



Kindercare
LEARNING CENTRES

Safeguarding and Child Protection Policy and Procedure

*Mō tātou, ā,
mō kā uri a
muri ake nei*
For us and our
children after us



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Kindercare's Commitment to Safeguarding

Ngā kaupapa haumarū o Kindercare

As Kaitiaki, all employees, family and whānau, contractors, students, relievers, and volunteers at Kindercare Learning Centres are committed to the Safeguarding, Care and Protection of all tamariki in our care. All tamariki have the right to develop physically, intellectually, spiritually and socially in a safe environment, free from any form of abuse or neglect. Their welfare, interests and safety are paramount. Safeguarding Kindercare's care and learning environment also extends to our Kaiako and other whānau who will uphold the boundaries of acceptable behaviour, to ensure everyone's safety and wellbeing.

Purpose and Scope

Whaingā me te Hokaitanga

- We have an obligation to understand how to recognise when a child needs help and protection, what to do next, and where to go to ensure they receive help. Kindercare employees will:
 - prevent, or minimise the potential for inadvertent risk of abuse/neglect of a child, while they are in our care.
 - review this Policy and Procedure every 3 years within the Policy Review team, including the designated Safeguarding Child Protection Advisor.
 - Ensure all employees will have the opportunity to review the Policy and Procedure as per Kindercare's annual Policy Review cycle.
 - Ensure family and whānau are given the opportunity to review and provide feedback on the Policy and Procedure. Families and whānau will be notified via Educa of the opportunity to review the documents, as part of Kindercare's Policy and Procedure review cycle.
- This policy aims to support employees, family and whānau to identify and respond to actual or suspected indicators of vulnerability, abuse and/or neglect. Employees are expected to be familiar with these indicators, and other underpinning safeguarding requirements, to ensure their practise fully and consistently meets Kindercare's expectations around child safeguarding and protection, and to support consistent Best Practise across our centres.

Key Principles of the Policy

Ngā matapono o te Kaupapa here

- To establish and embed a safeguarding culture for tamariki.
- To ensure the safety and wellbeing of our children remains our primary concern, with tamariki at the centre of all decision making when responding to suspected abuse or neglect.
- To build and promote a robust and open culture of trust in which employees can confidently raise concerns, and constructively challenge poor practise, should they believe there is actual or potential risk to a child.
- To recognise that employees play a pivotal role in identifying, preventing and reporting concerns or potential concerns around abuse/neglect.
- To ensure all employees receive Safeguarding and Care and Protection training when onboarding.
- To develop and maintain links with Iwi, Pasifika and other cultural and community groups to ensure the cultural concepts (e.g. Whakamanawa, Whakapapa, te reo Māori, tikanga, kaitiakitanga, wairuatanga) are integrated as appropriate into practice.
- To promptly report any concerns of actual, suspected, or potential abuse, neglect or ill treatment of a child.
- To ensure all practicable steps are taken to protect children from exposure to inappropriate material (for example, of an explicitly sexual or violent nature).
- To consistently comply with current legislation.
- To intentionally commit to sharing information in a timely way and to discuss any concerns about an individual child with management.

- To respond promptly and intentionally to actual or suspected incidents of abuse, complaints, allegations or disclosure of abuse or neglect, and that all reasonable and practicable steps are taken to ensure the safety of the tamariki and/or employees involved in the disclosure.
- The designated Safeguarding Child Protection Advisor will receive regular, ongoing specialist training and be consulted and updated in all areas and cases related to Child Safeguarding and Protection.
- To provide effective orientation and mentoring to employees through induction, supervision, support and training.
- Acknowledge that information sharing and consistent communication is key with employees, whānau, (as appropriate), relevant agencies, and local community supports.
- To support and acknowledge the essential roles of the NZ Police and Oranga Tamariki in the investigation of suspected abuse/neglect, and to report suspected/alleged abuse and neglect to these agencies.
- To ensure all necessary safety checks are completed on every employee, contractor and volunteer, before they begin employment, work experience, or practicum placements.
- To comply with mandatory reporting requirements of the Teaching Council, as specified under the *Education Act*.
- To ensure employees receive all necessary support to work in accordance with this policy.
- To act promptly when parents and whānau refuse to comply with, and/or breach our Safeguarding and Child Protection Policy, thereby compromising the safety or our environment and Kaiako. This includes Kindercare's right to refuse the provision of care and learning services to those parents and whānau.
- Under Section 17 of Oranga Tamariki Act, if a social worker, lawyer, police officer or any other person visits the centre, they must provide photo identification before information is shared, and they are able to see the child. Kindercare's policy is that an employee will be physically present and with the child at all times during the visit, conversation, and/or period of observation.

Access and Availability of Policy

Te wāteatanga o te Kaupapa here

- The Safeguarding and Child Protection Policy and Procedure will be available and easily accessible in every centre.
- All new parents/whānau/guardians, employees and agency relievers will be informed about the policy.
- The policy will be displayed on Kindercare's website.

Legislation and Internal Policies

Ngā Ture me Ngā Kaupapa here i Roto

The Safeguarding and Child Protection Policy and Procedure relates to the following legislation:

- *Children, Young Persons and their Families Act 1989*
- *Children's Act 2014*
- *Oranga Tamariki Act 1989*
- *Crimes Act 1961*
- *Privacy Act 2020*
- *Family Violence Act 2018*
- *Human Rights Act 1993*
- *United Nations Conventions on the Rights of the Child*
- *Employment Relations Act 2000*
- *Health and Safety at Work Act 2015*
- *Education (Early Childhood Services) Regulations 2008*
- *Ministry of Education Licensing Criteria*
- *The Harmful Digital Communications Act 2015*

The Safeguarding and Child Protection Policy and Procedure is to be implemented in conjunction with the following policies, procedures and/or guidelines:

- Health and Safety Policy
- Safer Recruitment
- Photography and Video Policy
- Privacy Act Summary
- Excursions/Trip Policy
- Social Media Policy
- Babysitting Policy
- Bullying Policy
- Drug and Alcohol Policy
- The relevant Orientation Checklist and Peer Mentoring Program

Responsibility for Policy

Kawenga mō te Kaupapa here

- Overall responsibility for this policy rests with the designated Safeguarding Child Protection Advisor, the Chief Executive, and the General Manager - Operations
- All Managers, Centre Directors, Area Managers and Regional Managers are responsible for ensuring that all employees are aware of the policy, it's contents and individual responsibility for consistent implementation of the policy

Roles and Responsibilities of employees

Ngā turanga me ngā Kawenga o ngā Kaimahi

All employees must

- Be aware of, and alert to, potential indicators of abuse or neglect.
- Be aware of the risk that potential abusers pose to tamariki including environmental risk factors (ie: isolation areas in and out of the centre) that may allow for abuse to occur, and act to minimise those risks.
- Record a factual account of any concerns they have, or that are brought to their attention. This must be written on the Safeguarding Incident form (see appendix) and given to the Centre Director/Manager.
- Centre Directors will refer these reports and concerns to their Area Manager and designated Safeguarding Child Protection Advisor and relevant Regional Manager.

Designated Safeguarding Child Protection Advisor

Kia haumarū te kaiawhina

The minimum requirement for an employee to be appointed as Safeguarding and Child Protection Advisor is that they hold a recognised qualification in Child Protection training.

- Our current designated Safeguarding and Child Protection Advisor for KinderCare is our Family Services Advisor – Sharyn Afu, who holds a Diploma in Child Protection, is a registered Social Worker and a qualified and registered Teacher.
- The Child Protection Advisor will remain informed of current legislative requirements and will advise all employees regarding appropriate actions and responses.
- Be readily available for consultation.
- Ensure any notes and reports of concern are entered onto the 1place platform.
- Provide support with appropriate steps to take when an allegation/incident is brought to your attention and the follow-up steps to take.
- Be available to provide training sessions for employees.
- The designated Safeguarding Child Protection Advisor will be supported by the General Manager - Operations, and, if necessary, the CEO.

