



PROTECTION AGAINST CHILD ABUSE POLICY

**Education [Early Childhood Services] Regulations 2008 (and it's Amendments):
Regulations 46, 47, 56, 57**

**Licensing Criteria for Early Childhood Education and Care Centres 2008:
Criterion HS 31-33, GMA 7**

DEFINITION

Child Abuse means the harming (whether physically, emotionally or sexually) ill treatment, abuse, neglect or deprivation of any child or young person. (Section 2, Children and Young Persons Amendment Act, 1994)

(For definitions of Family Violence, Physical abuse, Sexual abuse, Emotional abuse, and Neglect (Refer to Appendix 1)

RATIONALE

We are committed to the prevention of child abuse and the protection of children. The interests of the child shall be the paramount consideration when any decision is made about a child suspected of being abused/neglected. Cases of suspicion of abuse/neglect will be reported to the Police and/or the Child Youth & Family Service as appropriate. We will endeavour to protect teachers and other adults in the Preschool, from unfounded allegations of child abuse. We will comply with Education (Early Childhood Services) Regulations 2008 (46,47,56,57) and Licensing Criteria for Early Childhood Education and Care Centres 2008 (C10,13,HS31-33, GMA7).

AIMS

- To respond to suspicions of child abuse/neglect in a manner which best ensures children's immediate and future safety. (Reg 46, C10,13, HS31)
- To protect children from child abuse/neglect and provide teachers with adequate support, professional development opportunities and resources in relation to child protection and abuse, and to protect teachers from wrongful allegations of child abuse. (Regs 46, 47, GMA7, HS31)
- To provide information for parents about child abuse/neglect, protection and positive parenting, and involve/reassure parents where appropriate. (HS31)
- To educate children about ways to keep safe and protect them from abuse. (Reg 46, HS31-32)

- To ensure that teachers have an awareness about and knowledge of child abuse/neglect. (Reg 46)
- To provide appropriate support and advice for teachers.(Reg 47, GMA7)
- To provide liaison between the Preschool and the Child Youth & Family Service. (HS31)

These aims will be achieved as follows:

(1) RESPONDING TO SUSPECTED CHILD ABUSE/NEGLECT

1.1 WHEN THE CHILD IS IN PRESCHOOL CARE

1.2 OUTSIDE THE PRESCHOOL

(2) SUPERVISION & PRACTICES

2.1 PRE EMPLOYMENT CHECKING, PARENT ACCESS, VISITORS/WORK EXPERIENCE PERSONS

(3) SUPPORT/TRAINING/LIAISON

3.1 PARENTS

3.2 CHILDREN

3.3 TEACHER

1. RESPONDING TO SUSPECTED CHILD ABUSE/NEGLECT

AIM 1

To respond to suspicions of child abuse/neglect in a manner which best ensures children's immediate and future safety. (Reg 46, C10,13, HS31)

