

ANDERSONS BAY COMMUNITY KINDERGARTEN

CHILD PROTECTION POLICY

Policy Objective

The safety of the child is our prime consideration at all times.

Rationale

Andersons Bay Community Kindergarten is committed to the prevention of child abuse, to the well-being of children and their whānau. We are committed to acting at all times in the best interests of children and their whānau.

Definition of Child Abuse

Child abuse means the harming (whether physically, emotionally, or sexually), ill-treatment, abuse, neglect, or deprivation of any child or young person (Oranga Tamariki Act 1989 s2)

Roles and Responsibilities

The people who hold the responsibility for child protection, and therefore this policy, are the Senior Teacher and a second designated teacher. These roles are referred to as the Designated Persons for Child Protection.

The Designated Persons for Child Protection are responsible for ensuring that the procedure for reporting child abuse is effective and timely.

If a member of staff has a child protection concern then they must inform a Designated Person as soon as possible.

All staff will be trained to be able to clearly identify the signs and symptoms of abuse, and have the confidence to take the appropriate action.

Andersons Bay Community Kindergarten requires staff 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

Andersons Bay Community Kindergarten will:

- Foster a culture of openness and support
- Ensure that systems are in place for concerns to be raised (see section on process for responding to suspected child abuse)
- Ensure that there is in place effective recording systems which confirm discussions, decisions and the outcomes of any actions taken.
- Ensure that teachers are not placed in situations which render them particularly vulnerable (see section on safe working practices)

- Ensure that all staff are aware of expectations, policies and procedures (see section on training)

Procedures for Responding to Suspected Child Abuse

When abuse is suspected or an allegation made against another person, the first consideration will be to ensure the safety of the child.

Teachers will not act alone about suspicions, but will consult with a Designated Person who will be committed to taking action as outlined in these procedures. Teachers will not act in a way that is outside their knowledge or capacity.

If the child is in immediate danger, a Designated Person for Child Protection will contact the Police on 111.

If the child is not in immediate danger, a Designated Person for Child Protection will consult with Oranga Tamariki on 0508 326 459 to clarify whether a notification of concern should take place.

If a notification of concern takes place, the Designated Persons for Child Protection and teachers will follow the advice of Oranga Tamariki.

If, after consultation with Oranga Tamariki it is decided that concerns do not require a notification to statutory authorities, the child will continue to be monitored, and records kept containing the information set out in appendix 3 of this policy.

All suspicions and information will be recorded factually, and held confidentially. Anything that is an opinion or a personal concern will be identified as such and not as being fact.

Although the parent or caregiver of the child will usually be informed of concerns, there may be times when those with parental responsibility may not be initially informed. This may happen when:

1. The parent or caregiver is the alleged perpetrator
2. It is possible that the child may be intimidated into silence
3. There is a strong likelihood that evidence will be destroyed

Teachers will not question 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 who have a need to know. This will be determined by the Designated Persons for Child Protection.

All teachers 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 Persons for Child Protection.

Key steps in this process are set out in a flowchart that teachers must follow.

Information Sharing and Confidentiality

All staff will follow the information sharing provisions of the Oranga Tamariki Act 1989 and Family Violence Act 2018. These acts allow regulated agencies, such as the Kindergarten, to share and request information if they have concerns about the safety or wellbeing of a child. These provisions support early intervention where there are concerns for a child and override the confidentiality provisions of the Privacy Act 2020.

Where information is shared or requested the Designated Persons will:

- Ensure sharing is done with care and respect for the child and family.
- Consult with the child's family about the information being shared or requested. Consent is not required.
- Document the information shared or requested, including discussions with the family and advice from other regulated agencies.

In general staff will not share information if they believe that by doing so this will endanger the child.