Definitions of Abuse Types

Ngā tautuhi o Ngā momo whakamanioro

Abuse: The *Oranga Tamariki Act 1989; Children, Young Persons and their Families Act 1989* defines child abuse as “...the harming (whether physically, emotionally, sexually), ill-treatment, abuse, neglect or deprivation of any child or young person”.

Physical abuse: is any act that may result in the physical harm of tamariki. This can include bruising, cutting, hitting, beating, biting, burning, causing abrasions, strangulation, suffocation, drowning, poisoning and fabricated or induced illness.

Emotional abuse: is 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 tamariki. It may also include age or developmentally inappropriate expectations being imposed on tamariki. It also includes seeing or hearing of the ill treatment of others.

Sexual abuse: involves forcing or enticing tamariki to take part in sexual activities (penetrative and non-penetrative) as well as non-contact acts such as involving children in the looking at or production of sexual images, sexual activities, and sexual behaviours.

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

A comprehensive list of some of the signs and indicators of abuse is included in [Appendix 3](#)

Reporting Safeguarding and/or Child Protection Concerns

Purongorongo mō ngā raruraru o ngā tamariki

ALL EMPLOYEES HAVE A MANDATORY REQUIREMENT TO REPORT ALL SUSPECTED AND/OR KNOWN SAFEGUARDING CONCERNS

Mandatory reporting obligations relate to all aspects of suspected or known abuse that has been identified. This includes, but is not limited to, whether concerns are in the context of the whānau/home environment of tamariki, in places/organisations outside of their whānau or Kindercare, or specifically through the course of their involvement / enrollment with Kindercare. Reporting also relates to suspected abuse or neglect by a Kindercare employee or, any other professional, adult, or through peer to peer interactions.

Concerns must be shared immediately. In exceptional circumstances where this is not possible, concerns must be shared before the employee leaves work on that day.

Safeguarding Incident Form

Whakahaumarū ngā raruraru whakauru

All suspected and known concerns are to be documented using a Safeguarding Incident form (See Appendix 1).

Training

Ngā whakangungu

Through the provision of appropriate and continuing learning opportunities, Kindercare employees must be trained and supported in all aspects of safeguarding and child protection relevant to their role in order to protect tamariki from harm and/or neglect.

During their orientation program, all employees are required to read and understand specific material and information about child abuse and neglect, including being shown where to access the policy in hard copy and on our website.

Onboarding - The aim of this training is to ensure that:-

- employees will view the Safeguarding and Child Protection Policy and Procedure.
- employees will understand and accept their individual responsibility to keep tamariki safe through Best Practice.

Safeguarding and Child Protection workshop

All employees and Relievers in centres are required to complete the MOE Free Child Protection Training online. Each employee will complete a course within 6 months of starting employment with Kindercare.

The aim of this training is to ensure that all employees:-

- caring for tamariki understand and accept their responsibility to provide care and education through best practice
- receive training to ensure they have the knowledge and competence to recognise and respond to signs of possible neglect and abuse and how to intervene early
- know how to identify and respond to tamariki when abuse is suspected or disclosed
- know who they can contact for advice or guidance regarding child protection issues or concerns
- are familiar with and able to understand the requirements of Kindercare's Safeguarding and Child Protection Policy and Procedure, and understand the reporting process and legislative requirements
- Centre Directors are required ensure the completion of this training is recorded in Infocare for each employee.
- Record their training on Infocare
- Access to the Kindercare's Policy Webinar (completed by Centre Leaders) will be available to all employees via SharePoint

On-line Refresher training

- In line with Kindercare's guidelines and core Safe value, Centre Services teams, Centre Directors and anyone with a formal leadership unit attached to their centre-based role will endeavour to do this training **once every 2 years**.
- **Kaiako** will endeavour to do this training **once every 3 years**.

The aim of this training is to ensure that all employees:-

- Discuss changes to the policy and any new requirements
- Are familiar with and have an understanding of the concept of vulnerability, and the factors/indicators that contribute to vulnerability, risk and child abuse, signs and effects of child abuse
- Are informed about the various agencies and their role in the protection of tamariki
- Record their training on Infocare

External training options:

- Kindercare is committed to building our capacity of child protection knowledge and understanding throughout our organisation.
- There are a number of workshops that may be on offer by a Child Protection organisation.
- Please contact the designated Safeguarding Child Protection Advisor for Kindercare, to discuss these training opportunities and any associated costs.

Recruitment and Employment

Kimi Kaimahi

Kindercare's commitment to child protection includes comprehensive screening procedures. Safety checks will be carried out as required by the *Children's Act 2014*.

1. All employees recruited for a permanent, temporary or relief position are required to be safety checked before commencing employment, using the safety check process below. This includes Cooks, Administrators, Maintenance, Relievers etc.
2. All existing employees will be safety checked every three years, using the safety check process as per Appendix 4.
3. A copy of the 'Required Documentation for Employee Files' checklist must be completed for every employee and attached to the front of the employee's file.

Responding to Safeguarding and Child Protection Concerns

Whakautu ki ngā whakahaumarū me ngā tamaiti raruraru

Each concern will be explored based on its individual merit (taking into account protective and risk factors), as well as the appropriateness of sharing information, and with whom it will be shared.

If concerns require emergency/immediate action, ensure appropriate safeguarding procedures have been followed (e.g. Police called, etc) before continuing to follow the appropriate response level processes.

If employees are unsure what response level applies, they may contact their:-

- Area Manager
- designated Safeguarding Child Protection Advisor
- Regional Manager
- Manager

Kindercare has identified 3 key response levels. These have been matched to NZ legislative requirements and best practice across all thresholds of child welfare e.g. whether concerns relate to safeguarding or child protection.

Response Level 1

If concerns remain at a safeguarding level, requiring early intervention but tamariki have multiple needs from more than one agency, then referrals to multi-agency community intervention models may be more suitable e.g. Strengthen Families, Whānau Ora and other community services, and/or MOE/MOH.

*Refer to Responding to Level 1 Safeguarding Concerns Flow Diagram 1

Safeguarding response

Response may require observation, monitoring and external service support. External services may be national and/or local community agency services that specialise in the area of need that has been identified eg: tamariki are struggling to cope with the recent loss of a loved one, and behaviour is effected. The response may be to contact with The Grief Centre (Auckland based) or Skylight (a New Zealand national service).

Response Level 2 – Statutory Services

The disclosure is of a serious nature and a decision has been made to contact/refer the case to a Statutory Service. Please inform your Centre Director/Area Manager who will contact the designated Safeguarding and Child Protection Advisor.

Oranga Tamariki Ministry for Children

Oranga Tamariki is New Zealand's statutory child protection service. They work closely with whānau to ensure tamariki are safe and protected.

0508 332 774 Education line

0508 326 459 To report a concern, or to talk through a situation to see if it meets a report of concern. If there is already a current case open, you will be put through to the assigned Social Worker, or you will be advised what to do with the current information that you have disclosed.

If you are making a verbal report of concern, you will need to type up the referral, and send this through as this usually has greater detail and provides a written record.

Save/record all information on 1place or Infocare.

NZ Police

Police are the statutory service to be used in emergency situations. (Call 111)

Local police have Child Protection Units, a division specifically delegated the task of investigating child abuse cases. They will advise accordingly.

Ministry of Education

Where there is a serious injury, illness, or incident involving a child while at Kindercare, Kindercare would contact Ministry of Education for advice.

Auckland Office: 09 632 9400

Hamilton Office: 07 850 8880

Wellington Office: 04 463 8699

Christchurch Office: 03 378 7300

Response Level 3 – Concerns/Allegation against an employee

Allegations generally relate to 3 key areas:

- Employees have behaved in a way that has harmed or may have harmed a child/young person
- Employees have possibly committed a criminal offence in relation to a child/young person
- Employees have behaved towards a child/young person in a manner that indicates they are unsuitable to work with tamariki

Our 'Responsibilities of Kindercare Employees' documents Best Practice for employees, and how to conduct themselves in all aspects of their roles and responsibilities. Any breach of these requirements, or the failure of an employee to abide by reporting concerns processes when they are made aware of a breach, may be considered as constituting serious misconduct and may result in disciplinary action up to and including terminating employment.

