



The Cottage  
Kindergarten

# Child Protection Policy

Protecting Children from Abuse and Neglect

## & Procedure

How to identify and respond

**FOR**

The Cottage Kindergarten  
Ltd

Waimauku

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<h1>The Cottage Kindergarten</h1>	<b>Policy</b>
	<b>Policy Category: HEALTH AND SAFETY</b>
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	<b>Policy Name: Child Protection Policy &amp; Procedure</b>

## Section One: Introduction

### Purpose

1.1 The Cottage Kindergarten Ltd considers child abuse unacceptable in all circumstances and always aims to provide the safest possible environment for children. The most effective way to safeguard children is to have a comprehensive and effective policy, with robust practices and guidelines.

1.2 The purpose of this procedure is to provide The Cottage Kindergarten Ltd with practices and guidelines by which to identify and respond appropriately to concerns of abuse and neglect, and to understand their role in keeping children safe.

### Guiding Principles

1.3 This policy is written under the principle that children attending The Cottage Kindergarten Ltd have a right to feel safe and comfortable in that care, contact and environment.

1.4 The decisions and actions of The Cottage Kindergarten Ltd in response to any child protection concern will be guided by the principle of **“the welfare and best interests of the child”**.

1.5 This Child Protection Policy confirms the commitment of The Cottage Kindergarten Ltd to the protection of children, and proceeds to:

- outline the standards and principles by which all staff will abide
- outline the action to be taken by staff where any form of abuse or ill-treatment is known or suspected
- establish what action is required when allegations are made against staff
- explore the implications for staff training

1.6 The Cottage Kindergarten Ltd will ensure that staff:

- are carefully selected with the principles of this policy in mind.
- are appropriately trained in issues of child protection.
- are aware of the Child Protection Policy and accompanying procedures and/or guidelines.

1.7 All services provided by The Cottage Kindergarten Ltd for the safety and wellbeing of children adhere to the principles of partnership, protection and participation; and the rights and responsibilities accorded by Te Tiriti o Waitangi.

## Scope

1.8 This policy covers all staff of The Cottage Kindergarten Ltd.

1.9 This policy covers all whānau who have children enrolled at The Cottage Kindergarten Ltd. It is the responsibility of everyone to keep children safe.

## Legislation

1.10 This policy has been copied and adapted from Child Matters. Downloaded 02/02/2021. <https://www.childmatters.org.nz/training--services/resources>. As per Child Matters it has been written with the United Nations Convention on the Rights of the Child in mind and in accordance with the following legislation:

- Care of Children Act, 2004
- Crimes Act, 1961
- Domestic Violence Act, 1995
- Education Act 1989
- Employment Relations Act, 2000
- Health Act, 1956
- Health and Disability Sector Standards Regulations, 2001
- Health Information Privacy Code, 1994
- Human Rights Act, 1993
- Oranga Tamariki Act, 1989
- Privacy Act, 1993
- Children's Act, 2014
- Children's Action Plan 2015

## Review

1.11 This policy will be reviewed annually, and updated regularly, to ensure it is kept up to date with changes that may have been made to legislation, related policies and procedures, and in light of operational experience.

1.12 The overall responsibility for the review of this policy rests with the leader of The Cottage Kindergarten Ltd.

## Definitions

1.13 For the purposes of this policy the following definitions apply:

**“Child/ren”** means any person under the age of 18 years.

**“Child Abuse”** can involve ongoing, repeated or persistent abuse, or may arise from a single incident. Child Abuse may take many forms but it can be categorised into four different types:

- i. Physical Abuse
- ii. Sexual Abuse
- iii. Emotional Abuse
- iv. Neglect

**“Designated Person for Child Protection”** is a person within the workplace who is responsible for the safeguarding of children. This person is responsible for ensuring that child protection is a key focus within The Cottage Kindergarten Ltd, both at a strategic level and on a day to day basis

**“Emotional Abuse”** is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effect on the child's self-esteem and 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 and their social competence undermined or eroded over time. A child can also experience emotional abuse by being exposed to a dysfunctional environment which includes seeing or hearing the ill treatment of others, including but not limited to being exposed to domestic violence.

**“Family Violence”** can take many forms and may include, but is not limited to, actual physical violence (to a person, pet or property), threats of physical violence (to a person, pet or property), psychological, economic or sexual abuse. Children are always affected either emotionally or physically where there is family violence even if they are not personally injured or physically present.

**“Neglect”** is characterised as the persistent failure to meet a child’s basic physical and/or psychological need. This can occur through direct and deliberate action or by omission or deliberate inaction to care for and/or protect the child. It may also include neglect of a child's basic or emotional needs.

