



Child Protection Policy Taitamaiti Whakamaru Here

Version 1 | Mahi Tuatahi
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Policy Owner | Rangatira Kaupapa Māhere: Chief Executive Officer
Key Accountabilities | Ngā Takonga Tuatahi: Chief Operating Officer

Introduction | Tīmatanga Kōrero

He Whānau Manaaki o Tararua (He Whānau Manaaki) is committed to the protection and wellbeing of children. He Whānau Manaaki employees play an important role in the prevention, detection and reporting of suspected child abuse. The provision of well-defined procedures, practices and reporting will reduce the incidences, and increase the detection, of child abuse:

- To ensure that children are safe from harm;
- To ensure that any suspected abuse is acted upon;
- To provide a safe environment, free from physical, emotional, verbal, or sexual abuse
- To support parents and whānau to protect their children.

This policy provides all He Whānau Manaaki employees, volunteers, and contractors that have ongoing contact with children, the principles to identify and respond to concerns of abuse and neglect and to understand their role in keeping children safe.

Applies To | Ko Wai Whakahāngaitia

This policy applies to all Whānau Manaaki employees and volunteers who have direct or indirect contact with children. This includes professionals contracted or invited to provide services to children in the care of He Whānau Manaaki. This policy also applies to the Governing Board and their responsibilities in the safety and wellbeing of children.

Definition | Tautuhi

1. “Employee” means any person of any age employed by an employer to do any work for hire or reward under a contract of service as defined in the Employment Relations Act 2000.
2. “Volunteer” means a person who is acting on a voluntary basis (whether or not the person receives out of pocket expenses) as defined in the Health and Safety at Work Act 2015.
3. “Child” means a boy or girl under the age of 14 years. “Young person” means a boy and girl of or over the age of 14 years but under 17 years; but does not include any person who is or had been married or in a civil union as defined in the Oranga Tamariki Act 1989.
4. “Child Abuse” means the harming (whether physically, emotionally, or sexually), ill treatment, abuse, neglect, or deprivation of any child or young person as defined in the Oranga Tamariki Act 1989.



He Whānau Manaaki Definition | He Whānau Manaaki Tautuhi

1. “Parents and Whānau” means any parent or family member with joint or sole responsibility for the care, development and upbringing of a child or young person.
2. “Caregivers” means a guardian or person who has day to day care of a child or young person but is not primarily responsible either jointly or solely for the care, development and upbringing of a child or young person.
3. “Contractor” or “Independent Contractor” are those engaged by He Whānau Manaaki to perform services under a contract for services. Contractors are self-employed. TONI’s are engaged as contractors to He Whānau Manaaki within the Etu Ao (Home-Based Education) Team.
4. “Service” includes all funded activities under He Whānau Manaaki. This includes all social services, services that are attached to kindergartens and services that are provided in private homes.

General Principles | Mātāpono Whānui

1. The interests and protection of the child is paramount in all decisions and actions made by He Whānau Manaaki.
2. He Whānau Manaaki is committed to all children and young people and ensuring that they feel safe and comfortable with all employees, volunteers and contractors that are working with them.
3. Indicators of child abuse may include but are not limited to, the harming (whether physically, emotionally or sexually), ill-treatment, abuse, neglect or deprivation of any child or young person’. This may manifest itself as physical signs, behavioural concerns, or developmental delays.
4. He Whānau Manaaki has a commitment to ensure that all employees are able to identify the signs and symptoms of potential abuse and neglect and are able to take appropriate action in response.
5. Teachers shall ensure that the curriculum in their kindergarten provides opportunities for children to gain an understanding about personal safety and positive self-esteem.
6. If an employee, volunteer or contractor suspects child abuse of any kind, they will take action according to the policy and processes below. This process is also detailed in the *Concerns for the Safety of a Child Process* which is attached to this policy. The *Concerns for the Safety of a Child Process* should be displayed in a place that is accessible to all employees.
7. He Whānau Manaaki shall provide to employees, as and when needed, contacts of appropriate agencies that deal with child protection matters.





