

Child Protection Policy- HS 28

Rational

This policy is provided in recognition of requirements for child protection policies under the Children Act 2014, and also with the understanding of best practice.

This policy outlines our 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. All staff, including visiting teachers, educators, contractors and volunteers, are expected to be familiar with this policy and to abide by it.

Definitions

Child abuse refers to the harming (whether physically, emotionally or sexually), ill treatment, abuse, neglect, or serious deprivation of any child/tamariki, young person/rangatahi (Oranga Tamariki Act 1989).

This includes actual, potential, and suspected abuse.

- **Staff-** children's core worker such as educators, visiting teachers and non-core worker, including volunteers and part-time or temporary roles and contractors
- **Physical abuse** – any acts that may result in physical harm of a child or young person.
- **Sexual abuse** – any acts that involve forcing or enticing a child to take part in sexual activities, including child sexual exploitation, whether or not they are aware of what is happening.
- **Emotional abuse** – any act or omission that results in adverse or impaired psychological, social, intellectual and emotional functioning or development.
- **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.
- **Oranga Tamariki** – the agency responsible for investigating and responding to suspected abuse and neglect and for providing care and protection to children found to be in need.
- **New Zealand Police** – the agency responsible for responding to situations where a child is in imminent danger and for working with Oranga Tamariki in child protection work, including investigating cases of abuse or neglect where an offence may have occurred.

Purpose, scope and principles

At Treasure Tree, 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 when investigating suspected or alleged abuse.

This policy provides a broad framework and expectations to protect children, including (but not limited to) staff behaviours in response to actual or suspected child abuse and neglect. It applies to all staff, including volunteers and part-time or temporary roles and contractors. It is intended to protect all children

that staff may encounter, including siblings, the children of adults accessing services and any other children encountered by staff as they provide their service.

In addition to guiding staff to make referrals of suspected child abuse and neglect to the statutory agencies – i.e., Oranga Tamariki and the Police – this policy will also help our staff to identify and respond to the needs of the many vulnerable children whose wellbeing is of concern.

We recognise that in many of these cases, the involvement of statutory agencies would be inappropriate and potentially harmful to families/whānau. Throughout New Zealand statutory and non- statutory agencies provide a network of mutually supportive services, and it is important for our organisation to work with these to respond to the needs of vulnerable children and families/whānau in a manner proportionate to the level of need and risk. Contact details for agencies and services in our community are provided as an appendix to this policy.

Training

We are committed to maintaining and increasing staff awareness of how to prevent, recognise and respond to abuse through appropriate training. As part of their induction, new staff are made aware of the policy on child protection. Training, resources and/or advice will be available to ensure that all staff can carry out their roles in terms of this policy, particularly in the following four areas (details can be found in sections as indicated):

The signs and symptoms of child abuse and neglect.

- *Identifying possible abuse and neglect*

Roles and responsibilities around record keeping and reporting.

- *Responding to a child when the child discloses abuse & Recording and notifying Oranga Tamariki of suspected child abuse or neglect under Responding to suspected abuse or neglect section*

Responsibilities to children

- *Responding to a child when the child discloses abuse & Practice guidelines*

limitations of their role.

- *Responding to a child when the child discloses abuse & Practice guidelines*

Practice Guidelines

- Educators are responsible for the child at all times while attending the service.
- Wherever possible, parents and caregivers will undertake all toileting and changing of their own children
- Educators will only engage in any necessary care giving routines with enrolled children, in an emergency situation.
- In making physical contact with children, Educators will be guided by the principle that they will do so only to meet the child's physical or emotional needs.
- Educators and visiting teachers will be provided with resource material regarding child protection issues and these materials will be regularly updated.
- Educators and visiting teachers will familiarize themselves with the service's Child Protection Policy and any current relevant research and theory.
- Educators and visiting teachers must not use, or be under the influence of, alcohol or any other substance that has a detrimental effect on their functioning or behaviour while responsible for children attending the service
- Educators must take all steps to make sure that children do not come into contact with any person on the premises who is under the influence of alcohol or any other substance that has a detrimental effect on their functioning or behaviour
- Visiting teachers and educators will not provide counseling, therapy or treatment of child abuse. All children who need these services will be referred on as appropriate.
- The service provider excludes any person employed or engaged in the service from coming into contact with children if they have reasonable grounds to believe that the person:
 - has physically ill-treated or abused a child or committed a crime against children; or
 - in guiding or controlling a child, has subjected the child to solitary confinement, immobilisation, or deprivation of food, drink, warmth, shelter, or protection.

And if necessary to ensure there is no ill-treatment of children, excludes that person from the service and home while the educator is providing education and care.

