

Tamaiti Care and Protection Policy

GOAL: To ensure that all tamariki at Karori Childcare Centre (KCC) are safe from child abuse. Children's wellbeing and safety is our primary concern at all times

LEGISLATIVE FRAMEWORK

This policy is guided by the following legislation and regulatory standards:

- Children's Act 2014
- Oranga Tamariki Act 1989 / Children's and Young People's Well-being Act 1989
- Education (Early Childhood Services) Regulations 2008: S46, S57, S58
- ECE Licensing Criteria: HS125-HS128
- Guidance from the Ministry of Education

Policy Summary

This policy outlines our commitment to tamaiti protection. It includes our protocol 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 are expected to be familiar with this policy and abide by it.

Purpose Statement

We have an obligation to ensure the wellbeing of tamariki 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 tamaiti is our top priority. We support the roles of the Police and Oranga Tamariki and will report and work with these agencies in any cases or suspected/alleged abuse. We support families/whānau to protect their children. We provide a safe environment, free from physical, emotional, verbal or sexual abuse.

Policy Principles

- The interest and protection of the tamaiti is paramount in all actions.
- We recognise the rights of family/whānau to participate in the decision-making about their children.
- We have a commitment to ensure that all staff can identify the signs and symptoms of potential abuse and neglect and are able to take appropriate action in response.
- We are committed to supporting all staff to work in accordance with this policy, to work with partner agencies and organisations to ensure tamaiti protection policies are consistent and 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 tamaiti with the Senior Teacher or chairperson.
- We are committed to promote a culture where staff feel confident that they can constructively challenge poor practice or raise issues of concern without fear of reprisal.

Definition: Child Abuse means the harming (whether physically, emotionally or sexually), ill-treatment, abuse, neglect or deprivation of any tamaiti or young person. While there are different definitions of abuse, the important thing to think about is the overall wellbeing or risk of harm to the child. Detailed definitions can be found on the [Oranga Tamariki website](#).

Teachers receive professional training and guidance as part of pre-service teacher education and are aware of what to look for and how to act professionally in the children's best interests in cases of suspected child abuse. We are committed to maintaining and increasing staff awareness of how to prevent, recognise and respond to abuse through appropriate training. All permanent teachers will complete the child matters or similar child protection course every three years. Records of staff training are kept on the premises. Resources about child protection are available to parents and teachers. As part of their induction, new staff and relievers are made aware of this policy on tamaiti care and protection.

Procedures

Recruitment and employment (safety checking)

KCC recruitment and vetting of staff strictly complies with the Children's Act 2014 and involves:

- Confirmation and verification of staff's identity;
- An application form that includes three referees' names and contact details, one of whom will be the applicant's present or immediate past manager;
- A carefully planned interview schedule;
- At least three referees being rung and asked questions about each applicant's character, strengths and any concerns, one of whom will be the applicants present or immediate-past manager;
- A copy of relevant work history, covering the preceding five years;
- A copy of relevant qualifications and an approved teaching certificate by the Teaching Council of Aotearoa New Zealand being supplied;
- A police check, including for management, non-teaching staff, non-registered relievers and volunteers;
- A confirmed Police Vet Report particularly for unqualified/uncertificated staff before commencing employment;
- Individual Employment Agreements that include agreement to comply with safe practices and a Professional Conduct clause regarding maintaining a high standard of professionalism, honesty, integrity, courtesy and discretion, and procedures of KCC.
- Use of Jitbug relieving and recruitment agency for new relieving staff.
- If there is any suspicion that an applicant might pose a risk to a child, that applicant will not be employed.