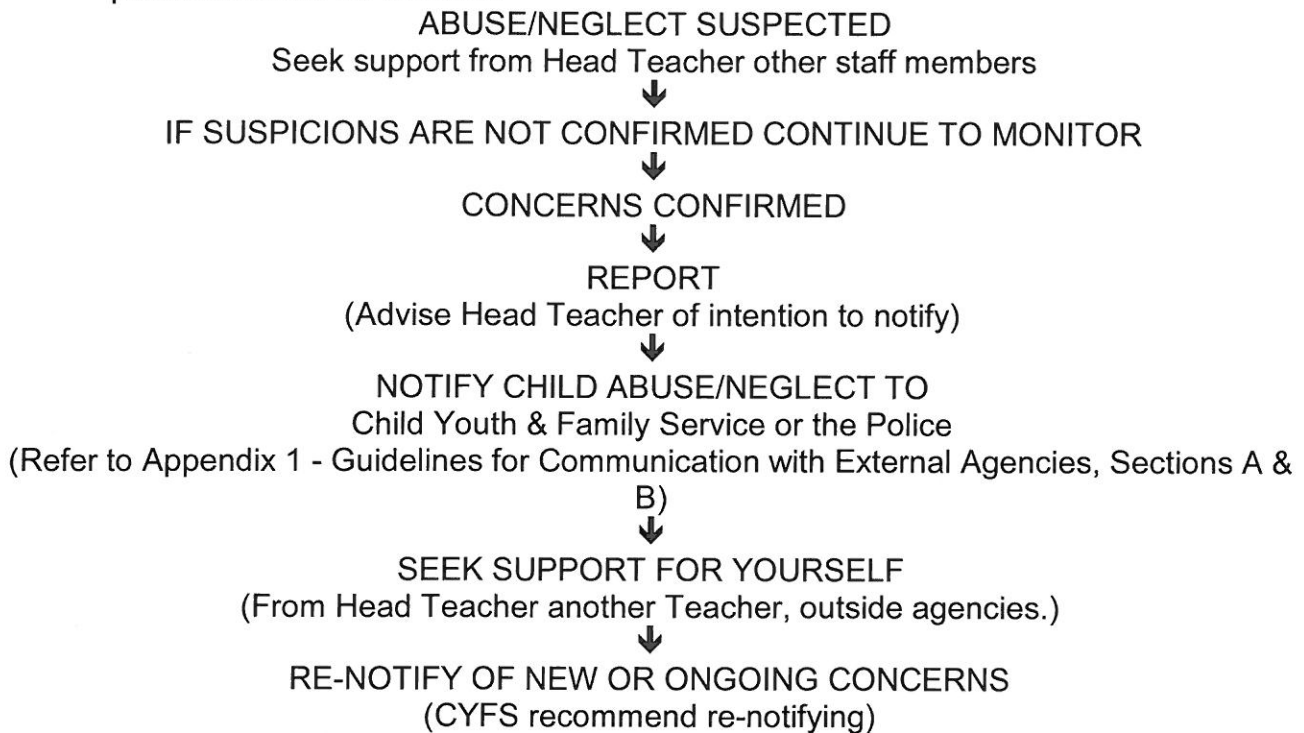
1.1 WHEN THE CHILD IS IN PRESCHOOL CARE

- (a) Parents/Teachers, who have concerns regarding an alleged or suspected case of child abuse in a preschool, should contact the Child Youth & Family Service directly (Phone 0508 326 459).
- (b) When the Head Teacher /Board Chair is notified of an alleged or suspected case of child abuse in the preschool, the complainant will be advised to immediately contact the Child Youth & Family Service or the Police.
- (c) On advice from the Child Youth & Family Service or the Police that there is concern for the safety of children, the Head Teacher/Board Chair will ensure the accused or suspected person has no further access to children at the preschool until cleared by full investigation.
- (d) Upon notification of concern for the safety of children involving a staff member, the Head Teacher, in consultation with the Board Chair and HR Board member shall suspend the staff member, initially on full pay, until further investigation is carried out.

Any Teacher or staff member who has concerns in regard to a child being neglected or abused should inform the Head Teacher/Board Chair or contact Child Youth & Family Service or the Police directly.
(Refer to General Comments below.)

1.2 OUTSIDE THE PRESCHOOL

When child abuse or neglect is suspected outside of the preschool the following process should be followed.



General Comments

1. When a child discloses, believe what they tell you and what you see. Ensure you refrain from questioning. Don't agree to keep a confidence.
2. Trust your instincts if you sense something is wrong and don't be afraid of getting it wrong.
3. Always take action in the short term to ensure the immediate safety of the child. This will mean phoning the Child Youth & Family Service or the Police if you think there is an immediate risk of the child being abused again.
4. Children's safety is paramount and should be balanced with the parents need to be informed. Refer to Act Section 6
5. All concerns and observations including details of: - the place, time, who was present date of:
 - sighted and suspected bruises and injuries witnessed by more than one teacher,
 - all teacher/child communication pertinent to the suspected abuse/neglect,
 - any changes in child behaviour (emotional, social and physical),are recorded in the Diary or on an Incident/Concern Report Form (See Appendix 2) and all signed, records are kept confidential in a locked file.

If your suspicions have not been confirmed as significant, continue to monitor the situation closely in consultation with others.

6. Do not make decisions alone, consult with other Team Members. If you believe there is no immediate risk, take time to consult thoroughly in order to make a well-informed decision.
7. If your concerns are confirmed, act on these concerns. Don't leave it to someone else or hope it won't happen again. If you have told the person you believe is responsible for taking action and they do not act, take further action yourself.
8. Seek support for yourself - the situation will be stressful. This will be available from the Head Teacher, other teachers and outside agencies eg. Relationship Services.
9. 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 Special Education Traumatic Incident Coordinator (0800 84 8326)
10. The Protocol between the Ministry of Education and Child Youth and Family for ECE services, 2010 is a useful document to refer to (particularly pages 4 to 9) is filed in the behind this Policy.