- The service provider excludes any person employed or engaged in the service from coming into contact with children if they have reasonable grounds to believe that the person:
 - is in a state of physical or mental health that presents any risk of danger to children; or
 - has an infectious or contagious disease or condition. And if necessary, to ensure no child becomes ill, excludes that person from the home while the educator is providing education

and care.

- The service provider ensures that no child leaves the care of the educator with any person unless that person has the role of providing day-to-day care for the child, or is authorised in writing to take the child by a person who has the role of providing day-to-day care for the child.

Procedures

Identifying possible abuse or neglect

Our approach to identifying abuse or neglect is guided by the following principles:

- We understand that every situation is different and it's important to 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.
- We understand when we are concerned a child is showing signs of potential abuse or neglect, we should talk to someone, either a colleague, or manager/supervisor – we shouldn't act alone.
- While there are different definitions of abuse, the important thing is for us to consider overall wellbeing and the risk of harm to the child. It is not so important to be able to categorise the type of abuse or neglect.
- It is normal for us to feel uncertain, however, the important thing is that we should be able to recognise when something is wrong, especially if we notice a pattern forming or several signs that make us concerned.
- Exposure to intimate partner violence (IPV) is a form of child abuse. There is a high rate of co- occurrence between IPV and the physical abuse of children.

The signs of potential abuse:

- *Physical signs* (e.g., unexplained injuries, burns, fractures, unusual or excessive itching, genital injuries, sexually transmitted diseases).
- *Behavioural concerns* (e.g., age-inappropriate sexual interest or play, fear of a certain person or place, eating disorders/substance abuse, disengagement/neediness, aggression).

- *Developmental delays* (e.g., small for their age, cognitive delays, falling behind in school, poor speech and social skills).
- *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).
- The child talking about things that indicate abuse (sometimes called an allegation or disclosure).

The signs of potential neglect:

- *Physical signs* (e.g., looking rough and uncared for, dirty, without appropriate clothing, underweight).
- *Developmental delays* (e.g., small for their age, cognitive delays, falling behind in school, poor speech and social skills).
- *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).
- *Behavioural concerns* (e.g., disengagement/ neediness, eating disorders/substance abuse, aggression).
- *Neglectful supervision* (e.g., out and about unsupervised, left alone, no safe home to return to).
- *Medical neglect* (e.g., persistent nappy rash or skin disorders or other untreated medical issues).

Information on identifying possible abuse or neglect is detailed in ‘*Working together to keep children and young people safe. An Interagency Guide*’ (Oranga Tamariki, 2011, (Working Together)). This document should be read in conjunction with this policy.

Every situation is different and it’s important to consider all available information about the child and their environment before reaching conclusions. For example, behavioral concerns may be the result of life events, such as divorce, accidental injury or the arrival of a new sibling etc. T

We will always act on the recommendations of statutory agencies, including Oranga Tamariki and the Police. We will only inform families/whānau about suspected or actual abuse after we have discussed this with these agencies.

When we respond to suspected child abuse or any concerning behaviour we write down our observations, impressions and communications in a confidential register. This is kept separate from our other records and access will be strictly controlled.

Staff involved in cases of suspected child abuse are entitled to have support. We will maintain knowledge of such individuals, agencies and organisations in the community that provide support.

Responding to suspected abuse or neglect

In all cases where a member of staff has a concern about a child/tamariki/young person/rangatahi being or likely to be abused or neglected (refer to Definitions) by an adult or another child/tamariki or young person/rangatahi, they will report this to their relevant visiting teacher's and notify the manager to assist in the formulation of a plan to address the care and protection concerns.

A referral to Oranga Tamariki may be made at any time.

It is mandatory for all concerns to be reported/referred to the Child Protection Visiting teacher within a time period which allows for effective consultation/advice to be given.

Child abuse is either suspected or disclosed. The priority is to ensure the child is safe from immediate harm.

Allegations or concerns about someone outside the service

The service provider, person responsible or contact person should do the following:

- Follow the advice of ORANGA TAMARIKI/Police
- Avoid further risks to the child(ren)
- Ensure there is no contact between the child and the person whom the allegation is against while the child is attending the service

Allegations or concerns about 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, including the Human Resources disciplinary procedures.
- Management will consult with Oranga Tamariki and/or the Police before taking any further actions.
- Oranga Tamariki or management to advise employee and seek a response (depending on outcomes of discussions with statutory agencies.)
- Employee will be advised of their right to seek support/advice from union or other appropriate representatives.
- Management to maintain close liaison with.