Safe Practices

KCC management committee and staff commit to the following safe practices:

- High teacher/tamaiti ratios will be maintained at all times, in particular on excursions and outings;
- Staff will immediately greet any visitors and identify who they are;
- Visitors to the centre should be supervised at all times by staff, without exception. 'Visitors' include (but are not limited to): volunteers, parents and whānau members, student teachers on practicum, Ministry of Education and Education Review Office officials, health workers, children's entertainers and contractors.
- Staff will ensure that when they are working with tamariki they are as visible as possible.
- There will always be two teaching staff working at the beginning and the end of each day (until the last tamaiti has gone home);
- Staff being encouraged to keep their professional and personal lives separate;
- After **prior discussion with management**, kaiako may be permitted to care for enrolled tamariki outside of centre hours or through private arrangements i.e. babysitting;
- Children are not permitted to leave KCC with a person other than their parents without prior written permission from the parents;
- Nappy changing is undertaken by permanent teachers. Our own regular relievers (not agency) may be permitted to change nappies under the guidance of a permanent teacher, after the tamariki have become comfortable with the new adult and after agreement amongst the teaching team;
- Staff touching of tamariki will meet the needs of the tamaiti for care and/or affection, never to solely meet the emotional needs of the adult;
- Parents will be notified of the presence of any student or reliever via the notice board and students or relievers do not change tamariki or enter the sleep room.

- Abuse prevention resources are available to parents/caregivers online from www.childmatters.org.nz
- Teaching staff working with tamariki will support tamarikito state confidently and clearly their concerns when they feel uncomfortable with another person's treatment of them.

Reporting procedures after abuse is discovered, disclosed or suspected

Teachers will inform the senior teacher if they suspect child abuse is occurring, either within the centre environment or in the child's home environment.

In consultation with Oranga Tamariki and the Police, any suspected person at KCC will no longer have access to the child/ren while the case is under investigation. S/he will be directed to seek appropriate legal and professional advice and support.

Correct procedures will be followed when child abuse is suspected (see attached flowchart). Teachers will record concerns and observations and anything of concern said by the child. The recording of these concerns will be written in the "incidents" book, and will be factual, accurate, concise, signed and dated.

There will be support for the person reporting and tamaiti reported on. Outside professional help from the Police, Oranga Tamariki and counsellors will be sought.

In the event that staff are concerned for the safety or wellbeing of a child, but are not sure whether there are any care and protection concerns, the Senior Teacher will seek advice from the appropriate external organisations, including Oranga Tamariki. Karori Childcare Centre may also use, or respond to requests using, the provisions for sharing information under section 66C of the Oranga Tamariki Act to support the wellbeing of children.

Confidentiality and Information Sharing

If there is suspicion that a tamaiti is being abused or neglected, we will record the reasons for suspicion (see below) and the Senior Teacher will report our suspicions to Oranga Tamariki, the child's GP, or the Police. All cases will be dealt with maintaining confidentiality.

We understand confidentiality to be of the utmost importance in cases of suspected child abuse. Suspected child abuse will only be discussed between the governance committee chair person the Senior Teacher and the teaching team. If the matter is to be taken further, the information will be shared only with Oranga Tamariki, the child's GP, the Police and/or the child's parents, as appropriate. When a parent or another adult outside the centre is suspected, the child's parents will be informed after consultation with Oranga Tamariki or the Police.

The reporting principles and procedures are for staff to:

- Believe what tamariki tell you and what you see
- Always take action in the short term to ensure the immediate safety of the child. This may mean contacting Oranga Tamariki or the police if you think there is an immediate risk of the tamaiti being abused again
- Reassure the child. Do not make promises or commitments you cannot keep
- Record your concerns and observations and anything of concern said by the child
- Avoid formally investigating the situation or interviewing the child. Obtain only necessary, relevant facts
- Avoid making decisions alone
- Consult with someone experienced. If there is no short-term risk, take time to consult thoroughly in order to make a well-informed decision.

Points to note:

- Documentation may subsequently be used in Court as evidence for either side
- Avoid making judgments; simply record the facts

- Interviewing of suspected abuse victims is a specialised procedure. Leave it to those who are trained in such techniques
- Do not attempt to contact an alleged abuser.

Procedure on allegations of child abuse against a staff member

If a parent/caregiver or staff member contacts the senior teacher, or chairperson (if appropriate) regarding suspicion of child abuse by a staff member they will be assured of an immediate investigation.