Our Role in Child Protection

Role of the Senior Leadership Team in Child Protection

8. He Whānau Manaaki Senior Leadership Team shall maintain appropriate policies and processes for screening applicants before employing new employees and engaging volunteers or contractors.
9. He Whānau Manaaki shall conduct safety checks of all its employees, volunteers and contractors in compliance with sections 25, 26 and 27 of the Children Act 2014 and as outlined in the *Safety Checking Policy*.
10. Safety Checking Checklist's are as follows:
 - *Safety Checking Checklist - New Employees*
 - *Safety Checking Checklist - Existing Employees*
 - *Safety Checking Checklist - Initial Etu Ao*
 - *Safety Checking Checklist - Ongoing Etu Ao*
 - *Safety Checking Checklist - New Volunteers*
11. He Whānau Manaaki Senior Leadership Team shall ensure that all employees, volunteers and contractors are made aware of this Policy.
12. He Whānau Manaaki Senior Leadership Team shall ensure as and when needed, that employees are provided with contacts of appropriate agencies that deal with child protection matters.
13. He Whānau Manaaki Senior Leadership Team will oversee the specific procedures carried out in kindergartens and outside of kindergarten premises.
14. He Whānau Manaaki Senior Leadership Team will ensure that the Ministry of Education is informed, as required by Regulation (Criteria HS34) when a report of concern is made to a statutory agency including Oranga Tamariki and NZ Police.

Role of the Senior Teachers, Visiting Teachers, Head Teachers of Kindergartens and Managers in Child Protection

15. Head Teachers shall ensure that the He Whānau Manaaki Child Protection Policy is displayed on all kindergarten noticeboards.
16. Visiting Teachers shall ensure that every TONI Educator has a copy of the He Whānau Manaaki Child Protection Policy for parents and caregivers to access.
17. All new parents and caregivers shall be informed of the policy and procedures at the time of enrolment.
18. Teaching Teams shall maintain a confidential file in the kindergarten in which to document observations of concern regarding the safety of children. Teams will use the Child Protection Confidential Form to document concerns. They can be stored electronically in the Confidential Folder in TEAMS or a paper copy (using this form in a ring binder) stored securely in a locked drawer or cupboard accessible only to the Teaching Team. For Etu Ao services, Visiting Teachers add concerns as a Note to the child's Salesforce profile.
19. Teachers shall inform families and whānau about any relievers, visitors and students in the kindergarten.
20. Whilst in the care of kindergarten, including outside of sessions hours, children shall have two adults present at all times. Similarly, He Whānau Manaaki staff shall have two adults present at all times while caring for children. Whilst in Etu Ao home-based care, children are in the sole care of a TONI educator.





21. The Head Teacher of each Kindergarten must ensure that a copy of all court-related custody and protection orders be kept in the kindergarten. A copy must be sent to He Whānau Manaaki's Head Office and drawn to the attention of the Chief Executive Officer.
22. Visiting Teachers must ensure a copy of all court-related custody and protection orders be kept at Head Office. A copy must be sent to He Whānau Manaaki Head Office and drawn to the attention of the Chief Executive Officer.
23. Head Teachers / Senior Teachers / Managers shall ensure that all staff within their teams are supported appropriately when dealing with child protection concerns.

Role of the Designated Person for Child Protection

24. The Designated Person for Child Protection will ensure the needs and rights of children come first i.e., the safety and wellbeing of each child is paramount
25. Ensure and safeguard clear, confidential, detailed and dated records on all child protection cases. These must contain all available information relating to the cause for concern and any subsequent action taken, including when it has been decided not to make a notification to Oranga Tamariki or the police. These records will be kept separate from children's records for the purpose of confidentiality
26. Establish a close link with the relevant local agencies to ensure clear and effective communication and be a recognised contact within He Whānau Manaaki to contact regarding concerns.
27. Ensure that all employees, volunteers and contractors are supported appropriately when dealing with child protection concerns
28. Maintain a current awareness of the children who concerns have been identified and regularly highlight these children to the appropriate employees and contractors.
29. In consultation with and with the approval of the Chief Executive Officer (or in their absence a member of the Senior Leadership Team) where appropriate, make Reports of Concern to Oranga Tamariki and the New Zealand Police.
30. Consult with the Chief Executive Officer (or in their absence the Senior Leadership Team and Managers) regarding all child protection concerns.

Disclosures and Identification of Abuse

Handling disclosure from a child

31. If a child makes a verbal disclosure to an employee, volunteer, or contractor it is important that the employee, volunteer, or contractor take what the child says seriously. This applies irrespectively of the setting, or the employee, volunteer, or contractors' own opinion on what the child is saying. Employees, volunteers, and contractors will ensure that they respond in a supportive manner to any verbal disclosure by a child.