2. SUPERVISION & PRACTICES

AIM

To protect children from child abuse/neglect and provide teachers with adequate support, professional development opportunities and resources in relation to child protection and abuse/neglect, and to protect them from wrongful allegations of child abuse. (Reg 46, 47, GMA7, HS31).

- a) It is important that there is loyalty and confidentiality between teachers and adults within the preschool, but if children are at risk, then loyalty and confidentiality become inappropriate due to children's safety being paramount.
- b) Teachers at the preschool will protect each other, when duties that need to be performed could place a teacher at risk:

Teachers will ensure that when any children are in attendance at the Preschool outside of the times they are enrolled, that there are at least two teachers or a teacher and an adult present at all times. (For example, after the finish of the times they are enrolled until children are collected. If children arrive before more than one teacher is present, a parent should be asked to stay until another teacher arrives).

- c) When staff change children/apply first aid they should:
 - ALWAYS respect the child's rights over their own body, talk through each step before acting and ask the child what they prefer.
 - Ensure the parent/caregiver is informed of any action taken.
- d) Whenever possible:
 - Teachers will give protection to each other when in situations of risk eg. changing children, during walks and in secluded areas of play.
 - Children will be changed in an area that gives visibility to other adults.
- e) The following records must be kept:

- A register of adults/students/other visitors that are not parents working with children including details of the date, arrival and departure time, and person's signature.
- A Nappy Changing and Toileting Chart will document the child's name, date, time, details and signature of the teacher changing the child.
- An Incident/Concern Report on any accidents/incidents at the preschool that could raise suspicion of child abuse/neglect will be filed in a locked cupboard in the Office.
- An Incident/Concern Report of any other concerns in regard to child protection/safety will be kept in a locked cupboard in the Office.

The Head Teacher is responsible to ensure other adults/students working with children in the preschool are aware of these procedures and recording requirements by including this policy in teacher induction.

2.1 PRE-EMPLOYMENT CHECKING, PARENT ACCESS, VISITORS/WORK EXPERIENCE PERSONS

PRE-EMPLOYMENT CHECKING

The Head Teacher will ensure that all staff have either been vetted by the NZ Teachers Council or NZ Police and approved to work in Early Childhood.

PARENT ACCESS

Parents are welcome and encouraged to participate in and observe during Preschool enrolment times, but teachers may refuse right of entry under Education (Early Childhood Services) Regulations 2008 (Regs 56, 57) or Licensing Criteria for Early Childhood Education and Care Centres 2008 (HS33).

'The service provider of a licensed service and any educator must comply with sub-clause (2) if the service provider or educator has reasonable grounds to believe that a person employed or engaged in the service, or any other person –

- (a) Is in a state of physical or mental health that presents any risk of danger to children; or*
- (b) Has an infectious or contagious disease or condition.*

The service provider and educator must ensure that –

- (a) The person is excluded from coming into contact with the children participating in the service or, as the case required, the children being educated by the educator; and*
- (b) If satisfied that it is necessary to do so to ensure that no child becomes ill, ensure that the person is excluded from the service and does not enter or remain in any premises where the service is provided while it is being provided or, as the case requires, is excluded from the home and does not enter it or remain in it while the educator is providing education and care.'(Reg 57).*

'No person on the premises uses, or is under the influence of, alcohol or any other substance that has a detrimental effect on their function or behaviour during the service's hours of operation' (HS33).

This Regulation and Criteria will be complied with and children kept safe as follows:

- a) Teachers asking the parent to leave the preschool when a situation exists as outlined in Regulation 57 and Criteria HS33 occurs.
 - If the parent does not leave call the Police and explain the situation.
(If you feel it is safe to tell the parent that you are calling the Police, do so.)
- b) Reassuring the child/children.
- c) Documenting on an Incident/Concern Report form that is kept in a confidential file.
- d) The Preschool will not be used as a venue for supervised access as this could have an effect on the child's early childhood education.

