

PURPOSE

The purpose of this policy is to ensure New Shoots actively safeguards the wellbeing, safety, and rights of every child in our care through robust prevention, reporting, and response measures. This policy is grounded in the principles of the United Nations Convention on the Rights of the Child, to which New Zealand is a signatory.

New Shoots staff acknowledge, and will adhere to, the principles of the United Nations Convention on the Rights of the Child. New Shoots asserts that all children have equal rights to protection from abuse, neglect, and exploitation regardless of their gender, race, religion, political beliefs, age, physical or mental health, sexual orientation, family and social background, and culture or economic status.

SCOPE

This policy applies to all staff, including volunteers, contractors, part-time, casual, and temporary staff.

For the purpose of this policy, staff refers to any person working at, for, with, or on behalf of New Shoots, irrespective of whether they are paid or voluntary, and includes contractors or invited persons providing services to children.

This policy applies to all tamariki staff may interact with, including enrolled tamariki, siblings, tamariki of adults accessing our centres, children of staff, and any other tamariki staff encounter while providing service.

PURPOSE AND GUIDING PRINCIPLES

- New Shoots has a duty of care to protect the safety and wellbeing of all children.
- The safety and wellbeing of children is the paramount consideration in all circumstances.
- New Shoots asserts that all children have equal rights to protection from abuse, neglect, and exploitation regardless of their gender, race, religion, political beliefs, age, physical or mental health, sexual orientation, family and social background and culture, or economic status.
- New Shoots will adhere to the principles of partnership, protection and participation, and the rights and responsibilities accorded by Te Tiriti o Waitangi.
- Children are central to all decision-making, and their safety and wellbeing must take absolute precedence, even where this may affect relationships with parents or guardians.
- New Shoots will adhere to the child protection policies and procedures of the area in which we provide services. Where the child protection policies and/or procedures are in conflict with those of New Shoots, the New Shoots policy and procedure will prevail. In all circumstances, the welfare and best interests of the child will be the paramount consideration.
- Prevention is key: All staff undergo a 7 point safety check before working with children. All parents attending excursions will be police vetted.
- Mandatory reporting: all concerns must be reported internally, no one is to keep their observations to themselves.

DESIGNATED PERSONS FOR CHILD PROTECTION

The overall responsibility for implementation of this Policy rests with the New Shoots Designated Persons for Child Protection:

Kelly Lambert – kellyl@newshoots.co.nz

Christine Hall – christine.hall@newshoots.co.nz

Regional Managers provide support and guidance to Centre Directors when child protection concerns are raised and will support the risk assessment process to determine whether a Report of Concern, or any other actions, are required.

Centre Directors are the Designated Person for Child Protection whose name and contact details will be displayed for staff and whānau.

RESPONSIBILITIES OF THE DESIGNATED PERSON FOR CHILD PROTECTION:

- Ensure the needs and rights of children come first – the safety and wellbeing of each child is the paramount consideration in all circumstances.
- Receive information that suggests a potential or actual risk of harm to a child in contact with New Shoots, irrespective of whether the alleged abuse is current, past, or likely to occur. The designated person for child protection will advise and support staff, and where appropriate, will make any referrals to Oranga Tamariki and/or the police following consultation with their Regional Manager.
- Ensure clear, confidential, and detailed records on all child protection cases. These should 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 New Zealand Police. These records will be kept in the child's note section on infocare for the purpose of confidentiality.
- Maintain a current awareness of the children identified on a risk register and regularly highlight these children to the appropriate staff.
- Ensure that all staff are aware of, and have access to, full copies of the procedures for reporting child abuse.
- Establish close links with the relevant local agencies to ensure clear and effective communication and be a recognised contact within New Shoots for agencies to contact regarding child protection concerns.

RESPONSIBILITIES:

- All staff are responsible for child protection.
- All staff must report concerns, including those about colleagues or visitors.
- All staff must complete satisfactory Police vetting before employment is confirmed.
- All staff must complete induction training on child protection, and refresher training at least every three years.
- All staff must understand that failure to adhere to this policy may result in disciplinary action or dismissal.

