



Quality care & education from birth to five years

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## CHILD PROTECTION POLICY

### Policy Summary

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 are expected to be familiar with this policy and to abide by it.

### Purpose Statement

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.

We support the roles of the New Zealand Police (the Police) and Child, Youth and Family in the investigation of suspected abuse and will report suspected/alleged abuse to these agencies.

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 child 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 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 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 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 constructively challenge poor practice or raise issues of concern without fear of reprisal.

### Definitions

Child abuse: Includes physical, emotional and sexual abuse as well as neglect which is the direct consequence of a deliberate act or omission by an adult and which has the potential or effect of serious harm to the child.

## **Identifying possible abuse or neglect**

(See Appendix 1 – Signs of Abuse and Neglect)

## **Responding to suspected abuse or neglect**

All suspicions or observed incidents or reports of incidents should be reported directly to the Person in Charge as soon as possible, who will immediately take steps to protect the child(ren), record the report and report the concern to Child, Youth and Family. If there is clear evidence or reasonable cause to believe an instance of child abuse having taken place, the Person in Charge shall notify Child, Youth and Family. In addition to guiding staff to make referrals of suspected child abuse and neglect to the statutory agencies (i.e., Child, Youth and Family and the Police), 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. 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. Staff members will discuss suspicions with a senior staff member. Where appropriate, the person making the allegation will be given a copy of this policy.

## **Allegations or concerns about staff**

(See Appendix 2 – Signs of Abuse and Neglect)

When a staff member is suspected, the same processes apply.

If there is a need to pursue an allegation as an employer, consult with Child, Youth and Family or the 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. They should also be informed of their right to seek support from the relevant union/representative body. It is vital to follow ordinary disciplinary policies, guided by the employment contract/collective employment contract and relevant statutory obligations.

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.

## **Confidentiality and information sharing**

The Privacy Act 1993 and the Children, Young Persons, and their Families 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 CYPF 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 Child, Youth and Family 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 (safety checking)**

Safety checking will be carried out in accordance with the Vulnerable Children Act 2014. This will include: a police vet; identity verification; references and an interview. A work history will be sought and previous employers will be contacted. 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**

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

- Understanding child abuse and indicators of child abuse.
- How to reduce the risk of child abuse.
- Understanding and complying with legal obligations in regard to child abuse.
- Working with outside agencies on child abuse issues.
- Planning of environment and supervision to minimise risk.
- Dealing with child/parents/family/whānau.

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

Related documentation and review

This policy will be reviewed at least every three years.



## **Policy on Child Abuse Investigation**

### **Principles:**

The Village Preschool & Childcare Centre is committed to the prevention of child abuse and the protection of children. This commitment means that the interests and welfare of the child are considered paramount above all other people involved.

The Centre supports the roles of the Police and the New Zealand Children and Young Persons Service in the investigation of suspected abuse and will report suspected abuse to these agencies.

This Centre has a responsibility under legislation and in society to provide a safe environment that ensures all children are treated with dignity and respect, are free from physical, emotional and sexual abuse.

We are committed to maintaining and increasing staff awareness of how to prevent, recognise and respond to abuse. As part of their induction, new staff are required to familiarise themselves with the centre's child protection policies and are encouraged to read the resource material available. Staff, parents, caregivers and whanau are encouraged to be aware of personal safety and not place themselves in any compromising situation that could be misinterpreted.

This Centre encourages staff to keep their personal and professional lives separate. It discourages close personal relationships and or care-taking activities with children and families outside the work environment.

We are proud of the warm and caring relationships we have with the children who attend this centre and are happy to be observed doing our work. Parents, whanau and caregivers are welcome to visit freely and be involved as much as possible. All policies relating to the children in our care are available to all existing and prospective parents.

The Centre aims to build self-esteem and self-awareness in children, encouraging the development of assertiveness skills to assist children in dealing with uncomfortable or potentially unsafe situations.

### **Definition:**

Abuse is defined under section 2 of the Children Young persons & Families Act as “the harming (whether physically, emotionally or sexually), ill-treatment, abuse, neglect or deprivation of any child or young person.”

### **Physical Abuse:**

Physical abuse is a non-accidental act on a child that results in physical harm. This includes, but is not limited to, beating, hitting, shaking, burning, drowning, suffocating, biting, poisoning or otherwise causing physical harm to a child. Physical abuse also involves the fabrication or inducing of illness.

### **Emotional Abuse:**

Emotional abuse is the persistent emotional ill treatment of a child such as to cause persistent adverse on the child's emotional development. This can include a pattern of rejecting, degrading, ignoring, isolating, corrupting, exploiting or terrorising a child. It may also include age or developmentally inappropriate expectations being imposed on children. It also includes the seeing or hearing the ill treatment of others.

### **Sexual Abuse:**

Sexual Abuse involves forcing or enticing a child or young person to take part in sexual activities (penetrative and non-penetrative, for example, rape, kissing, touching, masturbation) as well as non-contact acts such as involving children in the looking at or production of sexual images, sexual activities and sexual behaviours.

Staff should be aware of their 'duty of care' which precludes developing a sexual relationship with or grooming of a child. A sexual relationship between an adult and a child will always be wrong, unequal and unacceptable.

### **Neglect:**

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, causing long term serious harm to the child's health or development. It may also include neglect of a child's basic or emotional needs. Neglect is a lack: of action, emotion or basic needs

**Please see: How Can I Tell Publication attached to this Policy.**

### **Child Protection Procedures:**

- Any issues of suspected child abuse must be taken seriously and handled in an appropriate manner that ensures the child's safety.
- It is the duty of all staff, trainees and other adults to IMMEDIATELY report to the Designated Person for Child Protection or Centre Manager(as appropriate) if they had good cause to suspect or believe that child abuse is occurring, or has occurred to any enrolled child at the Centre.