**“Oranga Tamariki - Ministry for Children”** formally known as Child Youth and Family. Oranga Tamariki is a Government Ministry dedicated to supporting children in New Zealand whose wellbeing is at significant risk of harm now, or in the future.

**“Physical Abuse”** is a non-accidental act 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”** is an act or acts that result in the sexual exploitation of a child, whether consensual or not. Sexual abuse can be committed by a relative, a trusted friend, an associate, or someone unknown to the child. Sexual abuse includes situations where the adult seeks to have the child touch them for a sexual purpose, and where they involve the child in pornographic activities or prostitution.

**“Staff”** means any person working at The Cottage Kindergarten Ltd and includes but is not limited to teaching and non-teaching staff, those staff, paid or voluntary, employed directly by The Cottage Kindergarten Ltd, as well as those professionals contracted or invited to provide services to children in the care of The Cottage Kindergarten Ltd.

**“Supervising adult”** of a child or of children means a parent, guardian, relative, family friend or carer, and/or an adult acting as “parentis in loci”.

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

2.1 The Cottage Kindergarten Ltd recognises that all staff have a full and active part to play in protecting children at The Cottage Kindergarten Ltd from harm.

2.2 The Cottage Kindergarten Ltd is responsible for ensuring that all staff understand and adhere to this policy and have undertaken the appropriate child protection training

2.3 It is the primary responsibility of staff to be vigilant, have knowledge and awareness of the indicators of neglect, potential or actual abuse and to report any concerns, suspicions or allegations of suspected abuse immediately and ensure that the concern is taken seriously.

2.4 Each member of staff must:

- be aware of, and alert to, potential indicators of abuse or neglect
- record a factual account of any concerns they have, or that are brought to their attention
- appropriately seek advice and support from their Designated Person for Child Protection who will then contact external agencies if appropriate
- work in co-operation with the parents and caregivers, unless this compromises the safety of the child.

2.5 The statutory responsibility to investigate allegations of child abuse rests with Oranga Tamariki and the NZ Police. No member of The Cottage Kindergarten Ltd including staff, the leader, and the Designated Person for Child Protection, are permitted or mandated to investigate allegations of abuse.

## ➤ **Role of the Leader**

2.6 The overall responsibility for the implementation of this policy rests with the Leader of The Cottage Kindergarten Ltd.

2.7 The role of the Leader is to:

- ensure that the needs and rights of children come first - the safety and wellbeing of each child is the paramount consideration.
- receive information that suggests potential or actual risk of harm to a child who attends The Cottage Kindergarten Ltd, irrespective of whether the alleged abuse is current, past or likely to occur. The Leader will advise and support staff and, on the basis of the initial detail, will make a decision as to whether or not to delegate the matter to the Designated Person for Child Protection for further action.
- delegate to the Designated Person for Child Protection appropriate action and responsibilities as concerns are raised.
- make any referrals to the Social Worker in School or Oranga Tamariki or the NZ Police as appropriate.
- ensure that all allegations are managed appropriately.
- ensure that there is no internal investigation without appropriate consultation and a decision whether a response from Oranga Tamariki or the Police is required.
- ensure that allegations or complaints are appropriately referred to the Teaching Council of Aotearoa New Zealand.
- ensure that all staff are aware of, and have access to, full copies of the procedures for reporting child abuse.
- ensure that all staff are recruited and employed in accordance with the guidelines identified in the Employment Policy to identify those people safe to work with children.
- ensure that all staff receive child protection training.

## Role of the Designated Person for Child Protection

2.8 A Designated Person for Child Protection is responsible for ensuring that child protection is a key focus within The Cottage Kindergarten Ltd, and that appropriate protocols, procedures, and training are in place.

2.9 The Cottage Kindergarten Ltd must ensure that a Designated Person for Child Protection is appointed. The Designated Person for Child Protection must:

- be available and accessible to staff
- be a senior member of staff
- have the authority to carry out the duties of the Designated Person for Child Protection role
- be capable of directing other staff if appropriate
- be given comprehensive training and/or have experience of child protection.

2.10 The role of the Designated Person for Child Protection is to:

- ensure that the needs and rights of children come first as the safety and wellbeing of each child is the paramount consideration in all circumstances.
- ensure and safeguard clear, confidential, detailed and dated records on all child protection cases. These must contain all available information relating to the cause for concern and any subsequent action taken, including when it has been decided not to make a notification to Oranga Tamariki or the Police. These records will be kept separate from student's records for the purpose of confidentiality.
- establish a close link with the relevant local agencies to ensure clear and effective communication and be a recognised contact within The Cottage Kindergarten Ltd for agencies to contact regarding concerns.
- ensure that all staff are supported appropriately when dealing with child protection concerns.
- maintain a current awareness of the children identified on the Risk Register, and regularly highlight these children to the appropriate staff.
- consult with the Leader, if not the leader regarding all child protection concerns.

