



# Tamariki Protection

## Rationale

Sprouts In-Home Childcare has an obligation to ensure the wellbeing of tamariki in our care and are committed to the prevention of tamaiti abuse and neglect and to the protection of all tamariki. The safety and wellbeing of the tamariki is our top priority when investigating suspected or alleged abuse.

We support the roles of the New Zealand Police and Oranga Tamariki in the investigation of suspected abuse and will report suspected/alleged abuse to these agencies.

We support families/whānau to protect their tamariki.

We provide a safe environment, free from physical, emotional, verbal or sexual abuse.

## Policy Principles

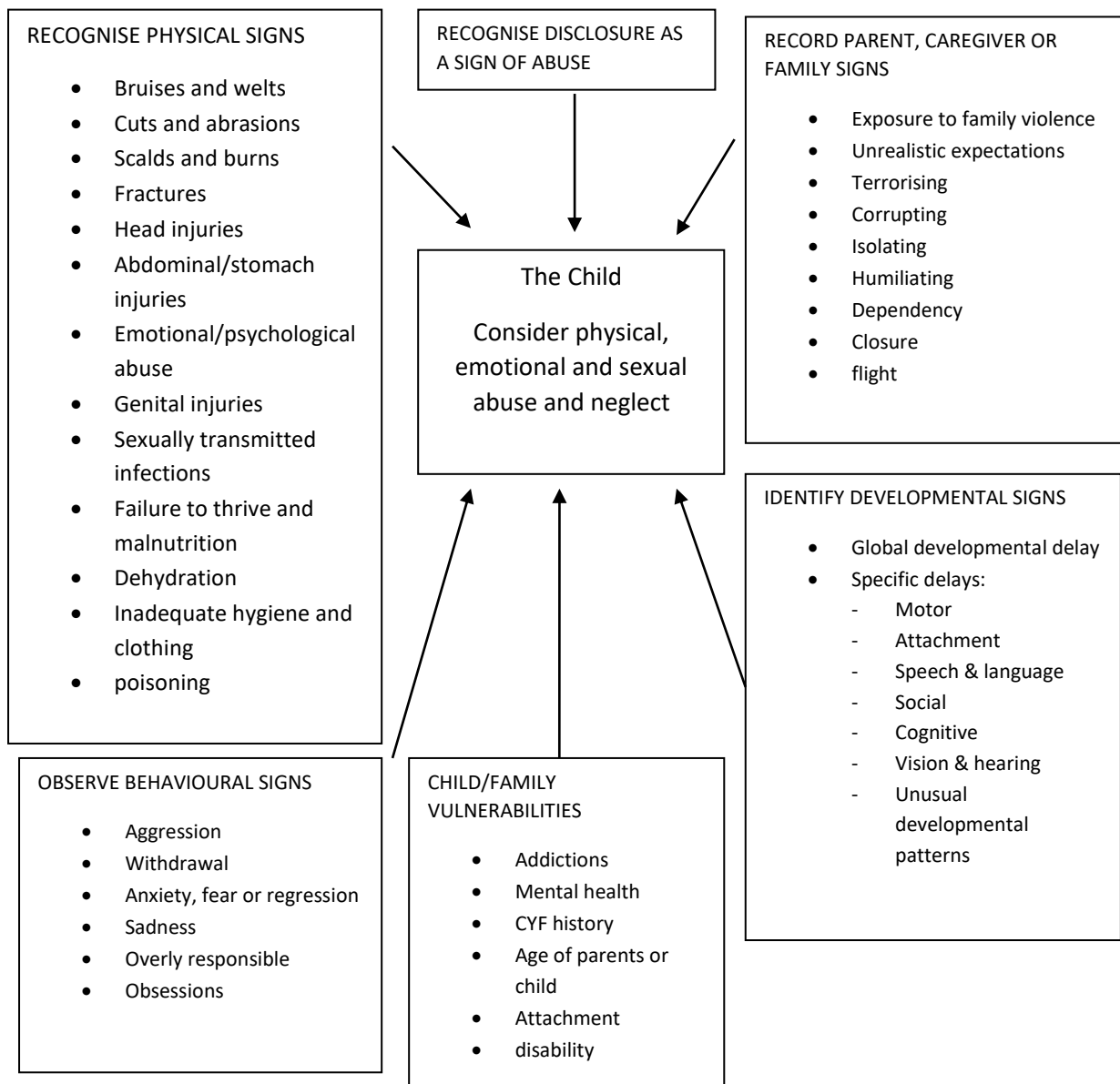
- The interest and protection of the tamariki is paramount in all actions.
- We recognise the rights of family/whānau to participate in the decision-making about their tamariki.
- We have a commitment to supporting all co-ordinators/Educators to work in accordance with this policy, to work with partner agencies and organisations to ensure tamaiti protection policies are consistent and high quality.
- We will always comply with relevant legislative responsibilities.
- We are committed to share information in a timely way and to discuss any concerns about an individual tamaiti with the General Manager.

## Definitions

Tamaiti abuse: Includes physical, emotional and sexual abuse as well as neglect which the direct consequence of a deliberate act or omission by an adult and which has the potential or effect or serious harm to the tamaiti.

## Identifying possible abuse or neglect (Oranga Tamariki)

The physical and behavioural signs, symptoms and history listed below, may indicate abuse or neglect. However they are not specific to abuse or neglect. In certain situations, contexts and combinations they may indicate other conditions. All signs must be examined in the total context of the tamariki's situation.