- Staff will not act alone about suspicions, but consult with the Designated Person for Child Protection or the Centre Manager who will be committed to taking action as outlined in these procedures. Staff will not act in a way that is outside their knowledge or capacity.
- These concerns will be recorded on a Child Protection Concern Form, and printed on Pink Paper so it is easily identified.
- The Designated Person for Child Protection (Marion Topping) is responsible for ensuring that the procedure for reporting child abuse is effective and timely.
- In the absence of the Designated Person for Child Protection, the Centre Manager will take responsibility for Child Protection Issues.
- All matters related to individual cases or reported abuse are to be recorded factually and remain CONFIDENTIAL to those directly involved and should under no circumstances be discussed with other staff, parents, children or any other person in or outside the Centre. Failure to comply with this policy is regarded as serious misconduct.
- Full and detailed records are to be kept (as directed by the Designated Person for Child Protection) of every related discussion or act or incident which involves a parent, child, accuses or staff member from the first instance of child abuse is suspected.
- The Designated Person for Child Protection will consult with Child, Youth and Family to clarify whether a notification of concern should take place.
- When child abuse is suspected the Designated Person for Child Protection or Centre Manager will inform Child, Youth and Family Services on 0508 FAMILY.
- If it is decided that concerns do not require notification to statutory authorities, the child will continue to be monitored, and records kept.
- Although the parent or care-giver of the child will usually be informed of concerns, there may be times when those with parental responsibility may not be informed. This may happen when:
  - The parent or caregiver is the alleged perpetrator
  - It is possible that the child may be imitated into silence
  - There is a strong likelihood that evidence will be destroyed
  - If the child does not want their parent or caregiver involved and they are of an age when they are competent to make that decision.
- Staff will not question extensively a child who has disclosed abuse, or who is displaying signs of possible abuse. However, it is important that a child is listened to and responded to appropriately.
- In all cases of suspected abuse, the information and concerns will be made available only to those staff who need to know. This will be determined by the Designated Person for Child Protection.
- All staff members involved will be kept informed as far as possible within the limits of confidentiality and the need to protect the best interest of the child. This will be determined by the Designated Person for Child Protection.

### **Confidentiality and Information Sharing:**

- The Village Preschool and Childcare Centre recognises that all staff must act within the legal requirements of the Privacy Act, Children, Young Person's and their Families Act, Health Information Act and other statutes. There are provisions within each of these acts for sharing information needed to protect children and enable other people to carry out their legitimate functions. In general, staff will not share information if they believe that by doing so this will endanger the child.
- The Village Preschool and Childcare Centre encourages the sharing of information when appropriate steps have been taken

- Staff may be asked to provide information to Child, Youth and Family, the Police, Court or Lawyers and Psychologists.
- Information will be restricted to those who have a need to know in order to protect children.
- When any of the above contacts a staff member for information that staff member must first refer to the Designated Person for Child Abuse or the Centre Manager for clearance before providing the information.
- Information will only be given after the staff member has identified the person making the request, the actual purpose of the request, what use the information will be put to, and who will see the information.
- In the case of a Social Worker or Counsel for the Child wishing to interview a child while in the care of The Village Preschool and Childcare Centre, the staff member will consult with the Designated Person for Child Abuse and/or their manager to be certain that such an interview will be undertaken legally and in the best interests of the child.
- All staff will follow the detailed process as outline in Responding to Requests for Information in the Policy Handbook.
- A child's records will be kept as factual as possible, and nothing will be recorded as fact without evidence to back it up. This means, for example, that no entry will be made on a child's record about guardianship of a child without sighting the appropriate document.

### **Relationships with External Agencies:**

- The Village Preschool and Childcare Centre will maintain a good working relationship with Child, Youth and Family, and with Police, and be familiar with the laws that serve to protect children from abuse. We will consult with Child, Youth and Family, the Police, and with other appropriate agencies that have specialist knowledge to help us protect children from abuse.
- The Village Preschool and Childcare Centre believes that in order to keep children safe, people who suspect or uncover abuse should not be tempted to deal with the case themselves. When there is a relationship of trust and understanding with the statutory agencies, people are more likely to report and enable professional investigation to ensue.
- The Village Preschool and Childcare Centre will ensure that it has contacts for Child, Youth and Family and Police Offices. The Designated Person for Child Protection will maintain this information.
- The Village Preschool and Childcare Centre recognises that by law (Sec 15 of the Children, Young Persons and their Families Act 1989) any person may report a case of suspected abuse to the statutory agencies.
- A list of specialist agencies will be kept and updated by the Designated Person for Child Protection. A copy of this will be made available to all staff.
- The Designated Person for Child Protection will meet regularly with a contact person from a specialist agency to ensure that a trusted relationship is maintained in order that The Village Preschool and Childcare Centre can seek help easily and appropriately.
- The Village Preschool and Childcare Centre will also maintain relationships with NGO's and agencies that provide services to children and families.
- The Village Preschool and Childcare Centre encourages the networking of agencies, and staff will undertake an active programme for maintain the relationships between the agencies.

### **Managing Allegations Against Staff:**

- The Village Preschool and Childcare Centre will respond to suspicions and allegations of child abuse by a member of staff in a manner which best ensures children's immediate and long-term safety and will treat suspicions or allegations against a staff member with the same seriousness as suspicions or allegations made against any other person.
- The Village Preschool and Childcare Centre will not act alone, and will refer all suspected situations of child abuse to Police or Child, Youth and Family. The safety of the child will be the primary consideration, and no person in this organisation will collude to protect an adult or an organisation.

