

CHILD PROTECTION POLICY



Rationale

This policy recognises children/tamariki, young people and vulnerable adults have a right to be safe from abuse and harm. Nurture@Home is committed to the prevention of abuse and to the well-being of Team Leaders, children/tamariki, families/whanau and Educators/Kaipoi.

Objectives

This policy sets out the procedures, strategies and resources to support the commitment that Nurture@Home has to children/tamariki, and the measures it will take to ensure their safety and well-being. This policy applies to all Team Leaders, volunteers, management and Educators/Kaipoi in service with Nurture@Home and all children who are enrolled in the Nurture@Home Homebased Education and Childcare Service, and to those with whom Team Leaders and Educators/Kaipoi come into contact in the course of their work with Nurture@Home.

Nurture@Home Team Leaders and Educators/Kaipoi will value and support the primary role of the family/whanau in caring and protecting for the child but will always act in the best interest of the child/tamaiti.

Nurture@Home is committed to sourcing all relevant training as determined necessary to support education for all Team Leaders and Educators/Kaipoi in their roll; to employ safe workers; and to ensure appropriate reporting procedures regarding suspected child abuse are implemented.

Principles

Nurture@Home is committed to dealing with abuse, suspected abuse or disclosure of abuse in a timely fashion.

Nurture@Home acknowledges that in cases of suspected child abuse, support for families/whanau is important.

Nurture@Home agrees that working in accordance with this policy requires Team Leaders and Educators/Kaipoi to be trained and supported.

Nurture@Home will ensure that any disclosures about alleged abuse are acknowledge, investigated and appropriate action taken to ensure the safety of children who make disclosures.

Definitions

Child abuse - the harming (whether physically, emotionally or sexually), ill-treatment, abuse, neglect or deprivation of any child or young person. [As defined in Section 2, Children and Young Persons Amendment Act, 1994]

Bullying - the intentional hurting of one person by another, where the relationship involves an imbalance of power. It is usually repetitive or persistent, although some one-off attacks can have a continuing harmful effect on the victim.

Child pornography - any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.

Emotional abuse – the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effect 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.

Family violence – children are always affected either emotionally or physically where there is family violence even if they are not personally injured or physically present.

Neglect – 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.

Physical abuse – 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.

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. A sexual relationship between an adult and a child will always be wrong, unequal and unacceptable.

Sexual grooming – actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child, in order to lower the child's inhibitions in preparation for child sexual abuse.

Using force - using force for the purpose of disciplining a child is a criminal offence.

Vulnerable children – children who are particularly vulnerable to abuse, such as very young children or those with physical and mental disabilities.

IDENTIFICATION OF ABUSE & NEGLECT

Procedures for responding and reporting

1. When abuse is suspected or an allegation made against another person, the first consideration will be to ensure the safety of child.
2. Nurture@Home aims to respond to allegations and suspicions of abuse in a manner which best ensures children's immediate and long-term safety and to refer to specialist advise and support those who seek help when concerned about a child at risk.
3. All Nurture@Home Team Leaders and Educators/Kaipoi will respond to disclosures or suspicions of child abuse by following the Responding to Child Abuse [HS28A] and Dealing with Disclosures of Abuse [HS28B] guidelines.
4. Nurture@Home Team Leaders and Educators/Kaipoi will not act alone about suspicions and will refer all suspected situations of child abuse to the Directors who will be committed to taking action as outlined in these procedures. Team Leaders and Educators/Kaipoi will not act in a way that is outside their knowledge or capacity. The safety of the child will be the primary consideration, and no person will collude to protect an adult or an organisation.
5. Management will consult with Oranga Tamariki to clarify whether a notification of concern should take place.
6. At any time, any Team Leader or Educator/Kaipoi who has concerns regarding the safety and protection of a child may also contact Child Youth and Family Services directly.
7. If it is decided that concerns do not require a notification to statutory authorities, the child will continue to be monitored, and records kept.
8. 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.
9. 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:
 - a) the parent or caregiver is the alleged perpetrator;
 - b) it is possible that the child may be intimidated into silence;
 - c) there is a strong likelihood that evidence will be destroyed
 - d) the child does not want their parent or caregiver involved and they are of an age when they are competent to make that decision
10. Team Leaders and/or Educators/Kaipoi 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.