Where concerns and/or allegations are made against an employee which relate to suspected or known harm, abuse and/or neglect; if Kindercare, after following due process, are confident in the claims; and/or Kindercare lack the powers of investigation; concerns will be managed in consultation with the following:

New Zealand Police; and/or
Oranga Tamariki

Under the provisions of the Education (Early Childhood Services) Regulations 2008, Kindercare is required to exclude an employee from coming into contact with children if Kindercare has reasonable grounds to believe that the employee has either physically ill-treated or abused a child or committed a crime against a child; or has subjected the child to solitary confinement, immobilisation or deprivation of food, drink, warmth, shelter or protection.

Further, Kindercare is required to exclude an employee from coming into contact with children and, if reasonably satisfied given the Safeguarding circumstances, can ensure that an employee does not enter the workplace if Kindercare has reasonable grounds to believe that an employee is in a state of physical or

mental health that presents a risk of danger to children or has an infectious or contagious disease or condition.

At all times, Kindercare will act in compliance with the requirements of the law and any relevant Ministry of Education guidelines (from time to time in force).

Information Sharing/ Privacy Act

Taihaina atu ngā pārongo/Kaupapa pārongo

Under the provisions in the *Oranga Tamariki Act 1989*, by sharing information across the child welfare and protection sector, we can act together to ensure the wellbeing and safety of tamariki, and provide whānau with the support they need to help their tamariki thrive.

The Privacy Act: when gathering, storing or disclosing personal information about individuals, employees must comply with the Information Privacy Principles in the *Privacy Act 2020*. However, **sharing information to other relevant parties/organisations, for the protection of a child, is a justifiable breach of confidentiality and a legal duty, where a child is at risk of harm.**

Confidentiality and Privacy regarding Kindercare safeguarding concerns

Matapono me noho matatapu e pa ana ki ngā whakahaumarū i ngā Kindercare raruraru

Kindercare maintains the confidentiality and privacy of all individuals concerned, including the person suspected/accused, except if maintaining confidentiality and privacy would compromise the welfare of tamariki and/or investigation of the allegation. Ensuring confidentiality is maintained is crucial not only for safeguarding reasons, but also because it is a legal requirement and responsibility of all Kindercare employees.

It is a requirement that, until an investigation is complete and appropriate guidance has been issued, the person who has reported the concern and/or allegation may not share or discuss the concern and/or allegation with:

- The person(s) involved; or
- Other employees; or
- Other parents/caregivers/persons external to Kindercare
- Any social media platform

Annual Review of Procedures

I ā tau arotake o ngā tukanga

The designated Safeguarding Child Protection Advisor will regularly review the levels of child protection knowledge that is required by our employees within their different portfolios.

The information to be reviewed will be:

- All employees have completed the safety checking process outlined in the Recruitment section. This includes the review of the safety check at least every three years.
- All employees have been trained in child protection to the appropriate levels and this training is recorded in Infocare.
- The child protection policy is accessible to all employees.
- There is evidence of employees having followed the stated policy and procedures mentioned in this document, through quality of reports made, and training provided to employees if standards need improving or review.
- There is evidence of connection to local child protection agencies and services.

Policy Review

Arotake te kaupapa here

Under the *Children's Act 2014*, Kindercare is required to review this Safeguarding and Child Protection Policy and Procedure every three years.

The review will be undertaken by the designated Safeguarding Child Protection Advisor and the Policy team and will cover an assessment of the implementation and operation of the Safeguarding and Child Protection Policy and Procedure, including:

- consultation with employees about the accessibility, relevance and usefulness of the policy.
- whether any serious incidents have occurred, and how effective the policy was at responding to them.
- to what extent the policy needs updating to reflect lessons learnt.

Kindercare Child Protection Team

Family Services Advisor

Regional Managers

People & Culture Manager

Chief Executive

Chief Financial Officer

General Manager – Operations

He waka eke noa

We are all in this together



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Incident Form - Raruraru whakauru



This form should be completed by the Kindercare employee who suspects abuse or neglect of a child enrolled in our care. It is a tool to assist with recording factual observations in accordance with our Child Protection Policy and Procedures.

Date:	
Location of Centre:	
Address of Centre:	
Full name of person completing form:	
Contact number:	
Email:	

Information about the event

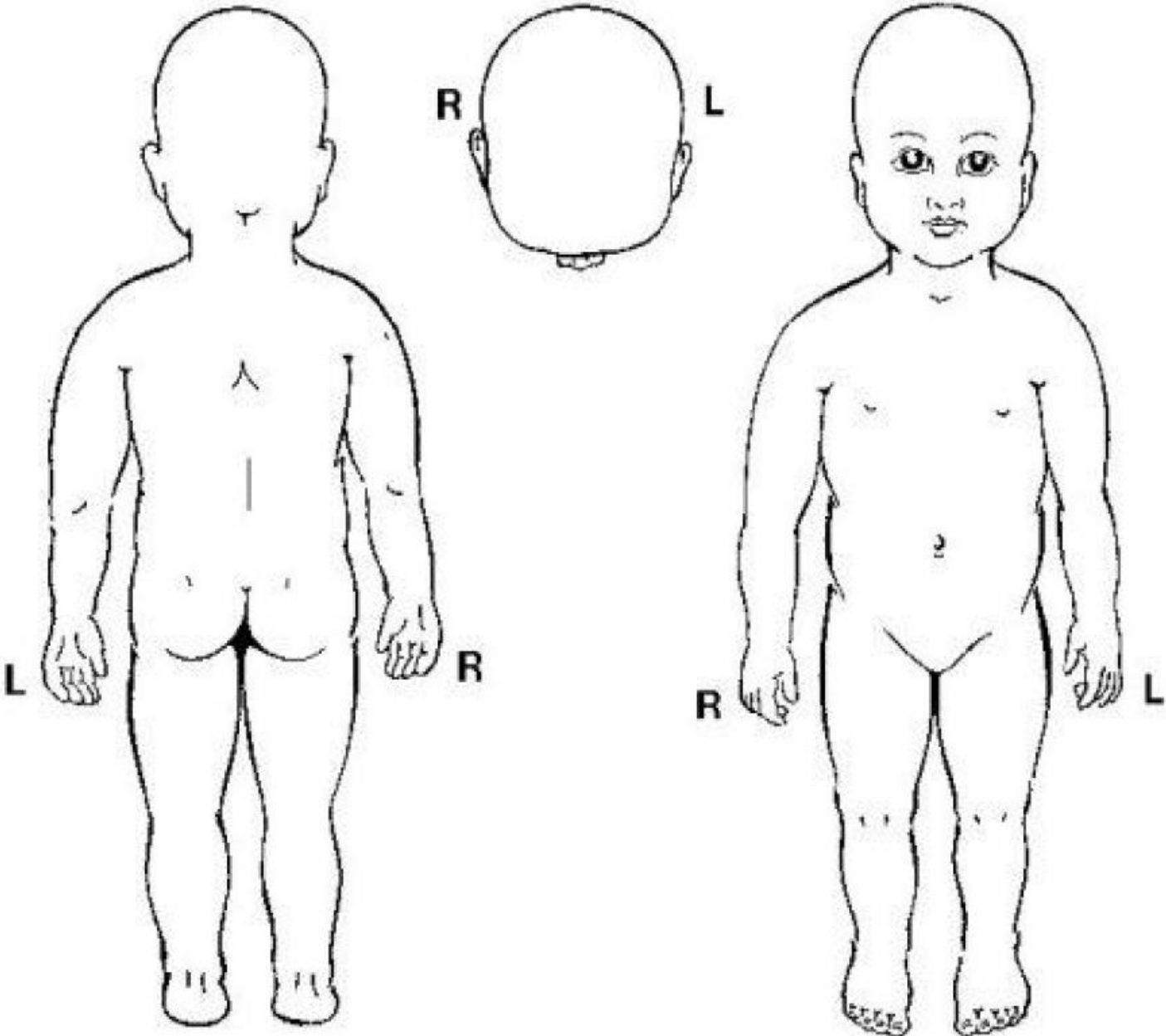
Child's full name:	
Age/date of birth:	
Name of parent/ guardian:	
Contact phone numbers:	
Other potential individuals (adult/ child) involved	
Date and time of incident:	
Persons present at time of incident:	