- Allegations will be treated in such a way that the rights of adults and the stress upon the staff member are also taken into consideration.
- When abuse is suspected or an allegation made against a staff member, the first consideration will be to ensure the safety of the child.
- When abuse is suspected, staff will follow the process for Responding to Suspected Child Abuse included in this policy.
- When there are suspicions of abuse by a staff member, both staff and children's rights are to be attended to. This means that the safety of the child is of first concern, and that the staff member must have access to legal and professional advice.
- The person managing the child abuse concern will not be the same person as that managing the employment issue.
- The suspected staff member (or volunteer) will be prevented from having further unsupervised access to children during any investigation and will be informed fully of their rights.
- Staff will declare to a senior person where there could be a conflict of interest, and provision, made on a case-by-case basis about who will handle the process.
- If a child discloses abuse, staff will also follow the guide 'Dealing with Disclosures of Abuse'.
- The Village Preschool and Childcare Centre will adhere to the principles of the Employment Contract's Act and give the staff member all information regarding his or her rights.
- The Village Preschool and Childcare Centre recognises the added stress to fellow staff in such a situation, and will ensure support is available.
- The Designated Person for Child Protection must immediately ensure that the suspected individual does not have any contact with the child making the allegation. A risk assessment must be undertaken to determine what level of access, if any, that person should have, to other children.
- If the police decide to undertake a criminal investigation then the member of staff may be suspended without prejudice, as a precautionary measure. It is important that no internal investigation is undertaken, and no evidence gathered that might prejudice the criminal investigation.
- If The Village Preschool and Childcare Centre is aware that a member of staff it has placed on precautionary suspension also works with children for another organisation, either as an employee or a volunteer, it should ensure that the other organisation is informed of the suspension and the subsequent outcome. Consultation with Child, Youth and Family or the Police will determine how this information is conveyed.
- The Village Preschool and Childcare Centre should liaise with Child Youth and Family and the Police regarding the progress of the investigation.
- If there is sufficient evidence to pursue a criminal prosecution, then a disciplinary investigation may still be undertaken if there is "reasonable cause to suspect: that abuse may have occurred. The allegation may represent inappropriate behaviour of poor practice by a member of staff which needs to be considered under internal disciplinary procedures.

### **Roles and Responsibilities of Staff:**

- The Village Preschool and Childcare Centre ensures that all staff working with children, both paid and voluntary, have been appropriately safety checked.
- The Village Preschool and Childcare Centre ensures that all staff working with children are employed in accordance with the Staff Safety Checking Policy.

### **Training of Staff:**

- The Village Preschool and Childcare Centre recognises that induction training for new employees is critical to the safety of children and all staff whether paid or unpaid will attend induction training on child abuse. They will also be required

to attend training to understand and carry out the child protection policy, and their further training needs will be identified.

- All new staff will undertake an induction programme that requires them to read and understand specific material and information about child abuse.
- All staff members will attend an informative session where this Child Protection Policy is clearly explained.
- All staff members will read and have a copy of the Child Protection Policy. Reference to the Child Protection Policy will be made on a regular basis in both staff meetings and training sessions, so that staff remain familiar with and up to date with the policy statements and procedures.
- The ability of staff to protect children in their care is critical. All staff will be expected to undertake training in child protection at a level appropriate to their position. The Village Preschool and Childcare Centre will ensure that such knowledge is kept up-to-date and relevant.
- All staff will be expected to complete basic training covering how to recognise and respond to children affected by child abuse and family violence.
- The Village Preschool and Childcare Centre will have a clear organisation-wide plan of the training programme on child protection issues.
- While it is desirable that all staff attend the Child Protection Studies Programme, there will always be a minimum of two staff members who have completed this level of training.
- Time will be made available on full pay to attend these programmes, and costs will be met by The Village Preschool and Childcare Centre.
- The Designated Person for Child Protection will be responsible for overseeing this policy.

### **Roles and Responsibilities of Staff:**

- The Village Preschool and Childcare Centre believes that as far as possible, staff working with children and families should keep their personal and professional lives separate, and does not encourage close personal relationships or care-taking activities outside the work environment.
- All members of staff, whether paid or voluntary, are expected to follow guidelines that clarify appropriate behaviour. The Village Preschool and Childcare Centre will review these regularly with staff to ensure that the guidelines meet the needs arising from every-changing environments and situations.
- All staff are to have a clear understanding of, and agree to The Early Childhood Code of Ethics, and Policy on Professional standards by Staff.
- Staff are able to inform their Centre Manager of any existing relationships with members, students, clients or their families which could constitute a conflict of interest, or place a staff member in a position of compromise.
- Staff are to inform their Centre Manager of any potential situations of possible conflict of Interest that arise as part of their work.
- No staff member is to enter into any relationship with a child, young person or family, which could mean that any other section of this policy, is compromised.