Identification of Abuse

32. Employees, volunteers and contractors shall contact the Designated Person for Child Protection for advice and guidance on signs and indicators of abuse. If the Designated Person for Child Protection is unavailable, then employees and volunteers should consult with their Senior Teacher, Manager or a member of the He Whānau Manaaki Senior Leadership Team.
33. Further information regarding signs and indicators of abuse can be in the *Signs and Indicators of Abuse Information Sheet*.





Reporting & Disclosures for employees and volunteers *in* Kindergartens when concerned about a child

34. *See the Concerns for the Safety of a Child Processes Flowchart*

Reporting & Disclosures for employees and volunteers *outside* Kindergartens when concerned about a child

35. *See the Concerns for the Safety of a Child Processes Flowchart*

36. Employees, volunteers and contractors shall take seriously any disclosure of alleged child abuse from a child or an adult. Employees and Volunteers shall take action in the short term to ensure the immediate safety of the affected child or children. In any action taken, the safety of the child is paramount.

Child Safety is at Risk

37. Where an employee, volunteer or contractor has concerns about a child's immediate and imminent safety and they are *not* in a Kindergarten setting, they shall:
38. Ensure that the employee, volunteer or contractor is in a safe space
39. Notify the Police immediately
40. Notify their Senior Manager or the Designated Person for Child Protection or Chief Executive Officer (or in their absence a member of the Senior Leadership Team) immediately
41. Follow the directions given by the Police and/or Manager and/or the Designated Person for Child Protection and/or Chief Executive Officer (or in their absence a member of the Senior Leadership Team).

Where a child is not at immediate or imminent risk

42. Employees, Volunteers and Contractors shall consult with their Manager and Designated Person for Child Protection to discuss any concerns that they have regarding suspected child abuse. Subsequent to that discussion, a recommendation may be made by the Manager to report the suspected abuse to Oranga Tamariki and/or to the New Zealand Police in accordance with section 15 of Oranga Tamariki Act 1989 (or any legislation in substitution of that Act). However, no referral to an external agency will be made without the Chief Executive Officer (or in their absence a member of the Senior Leadership team) having first been involved in discussion about the matter.
43. Reporting of any concerns about the well-being of a child enrolled in a service operated by He Whānau Manaaki, to Oranga Tamariki or to the Police, by anyone acting in their capacity as an Employee, Volunteer, Contractor, or representative of He Whānau Manaaki may only be undertaken with the knowledge and consent of He Whānau Manaaki Manager and/or the Designated Person for Child Protection and/or Chief Executive Officer (or in their absence a member of the Senior Leadership Team). Aside from that limitation, reporting of any concerns about the well-being of a child enrolled in a service operated by He Whānau Manaaki, to Oranga Tamariki or to the Police, by any person who is doing so in their personal capacity (i.e. not in their capacity as an Employee, Volunteer, Contractor, or representative of He Whānau Manaaki) is permitted under sections 15 and 16 of the Oranga Tamariki Act





1989, and as a matter of good practice should also at the same time be reported by that person to He Whānau Manaaki management. Those sections of the Act state:

“15 Reporting of concerns to chief executive or constable Any person who believes that a child or young person has been, or is likely to be, harmed, ill-treated, abused, (whether physically, emotionally, or sexually), neglected, or deprived, or who has concerns about the well-being of a child or young person, may report the matter to the chief executive or a constable.”

And,

“16 Providing information about safety or well-being of child or young person No civil, criminal, or disciplinary proceedings shall lie against any person in respect of the disclosure or supply, or the manner of the disclosure or supply, by that person under this Part, of information concerning a child or young person (whether or not that information also concerns any other person), unless the information was disclosed or supplied in bad faith.”

44. The Manager and the Designated Person for Child Protection shall provide support, advice and guidance to employees, volunteers and contractors when they are dealing with a suspected child abuse case.
45. Following discussions with the Chief Executive Officer (or in their absence a member of the Senior Leadership team) a decision will be made regarding who is the most appropriate person to notify Oranga Tamariki and/or the Police.
46. Employees, volunteers and contractors shall take seriously any disclosure of alleged child abuse from a child or an adult. Employees, volunteers and contractors shall take action in the short term to ensure the immediate safety of the affected child or children. In any action taken, the safety of the child is paramount.