## Responding to suspected abuse or neglect

All suspicions or observed incidents or reports of incidents should be reported directly to the Regional Manager (who will contact the General Manager) as soon as possible, who will immediately take steps to protect the tamariki, record the report and report the concern to Oranga Tamariki.

If the tamaiti discloses abuse ensure that you record word for word, what the tamaiti said, the date, time and who was present.

If there is clear evidence or reasonable cause to believe an instance of tamaiti abuse having taken place, the Regional/General Manager shall notify Oranga Tamariki

### **Allegations or concerns about an Educator/staff member**

When a Educator/staff member -is suspected this should be reported directly to the Regional/General Manager as soon as possible.

If there is a need to pursue an allegation as an service provider, consult with Oranga Tamariki or the Police before advising the person concerned, informing them that they have a right to seek legal advice and providing them with an opportunity to respond. They should also be informed of their right to seek support from the relevant union/representative body. It is vital to follow ordinary disciplinary policies, guided by their Sprouts Educator contract and relevant statutory obligations.(Home based licensing criteria, educator practice agreement, vulnerable tamariki's act, educator manual)

We commit not to use 'settle agreements', where these are contrary to a culture of tamaiti protection. Some settlement agreements allow a member of staff/educator to agree to resign provided that no disciplinary action is taken, and a future reference is agreed. Where the conduct at issue concerned the safety or wellbeing of a tamariki, use of such agreements is contrary to a culture of tamaiti protection.

Where there is a serious injury or illness or incident involving a tamaiti while at the service that is required to be notified to a specified agency, the service provider must also notify the Ministry of Education at the same time.

### **Confidentiality and information sharing**

The Privacy Act 1993 and the Tamariki, Young Persons, and their Families Act 1989 allow information to be shared to keep tamariki safe when abuse or suspected abuse is reported or investigated. Note that under sections 15 and 16 of the CYPF Act, any person who believes that a tamaiti 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.

### **Tamaiti safe practice guidelines**

It is expected that all Educators will take any necessary steps to prevent any instance of tamaiti abuse while tamariki are in their care.

There can be nobody living at the Educators premises who has committed a crime against tamariki or abused tamariki.

While tamariki are receiving care in the Educators premises, no person who has committed a crime against tamariki or abused tamariki may be in or enter the premises.

The service provider excludes any person employed or engaged in the service from coming into contact with tamariki if they have reasonable grounds to believe that the person:

- has physically ill-treated or abused a tamaiti or committed a crime against tamariki; or
- in guiding or controlling a tamaiti, has subjected the tamaiti to solitary confinement, immobilisation, or deprivation of food, drink, warmth, shelter, or protection.

And if necessary to ensure there is no ill-treatment of tamariki, excludes that person from the service and home while the educator is providing education and care.

All practicable steps are taken to protect tamariki from exposure to inappropriate material (for example, of an explicitly sexual or violent nature).

Coordinators and educators must not use, or be under the influence of, alcohol or any other substance that has a detrimental effect on their functioning or behaviour while responsible for tamariki attending the service.

All practicable steps are taken to ensure that tamariki do not come into contact with any person on the premises who is under the influence of alcohol or any other substance that has a detrimental effect on their functioning or behaviour

No tamariki may be taken from the Educators care by anybody (except in emergencies) without permission of the parent.

When Educators take tamariki on excursions a risk assessment form will be filled in and signed by parents.

Parents are given a copy of this policy and the complaints policy in the Parent Information pack.

Physical contact with tamariki should be initiated for a reason such as affection, reassurance etc but it is not appropriate to force any form of unwanted affection or touching on a tamaiti.

When toileting, tamariki are to be encouraged to be as independent as possible for their age/stage of development. Educators must make sure tamariki are adequately supervised when they are using bathroom facilities.

### **Recruitment and employment (safety checking)**

Safety checking will be carried out in accordance with the Vulnerable Tamariki Act 2014. This will include: a police vet; identity verification; references and an interview. A work history will be sought and previous employers will be contacted. If there is any suspicion that an applicant might pose a risk to a tamaiti, that applicant will not be employed.

Police vetting will be required of any person living at educators home, over the age of 17 that will be present when tamariki are attending.

### **Training, supervision and support**

Training, resources and/or advice will be available to ensure that all co-ordinators/Educators can carry out their roles in terms of this policy, particularly:

- Understanding tamaiti abuse and indicators of tamaiti abuse.
- How to reduce the risk of tamaiti abuse.

- Understanding and complying with legal obligations in regards to tamaiti abuse.
- Working with outside agencies on tamaiti abuse issues.
- Planning of environment and supervision to minimise risk.
- Dealing with tamariki/parents/family/whānau.

This policy will be part of the initial Co-ordinator/Educator induction programme.

### **Related documentation and review**

This policy will be reviewed yearly with all co-ordinators and educators being made aware of any updates or changes

Co-ordinators and Educators to have access to a copies of:

'working together to keep tamariki and young people safe'

How can I tell

Safer Organisations Safer Tamariki

Safer Recruitment Safer Tamariki

### **Reference**

Tamariki Matters (2015) Safer Recruitment Safer Tamariki / Safer Organisations Safer Tamariki/How can I tell

Ministry of Education (2012) Checklist to Assess/Evaluate Early Tamarikihood Education Services' Tamariki Protection Policies

Vulnerable Tamariki's Act 2014

Reviewed/revised Nov 2017