### **Procedure for the person managing the Referral Process**

Notify CYF Contact Centre or the Police

CYF Contact Centre Phone: 0508 326 459

Fax: (09) 914 1211

Email: CYF [CallCentre@cyf.govt.nz](mailto:CallCentre@cyf.govt.nz)

Tauranga Police Phone: 577 4300

Fax: 577 4879

### **Information Required for Reporting:**

When a notification is made to Child, Youth & Family and/or the Police the person making the referral (the notifier) needs to provide the following information:

- Their own name and contact details
- Name of child / children (also known as / nicknames)
- Date of birth (if known)
- Ethnicity (if known)
- Name of caregivers, parents and other family members and current living situation
- Current legal custodians
- Reason why it is believed that the child is at risk
- Other significant background information
- Any concerns for their physical safety in making this notification

### **CYF's Procedure for Managing a Referral**

1. CYF Contact Centre will enter information on the CYF database and carry out an initial assessment. This may involve requesting further information from the notifier. If the CYF Contact Centre decides further action is required the matter will be referred to the local CYF site office for follow up. The CYF Contact Centre will acknowledge the report, and advise the notifier the matter was referred to recommending either further action or no further action
2. CYF site will make the final decision as to whether or not further action will be taken and by whom. Depending on the assessed level of needs for the child and their family a referral may be made to a non-government organisation social service for their support.
3. If further action is to be taken the social worker allocated to the case will develop an investigation plan. This may require input from the notifier. The police will be involved with CYF in this process.
4. Once the reporting has been investigated CYF will contact the notifier to advise if any further action will be taken or whether a referral will be made to to NGO for either an assessment or for provision of family support.
5. If reporting is urgent the above actions will take place immediately.
6. Decisions concerning ECE arrangements and notifying the parents will be made by Police and social workers in consultation with the Management Panel or Licensee.
7. The notifier may contact the CYF Contact Centre at any stage to obtain information on the status of the notification.

### **Confidentiality of the Notifier:**

A person's name will not normally be released in the absence of a request under the Official Information Act or Privacy Act. If a request is made the information will be released unless there is a reason to withhold such as:

- The person the allegation has been made against has a history of violence and has threatened or abused staff on previous occasions; or
- The client is closely related to the notifier.

However, confidentiality cannot be guaranteed.

(Ref: Appendix 1: Release of notifier details under the Official Information Act 1982 and Privacy Act 1993)

## Procedure for Suspected or Disclosed Child Abuse

**Child abuse is either suspected or disclosed**  
Ensure the child or young person is safe from immediate harm



- Physical / behavioural observations and anything said by the child should be carefully documented (include date, time, who was present, sign name on document).
- Consult immediately with Centre Manager or Designated Person for Child Protection if the allegation concerns the Centre Manager.
- The Designated Person for Child Protection that has been advised of the suspected or disclosed child abuse should contact CYF (0508 326 459) or the Police.
- If advised to do so, complete a referral form & send to CYF or Police. Referral forms are available from the CYF Contact Centre & Police, either by fax or email.
- If there is disruption to the ECE service or community, negative impacts on other children and/or staff or media interest, you may seek support from the Special Education Traumatic Incident Coordinator (0800 848 326)



**Alleged abuse by member of staff**



**Alleged abuse from someone outside the Centre**  
The Designated Person for Child Protection should:

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

### **Managing situations where a staff member has been accused of Child Abuse**

The Designated Person for Child Protection will:

- Maintain close liaison with the police and avoid any action that may compromise their investigation.
- Notify the staff member of the allegation and advise of the potential consequences, this should be done in consultation with the police. Note it is important that the person that makes the notification to the Police / CYFs is not the same person who advises the staff member of the allegation against them.
- Consider whether it is appropriate for the staff member to remain in the Centre premises, this should be done in consultation with the police.
- Recommend staff seek support from appropriate organisations.
- Ensure records are kept of any comments or event relating to the complaint(s) and / or allegations and follow-up action is taken and documented.



## **SAFE WORKING PRACTICES**

### **RESPONSIBILITIES OF STAFF**

All adults who work with children have a responsibility to safeguard and promote their welfare. The public, employers, parents and whānau have the right to expect professionals working with children to behave to a certain standard, and to always maintain and protection the safety of children. When individuals accept a role that involves working with children and young people, they need to understand and acknowledge the responsibilities and trust inherent in that role, and act accordingly. No guidance or Code of Conduct can provide a complete checklist of what is, or is not appropriate behaviour for adults in all circumstances. There may be occasions and circumstances in which adults have to make decisions or take action in the best interests of the child or young person which could contravene this guidance or where no guidance exists. Individuals are expected to make judgements about their behaviour in order to secure the best interests and welfare of the children in their charge. Such judgements should always be recorded and shared with a member of the senior management team and with the parent or carer. In undertaking these actions individuals will be seen to be acting reasonably.

### **Employees at The Village Childcare are required to:**

- Always act, and be seen to act, in the child's best interests.
- Avoid any conduct which would lead any reasonable person to question their motivation and intentions.
- Take responsibility for their own actions and behaviour.

### **At The Village Childcare we aim to:**

- Foster a culture of openness and support.
- Ensure that systems are in place for concerns to be raised.
- Ensure that there is in place effective recording systems which confirm discussions, decisions and the outcomes of any actions taken.
- Ensure that staff are not placed in situations which render them particularly vulnerable.
- Ensure that all staff are aware of expectations, policies and procedures.

## **POWER AND POSITIONS OF TRUST**

A relationship between an adult and a child or young person is not a relationship between equals. There is potential for exploitation and harm of vulnerable young people. Adults therefore have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification. Adults should always maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. They should report and record any incident with this potential.

**The Village Childcare requires staff to NOT:**

- Use their position to intimidate, bully, humiliate, threaten, coerce or undermine a child.
- Use their status and standing to form or promote relationships which are of a sexual nature, or which may become so.

**CONFIDENTIALITY**

Adults may have access to confidential information about children in order to undertake their everyday responsibilities. This may be highly sensitive and private information about them or their family and whānau. Care and consideration must be taken with the sharing of information. It is important that if a child is at risk of, or suffering, abuse then that information is passed to the appropriate person to take action.

**The Village Childcare expects Employees:**

- To be clear about when and with whom information can be shared, and in what circumstances it is appropriate to do so.
- To be mindful about where discussions take place, ensuring this is in a private place where others will not overhear.
- Treat information they receive about a child in a discreet and confidential manner, understanding that this is the child's personal information.
- Not to disclose a child's identity where able to do so.
- Seek advice from a senior member of staff if they are in any doubt about sharing information they hold or which has been requested of them.