If there are any allegations of abuse by an employee, the senior teacher or chairperson will be informed verbally and in writing of the substance of the complaint. The Police or Oranga Tamariki will be informed immediately.

The decision to lay a complaint should be made after consultation with the following:

- o local Ministry of Education Management Centre;
- o Oranga Tamariki (Ministry for Children);
- o New Zealand Police.

The staff member will be informed of the investigation pending and kept informed throughout the process. Confidentiality of both parties will be maintained, and their families respected.

Following discussion of the complaint with the staff member involved he/she will be placed on paid leave and advised they can contact New Zealand Educational Institute (NZEI) and/ or consult with a lawyer.

The investigation will be conducted by the appropriate agency and depending on the outcome of that investigation the employee will be cleared and reinstated or if substantiated, suspended without pay until legal proceedings are completed.

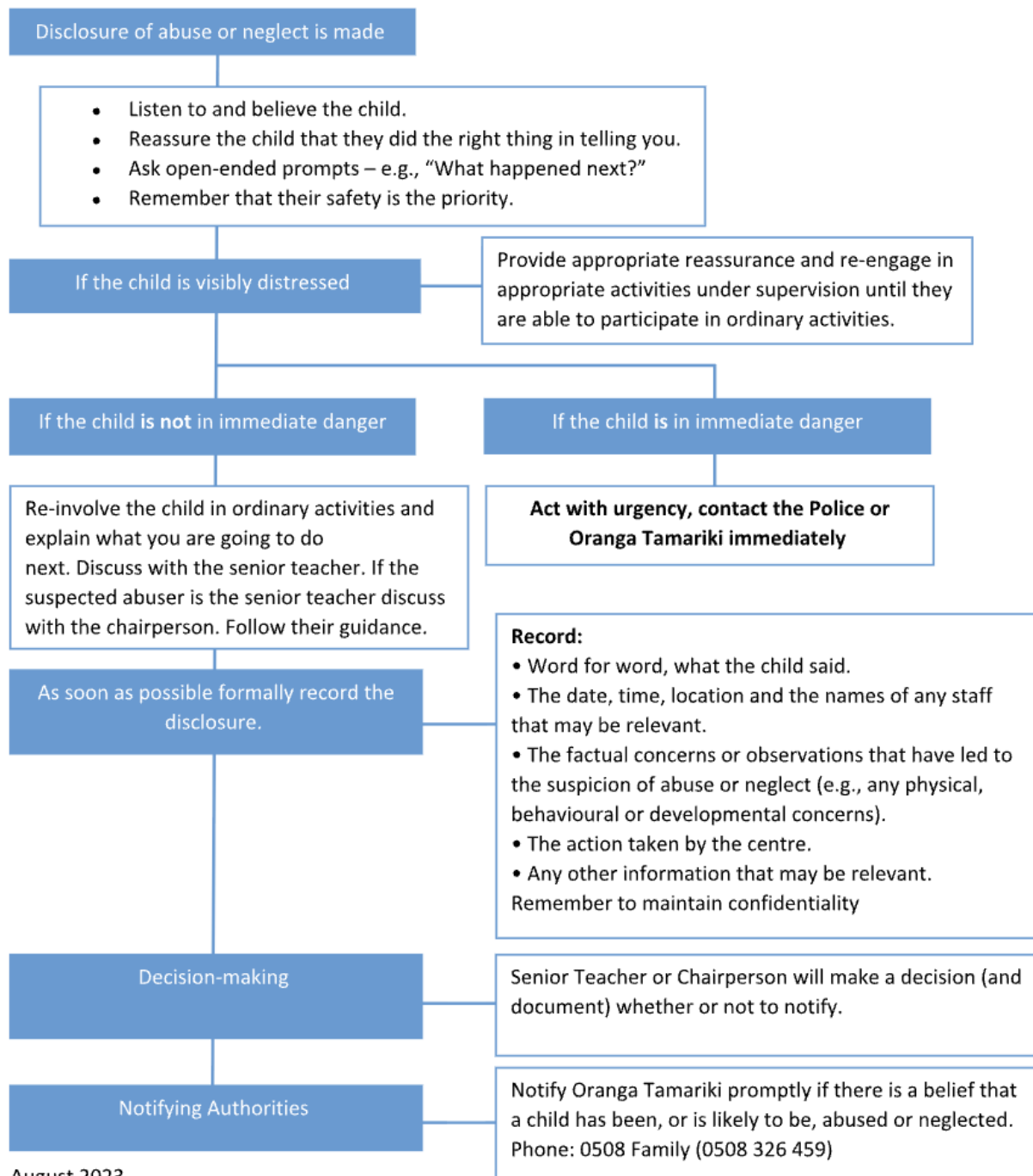
The staff member concerned will be dealt with in accordance with the terms and conditions of their employment.