**The Designated Person for Child Protection for The Cottage Kindergarten Ltd is:**

*Sara Stewart 0275481057*

## Section Three: Child Protection Procedures

3.1 The procedures set out in section three of this policy provide staff guidelines to assist in identifying and responding appropriately to concerns of abuse and neglect, and to understand their role in keeping children safe

3.2 The procedures set out below will help staff with:

- the identification of abuse
- handling disclosures, whether verbal or behavioural, from a child
- reporting procedures

### Identification of abuse

3.3 Any member of staff may directly witness child abuse or have allegations, made by a child or an adult, relayed to them. There may also be disclosures of abuse that have occurred prior to attending The Cottage Kindergarten Ltd. Sustained abuse and neglect of children, wherever it occurs, can have major long-term effects on all aspects of children's health, development and well-being and their ability to sustain stable and meaningful relationships in the future.

3.4 Staff should be alert and aware of the fact that child abuse can occur in many different settings and forms and may come to light in a variety of different ways. These can include, but are not limited to:

- Direct or indirect disclosure by the child;
- Direct or indirect disclosure from someone known to the child;
- Suspicions of abuse by those involved with the child;
- Allegations and/or direct observations or signs displayed in the child's physical or emotional behaviour;
- Direct witnessing of abuse.

3.5 The signs and indicators of abuse to a child may not be immediately obvious or identifiable. Appendix One of this policy sets out a non-exhaustive list of signs and indicators to help identify abuse.

3.6 If a member of staff is unsure if they ought to report an incident or if they are unsure about what might constitute child abuse, they should ask for advice and guidance from the Designated Person for Child Protection. If the Designated Person for Child Protection is unavailable for advice and guidance, then staff should consult with the Leader. At any time, staff may seek advice from:

Oranga Tamariki 0508 FAMILY (0508 326 459) Helpline

Dedicated Education line 0508 EDASSIST (0508 332774)

or call

Clare Stevens, Practice Leader Westgate 0292218465, regarding child protection concerns.

## Responding to Child Abuse/Suspected Child Abuse

3.7 Everything must be done to ensure the ongoing safety of the child or young person concerned, along with the ongoing safety of any other child who is in close connection to the alleged offender. The child is the primary concern and all other concerns (including the guilt or innocence of the alleged offender) must be secondary. This does not mean that the alleged offender is to be considered guilty without due investigation, but that the child's concerns, and safety, come first. In no way must any child be left in a harmful, or potentially harmful, situation.

## Handling disclosures from a child

3.8 Disclosure of abuse may come directly from the child. In such circumstances it is important to respond in a **calm, caring and sensitive manner**. It is important that staff take what the child says seriously. This applies irrespective of the setting, or the member of staff's own opinion on what the child is saying. The child is never to blame in situations of abuse and should be reassured they have done nothing wrong, either in relation to the abuse itself or in reporting it.

3.9 Children need to know that staff are listening and taking seriously the information divulged. Children need staff to respond positively to ensure their future protection. It is important to **record what is said at the time**, if appropriate, or as soon as possible following

the disclosure. It may not be appropriate to enquire into further details at this stage. The child also needs information and an explanation of what will, or is likely to, happen next.

3.10 If a child discloses information regarding actual or suspected child abuse staff must:

- stay calm
- listen and hear
- give time to the child to say what they want
- reassure them that it was right to tell. "I'm really glad you told me that."
- it may be necessary to find out more information to get a clear picture, questions to ask, "How come?" and "Can you tell me more?" notes from Child protection workshop 26/02/2021.
- tell the child that they are being taken seriously and that they are not to blame
- explain that they have to pass on what the child has told them as soon as they are aware that the child is making a disclosure to someone who can help them.
- give an age appropriate explanation to the child of what the child can expect to happen next
- record exactly in writing what was said as soon as possible, using the child's own words where possible.

Staff must not:

- make the child repeat the story unnecessarily
- promise to keep secrets
- enquire in to the details of the alleged abuse
- ask leading questions
- tell the child they do not have to go home.

3.11 Under no circumstances should a member of staff attempt to conduct an investigation or deal with concerns of abuse by themselves.

## Child-on-Child Harmful Behaviours

3.12 It is important to be aware that children can harm other children. These behaviours are outside of what may be considered the normal range, and can extend to bullying, violence or sexual assault. Therefore, when a child alleges inappropriate harmful behaviour by another child then the child protection procedures outlined in this policy must be considered for both the children.