**SHARING CONCERNS AND REPORTING INCIDENTS**

Adults should acknowledge their individual responsibilities to bring matters of concern to the attention of senior management and/or relevant external agencies. This is particularly important where the welfare of children may be at risk. Individuals should be aware of their organisation's process for reporting incidents, including concerns that staff may have about colleagues or other professionals. Staff should also be encouraged to self-report any situations that occurred that in hindsight might be viewed as inappropriate. It is essential that accurate and comprehensive records are maintained wherever concerns are raised about the conduct or actions of adults working with or on behalf of children.

**The Village Childcare expects Employees to:**

- Report any behaviour by colleagues that raises concern regardless of source.

**The Village Childcare aims to:**

- Foster a culture of openness and support.
- Ensure that systems are in place for concerns to be raised.
- Ensure that they have clear procedures for dealing with allegations against staff.

## **POSITIVE ROLE MODELS**

Adults in contact with children should understand and be aware that safe practice also involves using judgement and integrity about behaviours in places other than the work setting. The behaviour of an adult's partner or other family and whānau members may raise similar concerns and require careful consideration by an employer as to whether there may be a potential risk to children in the workplace. A person's dress and appearance are matters of personal choice and self-expression. However adults should dress in ways which are appropriate to their role and this may need to be different to how they dress when not at work.

### **The Village Childcare requires staff to wear clothing that:**

- Is appropriate to their role.
- Is not likely to be viewed as offensive, revealing, or sexually provocative.
- Does not distract, cause embarrassment or give rise to misunderstanding.
- Is absent of any political or otherwise contentious slogans.

## **COMMUNICATION WITH CHILDREN, INCLUDING THE USE OF TECHNOLOGY**

All interactions with children and young people need to be carefully considered and planned for as to how these may occur in a way that reduces potential risk to children. Adults should clearly understand the need to maintain appropriate professional boundaries in their communication with children, and expectations around boundaries need to be firmly established to provide guidance to adults. These situations include communicating with children at work, at home, in public settings and through the use of mobile technology and social media. This includes the wider use of technology such as mobile phones, text messaging, e-mails, digital cameras, videos, web-cams, websites and blogs. Children are at increased risk of sexual abuse and exploitation where adults have the opportunity to gain access to children and young people in a setting that is not open to casual observation by other adults. Adults should also be circumspect in their communications with children so as to avoid any possible misinterpretation of their motives or any behaviour which could be construed as grooming.

### **The Village Childcare requires staff to:**

- Ensure that their communication with children takes place within the boundaries of a professional relationship and are open to scrutiny from other adults.
- Have no secret social contact with children or their parents.
- Take care that their language or conduct does not give rise to comment or speculation.
- Be vigilant in maintaining their privacy and mindful of the need to avoid placing themselves in vulnerable situations.
- Consider the appropriateness of the social contact according to their role and nature of their work and always have any contact approved by senior colleagues.
- Report and record any situation, which may place a child at risk or which may compromise the service or their own professional standing.
- Be aware that the sending of personal communications such as birthday or faith cards should always be recorded and/or discussed with manager.
- Understand that some communications may be called into question and need to be justified.
- Ensure that personal social networking sites are set at private and children are never listed as approved contacts.
- Never use or access social networking sites of children.
- Do not give their personal contact details to children, including their mobile telephone number.
- Only use equipment e.g. mobile phones, provided by organisation to communicate with children, making sure that parents have given permission for this form of communication to be used.

- Only make contact with children for professional reasons and in accordance with any organisation policy.
- Recognise that text messaging should only be used as part of an agreed protocol and when other forms of communication are not possible.
- Not use internet or web-based communication channels to send personal messages to a child/ young person.

### **PHOTOGRAPHY, VIDEO AND IMAGES**

Working with children may involve the taking or recording of images. Informed written consent from parents or carers and agreement, where possible, from the child or young person, should always be sought before an image is taken for any purpose. Careful consideration should be given as to how activities involving the taking of images are organised and undertaken. Care should be taken to ensure that all parties understand the implications of the image being taken especially if it is to be used for any publicity purposes or published in the media, or on the Internet. There also needs to be an agreement as to whether the images will be destroyed or retained for further use, where these will be stored and who will have access to them. Adults should ensure that children are not exposed to any inappropriate images or web links.

#### **Employees of The Village Childcare are NOT to:**

- Display or distribute images of children unless they have consent to do so from parents/ carers.
- Use images which may cause distress.
- Use mobile telephones or any other similar devices to take images of children.
- Take images 'in secret', or take images in situations that may be construed as being secretive.

#### **The Village Childcare requires employees to:**

- Ensure that children are not exposed to unsuitable material on the internet.
- Ensure that any films or material shown to children are age appropriate.

#### **The Village Childcare aims to:**

- Have clear e-safety policies in place about access to and use of the internet.
- Make guidance available to both adults and children about appropriate usage.

### **ONE-TO-ONE SITUATIONS**

#### **Organisations require staff to:**

- Ensure that when lone working is an integral part of their role, full and appropriate risk assessments have been conducted and agreed.
- Avoid meetings with a child or young person in remote, secluded areas.
- Always inform other colleagues or parents about the contact(s) beforehand, assessing the need to have them present or close by.
- Always report any situation where a child becomes distressed or angry to a senior colleague.
- Carefully consider the needs and circumstances of the child/children when in one to one situations.