11. All Team Leaders and Educators/Kaipoi 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 Management.

Procedures for confidentiality and information sharing

1. Nurture@Home recognises that all Team Leaders and Educators/Kaipoi must act within the legal requirements of the Privacy Act, Oranga Tamariki Act, Family Violence 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 Team Leaders and Educators/Kaipoi will share information as necessary to protect the wellbeing and safety of tamariki within the parameters of guidance provided by the above Acts and will not share information if they believe that doing so will endanger the child.
2. Information will be only be given after the Team Leader or Educator/Kaipoi has referred to the guidelines provided in the Privacy Policy.
3. 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 documentation.

Relationships with External Agencies

1. Nurture@Home will maintain a good working relationship with Oranga Tamariki and with Police and be familiar with the laws that serve to protect children from abuse. We will consult with Oranga Tamariki, the Police, and with other appropriate agencies that have specialist knowledge to help us protect children from abuse.
2. A list of specialist agencies will be kept and updated by Nurture@Home [HS28D]. A copy of this will be made available to all Team Leaders and Educators/Kaipoi.

Managing Allegations Against Team Leaders

1. Nurture@Home will respond to suspicions and allegations of child abuse in a manner which best ensures children's immediate and long-term safety and will treat suspicions or allegations against Team Leaders with the same seriousness as suspicions or allegations made against any other person.
2. Nurture@Home 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.
3. When there are suspicions of abuse by a Team Leader, both the Team Leader and children's rights are to be attended to. This means that the safety of the child is of first concern, and that the Team Leader must have access to legal and professional advice.
4. Nurture@Home will adhere to the principles of the Employment Contract's Act and give the Team Leader all information regarding his or her rights.
5. Nurture@Home recognises the added stress to fellow team members in such a situation and will ensure support is available.
6. Management must immediately ensure that the suspected individual does not have any contact with the child making, or involved in, the allegation. A risk assessment must be undertaken to determine what level of access, if any, that person should have, to other children.
7. If the police decide to undertake a criminal investigation then the team member 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.
8. Management should liaise with Child Youth and Family and the Police regarding the progress of the investigation.
9. If there is insufficient 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 Team Leader which

needs to be considered in accordance with individual employment agreements and the Team Leader Policy.

Managing Allegations Against Educators/Kaipoi

1. Nurture@Home will respond to suspicions and allegations of child abuse by an Educator/Kaipoi in a manner which best ensures children's immediate and long-term safety and will treat suspicions or allegations against by an Educator/Kaipoi with the same seriousness as suspicions or allegations made against any other person.
2. Nurture@Home 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.
3. Management must immediately ensure that the suspected individual does not have any contact with the child making, or involved in, the allegation. A risk assessment must be undertaken to determine what level of access, if any, that person should have, to other children, and alternative care arrangements for the children normally in care with the suspected Educator/Kaipoi.
4. If the police decide to undertake a criminal investigation then the Educator/Kaipoi 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.
5. Management should liaise with Child Youth and Family and the Police regarding the progress of the investigation.
6. If there is insufficient 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 an Educator/Kaipoi which needs to be considered in accordance with Terms of Agreement and the Educator Enrolment Policy.

Appointment and Induction of Staff and Educators/Kaipoi

1. Nurture@Home recognises that induction training for new Team Leaders and Educators/Kaipoi is critical to the safety of children and all Team Leaders and Educators/Kaipoi will undergo induction training on recognising, responding and reporting child abuse. All Team Leaders and Educators/Kaipoi are also required to complete a Safeguarding Children Seminar (or similar).
2. Nurture@Home ensures that all Team Leaders, Educators/Kaipoi, and anyone 17 years and older who resides in the home where care takes place (except for the child's own home), have completed police vetting checks to the satisfaction of management.
3. Management will assess all police vetting reports and reference checks for potential Team Leaders; and Team Leaders will assess all police vetting reports and reference checks for potential Educators/Kaipoi to ensure that no person is employed or engaged in the service if there is reasonable grounds to believe that the person, or anyone 17 years and older who usually resides in the home where care takes place, has ever committed a crime or any form of abuse against children/tamariki, or is in a state of physical or mental health that presents any risk of danger to children/tamariki.