## Suicidal Concerns/Self-Harming Behaviours

3.13 It is important to be aware that children can harm themselves or attempt suicide. When a child identifies thoughts of suicide, or self-harming behaviour, this must be taken seriously and the Leader notified immediately. If an immediate response is required to ensure the child's safety, contact mental health team at Waitakere Hospital.

Mental health team at local hospital Contacts, Waitakere Hospital

### **Marinoto West Child Team** [Waitakere Hospital](#)

**Child Health Unit** Ph: (09) 822 8666

Duty Team and Youth Team: (09) 822 8666

Child Team: (09) 837 6624

Monday - Friday: 8.00am - 4.30pm

If URGENT help is required after hours: (09) 486 8900 (ask for mental health crisis team)

### **Marinoto West Youth Team** [Waimarino](#)

33-37 Paramount Dr Henderson

Ph: 0800 228 666

Monday - Friday: 8.00am - 4.30pm

**Crisis team** out of hours: 09 486 8900 (ask for mental health crisis team)

**Youthline** 0800 376 633 (24 hours / 365 days a year) TXT support between 8am and midnight

**What's up:** 0800 942 8787 (Monday - Friday 1pm - 10pm and Saturday and Sunday 3pm - 10pm)

### **Maternal Mental Health [Waitakere Hospital](#)**

Child Health Unit Ph (09) 488 4634

Monday - Friday: 8.30am - 4.30pm

Duty Clinician available for urgent calls: Ph (09) 488 4634 or mobile 021 485 421

After hours and weekends please contact the mental health acute/crisis team via North

Shore Hospital Ph (09) 486 1491

## **Reporting procedures**

3.14 All The Cottage Kindergarten Ltd staff must report concerns or allegations of child abuse to the Designated Person for Child Protection at the first possible opportunity to best ensure the safety of the child. If the Designated Person for Child Protection is unavailable, then consultation should occur with the Leader. A decision will be made as to whether to notify Oranga Tamariki. **If an immediate response is required to ensure the child's safety, any staff member can contact Oranga Tamariki and/or the NZ Police directly.**

3.15 All concerns or allegations of sexual abuse must be reported to Oranga Tamariki and/or the NZ Police.

3.16 When reporting an incident staff should:

- Inform the Designated Person for Child Protection as soon as possible (or the Leader, or Oranga Tamariki in their absence)
- Record in writing all conversations and actions taken and keep these records securely in a specified Child Protection file

3.17 Effective documentation, including referrals and notifications, must include:

- A record of facts, including observations, with times and dates
- What was said and by whom, using the person's words
- What action has been taken, by whom and when

3.18 All decisions, including if the concern does not require notifying Oranga Tamariki or the Police, must be recorded in writing and kept securely in a Child Protection file with the reasons clearly identified and explained.

## Keeping the child's family informed and involved

3.19 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:

- the parent or caregiver is the alleged offender
- it is possible that the child may be intimidated into silence
- there is a strong likelihood that evidence will be destroyed
- the child does not want their parent or caregiver involved and they are of an age when they are competent to make that decision
- it may put the child in more danger

## Confidentiality and Information Sharing

3.20 The safety of a child is paramount. At times a child is unable to speak for or protect themselves. Therefore The Cottage Kindergarten Ltd has a greater responsibility to know when and how to share appropriate information with external agencies to protect the safety and wellbeing of children.

3.21 Under the Privacy Act 2020, the giving of information to protect children is not a breach of confidentiality. Wherever possible the family/whanau should be kept informed of what information has been shared and to which agency, and for what purpose. Need to check 2020 act