Recording and Documenting of Disclosures of Child Abuse

47. A copy of all court-related custody and protection orders must be kept in the kindergarten. A copy must be sent to the Chief Executive Officer at He Whānau Manaaki's Head Office.
48. Etu Ao Visiting Teachers must ensure a copy of all court-related custody and protection orders be kept at Head Office. A copy must be sent to He Whānau Manaaki Head Office and drawn to the attention of the Chief Executive Officer.
49. Teaching Teams shall maintain a confidential file in the kindergarten in which to document observations of concern regarding the safety of children.
50. Documentation about concerns shall not be held on the kindergarten premises indefinitely. It shall be passed on to the Designated Person for Child Protection or Chief Executive Officer at the time the child stops attending.
51. Employees, volunteers and contractors shall keep a record of what has been observed and/or disclosed by the child – a report of the verbal and behavioural observations shall include dates, times and the name of the person making the observations. Any follow-up actions shall be recorded.
52. Employees, volunteers and contractors shall sign and date the documentation. Critical information must not be held back when a report to the relevant agency is made.
53. Any documentation about concerns shall be passed onto the Senior Teacher or Manager and Designated Person for Child Protection or Chief Executive Officer immediately.
54. If the Designated Person for Child Protection is unavailable for advice and guidance, then staff should consult with any member of the Senior Leadership Team.





Staff to not conduct interview

55. Under no circumstances should an employee, volunteer or contractor of He Whānau Manaaki attempt to conduct an investigation or deal with concerns regarding the child abuse alone. Any incidents, concerns or suspicions must be reported following the policy set out below and procedures and processes in the relevant process documents.

Professional Development

56. He Whānau Manaaki has a commitment to ensure that all staff working with children and whānau are able to identify the signs and symptoms of potential abuse and are able to take appropriate action in response.
57. To this end, He Whānau Manaaki shall include as part of its professional learning and development timetable, courses that address issues relating to child abuse and child protection, including indicators of possible abuse.
58. All employees and volunteers working directly with children and whānau, shall be required to attend specific professional learning and development relating to child protection at least once every three years.

Preventative Measures and Toileting and Care Routines

59. Whilst in the care of kindergarten, including outside of sessions hours, children shall have two adults present at all times. Similarly, He Whānau Manaaki employees shall have two adults present at all times while caring for children.
60. Children will only be changed, toileted or bathed by:
- Their own parents/whānau or nominated caregivers,
 - People employed by Whānau Manaaki to work in the kindergarten or homebased service (usually this will only be Teachers/Visiting Teachers or TONI Educators, but could from time to time be other Whānau Manaaki employees, i.e. relievers, if previously agreed to by Head Teacher and/or are known to the child),
 - A person employed to specifically support and work with the child (e.g. Education Support Worker).
61. The changing of children's clothing or assisting children with toileting, shall be carried out in a manner that ensures children's dignity is maintained while also ensuring visibility to others.
62. Toileting and clothes changing incidents shall be recorded, including name of child, name of employee, date, incident and action taken.

Accusations concerning or involving employees or volunteers

63. Employees accused of child abuse shall immediately be placed on special leave or suspended, as determined by the Chief Executive Officer and Chief People Officer.
64. Volunteers shall immediately be suspended from volunteering, as determined by the Chief Executive Officer and Chief People Officer.
65. The Disciplinary and Misconduct Policy details He Whānau Manaaki's policy around this.
66. The Investigations Process details the process that will be followed regarding any accusations concerning or involving employees or volunteers.





Relevant Legislation and Regulations | **Whaitake Ture me Waeture**

- Education and Training Act 2020
- Oranga Tamariki Act 1989
- Crimes Act, 1961
- Family Violence Act 2018
- Health Act, 1956
- Health and Disability Services Act, 2001
- Privacy Act, 2020
- Health Information Privacy Code, 2020
- Children's Act, 2014
- Care of Children Act, 2004
- Employment Relations Act, 2000
- Human Rights Act 1993

Related Procedures or Processes and Documents | **Pākanga Tukanga me Pukapuka**

- Communications with External Agencies regarding Child Protection Guidelines
- Concerns for Child's Safety process
- Safety Checking Policy
- Safety Checking Checklist - New Employees
- Safety Checking Checklist - Existing Employees
- Safety Checking Checklist - Initial Etu Ao
- Safety Checking Checklist - Ongoing Etu Ao
- Safety Checking Checklist - New Volunteers
- Verification of Identity Process

Policy Review Cycle | **Kaupapa Arotake Hurihanga**

This policy is to be reviewed every two years. Whānau Manaaki may amend or cancel this policy or introduce a new policy, as it considers it necessary within the current cycle of the policy. Any amendments will be considered by the policy Working Group and will need to be approved by the Senior Leadership Team and the Board. The policy will continue on the same review cycle.