Safe working practices

1. All Team Leaders and Educators/Kaipoi are to have a clear understanding of, and to agree to the Nurture@Home Code of Responsibility & Good Practice.
2. All Team Leaders and Educators/Kaipoi 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 to Nurture@Home Team Leader.
3. Educators/Kaipoi should follow the requirements set out in the Licencing Criteria and the Nurture@Home policies and procedures to ensure safe working practices at all times. It is acknowledged that the responsibilities of the Educator/Kaipoi may necessitate one-on-one care and 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. At all times during engagement with children Educators/Kaipoi should respect the child's rights over their own body, talk through each step before acting and ask the child what they prefer. Where possible children should always be encouraged to undertake self-care tasks independently.

4. 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, using minimum force for the shortest period necessary and be recorded and reported.
5. Visiting Teachers/Kaituitui will only engage in any necessary care giving routines with enrolled children/tamariki, in an emergency situation.
6. Team Leaders are to inform Management, and Educators/Kaipoi are to inform Visiting Teachers/Kaituitui, of any potential situations of possible compromise or conflict of interest that arise as part of their work.
7. No Team Leaders or Educator/Kaipoi are to enter into any relationship with a child, young person or family, which could mean that any other section of this policy, is compromised.
8. Team Leaders and Educators/Kaipoi 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/whānau. Team Leaders and Educators should always protect the personal information and identity of the child and only share this information to those who have a need to know in order to protect the child (Refer to the Privacy Policy).
9. Team Leaders and Educators/Kaipoi should always consult with management and the Privacy Policy before releasing information to other agencies. Parent/Whānau should be consulted before any information is released unless required by the Police or Oranga Tamariki.
10. Team Leaders and Educators/Kaipoi should refer to the Strategies For Guiding Children's Behaviour [C10] to guide their interactions with children/tamariki.
11. All Team Leaders and Educators/Kaipoi should ensure that no images of children (including photos and videos) are displayed unless they have consent to do so from parents/guardians/whānau and all images of children should only be distributed or stored in a manner that has also been consented to.
12. Team Leaders and Educators/Kaipoi must not use images which may cause distress, or images that were taken 'in secret', or in situations that may be construed as being secretive
13. Educators/Kaipoi should also ensure that proper procedures are in place to ensure that while children are in care they are not at risk of exposure to unsuitable material (including on the internet) and that any films or material shown to children are age appropriate.
14. Team Leaders and Educators/Kaipoi will ensure that only those persons authorised by parents/guardians/whānau on the enrolment form will be able to collect a child/tamaiti from care and will pay particular attention to any custodial arrangements/restrictions in place for the child/tamaiti.
15. Educators/Kaipoi will offer support to families by listening, offering practical support, providing encouragement, and linking families/whānau to support services. If an Educator/Kaipoi has concerns a family/whānau is in need of additional support, they will speak to a Visiting Teacher/Kaituitui.
16. All Educators/Kaipoi shall be free of alcohol or other mind-altering substances during the hours of operation (refer to Alcohol & Mind-altering Substances Policy) and shall not allow anyone else on the premises that is affected by alcohol or other mind-altering substances while children/tamariki are in care.
17. Nurture@Home Team Leaders will exclude any person employed or engaged in the service from coming into contact with children/tamariki if they have reasonable grounds to believe that the person:
 - ☹ has physically ill-treated a child or committed a crime against children/tamariki; or
 - ☹ in guiding or controlling a child/tamaiti, has subjected the child/tamaiti to solitary confinement, immobilisation; or deprivation of food, drink, warmth, shelter, or protection.

- And if necessary, to ensure there is no ill-treatment of children/tamariki, excludes that person from the Nurture@Home service and any home engaged in the service while the Educator/Kaipoi is providing education and care.

18. Nurture@Home will exclude any person employed or engaged in the service from coming into contact with children/tamariki if they have reasonable grounds to believe that the person:

- Is in a state of physical or mental health that presents any risk of danger to children/tamariki; or
- Has an infectious or contagious disease or condition
- And if necessary, to ensure no child becomes ill, excludes that person from the home while the Educator/Kaipoi is providing education and care.

19. Educators/Kaipoi will not allow a child/tamaiti to be collected by any person authorised to do so if they suspect that they are under the influence of alcohol or mind-altering substances. If any issues arise the Educators/Kaipoi are to phone the Police and notify a Visiting Teacher/Kaituitui.