Factual observations about the incident:
Other factual concerns or observations:
Action taken:
Any other relevant information:

Confidentiality and information sharing:
<p>The <i>Privacy Act 2020</i> and the <i>Oranga Tamariki Act 1989</i> allow information to be shared to keep children safe when abuse or suspected abuse is reported or investigated. Note that under sections 15 and 16 of the <i>Oranga Tamariki Act 1989</i>, any person who believes that a child has been, or is likely to be, harmed physically, emotionally, or sexually or ill-treated, abused, neglected or deprived may report the matter to Oranga Tamariki or the Police and, provided the report is made in good faith, no civil, criminal or disciplinary proceedings may be brought against them.</p>

Date:	
Full name of Manager verifying information contained on this form:	
Email and contact number:	
Signature:	

Infant Body Map - Ngā wahi o te tinana kōhungahunga



Types and Indicators of Abuse

Ngā momo tūtohu o ngā whakamanioro

Indicators of Physical Abuse

A non-accidental act inflicted upon tamariki that results in physical harm. This act may be inflicted intentionally or be the inadvertent result of physical punishment, or the aggressive treatment of tamariki. The act may involve (but is not limited to) shoving, slapping, hitting, punching, kicking, beating, shaking, throwing, burning, scalding, drowning, suffocating, biting, poisoning or otherwise causing physical harm to tamariki.

Physical abuse may also involve fabricating the symptoms of illness or deliberately inducing illness in tamariki.

There may be **physical indicators** that a child is being physically abused. Some examples of this are:

- Unexplained bruises, bite marks, welts, cuts, abrasions
- Unexplained burns
- Unexplained fractures or disclosures

There may also be **behavioural indicators** that a child is being physically abused. Some examples of this are:

- Is wary of adults or of a particular individual
- Is violent to animals or other tamariki
- Is dressed inappropriately to hide bruises or other injuries
- May be extremely aggressive or extremely withdrawn
- Cannot recall how the injuries occurred or gives inconsistent explanations

There may be **indicators in adult behaviour** that could indicate physical abuse. Some examples of this are:

- May be vague about the details of the cause of injury and the account of the injury may change from time to time
- May blame the accident on a sibling, friend, relative or the injured child
- Shakes an infant
- Threats or attempts to injure a child
- Is aggressive towards their child in front of others
- May delay in seeking medical attention for their child

Indicators of Emotional Abuse

Emotional abuse of tamariki includes constant criticism, belittling, teasing, constant yelling and withholding praise and affection. It can also be caused by a failure to provide the psychological nurturing necessary for the child's physical and emotional growth and development.

There may be **physical indicators** that a child is being emotionally abused. Some examples of this are:

- Bed-wetting or bed soiling that has no medical cause
- Frequent psychosomatic complaints (e.g. headaches, nausea, abdominal pains)
- Prolonged vomiting or diarrhoea
- Has not attained significant developmental milestones
- Dressed differently from other tamariki in the family
- Has deprived physical living conditions compared with other tamariki in the family

There may also be **behavioural indicators** that a child or young person is being emotionally abused. Some examples of this are:

- Suffers from severe developmental gaps
- Severe symptoms of depression, anxiety, withdrawal or aggression
- Severe symptoms of self-destructive behaviour – self-harming, suicide attempts, engaging in drug or alcohol abuse
- Overly compliant; too well-mannered; too neat and clean
- Displays attention seeking behaviours or displays extreme inhibition in play
- When at play, behaviour may model or copy negative behaviour and language used at home

There may be **indicators in adult behaviour** that could indicate emotional abuse. Some examples of this are:

- Constantly calls the child or young person names, labels the child dumb, stupid etc or publicly humiliates the child
- Continually threatens the child with physical harm or forces the child to witness physical harm inflicted on a loved one
- Has unrealistic expectations of the child or young person
- Involves the child or young person in “adult issues”, such as separation or access issues
- Keeps the child at home in a role of subservient or surrogate parent

Indicators of Neglect

Neglect is ongoing wilful failure to provide the basic physical and emotional necessities of life, including food, clothing, shelter, emotional security, affection, medical care and adequate supervision.

There may be **physical indicators** that a child is being neglected. Some examples of this are:

- Inappropriate dress for the weather
- Extremely dirty or unbathed
- Inadequately supervised or left alone for unacceptable periods of time
- Malnourished, frequently hungry
- May have severe nappy rash or other persistent skin disorders or rashes resulting from improper care or lack of hygiene
- Untreated medical issues

There may also be **behavioural indicators** that a child is being neglected. Some examples of this are:

- Demonstrates severe lack of attachment to other adults
- Poor ECE attendance
- Poor social skills
- May steal food
- Is very demanding of affection or attention
- Has no understanding of basic hygiene

There may be **indicators in adult behaviour** that could indicate neglect. Some examples of this are:

- Fails to provide for the child’s basic needs, such as housing, nutrition, medical and psychological care
- Inconsistent in attendance, attending meetings etc
- Leaves the child home alone or with other underage siblings
- Is overwhelmed with own problems and puts own needs ahead of their child’s needs

Indicators of Sexual Abuse

Sexual abuse is when a person uses their power or authority over tamariki and takes advantage of their position in the relationship to involve tamariki in sexual activity of any sort. This can take many forms, from sexual jokes, innuendo in conversation, showing pornographic images to tamariki or exposure to inappropriate online programs, sexual touching or invasive acts.

There may be **physical indicators** that a child is being sexually abused. Some examples of this are:

- Torn, stained or bloody underclothing
- Bruises, bite marks, lacerations, redness, swelling or bleeding in genital, vaginal or anal area
- Blood in urine or faeces
- Sexually transmitted disease or frequent urinary tract infections
- Unusual or excessive itching or pain in the genital or anal area

There may also be **behavioural indicators** that a child is being sexually abused. Some examples of this are:

- Age-inappropriate sexual play with toys, self, others
- Bizarre, sophisticated or unusual sexual knowledge
- Comments such as “I’ve got a secret”, or “I don’t like uncle”
- Fear of certain places e.g. bedroom or bathroom

Some examples of this in older tamariki or young people are:

- Eating disorders
- Promiscuity or prostitution
- Uses younger tamariki in sexual acts
- Tries to make self as unattractive as possible

There may be **indicators in adult behaviour** that could indicate sexual abuse. Some examples of this are:

- May be unusually over-protective of a child
- Is jealous of a child or young person’s relationships with peers or other adults or is controlling of the child or young person
- May favour the victim over other tamariki
- Demonstrates physical contact or affection to the child which appears sexual in nature or has sexual overtones

