complaints policy.
- Child Abuse Policy
- Alcohol and Drug policy
- Child Health policy

Relevant Background (including legislation/regulation references)

Education and Training Act (2020): Prohibition of corporal punishment and seclusion in early childhood services.

<https://www.legislation.govt.nz/act/public/2020/0038/latest/LMS257112.html>

Regulation 46 Health and Safety Practices standard: general (1) of the Education (Early Childhood Services) Regulations 2008.

Licensing Criteria for Early Childhood Education and Care Centres 2008 Health and Safety practices criterion 31 and 32.

Further information can be found here:

<https://www.justice.govt.nz/family/keep-children-safe/>

Impacts of Policy on Staff, Parents and Children

Information, discussion, trusting relationships and clear procedures will strengthen the ability of staff, parents and children to work together to adequately protect all the children who attend the centre.

Alignment with the Philosophy of the centre

This policy is aligned with the centre's philosophy.

Implications and/or Risks for the centre

Failure to protect children will not only lead to lifelong damage for children, it will also seriously damage the reputation of the centre, its staff and the reputation of early childhood centres.

Implementation

We build discussions into enrolment procedures and staff meetings.

Review

This policy will be reviewed when there is a significant change in the area of the policy topic or no less than **every three years**.

Authorised:	Vikki Cooper
Date:	Term 3, 2022
Review Date:	Term 3, 2023
Consultation Undertaken:	Parents and caregivers, Staff meetings, MoE, ECC

Appendix 1

Indicators of Abuse and Neglect (Source: Oranga Tamariki)

The physical and behavioural signs, symptoms and history listed below, may indicate abuse or neglect. However they are not specific to abuse or neglect. In certain situations, contexts and combinations they may indicate other conditions. All signs must be examined in the total context of the child or young person's situation.

The Child				
Consider physical, emotional and sexual abuse and neglect				
Recognise disclosure as a sign of abuse				
Recognise Physical Signs	Record Parent, Caregiver or family signs	Observe Behavioural Signs	Child/family Vulnerabilities	Identify Developmental Signs
<ul style="list-style-type: none"> • Bruises and welts • Cuts and abrasions • Scalds and burns • Fractures • Head injuries • Sexually transmitted infections • Failure to thrive and malnutrition • Dehydration • Inadequate hygiene and clothing • Poisoning 	<ul style="list-style-type: none"> • Exposure to family violence • Unrealistic expectations • Terrorising • Corrupting • Isolating • Humiliating • Dependency • Closure • Flight 	<ul style="list-style-type: none"> • Aggression • Withdrawal • Anxiety, fear and regression • Sadness • Overly responsible • Obsessions • Substance abuse • Suicidal thoughts/ plans 	<ul style="list-style-type: none"> • Addictions • Mental health • ORANGA TAMARIKI history • Age of parents or child • Attachment • Disability 	<ul style="list-style-type: none"> • Global development delay. • Specific delays: <ul style="list-style-type: none"> ○ Motor ○ Attachment ○ Speech and language ○ Social cognitive ○ Vision and hearing ○ Unusual developmental patterns

From Oranga Tamariki website: www.mvcot.govt.nz

Appendix 2

Risk Factors of Child Abuse

Issues in the home that teachers or centre staff might become aware of, that might lead to abuse and neglect include:

- Parents with money problems, being out of work
- Overcrowding or housing struggles
- Parents with stress
- Child with special needs
- Parents isolated from friends, family and whānau
- Parents with a history of depression or other mental illness
- Parents separating.

Early signs that can lead to abuse and or neglect can be:

- Parent has a drug, alcohol or gambling problem
- Parent does not engage with their child or has a difficult relationship with them
- Child doesn't have enough clothes on and is often cold and hungry
- Child has unexplained or changeable emotions (eg, withdrawn or depressed)
- Parents frequently yell at, swear at or shame a child
- Child seems scared of a particular adult.

Parental Factors:

- Parent has already abused a child
- Pregnancy was not wanted
- Parent has a background of abuse when growing up
- Young, unsupported mother often with low education
- Parents have unrealistic expectations of the child and lack parenting knowledge
- Parent is isolated and has few supports
- Parent has a mental illness or is abusing drugs or alcohol

Environmental Factors:

- Overcrowding in the house
- Poverty or lack of opportunity to improve the family's resources

- Family violence is present
- A non-biological adult living in the house
- Family is experiencing multiple stresses

Child Factors:

- Baby is sickly, colicky or unwanted
- Child has a physical or developmental disability
- Child is the product of an abusive relationship
- Lack of attachment between child and parent

Source: <https://www.childmatters.org.nz/insights/risk-factors/>