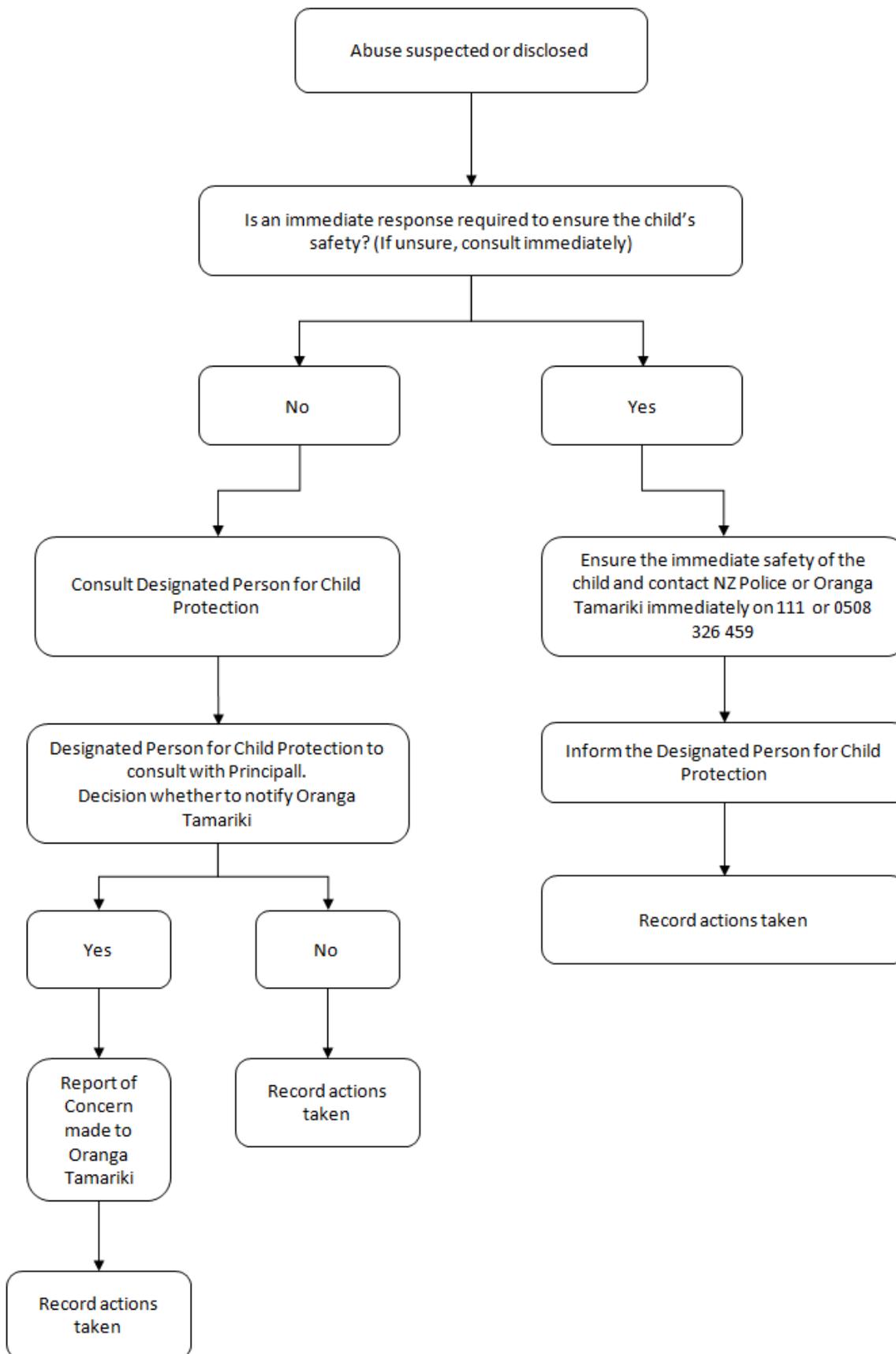
3.22 Under the Oranga Tamariki Act 1989, if a member of staff raises a legitimate concern in good faith about suspected child abuse, which proves to be unfounded on investigation, no civil, criminal or disciplinary proceedings may be brought against that staff member.

3.23 Should The Cottage Kindergarten Ltd be contacted with a request for information or access to interview a child then the following procedure will be followed:

- Confirm identity and credentials of person requesting information by email
- Notify the Leader/ and the Designated Person for Child Protection
- Identify specific information required and purpose
- Check that The Cottage Kindergarten Ltd holds the information requested

- The Leader is to identify a way forward and provide permission to share information
- Depending on the reason for the request, and risk to children as judged case by case, inform the family/whanau that information has been requested, by whom and seek permission. If this is a child protection issue, permission from the family/whanau is not required.
- Document all steps in the process. Ensure that all documentation is placed on the child's child protection file.

## Child Protection Procedures Flowchart:





## **Section Four: Safe Recruitment of Staff**

4.1 The Cottage Kindergarten Ltd is committed to applying employment and selection processes which emphasise the importance of child protection, regardless of whether this position is paid or voluntary, permanent, part time or casual.

4.2 All appointments will be conditional on the completion and outcome of safety checks, including a Police check.

4.3 Further information regarding safety checking and the recruitment of staff is found in the The Cottage Kindergarten Ltd Staff Safety Checking Policy.

### **Child Protection Training of Staff**

4.4 All staff and volunteers who work with, or who have contact in the course of their work with, children will be given appropriate training covering basic awareness of child protection. This will include an overview of signs and indicators of abuse, as well as the procedure for responding to actual or suspected abuse. This training will include:

- Roles and responsibility of staff regarding child protection
- Recognising and responding to the signs and indicators of actual or suspected abuse
- Ensuring staff receive a copy this Policy, can understand it, and can follow the Procedures for reporting a concern

4.5 All new staff will receive child protection training, and will be given a copy of this policy, as part of the induction process.