Recruitment and Employment Documents

New Employees – 7 Step Safety Checking (Before Employment)	Existing Employees – 4 Step Safety Checking (Every 3 years)
<p>Confirmation of identity You need to use two forms of identity (one must be a photo ID):</p> <p>One primary form of identification, e.g.: NZ or overseas passport; NZ full birth certificate that is issued on or after 1 Jan 1998 with a unique ID number.</p> <p>A secondary form of official identification, e.g.: NZ driver’s licence; Community Services Card; IRD number</p> <p>You can also use electronic identification, for example RealMe.</p> <p>If neither of these contain a photograph, use an identity referee. There is a requirement under the Act to check your records to make sure the identity has not been claimed by anyone else.</p> <p>A signed and dated copy of the verification of identity forms to be kept on the employees’ file.</p>	<p>Confirmation of identity You need to use two forms of identity (one must be a photo ID):</p> <p>One primary form of identification, e.g.: NZ or overseas passport; NZ full birth certificate that is issued on or after 1 Jan 1998 with a unique ID number.</p> <p>A secondary form of official identification, e.g.: NZ driver’s licence; Community Services Card; IRD number</p> <p>You can also use electronic identification, for example RealMe.</p> <p>If neither of these contain a photograph, use an identity referee. There is a requirement under the Act to check your records to make sure the identity has not been claimed by anyone else.</p> <p>A signed and dated copy of the verification of identity forms to be kept on the employees’ file.</p>
<p>Interview Conduct an interview with the candidate and ask specific questions to allow them to talk about their own attitudes, beliefs and behaviours.</p> <p>File a copy of the interview notes on the employees’ file.</p>	<p>Additional Information Seek information from any relevant professional organisation, licensing authority, or registration authority to confirm if the candidate is a current member or licensed or registered by the authority.</p> <p>For Teachers, you must do this by confirming with the Teaching Council that they have a current practising certificate.</p> <p>Obtain a copy of the email the employee has received from the Teaching Council and a copy of their practising certificate and file on the employees' file.</p>
<p>Application for Employment and CV Check work history and check for any gaps in their work history. The work history must reflect the last 5 years of employment.</p> <p>Check the information on the Application for Employment correspond with information on the CV.</p> <p>File a copy of the CV and application for employment on the employees’ file.</p>	<p>Police Vet All employees must be police vetted every 3 years. Qualified and registered Teachers' police vet is processed by the Teaching Council as part of the teacher registration application.</p> <p>Police vet results can take up to 20 working days.</p> <p>File a copy of the email received from 'QueryMe' on the employees' file.</p> <p>Update the expiry date on Infocare.</p>
<p>Reference Checks A minimum of two referee checks is required. One which much be an existing or recent employer.</p> <p>A referee cannot be related to the candidate or part of the candidate’s extended family. Confirm with the referee that the information in their CV is correct. Ask the referee if</p>	<p>Risk Assessment Evaluate all the information you have gathered to assess the risk the candidate would pose to the safety of children if employed or engaged. Is the person safe to work with children? Will they actively contribute to a culture of child protection, make the safety of children a priority, support your child protection policy etc?</p>

<p>they have any concerns regarding the candidate's suitability to work with children.</p> <p>File a copy of the referee checks on the employees' file.</p>	<p>Make a decision based on your assessment and document this on Recruitment and Safety Checking Risk Assessment form.</p> <p>Please enter risk assessment date in Infocare.</p>
<p>Additional Information</p> <p>Seek information from any relevant professional organisation, licensing authority, or registration authority to confirm if the candidate is a current member or licensed or registered by the authority.</p> <p>For Teachers, you must do this by confirming with the Teaching Council that they have a current practising certificate.</p> <p>Obtain a copy of the email the employee has received from the Teaching Council and a copy of their practising certificate and file on the employees' file.</p>	
<p>Police Vet</p> <p>All employees must be police vetted every 3 years. Qualified and registered Teachers' police vet is processed by the Teaching Council as part of the teacher registration application.</p> <p>Police vet results can take up to 20 working days.</p> <p>File a copy of the email received from 'QueryMe' on the employees' file.</p> <p>Update the expiry date on Infocare.</p>	
<p>Risk Assessment</p> <p>Evaluate all the information you have gathered to assess the risk the candidate would pose to the safety of children if employed or engaged. Is the person safe to work with children? Will they actively contribute to a culture of child protection, make the safety of children a priority, support your child protection policy etc?</p> <p>Make a decision based on your assessment and document this on Recruitment and Safety Checking Risk Assessment form.</p> <p>Please enter risk assessment date in Infocare.</p>	

Required Documentation for Employee Files

Name of Employee:

For office use only

- *Employees who have been employed before 2015: minimum requirement - information as per the 4-step safety check to be kept on file*
- *Employees who have been employed after 2015 - copies of all documents as listed below.*

Note: any documentation e.g., Query Me email printed (for police vetting), email from Teaching Council or screen shot taken from Teaching Council registry, please stamp with CD stamp, sign and date document before it goes into the file.

- Application for employment
- Curriculum Vitae
- Copy of interview notes
- Reference checks (minimum of two within the last 5 years)
- Police vet (unqualified employees) – it must be the email from Query Me that was forwarded from Support Office. Stamp, date and sign.
- Copies of verification of identity – (2 forms of ID, one must be a photo ID). Stamp, date and sign. *(If one form of ID is a driver's license then make sure you copy both sides, as new driver's licenses have expiry date on the back)*
- Employment documents i.e., signed individual employment agreement and position description
- Copy of Teacher Registration email and practising certificate (stamp, date and sign). Also check the Teaching Council registry. It is good practice to take a screen shot to put on file. Stamp, date and sign.
- Certified copy of qualifications and NZQA assessment (overseas qualification)
- Copy of work or study visa (if applicable)
- Copy of first aid certificate (if applicable)
- Recruitment and Safety Checking Risk Assessment

Comments:

Action Plan in response to Safeguarding & Child Protection Concerns

RECOGNISE
If a child discloses abuse or an employee raises a concern

- Thank the child/employee for telling you
- Make sure child/employee feels safe
- Do not question the child further

**If you or a child is in immediate danger
RING 111**

- **CONSULT** with your Manager immediately
- Consult our Policy - Safeguarding and Child Protection Policy and Procedure
- Call the designated Safeguarding Child Protection Advisor – Sharyn Afu on 021 482 033

Determine Response Level

Level 1
Safeguarding

- Disclosure is identified as low risk.
- Incident report is filled in and shared
- Centre and whanau can create a plan of support from appropriate agencies if need be.
- Observe, review plan and situation
- Seek further support from Safeguarding team if situation remains unstable

Flow Diagram 1

Level 2
Child Protection

- Disclosure meets Child Protection Level 2.
- Incident is recorded.
- Advice sought from appropriate Agency
- Referrals to Oranga Tamariki, Police, GP, MOE or MOH as guided by the lead Agency both verbally and in writing.
- Parent/caregiver informed only if appropriate
- Continue to monitor and review as a team
- Resolve: Support and counselling is available for employees if needed.