Refer: Education (Early Childhood Services) Regulations Regulation 46(1)(a), Criteria HS28-32, Oranga Tamariki Act 1989, Family Violence Act 2018,

Cross reference: *Privacy Policy, Personnel Policy, Positive Guidance Policy, Alcohol & Mind-altering Substances Procedures, Nurture@Home Code of Responsibility & Good Practice.*

Approved: August 2014

Date Reviewed: February 2015, July 2017, June 2020

Next Review Date: June 2023

RESPONDING TO CHILD ABUSE

ABUSE SUSPECTED

Child abuse or potential child abuse is suspected, witnessed, reported or disclosed. If the child is in danger or unsafe, act immediately to secure their safety.

LISTEN, RECORD AND CONSULT

LISTEN to the child and reassure them, but do NOT make promises or commitments you cannot keep.

Do NOT formally interview the child – obtain only necessary relevant facts if and when clarification is needed.

CAREFULLY RECORD any physical or behavioural observations and anything said by the child (using the child's own words as far as possible. Include, date, time, who was present etc.) using the appropriate form [HS28C Record of Incident or Concern & Body Map].

CONSULT immediately with a Team Leader/Kaituitui. Discuss and agree on an appropriate course of action, including whether a report of concern is to be made.

REPORT YOUR CONCERN

Management of Nurture@Homes should contact Oranga Tamariki (0508 326 459) or the Police (Child Protection Team Nelson, Phone 03 545-9679) and make a report of concern.

If the alleged abuse is by a staff member follow the advice of CYF/Police.

Ensure there is no contact between the child or young person and the staff member who the allegation is against.

If the alleged abuse is by a non-staff member Follow the advice of CYF/Police.

Ensure the child or young person is in a place of safety – their safety is PARAMOUNT.

INFORM

Consultation will take place between Management and Oranga Tamariki to decide who will inform the parents of the child and provide support for the family.

DEALING WITH DISCLOSURES OF ABUSE

Only a minority of children actively disclose abuse. Most child abuse is disclosed accidentally or through observation by an adult of a child's behaviour, words and physical appearance.

When a child does disclose abuse, this needs to be taken very seriously. It is important that any disclosure is dealt with appropriately, both for the wellbeing of the child and also to ensure that your actions do not jeopardise and legal action against the abuser.

There are a number of basic 'rules' that should be followed to ensure the safe handling of any disclosures of abuse from a child:

- 🌀 Don't panic.
- 🌀 Remember that the safety and well-being of the child come before the interests of any other person.
- 🌀 Listen to the child and accept what the child says.
 - ❖ Look at the child directly, but do not appear shocked.
 - ❖ Don't seek help while the child is talking to you.
 - ❖ Reassure them that they did the right thing by telling someone.
 - ❖ Assure them that it is not their fault and you will do your best to help.
 - ❖ Let them know that you need to tell someone else.
 - ❖ Let them know what you are going to do next and that you will let them know what happens.
 - ❖ Be aware that the child may have been threatened.
- 🌀 Write down what the child says in their own words – record what you have seen and heard also (use form HS28C).
 - ❖ Make certain you distinguish between what the child has actually said and the inferences you may have made. Accuracy is paramount in this stage of the procedure
- 🌀 Tell a Nurture@Home Team Leader/Kaituitui as soon as possible and discuss referrals to Oranga Tamariki or the Police.

Important Notes:

- 🌀 The same action should be taken if the allegation is about abuse that has taken place in the past, as it will be important to find out if the person is still working with or has access to the children
- 🌀 Dealing with an allegation that an adult has abused a child is difficult but must be taken seriously and dealt with carefully and fairly.

Things TO SAY when a child discloses

- 🌀 Repeat the last few words in a questioning manner
- 🌀 'I believe you'
- 🌀 'I am going to try to help you'

- 🌀 'I will help you'
- 🌀 'I am glad that you told me'
- 🌀 'You are not to blame'

Things NOT TO SAY when a child discloses

- 🌀 'You should have told someone before'
- 🌀 'I can't believe it! I am shocked!'
- 🌀 'Oh that explains a lot'
- 🌀 'No not...he's a friend of mine'
- 🌀 'I won't tell anyone else'
- 🌀 'Why? How? When? Where? Who?'

Things TO DO

- 🌀 Reassure the child that it was right to tell you.
- 🌀 Let them know what you are going to do next.
- 🌀 Immediately seek help, in the first place from a Nurture@Home Team Leader/Kaituitui.
- 🌀 Write down accurately what the child has told you. Sign and date your notes. Keep all notes in a secure place for an indefinite period.
- 🌀 Seek help for yourself if you feel you need support.