VISITORS/WORK EXPERIENCE PERSONS

- a) If any other person or persons should enter the premises of the preschool who are considered to fall into the descriptions in Reg. 56, 57 or Criteria HS33- the same procedure in a to d above will be followed.
- b) *Periodic Detention workers will not be permitted to work within the Preschool at any given time.*
- c) *Community Service Workers will not be permitted to do community service of any kind within the Preschool premises.*
- d) *Any ongoing trades people that come into the Preschool will need to be Police vetted to ensure the safety of the Children attending, these will then be kept in a secure place for reference.*
- e) *Any visitors or people wanting to use the preschool toilet will only have access within the hours the Administrative worker is in the office.*
- f) The Senior Teacher or Person Responsible may refuse to allow a visitor right of entry to the Preschool, if they consider that children may be placed at risk.
- g) A register will be kept of all visitors when children are present.

3. SUPPORT/TRAINING/LIAISON

3.1 PARENTS

AIM

To educate parents about child abuse, neglect, protection and positive parenting and involve/reassure parents where appropriate. (HS31)

Teachers will provide education for parents about child abuse, neglect and positive parenting in either newsletters, or through workshops or individual support.

3.2 CHILDREN

AIM

To educate children about ways to keep safe and to protect them from abuse. (Reg 46, HS31-32)

- a) Teachers will provide an ongoing programme for children, which incorporate a variety of ways to protect themselves.
- b) Teachers being vigilant about any inappropriate material, which is brought into the Preschool.(HS32)

3.3 TEACHERS

AIM

To ensure that teachers have an awareness about and knowledge of child abuse (Reg 46).

- a) The Head Teacher will:
 - Identify teachers that need training in identifying and responding to child abuse.
 - Provide ongoing training.
 - Provide current resources.
 - Seek current information from CYFS & MOE and share it at Teachers Meetings
- b) Teachers will continue to upgrade their knowledge of child abuse/neglect through personal research, in-service and ongoing learning. (GMA7)

- APPENDIX 1** Definitions of Family Violence, Physical abuse, Sexual abuse, Emotional abuse, and Neglect (Children and Young Persons & Their Families Service)
- APPENDIX 2** Guidelines for Communications with External Agencies
- APPENDIX 3** Incident/Concern Report Form

REFERENCES:

Reporting of Suspected Child Abuse and Neglect Protocol between the Ministry of Education and Child Youth and Family for Early Childhood Education Services, 2010. (*Copy filed behind this policy*)

Children and Young Persons Amendment Act. (1994).

Children and Young Persons & Their Families Service. (1997). *Recognition of Child Abuse and Neglect*. Wellington: Author.

An interactive Guide working together to keep children and young people safe (Child Youth and Family)

Teachers' Code of Ethics

Education (Early Childhood Services) Regulations 2008 (Regs 46,47,56,57)

Licensing Criteria for Early Childhood Education and Care Centres 2008 (C10, 13, HS31-33, GMA7)

Appendix 1

DEFINITIONS OF FAMILY VIOLENCE, PHYSICAL ABUSE, SEXUAL ABUSE, EMOTIONAL ABUSE AND NEGLECT

Family Violence

For the purposes of these guidelines, family violence will be defined in accordance with Section 3 of the Domestic Violence Act 1995 and the New Zealand Government Statement of Policy on Family Violence.

The New Zealand Government Statement of Policy on Family Violence defines family violence as:

A range of behaviours perpetrated by partners and former partners, family members, household members and within other close person relationships.

Family violence encompasses:

- Physical abuse
- Sexual abuse
- Psychological abuse

Psychological abuse is defined as including intimidation, harassment, damage to property, threats of physical, sexual or psychological abuse, and (in relation to a child or young person) causing the child to witness the physical, sexual or psychological abuse of another person.

“Victims” refers to all victims of family violence, including children and young people who witness family violence.

Physical abuse

Physical abuse is any act or acts that result in inflicted injury to a child or young person. It may include, but is not restricted to:

- Bruises and welts
- Cuts and abrasions
- Fractures or sprains
- Abdominal injuries
- Head injuries
- Injuries to internal organs
- Strangulation or suffocation
- Poisoning
- Burns or scalds

Such injury or injuries may be deliberately inflicted or the unintentional result of rage. Regardless of motivation, the result for the child young person or person is physical abuse.