Flow Diagram 2

Level 3
Employee

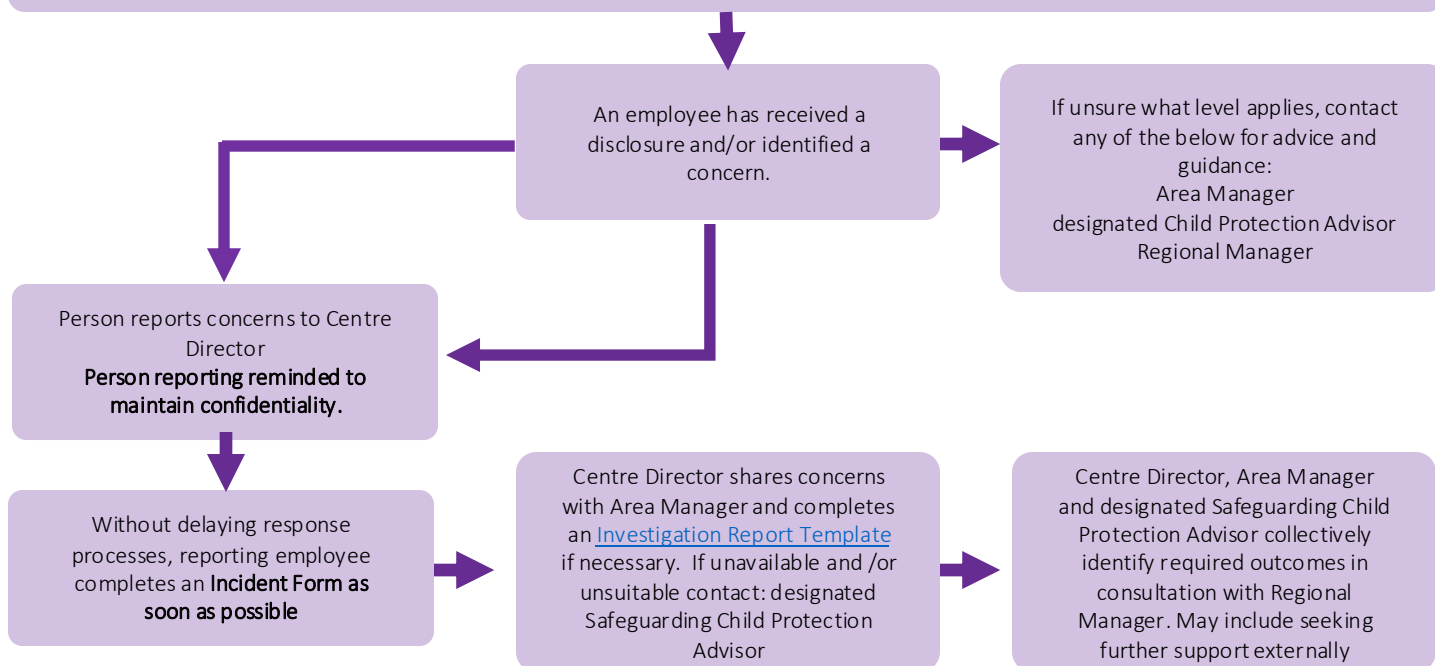
- An allegation or disclosure about an employee is made.
- Person making the allegation needs to write an Incident Report
- Safeguarding team and Area Manager will lead the process.

Flow Diagram 3

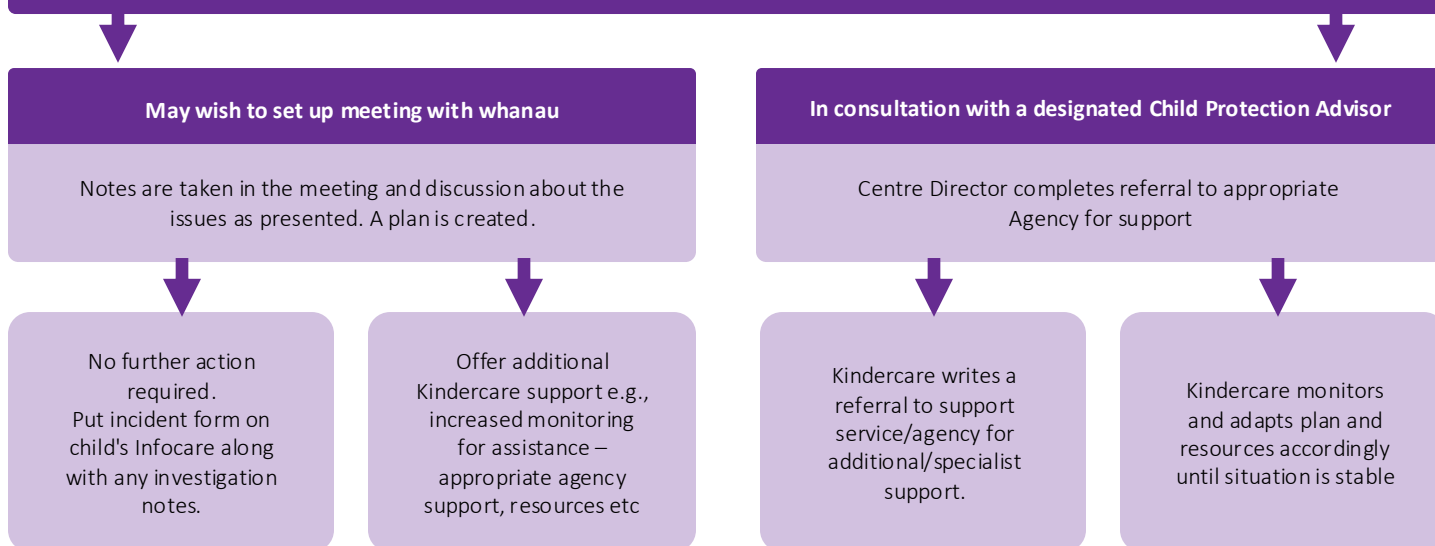
Responding To Level 1 Safeguarding Concerns Flow Diagram 1

Disclosures and/or displayed indicators identify possible low-level vulnerability:

- Requires a plan or further monitoring but are low level.
- Needs appear to be in accordance with explanations and/or have parental engagement/support in addressing.
- Current needs and/or any known history, do not reflect high level vulnerability or possible risk of harm, abuse and/or neglect.



Possible Outcomes



Any person dissatisfied with decisions/actions taken, who believes a child/young person to be at risk of harm, abuse and/or neglect, should contact: Oranga Tamariki or Police (111)

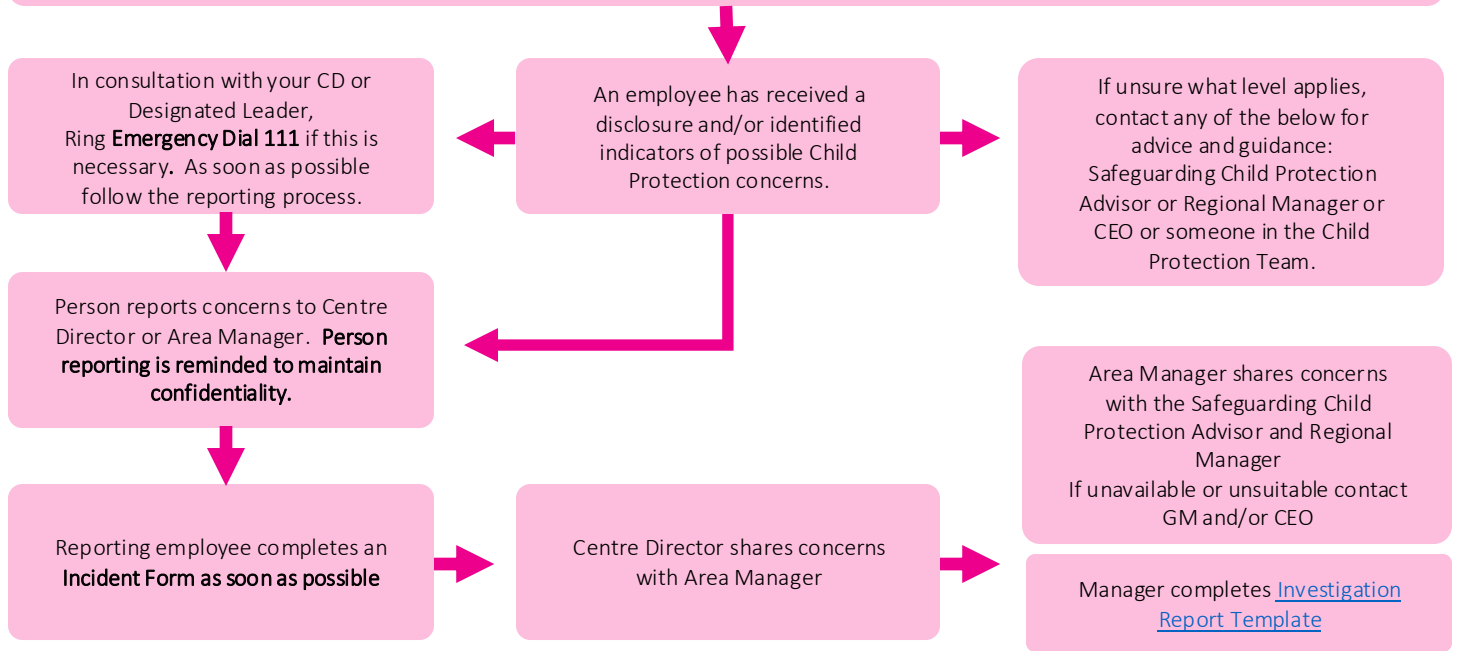
Kindercare's Safeguarding/Child Protection Team

Advisor – Sharyn Afu – 021 482 033
Regional Manager – Victoria Farquhar-Ayson – 021 190 3894
Regional Manager – Tracie Hobbs - 021 364 022
People & Culture Manager - Ronel Dyssel – 021 579 417

General Manager – Operations – Roseanne Way - 021 793 894
Chief Executive – Kelly Wendelborn – 021 336 651
Chief Financial Officer – Lindsay Jones – 021 190 3850

Responding To Level 2 Child Protection Flow Diagram 2

Disclosures and/or indicators identify suspected or know harm abuse and/or neglect..