Training

Andersons Bay Community Kindergarten is committed to training all staff in relation to child protection and has a clear organisation-wide training programme as set out below:

1. Andersons Bay Community Kindergarten recognises that induction training for new employees is critical to the safety of children. All staff will attend induction training on child abuse that includes reading and understanding this Child Protection Policy and related safe working practices as well as the definitions, indicators of abuse and inappropriate sexual behaviour as set out in the appendices to this policy.
2. A child protection component will be part of the induction training for the Management Committee.
3. All teachers will be expected to undertake training in child protection at a level appropriate to their position.
4. The Designated Persons for Child Protection will complete in-depth child protection training (for example the 5 day Child Protection Studies Programme run by Child Matters).
5. All teachers will complete basic training covering how to recognise and respond to children affected by child abuse and family violence. This training could be online or at a face-to-face workshop.
6. Teachers will undertake online or face-to-face refresher training every two years.
7. Time will be made available on full pay to attend these programmes, and costs will be met by Andersons Bay Community Kindergarten.

8. All teachers will read and have a copy of this Child Protection Policy. Reference to the Child Protection Policy will be made on a regular basis in teacher meetings and training sessions, so that teachers remain familiar with and up to date with the policy statements and procedures.
9. All teachers are to have a clear understanding of the Teaching Council's Our Code, Our Standards and its implication for child protection.

Recruitment

Andersons Bay Community Kindergarten ensures that all core and non-core workers employed to work with children have been appropriately safety checked.

All potential employees will be screened according to the requirements in the Children's Act 2014. Screening is about following a process to collect enough information so that the Kindergarten can be satisfied, having assessed the risks, that the applicant is safe to work with children in the role they are applying for. More specifically, it means verifying applicant's identity, gathering information about them through application forms, interviews and reference checks, and finally checking the information through the use of external checks like the Police vetting service.

"Vetting" means the formal process of obtaining checks from another agency, e.g. the Police vetting service, criminal record checks.

Allegations against Staff

Andersons Bay Community Kindergarten 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.

Andersons Bay Community Kindergarten will not act alone, and will refer all suspected situations of child abuse to Police or Oranga Tamariki. 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 including access to legal and professional advice and the stress upon the staff member are also taken into consideration.

Any teacher or other persons who suspects child abuse by a member of staff will consult with a Designated Person for Child Protection who will follow the process for Responding to Suspected Child Abuse included in this policy. If it is a Designated Person suspected of child abuse the member of staff will consult with the second Designated Person for Child Protection.

Allegations of child abuse by a member of staff may give rise to employment issues. These issues will be managed under the Collective Employment Agreement and Serious Misconduct Procedures. The person managing the child abuse concern will not be the same

person as that managing the employment issue. The Kindergarten will make a mandatory report to the Teaching Council if they have reason to believe the teacher has engaged in serious misconduct.

Andersons Bay Community Kindergarten will adhere to the principles of the employment law and give the staff member all information regarding his or her rights.

Andersons Bay Community Kindergarten recognises the added stress to fellow staff in such a situation, and will ensure support is available.

The Designated People 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 Andersons Bay Community Kindergarten 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 Oranga Tamariki or the Police will determine how this information is conveyed.

Andersons Bay Community Kindergarten should liaise with Oranga Tamariki and the Police regarding the progress of the investigation.

If there is insufficient evidence to pursue a criminal prosecution, then a disciplinary investigation under the Serious Misconduct Procedures may still be undertaken if there is "reasonable cause to suspect" that abuse may have occurred. The allegation may represent inappropriate behaviour or poor practice by a member of staff which needs to be considered under internal disciplinary procedures.

Visitors

All visitors must sign the visitors book on arrival at kindergarten, be monitored at all times by staff, and never left alone with children.

Any relevant public health settings must be followed by visitors.

Teachers will inform families about all relievers/visitors/students or other workers who may be present in the kindergarten for a period of time via the whiteboard.

All volunteers coming into kindergartens must have a purpose/ job description/ time frame for being present, and be accountable to a designated teacher.

The Senior Teacher can cease a volunteer, at any time from the kindergarten with a verbal explanation.

Where the Senior Teacher is required to certify documents, the following will be included: a certified true copy of the original (written on photocopy) and the full name and signature of Senior Teacher.