Any person disclosing information in good faith regarding suspected abuse will be assured the protection afforded by law.

Related policies: Nappy-changing and Toileting, Complaints Procedure, Body Play and Privacy.

Oranga Tamariki (Ministry for Children) abuse notification, available 24 hours: phone 0508 326 459

Disclosure Process Flowchart



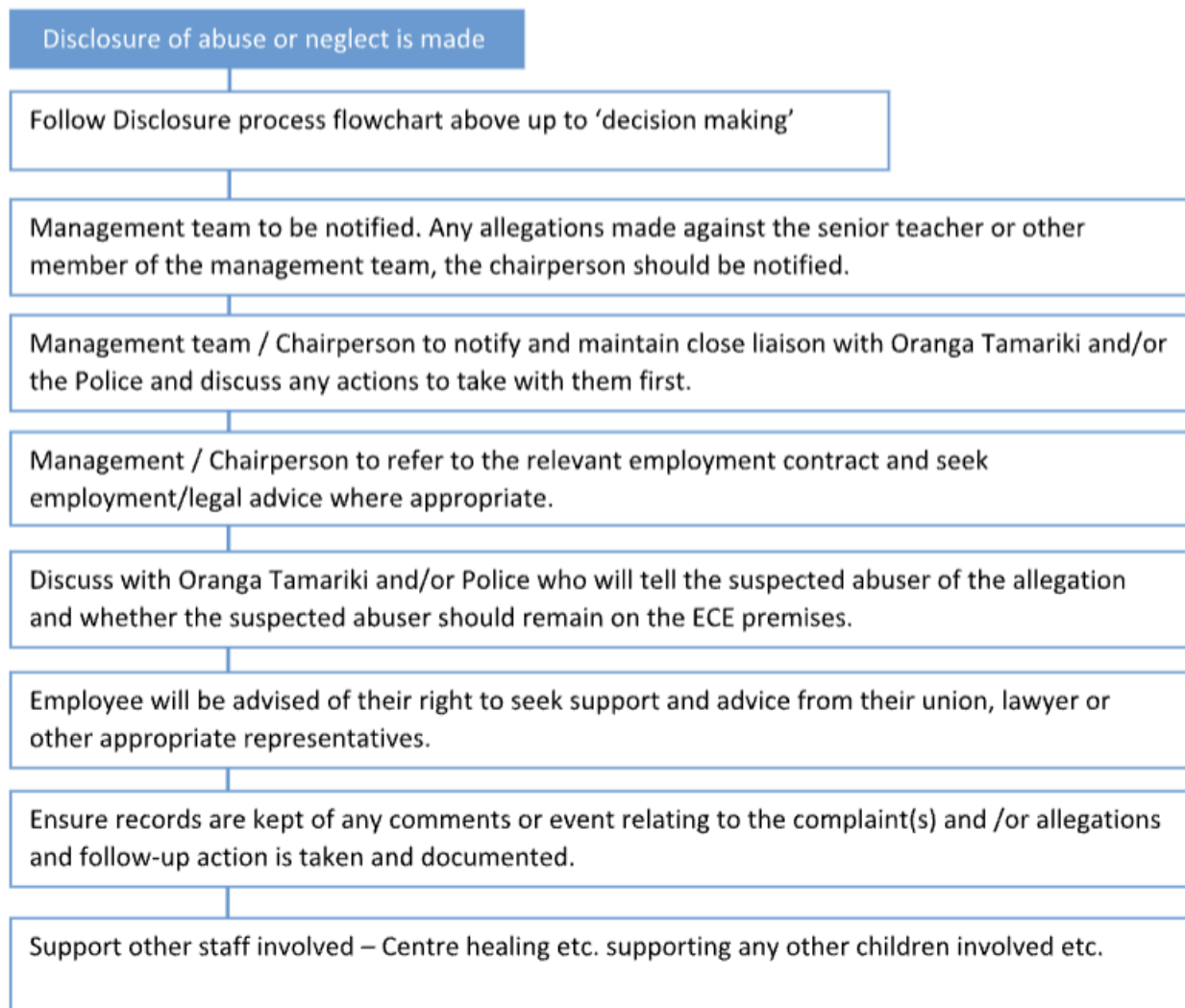
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When an allegation is made against a member of staff or reliever Flowchart