Possible Outcomes

Outcome 2A

Case is de-escalated to Level 1 Safeguarding. Allocated back to the Centre Director with advice and guidance, and any specific recommendations e.g. further observation, monitoring etc.

Outcome 2B

Case meets Child Protection concerns: Is under the guidance of the Safeguarding Child Protection Advisor. Incorporates working with:

- Parent/Caregiver if appropriate
- Centre Director and applicable employees.
- Safeguarding/Child Protection team
- Statutory services e.g., Police, Oranga Tamariki
- Advisor will be the liaison for follow up actions from the lead agency.

Outcome 2C

Case is as outcome 2B; however, case is under the guidance of nominated Safeguarding Committee Representatives including the:

- Safeguarding Child Protection Advisor and Regional Manager
- Manager
- Others applicable to case requirements. GM and CEO are aware
- Working with the lead agency

Any person dissatisfied with decisions/actions taken, who believes a child/young person to be at risk of harm, abuse and/or neglect, should contact: Oranga Tamariki or Police (111)

Kindercare's Safeguarding/Child Protection Team

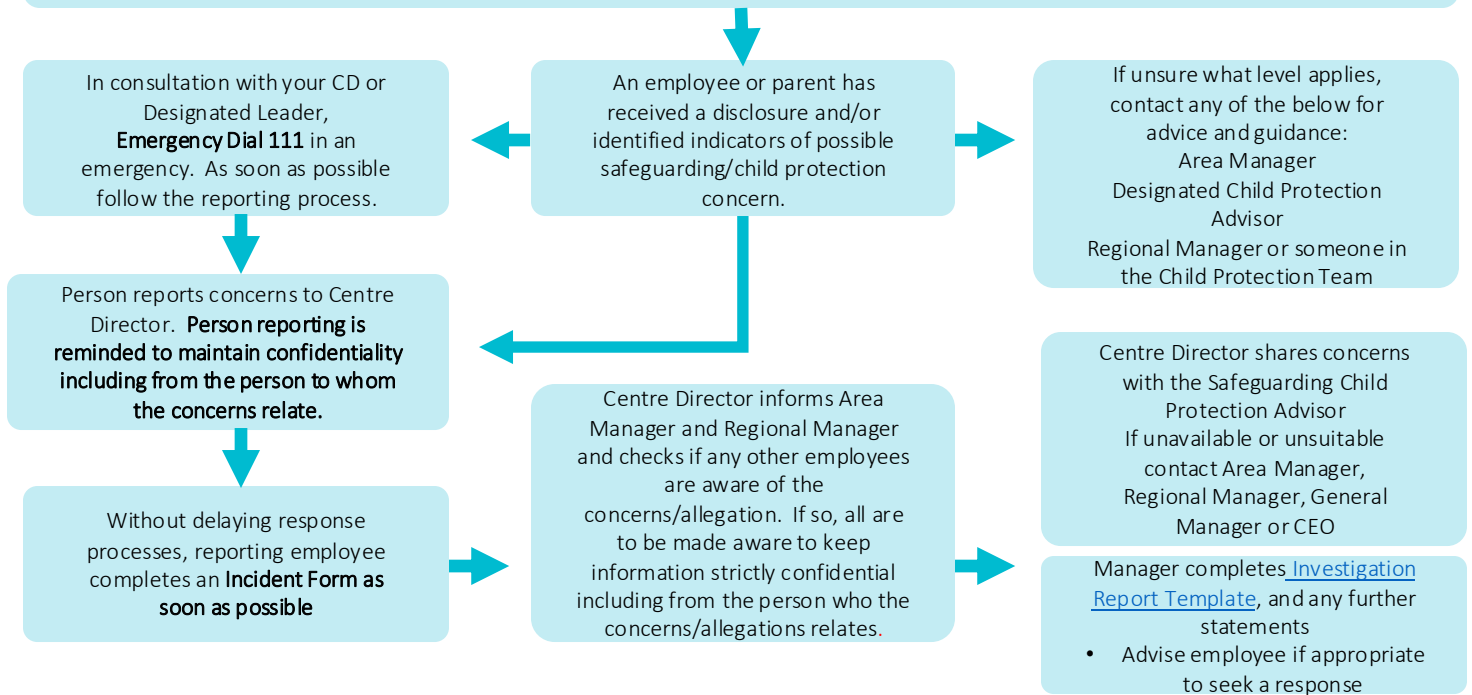
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 Regional Manager – Tracie Hobbs - 021 364 022
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Responding To Level 3 Employee Concerns

Flow Diagram 3

Indicators of concern and/or disclosures related to possible inappropriate and/or concerning Kindercare employee conduct; and/or an allegation against a Kindercare employee. Employees includes paid, voluntary, student or contractors.



All cases, at a minimum will be managed via the Area Manager/Designated Child Protection Advisor and including the following representation: Regional Manager and/or GM/CEO and People & Culture Manager.

* Safeguarding Team will need to consult as a team, whether it is necessary to suspend an employee while investigation is carried out.

Possible Outcomes

Outcome 3A

No further action.
Employee can return to their assigned role.

Outcome 3B

Requires internal actions only e.g., Training and/or development; increased safeguards. A clear plan with follow up with CD or AM needs to be established. Consideration of mandatory reporting to Teachers Council.

Outcome 3C

Concerns are significant and managed under Safeguarding and/or HR disciplinary processes. Employee will be advised of their right to seek support/advice.

- Management to complete a mandatory report to Teaching Council.

Outcome 3D

Concerns are significant and are managed under Kindercare processes with external statutory services e.g., Police, Oranga Tamariki.

- If the allegations are upheld, employment may be terminated.
- Management to complete a mandatory report to Teaching Council.
- Legal advice may be sought and recommendation taken

Any person dissatisfied with decisions/actions taken, who believes a child/young person to be at risk of harm, abuse and/or neglect, should contact: Oranga Tamariki or Police (111)

Kindercare's Safeguarding/Child Protection Team

Advisor – Sharyn Afu – 021 482 033
Regional Manager – Victoria Farquhar-Ayson – 021 190 3894
Regional Manager – Tracie Hobbs - 021 364 022
People & Culture Manager - Ronel Dysssel – 021 579 417

General Manager – Operations – Roseanne Way - 021 793 894
Chief Executive – Kelly Wendelborn – 021 336 651
Chief Financial Officer – Lindsay Jones – 021 190 3850