### **SOCIAL OR OVERLY FAMILIAR INTERACTIONS WITH CHILDREN**

All staff who work with children and young people have a professional relationship with boundaries that must be maintained. While there may be some social or personal involvement, for example, a staff member may be

friends with the child's parent, care must be taken to ensure the interactions and socialising between professionals and children or young people continues to be safe and appropriate.

**The Village Childcare requires employees to:**

- Ensure that their relationships with children clearly take place within the boundaries of a respectful professional relationship.
- Take care that their language or conduct does not give rise to comment or speculation.

**GIFTS, REWARDS AND FAVOURITISM**

All adults should be aware of their organisations guidance on rewards including arrangements for the declaration of gifts received and given. The giving of gifts or rewards to children should be part of an agreed policy for supporting positive behaviour or recognising particular achievements. Any gifts should be given openly and not be based on favouritism. Adults need to be aware however, that the giving of gifts can be misinterpreted by others as a gesture either to bribe or 'groom' a young person. Care should also be taken to ensure that adults do not accept any gift that might be construed as a bribe by others, or lead the giver to expect preferential treatment.

**The Village Childcare requires employees to:**

- Only give gifts to an individual young person as part of an agreed reward system.
- Ensure that gifts are of insignificant value.
- Ensure that all selection processes which concern children are fair and that wherever practicable these are undertaken and agreed by more than one member of staff.

**INFATUATIONS**

Occasionally, a child or young person may develop an infatuation with an adult who works with them. These adults should deal with these situations sensitively and appropriately to maintain the dignity and safety of all concerned. They should remain aware, however, that such infatuations carry a high risk of words or actions being misinterpreted and should therefore make every effort to ensure that their own behaviour is above reproach. An adult, who becomes aware that a child or young person is developing an infatuation, should discuss this at the earliest opportunity with a senior manager and parent/carer so appropriate action can be taken to avoid any hurt, distress or embarrassment.

**PHYSICAL INTERACTION WITH CHILDREN**

There are occasions when it is entirely appropriate and proper for staff to have physical contact with children, but it is crucial that they only do so in ways appropriate to their professional role. A 'no touch' approach is impractical for most staff and will in some circumstances be inappropriate. When physical contact is made with a child this should be in response to their needs at the time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background. Appropriate physical contact in organisations will occur most often with younger children.

**The Village Childcare requires employees to:**

- Are aware that even well intentioned physical contact may be misconstrued by the child, an observer or by anyone to whom this action is described.
- Never touch a child in a way which may be considered indecent.
- Are always be prepared to report and explain actions and accept that all physical contact be open to scrutiny.
- Do not indulge in horseplay.

- Always encourage children, where possible, to undertake self-care tasks independently
- Work within Health and Safety regulations.
- Are aware of cultural or religious views about touching and always be sensitive to issues of gender.

### **CHILDREN AND YOUNG PEOPLE IN DISTRESS**

There may be occasions when a distressed child needs comfort and reassurance and this may involve physical contact. Young children, in particular, may need immediate physical comfort, for example after a fall, separation from parent etc. Adults should use their professional judgement to comfort or reassure a child in an age-appropriate way whilst maintaining clear professional boundaries.

#### **The Village Childcare requires employees to:**

- Consider the way in which they offer comfort and reassurance to a distressed child and do it in an age-appropriate way.
- Be circumspect in offering reassurance in one to one situations, but always record such actions in these circumstances.
- Follow professional guidance or code of practice.
- Never touch a child in a way which may be considered indecent.
- Record and report situations which may give rise to concern from either party.

### **BEHAVIOUR MANAGEMENT AND PHYSICAL INTERVENTION**

There are circumstances in which adults working with children displaying extreme behaviours can legitimately intervene by using either non-restrictive or restrictive physical interventions. The use of physical intervention should, wherever possible, be avoided. It should only be used to manage a child or young person's behaviour if it is necessary to prevent personal injury to the child, other children or an adult, to prevent serious damage to property or in what would reasonably be regarded as exceptional circumstances. When physical intervention is used it should be undertaken in such a way that maintains the safety and dignity of all concerned. The scale and nature of any physical intervention must be proportionate to both the behaviour of the individual to be controlled and the nature of the harm they may cause. The minimum necessary force should be used and the techniques deployed in line with recommended policy and practice.

#### **The Village Childcare requires employees to:**

- Adhere to the organisation's Positive Guidance policy.
- Always seek to defuse situations.
- Always use minimum force for the shortest period necessary.
- Record and report as soon as possible after the event any incident where physical intervention has been used.
- Are mindful of factors which may impact upon a child or young person's behaviour e.g. bullying, abuse and where necessary take appropriate action.

#### **The Village Childcare aims to:**

- Have in place appropriate behaviour management policies.
- Where appropriate, develop positive handling plans in respect of an individual child or young person.
- Ensure that an effective recording system is in place which allows for incidents to be tracked and monitored.

- Ensure adults are familiar with the above.
- Ensure that staff are appropriately trained.

### **OTHER ACTIVITIES THAT REQUIRE PHYSICAL CONTACT**

Some adults who work in certain settings, for example sports, drama or outdoor activities or teach specific subjects such as PE or music, will have to initiate some physical contact with children, for example to demonstrate technique in the use of a particular piece of equipment, adjust posture, or perhaps to support a child so they can perform an activity safely or prevent injury. Such activities should be carried out in accordance with existing codes of conduct, regulations and best practice.