TRAINING INCLUDES:

- Roles and responsibilities regarding child protection.
- Recognising and responding to signs of abuse.
- Understanding procedures for reporting concerns.

DEFINITIONS:

- **Child/tamariki:** Oranga Tamariki Act (1989) A child is anyone under the age of 14 years. A young person is anyone over the age of 14 but under 18 years. Children's Act (2014) A child is anyone under the age of 18 years. Crimes Act (1961) A child is anyone under the age of 17 years. UN Convention of the rights of the child (1989) A child is anyone below the age of 18 years.
- **Emotional Abuse:** is any act or omission that results in impaired psychological, social, intellectual, and/or emotional functioning and developing of a child.
- **Neglect:** Is characterised as the persistent failure to meet a child's basic physical or psychological needs. It may also include neglect of a child's basic or emotional needs.
- **Physical Abuse:** Is any non-accidental act that causes physical harm. This includes, but is not limited to, beating, hitting, shaking, drowning, suffocating, biting, poisoning or otherwise causing physical harm to a child. Physical abuse also involves fabrication or inducing illness.
- **Sexual Abuse:** Is an act or acts that result in the sexual exploitation of a child, whether consensual or not.
- **Intimate partner violence:** (IPV) is a pattern of abusive behaviour in any relationship where one partner seeks to gain or maintain control over the other. This can manifest as physical, sexual, emotional, economic, or psychological abuse.
- **Family Violence:** Can take many forms and includes not only acts of physical violence, abuse, or intimidation in a family relationship, including Intimate Partner Violence (IPV). Children are always affected either emotionally or physically where there is family violence even if they are not personally injured or physically present.
- **Staff:** any person working at, for, with, or on behalf of New Shoots, and includes, but not limited to, staff employed directly by New Shoots, irrespective of whether they are paid, voluntary, or whether they are working on a full time, part time, casual or temporary basis, as well as any persons contracted or invited to provide services to children in the care of New Shoots.
- **Centre Director/Regional Manager:** Centre Directors oversee the operations of their individual centres, Regional Managers oversee the operational aspect of multiple centres within their region.

Safe Working Practices

Safe working practices form the foundation of this policy. They are essential because they protect tamariki from harm, create clear professional boundaries, and provide guidance for staff so they are confident in their roles. They also protect staff from the risk of false allegations by ensuring interactions with tamariki are transparent, respectful, and observable.

When staff find themselves in a position of trust with children, there is always the potential for exploitation and harm. All staff have a responsibility to ensure an unequal balance of power is never used for personal advantage or gratification. Staff must maintain professional boundaries and act in ways considered safe practice at all times.

SUPERVISION

- Staff must always know the location and safety of tamariki.
- Tamariki must remain within sight of staff, who should also be observable to colleagues.
- Avoid situations where a staff member is alone with a child. Where this is unavoidable, ensure doors are open (except where privacy is required, e.g., toilets).
- Staff responsible for toileting or nappy change must follow safe supervision procedures. Where possible, ensure another staff member is nearby or aware, while also respecting the child's privacy.
- Only employed staff may carry out toileting, nappy changing, or direct child supervision. Parents, visitors, or contractors may assist only under active staff supervision.
- Regular checks must be carried out in sleep rooms, maintaining sight or hearing of tamariki.
- Outdoor and indoor areas must allow easy supervision, minimising blind spots.
- Visitors, parents, or contractors who are not safety checked may not be left alone with children at any time.
- Children may only leave with parental consent and Centre Director approval, except in emergencies approved by the Centre Director.
- Parents/caregivers must be notified in advance of any one-on-one activities such as before school checks or hearing and vision.

VISITORS

- All visitors must sign in and be approved by the Centre Director.
- Visitors who are not safety checked must be always supervised.
- Staff are responsible for actively supervising all visitors and contractors while they are in the centre.