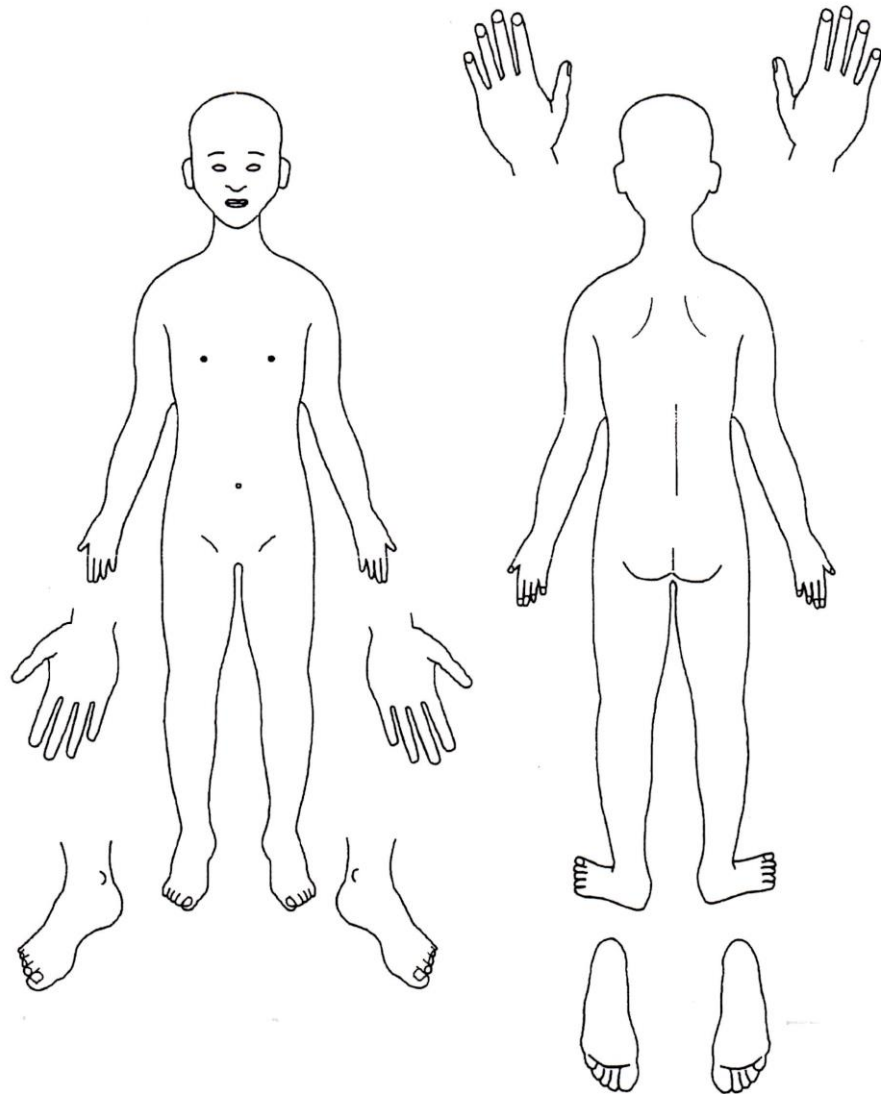
Things NOT TO DO

- 🌀 Do not attempt to deal with the situation yourself.
- 🌀 **Do NOT formally interview the child:**
 - ❖ Never ask leading questions.
 - ❖ Never push for information or make assumptions.
 - ❖ Only necessary relevant facts should be obtained, when clarification is needed.
- 🌀 Do not make assumptions, offer alternative explanations or diminish the seriousness of the behaviour or alleged incidents.
- 🌀 Do not keep the information to yourself or promise confidentiality.
- 🌀 Do not take any action that might undermine any future investigation or disciplinary procedure, such as interviewing the alleged victim or potential witnesses, or informing the alleged perpetrator or parents or carers.
- 🌀 Do not permit personal doubt to prevent you from reporting the allegation to the designated child protection officer.