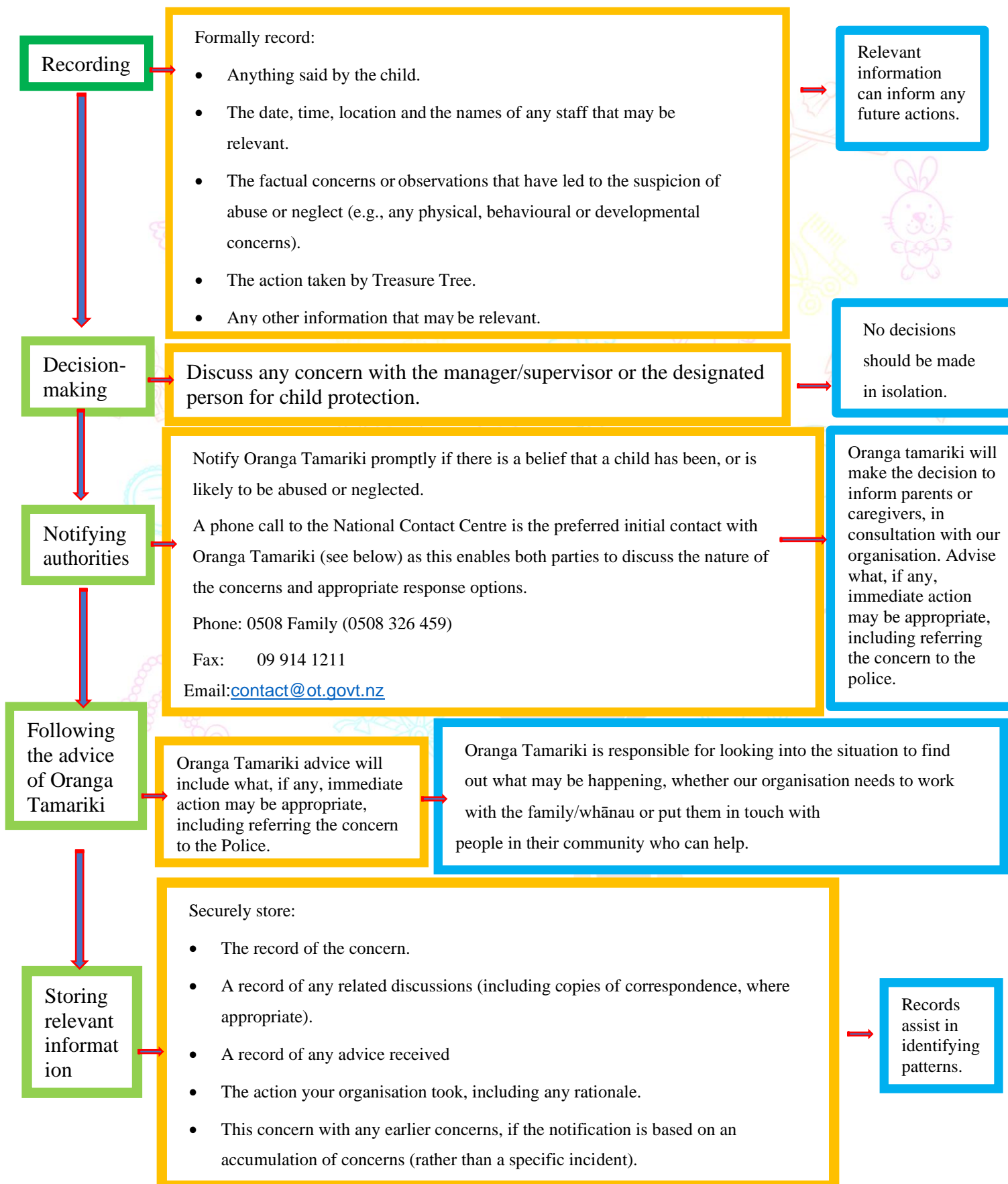
Treasure Tree commits not to use 'settlement agreements', where these are contrary to a culture of child protection. Some settlement agreements allow a member of staff to agree to resign provided that no disciplinary action is taken, and a future reference is agreed. Where the conduct at issue concerns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

Deciding when and who will inform the parent(s) and/or caregiver will be determined by ORANGA TAMARIKI and/ Police in consultation with TreasureTree.

Responding to a child when the child discloses abuse



Recording and notifying Oranga Tamariki of suspected child abuse or neglect



Confidentiality and information sharing

All observations, after an investigation has been notified, shall be kept in writing but the file will be sealed for confidential reasons.

The Privacy Act 2020 and the Children, Oranga Tamariki Act 1989 allow information to be shared to keep children safe when abuse or suspected abuse is reported or investigated. Note that under sections 15 and 16 of the ORANGA TAMARIKI 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 the report is made in good faith, no civil, criminal or disciplinary proceedings may be brought against them.

Recruitment and employment (refer to Treasure Tree safety checking Policy)

Our recruitment policy reflects a commitment to child protection by including comprehensive screening procedures. Safety checking and re-Checking for all children's worker, educators, coordinators and people within the homes over the age of 17 will be carried out by the service provider, as required by the Children Act 2014 (refer to treasure Tree safety checking policy).