TRIPS AND OUTINGS

- Written parental consent is required for each planned excursion.
- Caregivers must be provided with written details of the excursion (venue, transport, date, time, organiser contact details).
- All parents/guardians taking part in excursions must be police vetted.

PHOTOGRAPHY AND RECORDINGS

- Written consent must be obtained for all images or recordings of tamariki.
- Only New Shoots equipment may be used for taking photos and recordings of children. NO personal devices are to be used to take photos or recordings of children.

PROTECTION ORDERS

- Protection orders are legal documents to protect children and others from harm or unwanted contact.
- When a protection order is received by the centre, a comprehensive Protection Order Management Plan must be completed in 1Place. This plan will record key details (type of order, date, persons involved, expiry/review dates, photo if applicable).
- The order must be attached to the plan, uploaded to Infocare, and a copy kept in the Emergency Folder.
- Staff must know the safety actions and emergency protocols if the order is breached, including code words, agency notification and emergency contacts.
- All team members must be made aware of the order and procedures of children within the centre.
- The Centre Director and parent/caregiver must confirm understanding of the plan by signature.

GENERAL STAFF CONDUCT

- Staff must always treat tamariki with respect regardless of background.
- Avoid behaviour that could be misinterpreted as hostile, suggestive, offensive, or neglectful.
- Ensure all interactions and communication with tamariki are transparent and open to scrutiny.
- Always maintain professional boundaries and avoid situations that could compromise trust.
- Promote an environment where tamariki feel safe, respected, and comfortable in their interactions with staff.
- Staff must not take or display images of tamariki without proper consent.
- Act swiftly to report any perceived risk to a child.
- Report any lapses in safe practice immediately to your designated person for child protection.

CENTRE SECURITY

- Outdoor play areas must be securely fenced with locked or monitored gates to prevent unauthorised access and keep tamariki safe.
- Biometric locks on front entries must be used to restrict and monitor entry into the centre and emergency release on exit gates.

Guidelines for Responding to Suspicions of Child Abuse and Neglect

These guidelines are critical because they provide staff with clear directions on how to act when there are concerns about a child's safety. They ensure consistent, safe, and effective action, protect tamariki from further harm, and give staff confidence in how to respond appropriately.

All staff must be vigilant in recognising potential abuse or neglect and respond in accordance with this policy.

Identifying Abuse: New Shoots 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 include but are not limited to:

- Direct or indirect disclosure by a child, whānau member, or third party.
- Suspicions of abuse observed by those involved with the child.
- Allegations, observations, or signs shown in a child's physical or emotional behaviour.
- Direct witnessing of abuse.

The signs and indicators of abuse to a child may not be immediately obvious or identifiable.

If staff are unsure whether something constitutes abuse, they must seek advice from the Designated Person for Child Protection. Staff may also consult Oranga Tamariki (0508 326 459) or Child Matters (07 838 3370).

Immediate response: In a situation where any staff member believes that a child or young person is in immediate danger, or in a situation where they believe that a third party is not prepared to secure the child's safety by contacting a statutory service, the staff member in consultation with the Designated Person for Child Protection will inform Oranga Tamariki or the New Zealand Police of their concern. The child protection procedures set out in this policy should be followed regardless of whether the alleged offender is a member of the public, a participant in a programme, event or activity, or a member of staff within New Shoots.

New Shoots staff will not act alone about concerns of abuse but will consult with the Designated Person for Child Protection who will be committed to taking action as outlined in the procedures.

- If a child is in immediate danger, call NZ Police on 111 and notify Oranga Tamariki (0508 326 459 or contact@ot.govt.nz).
- Ensure the child's immediate safety while following all child protection procedures.

Responding to a disclosure from a child: Disclosure of abuse may come directly from a child. It is important that staff take what the child says seriously, and respond in a calm, caring and sensitive manner. This applies irrespective of the setting, or the staff member's own opinion on what is being said. If there is information disclosed regarding actual or suspected abuse staff should:

- Listen carefully and reassure the child they have done the right thing.
- Use open-ended prompts (e.g., "What happened next?").