4.6 All other staff, including the Designated Person for Child Protection, will receive updated child protection training every three years as a minimum.

## Section Five: Safe Working Practices

**All staff are expected to behave in a manner consistent with the Teaching Council Aotearoa New Zealand Code of Conduct.**

5.1 A relationship between an adult and a child cannot be a relationship between equals. There is a potential for exploitation and harm of young people. Adults have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

5.2 Staff should always maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. Staff who work with children must therefore act in a way that is considered to be safe practice.

5.3 It is imperative that in all dealings with children, a balance is struck between the rights of the child and the need for intervention. **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. Staff should always use their professional judgement, observe and take note of the child's reaction or feelings and use a level of contact and/or form of communication which is acceptable to the child or young person for the minimum amount of time necessary.

5.4 Communication between children and adults, by whatever method, should take place within clear and explicit professional boundaries. This includes the wider use of technology such as mobile phone, text messaging, emails, digital cameras, videos, web-cams, websites, social networking and blogs. Staff should not share any personal information with a child or young person. They should not request, or respond to, any personal information from the child other than that which might be appropriate as part of their professional role. Staff should ensure that all communications are transparent and open to scrutiny.

5.5 Any sexual activity between staff and a child will be regarded as a criminal offence and will always be a matter for disciplinary action.

## **Section Six: Dealing with allegations made against members of staff regarding inappropriate actions with children**

**Any internal disciplinary investigation should be conducted separately from Section Six of this policy. Any internal disciplinary action should not contradict Section Six of this policy**

6.1 The Cottage Kindergarten Ltd has a duty of care to the children it provides services to. A failure to report a significant concern about a child is a breach of that child's human rights.

6.2 All staff have a responsibility to understand what constitutes appropriate behaviour in relation to children. All staff have a responsibility to maintain appropriate standards of behaviour and to report lapses in these standards by others.

6.3 Anyone who has reason to make a complaint will be made aware of the The Cottage Kindergarten Ltd complaint process. There is potential that an issue raised as a complaint may also constitute an allegation of abuse. Any such complaint that raises a child protection issue will be referred directly to the Leader.

6.4 Making a disclosure or a complaint against someone in a position of power and authority is difficult and it must be clearly communicated with the complainant, whether that be the child themselves, a member of staff, or any other person, that their concern is being taken seriously and will be responded to in accordance with this policy

6.5 Allegations, suspicions or complaints of abuse against staff, volunteers or representatives of other agencies must be taken seriously and reported to the Leader who will deal with them immediately, sensitively and expediently within the procedures outlined in this policy. Concerns may be raised a number of ways e.g.:

- Directly by staff hearing or observing issues of concern or behaviour of concern
- Direct disclosure by the child
- Indirect disclosure e.g. through written or art work or through friends
- Complaint from a parent or caregiver or whanau member
- Reports by other colleagues or agencies
- As an anonymous report

6.6 If the allegation is against the Leader then this must be reported directly to the Teaching Council of Aotearoa New Zealand.

6.7 It is **NOT** the responsibility of staff to investigate allegations of child abuse. Allegations against staff will be discussed with the Directors where a decision will be made if a notification to Oranga Tamariki and/or the Police is appropriate. All concerns or allegations of sexual abuse must be reported to Oranga Tamariki and /or the NZ Police.

6.8 In all child protection cases The Cottage Kindergarten Ltd will co-operate fully with both Oranga Tamariki and the Police in their investigations and assessments.

6.9 If the Police decide to undertake a criminal investigation then the member of staff may be suspended. It is important that no internal investigation is undertaken, and no evidence gathered that might prejudice an official Police or Oranga Tamariki investigation.

6.10 Even if there is insufficient evidence to pursue a criminal prosecution, then an internal disciplinary investigation may still be undertaken subject to internal disciplinary procedures.

6.11 A complaint or allegation against a member of staff may require a report to Teaching Council of Aotearoa New Zealand. Further information regarding the thresholds for reports to Teaching Council of Aotearoa New Zealand can be found in Appendix Two.

6.12 A person tendering his or her resignation, or ceasing to provide their services, will not prevent an allegation of abuse against a child being followed up in accordance with these procedures.

## Appendix One

### Indicators of Abuse

The indicators for child abuse and neglect fall into three general categories:

**Physical indicators:** Injuries to a child that are severe, occur in a pattern or occur frequently.

These injuries range from bruises to broken bones to burns or unusual lacerations and are often unexplained or inconsistent with the explanation given.