Glossary of Terms - Ngā kuputaka

Term	Definition
Child Abuse & Neglect	The harming (physical, emotional, sexual), ill-treatment, abuse, neglect or deprivation of any tamariki. It includes actual, potential, and suspected abuse.
Child	Individuals aged 0-14 years.
Child Protection	Is part of safeguarding and promoting the welfare of tamariki. This refers to one activity that is undertaken to protect tamariki where there is neglect or abuse.
Children's Worker	A person who works in or provides regulated service and has regular contact with tamariki as part of their role.
Core Worker	A children's worker working in or providing a regulated service requires or allows that, when the person is present with a child or children in the course of that work, the person: <ul style="list-style-type: none"> a) Is the only children's worker present; or b) Is the children's worker who has primary responsibility for, or authority over, the child or children present.
Cumulative Harm	Cumulative harm refers to the effects of patterns of circumstances and events in the life of tamariki, which diminish their sense of safety, stability, and wellbeing. Cumulative harm is compounded experiences of multiple episodes of abuse or layers of neglect. Constant daily impact on the child or young person can be profound and exponential, covering multiple dimensions of their life.
Cyberbullying	The use of digital technology to bully a person, typically by sending messages of an intimidating or threatening nature.
Designated Person	The person within an organisation who is responsible for providing advice and support to any individual who is concerned about tamariki or wants advice about the Safeguarding and Child Protection Policy and Procedure. Leads and organises training for employees.
Disclosure	Information about abuse or neglect provided by tamariki, parent, caregiver, or any other person.
Family Harm	Any violent act inflicted by one family member or another. It has many forms including physical, sexual, emotional, or economic abuse.
Grooming	When someone builds a relationship, trust and emotional connection with tamariki so they can manipulate, exploit and sexually abuse them.
Neglect	Any act or omission that results in impaired physical/emotional functioning, injury or development of tamariki can include: <ul style="list-style-type: none"> • Physical Neglect – not providing the necessities of life. • Neglectful Supervision – leaving tamariki alone or without someone safe to look after them. • Emotional Neglect – not providing the comfort, love, and attention tamariki need. • Medical Neglect – failure to meet the health needs of tamariki. • Educational Neglect – allowing chronic truancy, failure to enrol tamariki in school, or inattention to their special education needs.
Non-Core Work	A children's worker who is not a core worker.
Regulated Service	Any of the services listed in Schedule 1 of the <i>Children's Act 2014</i> .
Safeguarding	Safeguarding is a proactive approach and the steps taken to support the wellbeing and prevention of harm to a child – such as safe recruitment, child protection policy and procedure, training and induction of new staff, ongoing training, safe working practices, a culture where people speak out and support if a child is at risk.
Safety Check (Safer Recruitment)	The requirements for safety checks for core and non-core workers are set out in Section 31 of the <i>Children's Act 2014</i> and regulations made under Section 32 of the <i>Act</i> .
Employees	Any person brought into the organisation to provide services, including paid employees, managers, contractors, volunteers, students on placement and board members.
Vulnerability	Tamariki who are at significant risk of harm to their wellbeing now, and into the future, as a consequence of the environment in which they are being raised, and in some cases, due to their own complex needs.

Investigation report template – incident

You can use this report template. It is designed to support you with your investigation, providing useful prompts consider. You should attach any supporting documents with this report. Please note we may request additional information/ documents as evidence from you.

It is not compulsory to use it. You don't have to complete every field, just what is relevant to the incident.

Further information is available on our website <https://www.education.govt.nz/early-childhood/running-a-service/incidents/>

Service number:	[insert service sdf]	Service name	[insert service name]
Report prepared by:	[insert name and title]	Date report prepared:	[date]

Planning your investigation

Summary of incident	
Date the incident occurred	
How did you become aware of the incident?	
What occurred/allegedly occurred? Include dates and times as relevant	
The impact and severity of the incident, and why	
Provide any additional context or background to this incident as relevant	<p><i>For example:</i></p> <ul style="list-style-type: none"> • Are there any past interactions/events that led to this incident? • Have you had any other similar incidents? • What was happening at the service on the day? Eg group size, adult:child ratios, number of permanent staff/relievers, junior/senior staff, qualified/unqualified staff on site • What has happened at the service recently? Eg changes to staff and/or management. • Is there anything happening in the community?
List of names of those involved in the incident, including their role	<p><i>For example:</i></p> <ul style="list-style-type: none"> • the child/children involved in the incident

- witnesses who saw or heard anything eg, teacher, parent, others eg, qualified/unqualified teachers, ESWs, student teachers, cook, whānau

Actions immediately taken following notification of the incident

List the actions taken immediately following notification of the incident. Some examples are provided below – delete any irrelevant information in the table and add in your own.

Date and time	Action taken	Who
	Immediate care for the child/children	
	Parents/whānau informed	
	Policies/procedures consulted	
	Specified agencies notified (see licensing criteria HS34 (centre-based), HS33 (home-based), HS34 (kōhanga reo). Provide a copy of the notification sent to the specified agency.	
	Teacher/educator/person excluded from coming into contact with children or excluded from the service (see regulation 56)	
	Immediate programme/environment changes made.	

Risks and mitigations

Identify any emerging risks to the situation. Some examples are provided below as a starting point – delete any irrelevant information in the table and add in your own.

Risks	Mitigation
Harm to others	The steps you have taken/will take to prevent further harm
Potential media coverage	Prepare a media statement and nominate a spokesperson

Persons involved in the investigation

List the people who will be involved in the investigation, including their role. Are there any conflicts of interest that need to be managed?

For example:

- the person undertaking the investigation - this may be someone from the service, someone from the service provider eg, HR manager, or a third party
- witnesses who saw or heard the incident
- external teams/organisations/agencies

Evidence gathering

Information to be gathered

To ensure you gather enough evidence, list all of the information/documents that might be relevant to your investigation:

For example (note these are a starting point, add specific details as applicable):

- information from interviews
- policies and procedures - child protection policy, HR
- food records, accident/incident records etc
- staff rosters

Actions taken

List the actions taken throughout the investigation. Some examples are provided below – delete any irrelevant information in the table and add in your own.

Date	Action taken	Who
	Initial meeting with child's whānau	
	Consulted relevant policies and procedures	
	Obtained a written statement from witnesses A	
	Interviewed witness B	
	Reviewed CCTV footage	
	Updated whānau on investigation progress	
	Sought external professional support/advice	
	Review information collected	

Evaluation of evidence gathered

Summary of evidence gathered

List the evidence that you actually gathered from the investigation.

For example (note these are a starting point, add specific details as applicable):

- *child protection policy*
- *HR policies and procedures*
- *food records, accident/incident records etc*
- *information from interviews*
- *staff rosters*

Investigation findings

State what the findings of the investigation are, and the thinking/reasons for the findings. Have a clear link back to the information that you've gathered from the interviews and documentation.

For example:

- *What conclusions did you reach? Why?*
 - *Policies/ procedures/supervision plans followed/not followed*
 - *Risk management not completed/not completed/not completed to standard*
- *What are the contributing environmental issues? Why?*
- *Do you have any staff practice concerns? Why?*
- *How does this impact children? Why?*
- *Were there any breach/es to regulations/licensing criteria?*

Actions taken/proposed to be taken

State the actions taken to ensure the incident is resolved and the event that led to the incident does not happen again.

For example (note these are a starting point, add specific details as applicable):

- *Supported child/whānau/staff*
- *Reviewed and updated policies and procedures – list the ones here that have been reviewed. How have parents had input on this?*
- *Reviewed and updated risk management system*
- *Initiated self-review or internal evaluation process*
- *Discussions at team meetings or PLD programmes introduced*
- *Teacher/educator excluded from coming into contact with children or excluded from the service (see [regulation 56](#))*
- *Disciplinary actions eg performance management/plan, dismissal*
- *Notified specified agencies*

Investigation conclusion

Follow up

The following internal people have been informed of the outcome of the investigation:

Person	Date	How they were informed eg phone/ email/ in person meeting etc
Whānau of child/children affected		
Teacher/teachers involved		

The following external organisations have been informed of the outcome of the investigation:

Organisation	Date	How they were notified eg phone/ email/ in person meeting etc
<input type="checkbox"/> Ministry of Education		
<input type="checkbox"/> Teaching Council		
<input type="checkbox"/> WorkSafe		
<input type="checkbox"/> Oranga Tamariki		
<input type="checkbox"/> Police		
<input type="checkbox"/> Public Health		
<input type="checkbox"/> Other: <i>[please specify]</i>		

Attachments

The following attachments are included with this report:

For example:

- Initial Incident Report*
- Statements*
- Interviews – questions and answers*
- Service documents (records, policies, procedures, team meeting minutes etc.)*
- Photos*
- Notification to specified agencies*
- Action Plan*