Students on Practicum

Andersons Bay Community Kindergarten recognises the importance of supporting students studying to become qualified early childhood teachers on practicums, at our kindergarten, guided by our teachers as mentors. To ensure this is a quality experience the following points apply:

- Mentor teachers must hold Tuturu/Full Certification.
- When deciding whether to accept students on practicum, the senior teacher and mentor teachers should consider the number of adults that will be in the kindergarten at the time.

Andersons Bay Community Kindergarten is legally responsible under the Childrens Act to ensure students have been safety checked. For students undertaking a tertiary level early childhood qualification, the Kindergarten will ensure the following:

1. Police vet: They will have been Police vetted through the selection process to their respective institution.
2. A letter from their institution stating the student's name, and showing how the institution has met their obligations under the Childrens Act 2014.
3. Identity check: The Senior Teacher must identity check all students on the first day of their practicum. The student must show in person their photographic University/Polytech ID or current Drivers Licence or Passport, to then be copied and certified by the Senior Teacher.

Students from High Schools

Andersons Bay Community Kindergarten is not required to safety check students from high schools under the Childrens Act, as they are considered volunteers, and will be under the supervision of teaching staff at all times. This includes high school students on work experience or gateway programme.

We do require:

1. A letter from their school stating their suitability to be working alongside children and the dates/times they will be present at kindergarten.
2. A copy of their photographic school ID, certified by the Senior Teacher.

People who Work in the Kindergarten, but are not employed by Andersons Bay Community Kindergarten

This includes Speech Language Therapists, PLD providers, Court appointed lawyers, agency staff such as ERO, Ministry of Education/ CCS (Early Intervention teachers, Support workers), Ministry of Health (Vision and Hearing Technicians, Public Health nurses).

The above visitors do not require approval. People who work in our kindergarten but who are employed or engaged as a children's worker by another organisation should be *safety checked* by their employing organisation.

Education Support Workers: The Senior Teacher must identity check all Education Support

Workers on their first day at the kindergarten. The Education Support Workers must show in person a photographic ID such as a current Drivers Licence or Passport.

Court appointed lawyers/ Social workers: Must have identified themselves via email initially. The Senior Teacher will ask for photographic identification to ensure they are who is expected.

Volunteers/Outside Providers

Andersons Bay Community Kindergarten is not required to safety check volunteers/outside providers under the Childrens Act. However, we encourage child safe practice in our kindergarten, therefore before having *regular* volunteers or outside providers (who are not parents/whanau of currently enrolled children) in the programme, the following steps must be followed:

1. If the kindergarten is planning to have a *regular* volunteer or outside provider, the Senior Teacher will meet with them to determine their suitability and purpose for being at kindergarten (informal interview) and may contact referees.
2. The volunteer/outside provider must bring to the Senior Teacher a completed Police Vetting form, and current identification from category A and category B to be verified by the Senior Teacher.
3. Before volunteers/outside providers can be a part of the programme, the above steps need to be followed, and the kindergarten must have received confirmation that the Police Vet, and referees check has been completed and the person is suitable.

Outside providers include services such as: Playball, Storytellers, Mindfulness, Music, Te Reo.

Parent/Whanau Volunteers

Parent/whanau volunteers, such as parent/whanau helps are not required to be police vetted/safety checked whilst they have children enrolled at kindergarten, however if they are regularly volunteering without their children in attendance then the process for Volunteers/Outside Providers above must be followed.

Unexpected Visitors

Any unexpected or spontaneous visitors to kindergarten, who do not fall into any of the above categories, and come during child-contact hours do not require safety checking but must be monitored at all times by staff as do all volunteers.

Contractors

Contractors are employed from time to time by the kindergarten to undertake maintenance type jobs. e.g. electricians, plumbers etc. The following steps will be taken in relation to contractors:

- Inform the contractor of all hazards they may be exposed to at the kindergarten site.
- Ask and get evidence about contractors' health and safety policy and practice, police vetting, and any supervision arrangements.
- Ensure the contractor provides the kindergarten with an indication of any hazards that they may bring or create in the kindergarten.
- Get the contractors to sign the visitor's book. This is to be completed by all contractors, workers, or tradespeople doing work at the kindergarten.