All matters involving allegations against staff need to be escalated to management committee (not Governance committee)

To ensure the tamaiti 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.

If parents of the affected tamaiti/tamariki are not already aware of the suspected abuse at the time of disclosure, Karori Childcare Centre will notify parents immediately so that they can support their child/children. KCC will work with parents to support their right to have core decision making in any event involving their child, this may include supporting parents with any requests or decision making relating to their child's attendance at the Centre, in consultation with the Chairperson.



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If the suspected abuser is a reliever, their agency will be notified immediately. The agency will be responsible for undertaking appropriate employment related matters and supporting staff to seek support and advice. Information relating to the allegation will be shared with the agency in order for them to determine the appropriate response to the employment situation.

In the event an allegation against a staff member or reliever is substantiated, all relevant policies and procedures will be reviewed in order to assess whether all steps were taken to prevent the abuse occurring and whether any policy changes need to be made to prevent any potential future abuse from happening.

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

In the absence of the licensee, refer immediately to the delegated authority for advice on further action.

GOALS FOR ADULT BEHAVIOUR

Adults working with tamariki will:

- Foster harmonious working relationships with other adults, including parents/caregivers and staff;
- Treat tamariki equally and fairly regardless of age, gender, ethnicity or ability;
- Model appropriate behaviour and relationships with other adults as well as with children;
- Affirm the positive in their behaviour with children;
- Demonstrate empathy with the feelings of tamariki;
- Help tamariki to recognise their feelings and to express them in appropriate ways;
- Have realistic expectations of what tamariki at different stages can be expected to do or cope with;
- Establish a few clear, constant rules about what is acceptable and what is unacceptable behaviour;
- Encourage tamariki to care for equipment, the environment and other people;
- Use teaching strategies to manage challenging behaviour, and create positive opportunities for learning social, emotional and academic skills;
- Use clear, simple and friendly instructions/requests;
- Value critique as learning opportunities;
- Be objective when assessing the behaviour of tamariki;

- Consider the child's behaviour within the context of the situation;

Inappropriate practice for adults working with tamariki includes:

- Inflicting verbal or physical punishment;
- Isolating children;
- Labelling tamariki with derogatory words;
- Shaming or comparing children;
- Depriving (or threatening to deprive) a tamaiti of food, warmth or comfort as a means of controlling the child's behaviour;
- Threatening a tamaiti with harm (or harm to someone they care about);
- Ignoring unacceptable behaviours that are harmful to a child, or an adult;
- Grooming, befriending and establishing an emotional connection with a child, in order to lower the child's inhibitions;
- Physical restraint of tamariki will not be accepted unless the child's safety, or that of others is at risk, and then only for control of the situation and with the agreed support of another core employee.

Review

This policy will be reviewed at least every three years, or sooner if legislation or practice changes. As part of this review, we evaluate how well the policy works using at least one example of either:

- how well the policy and procedure has supported KCC to respond; or
- how well the policy and procedure would support KCC to respond using a hypothetical scenario.