**Behavioural indicators:** The child's actions, attitudes, and emotions can indicate the possibility of abuse or neglect. Behavioural indicators alone are much less reliable than physical indicators, as a child's behaviour may be the result of a variety of other problems or conditions. When observing changes in behaviour, look for the frequency and pattern of the new behaviour, as well as a child's age and stage of development. For example, it is normal for younger children to be wary of adults, as they may have been taught not to talk to strangers. Look for a combination of physical and behavioural indicators.

**Caregiver indicators:** Caregivers who abuse, neglect or exploit children are either unable or unwilling to provide care and protection in an appropriate way. Those who are unable to provide care and protection may be physically unable due to their own medical or health condition. They may be overly stressed, tired, or working under the influence of drugs or alcohol which limits their abilities. Caregivers who are unwilling to provide children with the appropriate level of care and protection are more aware that what they are doing is wrong but continue to act in that way. These caregivers may not view the child as someone who has feelings and emotions and often have the need to control others or have displaced aggression towards weaker persons.

The indicators alone do not prove child abuse or neglect. Likewise, the absence of indicators does not exclude the possibility that abuse is occurring. If you have any concerns about the wellbeing of a child or young persons, seek advice from your Designated Person for Child Protection, Leader or Oranga Tamariki.

## Emotional Abuse Indicators

- Physical Indicators
  - Bed wetting or bed soiling with no medical cause
  - Frequent psychosomatic complaints (e.g. headaches, nausea, abdominal pains)
  - Non-organic failure to thrive
  - Pale, emaciated
  - Prolonged vomiting and/or diarrhoea
  - Malnutrition
  - Dressed differently to other children in the family
- Behavioural Indicators
  - Severe developmental lags with obvious physical cause
  - Depression, anxiety, withdrawal or aggression
  - Self-destructive behaviour. This can include self-harm, suicide, alcohol and drug abuse
  - Overly compliant
  - Extreme attention seeking behaviours or extreme inhibition
  - Running away from home, avoiding attending at school
  - Nightmares, poor sleeping patterns
  - Anti-social behaviours
  - Lack of self esteem
  - Obsessive behaviours
  - Eating disorders
- Caregiver Indicators
  - Labels the child as inferior or publicly humiliates the child (e.g. name calling)
  - Treats the child differently from siblings or peers in ways that suggest dislike for the child
  - Actively refuses to help the child
  - Constantly threatens the child with physical harm or death
  - Locks the child in a closet or room for extended periods of time
  - Teaches or reinforces criminal behaviour
  - Withholds physical and verbal affection
  - Keeps the child at home in role of servant or surrogate parent
  - Has unrealistic expectations of child
  - Involves child in adult issues such as separation or disputes over child's care
  - Exposes child to situations of arguing and violence in the home

## Neglect Indicators

- Physical Indicators
  - Dressed inappropriately for the season or the weather
  - Often extremely dirty and unwashed
  - Severe nappy rash or other persistent skin disorders
  - Inadequately supervised or left unattended frequently or for long periods
  - May be left in the care of an inappropriate adult
  - Does not receive adequate medical or dental care
  - Malnourished - this can be both underweight and overweight
  - Lacks adequate shelter
  - Non-organic failure to thrive
  
- Behavioural Indicators
  - Severe developmental lags without an obvious physical cause
  - Lack of attachment to parents/caregivers
  - Indiscriminate attachment to other adults
  - Poor school attendance and performance
  - Demanding of affection and attention
  - Engages in risk taking behaviour such as drug and alcohol abuse
  - May steal food
  - Poor social skills
  - No understanding of basic hygiene
  
- Caregiver Indicators
  - Puts own need ahead of child's
  - Fails to provide child's basic needs
  - Demonstrates little or no interest in child's life - does not attend school activities, social events
  - Leaves the child alone or inappropriately supervised
  - Drug and alcohol use
  - Depression

## Physical Abuse Indicators

- Physical Indicators
  - Bruises, welts, cuts and abrasions
  - Burns - small circular burns, immersion burns, rope burns etc
  - Fractures and dislocations - skull, facial bones, spinal fractures etc
  - Multiple fractures at different stages of healing
  - Fractures in very young children
  
- Behavioural Indicators
  - Inconsistent or vague explanations regarding injuries
  - Wary of adults or a particular person
  - Vacant stare or frozen watchfulness
  - Cringing or flinching if touched unexpectedly
  - May be extremely compliant and eager to please
  - Dresses inappropriately to hide bruising or injuries
  - Runs away from home or is afraid to go home
  - May regress (e.g. bedwetting)
  - May indicate general sadness
  - Could have vision or hearing delay
  - Is violent to other children or animals
  
- Caregiver Indicators
  - Inconsistent or vague explanations regarding injuries
  - May appear unconcerned about child's wellbeing
  - May state the child is prone to injuries or lies about how they occur
  - Delays in seeking medical attention
  - May take the child to multiple medical appointments and seek medical treatment without an obvious need