Sexual abuse

Sexual abuse is any act or acts that result in the sexual exploitation of a child or young person, whether consensual or not. It may include, but is not restricted to:

- non-contact abuse
 - exhibitionism
 - voyeurism
 - suggestive behaviours or comments
 - exposure to pornographic material
- contact abuse

- touching breasts
- genital/anal fondling
- masturbation
- oral sex
- object or finger penetration of the anus or vagina
- penile penetration of the anus or vagina
- encouraging the child or young person to perform such acts on the perpetrator
- involvement of the child or young person in activities for the purposes of pornography or prostitution.

Emotional/psychological abuse

Emotional abuse is any act or omission that results in impaired psychological, social, intellectual and/or emotional functioning and development of a child or young person. It may include, but is not restricted to:

- rejection, isolation or oppression
- deprivation of affection or cognitive stimulation
- inappropriate and continued criticism, threats, humiliation, accusations, expectations of, or towards, the child or young person
- exposure to family violence
- corruption of the child or young person through exposure to, or involvement in, illegal or anti-social activities
- the negative impact of the mental or emotional condition of the parent or caregiver
- the negative impact of substance abuse by anyone living in the same residence as the child or young person.

Neglect

Neglect is any act or omission that results in impaired physical functioning, injury, and/or development of a child or a young person. It may include, but is not restricted to:

- physical neglect – failure to provide the necessities to sustain the life or health of the child or young person
- neglectful supervision – failure to provide developmentally appropriate and/or legally required supervision of the child or young person, leading to an increased risk of harm
- medical neglect – failure to seek, obtain or follow through with medical care for the child or young person resulting in their impaired functioning and/or development
- abandonment – leaving a child or young person in any situation without arranging necessary care for them and with no intention of returning
- refusal to assume parental responsibility – unwillingness or inability to provide appropriate care or control for a child or young person.

Children and Young Persons & Their Families Service. (1997). *Recognition of Child Abuse and Neglect*. Wellington: Author.

GUIDELINES FOR COMMUNICATIONS WITH EXTERNAL AGENCIES

These guidelines should be applied to teachers' communications with:

1. 'The Department of Child, Youth and Family' (CYF)
2. 'Court Appointed' Lawyers
3. 'Court Appointed' Psychologists

The Senior Teacher or Board Chair is primarily responsible for the handling of communication with external agents unless they have delegated this responsibility to another teacher.

A. In all communications:

1. The teacher shall request the name/s of staff, their office and position, and request the name of the case manager/supervisor/authority. The teacher shall independently verify this information with the agency/organisation prior to giving information (eg ring them back)
2. Information shared shall be factual and conversations shall be documented and a copy retained by the teacher. It may be appropriate to request the caller faxes/emails questions to the Centre and teachers respond in writing (However this would not be appropriate if CYFs or the Police are dealing with an emergency situation).
3. The teacher/s may request copies of correspondence from the agency/organisation that documents information obtained from the teacher/s.

B. Telephone communications:

1. Telephone conversations should be made in non-contact time at a time agreeable to the teacher. The teacher shall inform agencies/callers of appropriate times at the first call. The only exceptions to this would be if CYFS or the Police are dealing with an emergency.

C. Visits to the Centre:

1. CYFS, Police, and legal representatives unless it is an emergency should ring ahead if they wish to visit and make a suitable time, agreed upon by the teacher/s. In some instances, social workers or lawyers may have a court order that allows immediate access to the child.

Interviews with children will only be conducted by CYF and court appointed lawyers and psychologist.

4. The child's interests and needs are paramount. Teachers shall not enter into argument concerning parent custody battles.

Any interviews taking place within the centre environment must ensure that the child's image of the centre isn't altered and that the centre remain a safe and positive place for children.

A Ministry of Education circular 1997/98 "Responsibility of Early Childhood Service Staff for Children of Separated Parents", states clearly Teacher responsibilities to children whose parents are Separated/divorced. (Refer to copy in Centre Manual)

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Review Date: January 2015
Reviewed: May 2015
Review Date: May 2016
Reviewed: July 2016
Review Date: May 2017

PELORUS COMMUNITY PRESCHOOL'S
INCIDENT/CONCERN REPORT

CENTRE _____

Date: _____

Time: _____

People Involved:

Description of Incident:

Actions:

Others Contacted:

Follow-up:

Signed: _____