Cyber Safety and Social media

The safe and responsible use of information and communication technology is considered of paramount importance to our Kindergarten. Cyber safety refers to the safe and responsible use, anytime, of the internet and ICT equipment and devices such as computers, laptops, digital cameras, mobile phones etc. It is about keeping information safe and secure and keeping children safe around the use of technology. We place a high priority on our kindergarten having internet facilities and digital technologies which will benefit children's learning outcomes, and the effective operation of the Kindergarten.

Guidelines

- Children will be actively supervised by teachers when accessing the internet on the kindergarten site or at any kindergarten related event.
- Children may create and/or send digital messages only under the active supervision of teachers.
- Personal use of the internet and phones will be reasonable.
- All teachers must sign a cyber safety use agreement as set out in appendix 1.
- Teachers will take all reasonable steps to filter or screen all material accessed using the kindergarten's internet facilities and will consider the images contained in magazines or other donated materials donated to protect children from exposure to inappropriate material. However when using the internet, it may not always be possible to restrict access to such material. This may include material which is inappropriate in the kindergarten learning environment, dangerous, or objectionable as defined in the Films, Videos and Publications Classification Act 1993.
- Where teachers who supervise children's use of ICT indicate they require additional training/professional learning in order to safely carry out their duties, this shall be organised.
- No personal information such as phone numbers, home addresses or email addresses should be passed on about others unless that person has given their permission.
- Access to the kindergarten's computer network, computers and internet facilities, requires a password protected personal user account. Passwords should be kept confidential.
- Kindergarten email accounts are expected to be used in a responsible manner by teachers and committee members who have access to them. This includes ensuring that no electronic communication could cause offence to, harass, or harm others or bring the kindergarten into disrepute, or in any other way be inappropriate in the kindergarten's learning environment. The kindergarten's Privacy Policy will be followed in relation to kindergarten email accounts.
- Kindergarten email accounts will be reviewed regularly by administrators (the Senior Teacher and President) to ensure that appropriate teachers and management committee members have access to accounts.
- All users are expected to practice sensible use to limit wastage of computer resources or bandwidth. This includes avoiding unnecessary printing.
- Copyright laws and licensing agreements must be respected.
- The kindergarten uses the internet based platform Storypark to document and share stories, assessment and planning related to children's learning. Parents will be asked for permission (using the form in appendix 2) before a Storypark profile for a child is created.

- Teachers taking photos or videos of children for any Kindergarten purpose will use Kindergarten cameras or other devices, not personal ICT devices. Photos of children who have left Kindergarten should be deleted. Students on practicum are able to take photos on kindergarten devices under the supervision of a teacher for the purposes of their assignment work.
- Social media will be used in a professional manner. This includes personal use. Some families choose to keep their children off social media and therefore when others post pictures of groups at kindergarten or at kindergarten events on these sites their wishes are not being followed. The kindergarten enrolment form asks families to agree that they won't post photos or videos of any kindergarten child (apart from their own) or staff member at kindergarten or at any kindergarten activity on any social media platform or website without permission.
- A breach of these procedures may constitute serious misconduct and will be treated accordingly.

Other Safe Working Practices

All members of staff, whether paid or voluntary, are expected to follow policies and procedures that clarify appropriate behaviour. Andersons Bay Community Kindergarten reviews these policies and procedures regularly with staff to ensure that policies meet the needs arising from ever-changing environments and situations. Safe working practices are included in the following:

- Changing and Toileting Procedures
- Travel and Outings Procedures
- Supervision of Children Sleeping Procedures
- Supervision of Children Procedures
- Washing Sick or Soiled Children Procedures
- Relief Teacher Procedures
- Student Teacher Policy
- Emergency Plan

Andersons Bay Community Kindergarten recommends that teachers do not undertake child care for children enrolled at Kindergarten outside the work environment.