Safety Checking procedure (7 components)

1. Verification of identity

- ★ The service provider or responsible person will meet the Visiting Teachers, educators or other applicants in person prior to official start with Treasure Tree.
- ★ The service provider or responsible person will check a primary identification and a specified form of photographic identification.
- ★ The service provider or responsible person will check that the educator is at least 18 years of age; the name on all provided documents to ensure it matches the name on the person's identity documentation. If that person has changed their name a reconfirmation of identity needs to be provided.

2. Interview

An interview will be organised with the Visiting Teachers or educators prior to official start with Treasure Tree. The service provider will meet the applicant in person. At the time of the interview the applicant the applicant's identity will be checked. They will be asked about their previous experiences, work history and other relevant information.

3. information about work history

The applicant will be asked to provide information about previous work experience and history, the date or dates on which the person was engaged or employed by the organisation, and the nature of the work the person is/was engaged in.

4. Referee

The applicant will also be asked to nominate at least 2 non-related referees who know them well enough to be able to comment on their suitability. The references will be checked prior to official start with Treasure Tree.

5. New Zealand Police Vetting:

- ★ Treasure Tree will obtain a police vet for everyone appointed to work at the service during normal opening hours who is not a registered teacher or a holder of a limited access to children at the service during normal opening hours.
- ★ All Treasure Tree educators are to be police vetted prior to official start with Treasure Tree.
- ★ All Treasure Tree Visiting Teachers are to be police vetted prior to official start with Treasure Tree.
- ★ All Job applicants, contractors, and Au Pair/ nannies must be police vetted prior to official start with Treasure Tree
- ★ Treasure Tree will obtain a police vet for every adult (17 years or over) who lives in a home where the service is being provided. This must be obtained before the person is, or likely to be, present when the service is being provided.
- ★ Police checks are required, in advance, of any person moving into an educator's house (e.g. flatmate).
- ★ When an educator's own child turns 17 a police check will be completed for that person.
- ★ If an Educator moves to a new house, a new safety check must be completed and signed off within 2 weeks of moving.
- ★ The police vet results, initial police vet date, the most current police vet and next police vetting date will be recorded in order to ensure is kept up to date.
- ★ Further police vets for educators are obtained every 3 years.

6. Information from any relevant professional organisation or registration body

The latest updates to the teacher's registration and practicing status, Information from any other relevant organisation or registration body will be checked prior to official start with Treasure Tree, and rechecked yearly.

7. Risk assessment, supervision and contact

All collected information will be used to evaluate if there is any risk to children's safety, the person's suitability for the role, the service's engagement and employment with the person.

Treasure Tree excludes any person employed or engaged in the service from coming into contact with children if they have reasonable grounds to believe that the person:

- has physically ill-treated or abused a child or committed a crime against children; or
- in guiding or controlling a child, has subjected the child to solitary confinement, immobilisation, or deprivation of food, drink, warmth, shelter, or protection.
- And if necessary, to ensure there is no ill-treatment of children, excludes that person from the

service and home while the educator is providing education and care.

Abuse and Neglect Prevention while in care

It is expected that all Educators will take any necessary steps to prevent any instance of child abuse while children are in their care.

- While children are receiving care in the Educators' premises, no person who has committed a crime against children or abused children may be in or enter the premises.
- All visitors to the Premise should be monitored all time by the educator. If needed, the educator may ask for identification. Visitors will never be left alone with children. Visitors will be asked to sign in on the visitor register.
- All practicable steps are taken to protect children from exposure to inappropriate material, for example of an explicitly sexual or violent nature.
- All practicable steps are taken to ensure that children do not come into contact with any person on the premises that is under the influence of alcohol or any other substance that has a detrimental effect on their functioning or behaviour.
- All matters relating to cases of abuse are confidential, and those directly involved should not discuss with other Educators, families or children, or any person outside of Treasure Tree Management.
- No child may be taken from the Educators' premises by anybody (except in emergencies) without permission of the parents.
- When Educators take children on excursions a risk assessment will be filled in and signed by parents.
- Each new Educator will undergo an interview process, a police check, references and referees will be checked by the service provider. safety checks are reviewed every three years.
- Parents are given a copy of this policy, and the complaints policy in the Parent Information Pack.
- Physical contact with children should be initiated for a reason such as affection, reassurance, etc. it is not appropriate to force any form of unwanted affection or touching on a child.
- When toileting, children are to be encouraged to be as independent as possible for their age/stage of development. Educators must make sure children are adequately supervised when they are using bathroom facilities.

Related documentation and review

Treasure Tree Safety checking policy

This policy will be part of the initial staff induction programme.

This policy will be reviewed annually.