- Record word-for-word what the child said, with time, date, and who was present.
- Report the concern immediately to the Centre Director or Designated Person.

Staff must not:

- Make the child repeat the story unnecessarily.
- Promise secrecy or make promises that cannot be kept.
- Ask leading questions or enquire into details of the alleged abuse.
- Attempt to investigate the abuse themselves.

Recording concerns:

- Keep accurate, factual, and time-stamped notes of all concerns, disclosures, and actions.
- Use Infocare to record under the child's file, and the Child Protection Register for confidential records.
- Documentation must include what was observed, what was said (in the person's own words), actions taken, and by whom.

Notifying Authorities:

- All concerns or allegations must be reported to the Designated Person for Child Protection at the first possible opportunity.
- The Designated Person will decide whether to notify Oranga Tamariki and/or NZ Police.
- All concerns of sexual abuse must be reported to Oranga Tamariki and/or NZ Police.
- If staff believe a child is in immediate danger and cannot reach the Designated Person quickly, they must contact Police and/or Oranga Tamariki directly.
- Even if a decision is made not to notify, the reasons must be documented clearly in the Child Protection Register.

Key principle: At all times, the safety and wellbeing of the child is paramount. Staff must act promptly, responsibly, and in consultation with the Designated Person and external agencies as required.

DISCLOSURE / ALLEGATIONS OF CHILD ABUSE BY A KAI AKO

This section ensures clear and consistent handling of allegations involving New Shoots staff.

- Allegations, suspicions, or complaints of abuse against staff must always be taken seriously.
- Concerns should be reported directly to the Designated Person for Child Protection. If the allegation involves the Designated Person, report to another Designated Person or the senior leadership team.
- Consultation will occur with Oranga Tamariki and/or NZ Police to determine if a Report of Concern is required.
- Both the children's and staff members' rights must be upheld. The safety of the child is a paramount concern.
- Staff subject to allegations should be advised to seek legal advice.
- New Shoots will cooperate fully with Oranga Tamariki and NZ Police in any assessment or investigation.

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

The fact that an alleged offender has not been prosecuted or been found guilty does not necessarily mean that they are appropriate to continue to work with children. A risk assessment should be carried out before allowing the person to return to their duties, or any alternative duties, in any capacity. When making any decisions, New Shoots will place the safety and wellbeing of children and young people as the paramount consideration.

CONFIDENTIALITY AND INFORMATION SHARING

This section is vital because it sets out how sensitive information will be handled. Clear guidance ensures tamariki are protected, whānau understand their rights, and staff know when and how information can be lawfully and appropriately shared. Allegations, suspicions, or complaints of abuse against staff must always be taken seriously.

- Concerns will be treated sensitively and shared only on a strictly need-to-know basis.
- As part of the enrolment process, parents and caregivers will provide informed consent acknowledging their understanding of this policy. This includes awareness that information may be shared with Oranga Tamariki, Police, or other agencies when necessary to protect a child.
- Principle 11 of the Privacy Act 2020 permits sharing of personal information if disclosure of the information is necessary to prevent or lessen a serious threat.
- The Oranga Tamariki Act 1989 and the Family Violence Act 2018 place the wellbeing and best interests of a child as the paramount consideration. This principle takes precedence over any duty of confidentiality that is owed to the child or their family or whānau, or any person with whom the child is in a domestic relationship with.

- Under the Oranga Tamariki Act 1989, and the Family Violence Act 2018, if staff raise a legitimate concern in good faith about suspected child abuse, which proves to be unfolded on investigation, no civil, criminal, or disciplinary proceedings may be brought against that staff member or organisation.
- Wherever possible, whānau should be informed of what information has been shared, to which agency, and for what purpose—unless doing so would place the child at further risk.
- Staff must seek advice from Oranga Tamariki or Police before sharing identifying information beyond what is required by law (Privacy Act 2020).