### **SEXUAL CONTACT**

All adults should clearly understand the need to maintain appropriate boundaries in their contacts with children. Intimate or sexual relationships between children and young people and the adults who work with them will be regarded as a grave breach of trust. Allowing or encouraging a relationship to develop in a way which might lead to a sexual relationship is also unacceptable. Any sexual activity between an adult and the child or young person with whom they work may be regarded as a criminal offence and will always be a matter for disciplinary action. There are occasions when adults embark on a course of behaviour known as 'grooming' where the sole purpose is to gain the trust of a child, and manipulate that relationship so sexual abuse can take place. Adults should be aware that consistently conferring inappropriate special attention and favour upon a child might be construed as being part of a 'grooming' process and as such will give rise to concerns about their behaviour.

### **INTIMATE CARE OF CHILDREN**

When working with young children, or children with disabilities or special needs, it is sometimes required to care for children in intimate ways. This can include changing them and applying medication. Consideration needs to be given to meeting the child's needs in a sensitive and caring manner, whilst ensuring this is done in a safe way.

### **INTIMATE CARE**

Some job responsibilities necessitate intimate physical contact with children on a regular basis, for example assisting young children with toileting, providing intimate care for children with disabilities or in the provision of medical care. The nature, circumstances and context of such contact should comply with professional codes of practice or guidance and/or be part of a formally agreed plan, which is regularly reviewed. The additional vulnerabilities that may arise from a physical or learning disability should be taken into account and be recorded as part of an agreed care plan. The emotional responses of any child to intimate care should be carefully and sensitively observed, and where necessary, any concerns passed to senior managers and parents/carers. All children have a right to safety, privacy and dignity when contact of a physical or intimate nature is required and depending on their abilities, age and maturity should be encouraged to act as independently as possible. The views of the child should be actively sought, wherever possible, when drawing up and reviewing formal arrangements. As with all individual arrangements for intimate care needs, agreements between the child, parents or carers and your organisation must be negotiated and recorded.

**The Village Childcare requires employees to:**

- Adhere to the organisation's intimate care guidelines or code of practice.
- Make other staff aware of the task being undertaken.
- Explain to the child what is happening.
- Consult with senior managers and parents and carers where any variation from agreed procedure and care plan is necessary.
- Record the justification for any variations to the agreed procedure or care plan and share this information with parents.
- Ensure that any changes to the agreed care plan are discussed, agreed and recorded.

## **PERSONAL CARE**

Young people are entitled to respect and privacy at all times and especially when in a state of undress, changing clothes, bathing or undertaking any form of personal care. There are occasions where there will be a need for an appropriate level of supervision in order to safeguard young people and/or satisfy health and safety considerations. This supervision should be appropriate to the needs and age of the young people concerned and sensitive to the potential for embarrassment. Adults need to be vigilant about their own behaviour, ensure they follow agreed guidelines and be mindful of the needs of the children with whom they work.

### **The Village Childcare requires employees to:**

- Avoid any physical contact when children are in a state of undress.
- Avoid any visually intrusive behaviour.
- Where there are changing rooms announce their intention of entering.

### **The Village Childcare requires employees NOT to:**

- Change in the same place as children.
- Shower or bathe with children.
- Assist with any personal care task which a child or young person can undertake by themselves.

## **FIRST AID AND THE ADMINISTRATION OF MEDICATION**

Some children may need medication to be administered while in the care of The Village. In circumstances where children need medication regularly a health care plan should be drawn up to ensure the safety and protection of children and staff. With the permission of parents, children should be encouraged to self-administer medication or treatment including, for example any ointment, sun cream or use of inhalers. When administering first aid, wherever possible, staff should ensure that another adult is present, or aware of the action being taken. Parents should always be informed when first aid has been administered.

### **The Village Childcare requires employees to:**

- Adhere to the organisation's policy for administering first aid or medication.
- Comply with the necessary reporting requirements.
- Make other adults aware of the task being undertaken.
- Explain to the child what is happening.
- Always act and be seen to act in the child's best interests.
- Report and record any administration of first aid or medication.
- Have regard to any health plan which is in place.
- Always ensure that an appropriate health/risk assessment is undertaken prior to undertaking certain activities.

### **The Village Childcare aims to:**

- Ensure staff understand the extent and limitations of their role in applying basic care and hygiene tasks for minor abrasions and understand where an injury requires more experienced intervention.
- Ensure there are trained and named individuals to undertake first aid responsibilities
- Ensure training is regularly monitored and updated.
- Always ensure that arrangements are in place to obtain parental consent for the administration of first aid or medication. There may be occasions when work with children takes place outside of the normal work environment. This can be due to trips, camps, home visits or any number of reasons. Special care must be taken to ensure that safe practices are maintained.

### **THE USE OF PERSONAL LIVING SPACE**

No child or young person should be in or invited into, the home of an adult who works with them, unless the reason for this has been firmly established and agreed with parents/ carers and a senior manager. It is not appropriate for any organisation or service to expect or request that private living space be used for work with children. Under no circumstances should children assist with chores or tasks in the home of an adult who works with them. Neither should they be asked to do so by friends or family of that adult.

### **WORKING WITH CHILDREN OFF-SITE**

#### **The Village Childcare requires employees who:**

- Are vigilant in maintaining their privacy and mindful of the need to avoid placing themselves in vulnerable situations.
- Challenge any request for their accommodation to be used as an additional resource for the organisation.
- Are mindful of the need to maintain professional boundaries.
- Refrain from asking children to undertake personal jobs or errands.

### **DAY TRIPS, AFTER HOURS ACTIVITIES**

Adults should take particular care when supervising children on trips and outings, where the setting is less formal than the usual workplace. Adults remain in a position of trust and need to ensure that their behaviour remains professional at all times and stays within clearly defined professional boundaries. Children, young people, adults and parents should be informed of these prior to the start of the trip. In all circumstances, those organising trips and outings must pay careful attention to ensuring safe staff/child ratios.