## Sexual Abuse Indicators

- Physical Indicators
  - Unusual or excessive itching or pain in the genital or anal area
  - Torn, stained or bloody underclothing
  - Bruises, lacerations, redness, swelling or bleeding in genital, vaginal or anal area
  - Blood in urine or stools
  - Sexually transmitted infections
  - Pregnancy
  - Discomfort in sitting or fidgeting as unable to sit comfortably
- Behavioural Indicators
  - Age-inappropriate sexual play or language
  - Bizarre, sophisticated or unusual sexual knowledge
  - Refuses to go home, or to a specific person's home, for no apparent reason
  - Fear of a certain person
  - Depression, anxiety, withdrawal or aggression
  - Self-destructive behaviour. This can include self-harm, suicide, alcohol and drug abuse
  - Overly compliant
  - Extreme attention seeking behaviours or extreme inhibition
  - Dresses inappropriately to hide bruising or injuries
  - Eating disorders
  - Compulsive behaviours
- Caregiver Indicators
  - May be unusually over-protective of the child
  - Accuses the child of being sexually provocative
  - Misuses alcohol or drugs
  - Invades the child's privacy (e.g. during dressing, in the bathroom)
  - May favour the victim over other children

## Family Violence Indicators

- Indicators in the Child
  - Physical injuries consistent with the indicators of Physical Abuse
  - Absenteeism from school
  - Bullying or aggressive behaviour
  - Complaints of headaches or stomach aches with no apparent medical reason
  - Talking or describing violent behaviours
- Indicators in the Victim
  - Physical Injuries including: bruising to chest and abdomen and neck, injuries during pregnancy
  - Depression and/or anxiety
  - Inconsistent explanations for injuries
  - Fearful
  - Submissive
- Indicators in the Offender
  - Isolates and controls partner and children
  - Threatens, criticises, intimidates, uses aggressive and physical abuse towards partner and children
  - Minimises and denies own behaviour, or blames victim for the perpetrators own behaviour

Appendix Two

**Teaching Council of Aotearoa New Zealand**  
**Criteria for Reporting Serious Misconduct**  
**(Teaching Council Rules 2016)**

If a school believes a teacher could be guilty of serious misconduct, they have a legal obligation to report this to the Teaching Council of Aotearoa New Zealand. This is a mandatory report. The criteria for reporting serious misconduct are contained in the Education Council Rules 2016, in Rule 9, which is set out below:

Rule 9: Criteria for Reporting Serious Misconduct:

1. For the purposes of section 394 of the Education Act 1989, which imposes the general requirement that employers have to report serious misconduct, an employer of a teacher must immediately report to the Education Council if it has reason to believe that the teacher has engaged in any of the following kinds of serious misconduct:
  - (a) physical abuse of a child or young person (which includes physical abuse carried out under the direction, or with the connivance, of the teacher):
  - (b) sexual abuse of a child or young person (which includes sexual abuse carried out under the direction, or with the connivance, of the teacher):
  - (c) psychological abuse of a child or young person, which may include (but is not limited to) physical abuse of another person, or damage to property, inflicted in front of a child or young person, threats of physical or sexual abuse, and harassment:
  - (d) an inappropriate relationship with a person under the age of 16 years:
  - (e) an inappropriate relationship with a student with whom the teacher is, or was when the relationship commenced, in contact as a result of his or her position as a teacher:
  - (f) neglect or ill-treatment of a child or young person in the teacher's care:
  - (g) neglect or ill-treatment of an animal in the teacher's care:

(h) theft or fraud:

(i) manufacture of, cultivation of, supply of, dealing in, or use of controlled drugs:

(j) permitting, or acquiescing in, the manufacture of, cultivation of, supply of, dealing in, or use of controlled drugs by a child or young person:

(k) viewing, accessing, or possessing pornographic material while at a school or early childhood education service or engaged in the business of a school or early childhood education service:

(l) viewing, accessing, or possessing pornographic material that depicts children or young persons or that depicts animals engaged in sexual acts with humans:

(m) breaching the standards or rules of the school or early childhood education service concerning the use of alcohol at the school or while engaged in the business of the school or early childhood education service:

(n) any other act or omission that could be the subject of a prosecution for an offence punishable by imprisonment for a term of 3 months or more:

(o) any act or omission that brings, or is likely to bring, discredit to the teaching profession.

2. Physical, sexual, or psychological abuse is reportable whether it occurs as—

(a) a single act; or

(b) a number of acts forming part of a pattern of behaviour, even if some or all of those acts, viewed in isolation, are minor or trivial.