RELATIONSHIPS WITH EXTERNAL AGENCIES

This section highlights the importance of working in partnership with agencies that have statutory powers and specialist expertise in child protection.

- New Shoots will maintain strong working relationships with Oranga Tamariki, NZ Police and Ministry of Education and be familiar with the laws that protect tamariki and rangatahi.
- Staff are encouraged to consult with other appropriate agencies that have specialist knowledge to help protect children from abuse.
- New Shoots will also maintain collaborative relationships with Non-Government organisations and organisations that provide services to children, including those with disabilities, and their whānau.
- Open, respectful communication with partner agencies ensures timely, coordinated responses to child protection concerns.

WORKING WITH FAMILIES / WHĀNAU

This section recognises that families and whānau play a central role in supporting tamariki. Clear guidance ensures staff know when, and when not, to share concerns directly with whānau.

- Families/whānau and caregivers will usually be informed when there are concerns about a child's safety or wellbeing.
- However, there may be times when those with parental or guardianship responsibilities are not informed immediately. This may occur when:
 - (a) A family/whānau member or caregiver is the alleged offender.
 - (b) Informing them may intimidate the child into silence.
 - (c) There is a strong likelihood that evidence may be destroyed.
- The child does not want their parent or caregiver involved and they are of an age and capacity to make that decision. Any decision not to inform the parent/whānau solely on the child's wishes must be made in consultation with the Designated Person for Child Protection and an Oranga Tamariki Duty Social Worker.
- Any decision to withhold information from whānau must be documented, with clear reasoning recorded in the Child Protection Register.

NOTIFYING THE MINISTRY OF EDUCATION

- It is a legal requirement to notify the Ministry of Education if Police or Oranga Tamariki attend a New Shoots service for a child protection issue during operational hours.

PUBLIC ACCESSIBILITY

- New Shoots is committed to transparency. The Child Protection Policy will be published on the New Shoots website so that whānau, staff, and the wider community can access and understand our safeguarding approach.

Child Protection Flow Chart

1. You have concerns about a child's safety or wellbeing

This could be from observation, something a child says, or information from whānau or a third party.

2. Ensure Immediate Safety

- If the child is in immediate danger, call NZ Police (111) and notify Oranga Tamariki (0508 326 459) right away.
- Ensure the child's immediate safety while following all child protection procedures.

3. Report Internally

- Immediately inform the Designated Person for Child Protection (Centre Director or listed contact).
- Do not keep concerns to yourself.

4. Record Your Observations

- Write down exactly what you saw, heard, or were told.
- Include date, time, and who was present.
- Child protection person to input this record into the child's notes section in Infocare.

5. Discuss and Decide Next Steps

- Share your record with the Designated Person and Centre Director.
- Together, assess the situation and determine if a Report of Concern to Oranga Tamariki is required.

6. If a Report of Concern is Needed

- The Designated Person completes a Report of Concern.
- Record and manage the report in 1Place. Record and manage the report of concern in 1 place. Regional Manager to review once completed and report of concern to be emailed through to Oranga Tamariki.
- Attach the report to the child's file in Infocare for confidentiality.

7. Follow Up and Documentation

- Keep all records factual, confidential, and up to date in Infocare and 1Place.
- If a Protection Order is involved, complete a Protection Order Management Plan in 1Place, upload it to Infocare, and keep a copy in the Emergency Folder.

8. Ongoing Monitoring

- The Designated Person maintains a risk register and regularly reviews children identified as at risk.
- Staff are updated as appropriate.

9. Confidentiality

- Share information only on a need-to-know basis.
- Seek advice from Oranga Tamariki or Police before sharing identifying information beyond what is required by law.

Key Systems:

- **Infocare:** For recording all observations, disclosures, and attaching reports.
- **1Place:** For managing Reports of Concern, Protection Order Plans, and risk registers.
- **Emergency Folder:** For copies of Protection Orders, Child Custody and emergency protocols.