Signed and dated by the Management Committee and Teachers:

Accepted: July 2024

Review Date: July 2026

Appendix 1: Definitions

Child: A child is defined as anyone under the age of 18 (United Nations Convention on the Rights of the Child article 1)

Core Worker: Core worker means a person that is spending time at our kindergarten when children are present. They may work alone with or have prime responsibility for children without a parent or guardian, teacher or other staff member present;

Non-Core-Worker: Non-core workers will be supervised by core workers and never work alone with children. This is any other adults who may be at kindergarten and includes students, parents and contractors.

Appendix 2: Definitions, Signs, Symptoms and Indicators of Abuse

Sourced from Child Matters and Ministry of Education training

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.

Indicators of physical abuse might be:

- Aggressive, destructive
- Mistrust of adults
- Anxious or jittery
- Vacant or frozen stare
- Low self-worth
- Passive and compliant
- Inappropriately dressed
- Relationship difficulties
- General anti-social behaviour

Emotional Abuse

Emotional abuse is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effects 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. Negative impact of caregiver's mental or emotional condition or exposure to anti-social or illegal activities may also result in emotional abuse.

Indicators of emotional abuse might be:

- Difficulty developing normal relationships
- Slow development
- Regression
- Apathy, depression, habitually frightened and nervous
- Habit disorders – sucking, biting, rocking
- Markedly low self-esteem
- Very clingy or possessive
- Overly compliant and apologetic

Exposure to Family Violence

Exposure to family violence includes seeing, hearing, getting caught up in or experiencing the results of physical or sexual assaults between caregivers. Tamariki do not have to see the violence occurring to be harmed by it. Exposure to family violence increases the risk to tamariki of abuse and neglect.

Indicators of exposure to family violence may be similar to those of emotional abuse.

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 (childmatters.org.nz).

Indicators of sexual abuse might be:

- Changes in behavior
- Sexualized behavior
- Advanced sexual knowledge
- Crying, sadness, withdrawal, sensitivity
- Fears, phobias, anxiety
- Feeling unloved/unlovable
- Regression
- Learning difficulties

Young children are naturally interested in how their bodies look and feel. Common behaviours are:

- Sexual language relating to difference in body parts, bathroom talk, pregnancy and birth.
- Self-fondling at home and in public.
- Showing and looking at body parts.

Uncommon behaviours are:

- Discussion of sexual acts
- Sexual contact experiences with other children.
- Masturbation unresponsive to redirection or limits.
- Inserting objects in genital openings.

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 include neglect

of a child's basic or emotional needs, nutritional neglect, medical neglect, neglectful supervision, neglect in pregnancy, educational neglect.

Indicators of neglect might be:

- Severe non-organic failure to thrive
- Stealing, hoarding food, hunger
- Withdrawal from and mistrust of adults
- Anger and aggressive behavior
- Delayed development – poor learning skills
- Apathy and withdrawal, unsmiling
- Irritability

For more information see:

<https://www.childmatters.org.nz/insights/abuse-indicators/>

<https://www.childmatters.org.nz/downloads/2019-HCIT-PDF.pdf>

Appendix 3: Details Required in Record of Issue, Concern, Information Sharing or Request

Child's name:

DOB:

Date:

Time:

Notes:

Consultation:

Action:

Signed:

Date:

Position:

Appendix 5: References and Contacts

Licensing Criteria for Centre-Based Early Childhood Services HS31, HS32

How Can I Tell?

<https://www.childmatters.org.nz/downloads/2019-HCIT-PDF.pdf>

Safer Organisations, Safer Children

<https://www.orangatamariki.govt.nz/assets/Uploads/Safer-Organisations-safer-children.pdf>

Vulnerable Children Act 2014 A Practical Guide for Early Childhood Education Services, Nga Kohanga Reo, Playgroups, Schools and Kura

<https://www.childmatters.org.nz/downloads/vcapracticalguide.pdf>

Oranga Tamariki - Report of concern www.orangatamariki.govt.nz

0508 326 459

Oranga Tamariki- Education Support line edassist@ot.govt.nz 0508 332774

New Zealand Police 111 in an emergency

New Zealand Police Dunedin Office 03 4714800

Child Matters www.childmatters.org.nz