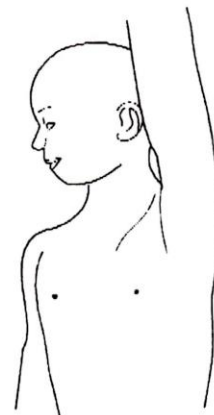
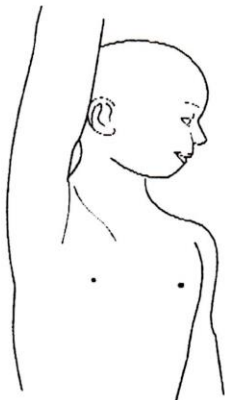
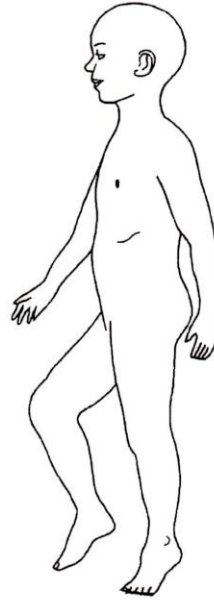
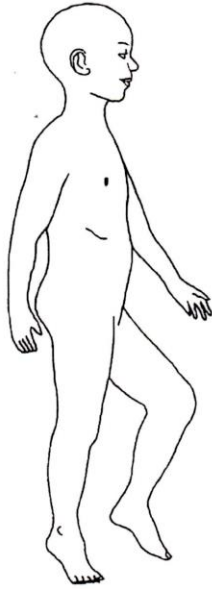
RECORD OF INCIDENT OR CONCERN

CHILD NAME:	DATE OF BIRTH:
DATE & TIME OF CONTACT:	
PLACE OF CONTACT:	
WHO IS PRESENT?	
NOTES: <i>(What you have seen, heard, smelled. What you did or did not observe. What was done/said. What did the child say/do. Presentation of the child)</i>	
ANALYSIS: <i>(Impact on the child, consequences, signs of risk, signs of safety)</i>	
ACTION PLAN: <i>(Who/What/Time scale/Review date)</i>	
SIGNED:	DATE:
NAME:	POSITION:



Name:	NHI:
Date of birth:	
Address:	

Used with permission from Dr Patrick Kelly, Director, Whakaruruhau, Starship Children's Hospital.



Name:	NHI:
Date of birth:	
Address:	

Used with permission from Dr Patrick Kelly, Director, Whakaruruhau, Starship Children's Hospital



LIST OF SPECIALIST AGENCIES

Oranga Tamariki	www.cyf.govt.nz	0508 326 459
Police Child Protection Team Nelson		03 545 9679
Office of the Children's Commissioner	www.occ.govt.nz	0800 224 453
Safeguarding Children Initiative	www.safeguardingchildren.org.nz	
Child Matters	www.childmatters.org.nz	07 838 3370
Alcohol Drug Helpline	www.alcoholdrughelpline.org.nz	0800 787 797
Barnardos New Zealand	www.barnados.org.nz	0800 4 BARNARDOS 0800 422 762
Brainwave Trust	www.brainwave.org.nz	09 528 3981
Campaign for Action on Family Violence NZ	www.areyouok.org.nz	0800 456 450
Citizens Advice Bureaux	www.cab.org.nz	0800 FOR CAB 0800 367 222
Families Commission	www.nzfamilies.org.nz	04 917 7040
Family and Community Services (FACS)	www.familyservices.govt.nz	04 916 3300
Family Start Nelson : He Matapuna Ora Trust		03 545 8931
Kidpower Teenpower Fullpower Trust	www.kidpower.org.nz	0800 KIDPOW (0800 543 769)
Mental Health Foundation of New Zealand	www.mentalhealth.org.nz	04 384 4002
National Youth Helpline (Youthline)	www.youthline.co.nz	0800 376 633
NetSafe	www.netsafe.org.nz	0508 NETSAFE 0508 628 723
Parent to Parent New Zealand	www.parent2parent.org.nz	0508236 236
Problem Gambling Foundation of NZ	www.pgfnz.co.nz	0800 664 262
Royal NZ Plunkett Society	www.plunket.org.nz	0800 933922
S.K.I.P	www.skip.org.nz	04 916 3385
Victim Support	www.victimsupport.org.nz	0800 VICTIM 0800 842 846
Women's Refuge Nelson	www.womensrefuge.org.nz	03 548 3356
Youthlaw	Wwww.youthlaw.co.nz	0800 UTHLAW 0800 884 529
Simulate 2 Educate (Cyber Safety Education)	www.simulate2educate.co.nz	