#### **The Village Childcare requires employees to:**

- Always have another adult present in out of workplace activities, unless otherwise agreed with a senior manager.
- Undertake risk assessments in line with their organisation's policy where applicable.
- Have parental consent to the activity.
- Ensure that their behaviour remains professional at all times.

### **HOME VISITS**

Some working arrangements involve visiting children and their whānau in the home. In these circumstances it is essential that appropriate policies and related risk assessments are in place to safeguard children and the adults who work with them.

#### **The Village Childcare requires employees to:**

- Always make detailed records including times of arrival and departure and work undertaken
- Ensure any behaviour or situation which gives rise to concern is discussed with their manager and, where appropriate, action is taken.

- Never make a home visit outside agreed working arrangements.

**The Village Childcare aims to:**

- Ensure that they have home visit and lone-working policies which all adults are made aware of. These should include arrangements for risk assessment and management
- Ensure that all visits are justified and recorded.
- Ensure that adults are not exposed to unacceptable risk.



## **Staff Safety Checking Policy**

**Aim:**

The purpose of this operational policy is to ensure there is a procedure to ensure all those working at The Village meet the safety check requirements specified in the Vulnerable Children's Act 2104. This policy also contributes to the human resource management policies operated at The Village and ensures we comply with the Ministry of Education's Early Childhood Education Licensing Criteria HS31.

**Position Statement:**

The Village ensures the safety of children through a robust staff selection process. We want our staff to be:

- Safe to work with our children;
- Understand the needs and development of children and know how to act to ensure these are met;
- Actively contribute to our culture of child protection; to support and adhere to our child protection and child abuse policies;
- Be prepared to make child safety at The Village their top priority.

A breach of this policy will be regarded as serious misconduct and subject to disciplinary action.

**Issue Outline:**

Not all children have the support and protection of a trusted adult, but they must do at The Village. The risk to our children and their families, would be severe and permanent. The risk to our reputation would have devastating effects on The Village.

**Policy Principles:**

To ensure our children are safe, we undertake a series of safety checking steps when appointing all staff at this centre:

- Verification of identity
- Recruitment interview

- Information about work history
- Referee information
- Information from the Education Council
- Acceptance of a Police vet check report

## **Detail:**

### **Verification of identity**

We require two forms of photo identity from prospective staff when applying for roles with us.

### **Recruitment Interview**

All prospective staff are expected to participate in a full recruitment interview. The interview not only examines the background of the candidate, but also their suitability to demonstrate the values of our centre and in a manner that meets the expectations of this policy.

### **Information about work history**

We look for a work history that is clear and transparent.

### **Referee Information**

We undertake a minimum of two telephone referee checks, one of which must be with a recent employer, and will examine the matter of safe practices as part of the discussion.

### **Information from the Education Council**

For all teaching staff with a current practicing certificate, we will check with the Education Council to ensure that there are no endorsements that reflect concerns over the safe practice with children.

### **Acceptance of a Police Vet Check Report**

We accept a registered teacher's current practicing certificate as evidence that a current Police vet check report has been obtained by the Education Council and that this has met their criteria for being of good character and fit to be a teacher. We will obtain a current Police vet check report for all other staff at our centre to identify any issue in the individual's recent background that would reflect children at our centre might be at risk.

All staff will be required to pass a Police vet check every three years.

### **Personnel records**

We retain information gathered to comply with this Staff Safety Checking Policy in individual personnel files. Police vet check reports, where gathered, are retained for three years until replaced with a more current version. All personnel records are kept strictly confidential in secure storage.

### **Allegations or concerns about staff**

When a staff member is suspected, the same processes apply.

If there is a need to pursue an allegation as an employer, consult with Child, Youth and Family or the 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. We will otherwise follow ordinary disciplinary policies.

We commit not to use settlement agreements, where these are contrary to a culture of child protection.

- 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.
- Ensure the centre's procedures protect staff from unjustified allegations of abuse.

#### **The Manager will:**

- Always prioritise the safety and wellbeing of the child.
- Carry out staff safety checking (including Police Vetting) in accordance with the Vulnerable Children (Requirements for Safety Checks of Children's Workers) Regulations 2015.
- Maintain appropriate records.

#### **Staff will:**

- Always prioritise the safety and wellbeing of the child.
- Familiarise themselves with this centre policy.
- Maintain confidentiality.

#### **Protected Disclosure:**

When a staff member or associate brings a case of child abuse to the attention of the center or the authorities, The Village will not disclose the name of the person without their permission unless it is to CYF or the Police and is necessary to do so in the interests of the child.

#### **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 Protection Policy
- Child Abuse Policy

#### **Relevant Background (including legislation/regulation references)**

Education (Early Childhood Services) Regulations 2008

Ministry of Education Early Childhood Education Licensing Criteria Governance and Management GMA7

Vulnerable Children Act 2014 and associated regulations.

## Impacts of Policy on Staff, Parents, Children

Comprehensive safety checking of all staff will give assurance to parents, staff and children that our centre takes child protection seriously and that our centre is a safe centre for children.

## Alignment with the Centre Philosophy

This policy is aligned with the philosophy of The Village.

## Implications and/or Risks

In making an appointment we apply a risk assessment by weighing up all of the information gathered and select a person who we believe;

- Is a safe person to work with children.
- Understands the needs and development of children and knows how to act to ensure these are met.
- Supports and adheres to our child protection and child abuse policies
- Will make the safety of children at our centre a priority.

## Implementation

The implementation of this policy influences The Village's recruitment and HR policies and will form part of all staff induction and in-service training.

## Review

Review annually or when there is a significant change in the area of the policy topic.

Date: -----

Signature of Licensee: -----

Date for Review:-----

