

A REVIEW OF THE
MANAGEMENT POLICY AND PRACTICES
OF THE
CIVIC CHILDCARE CENTRE

JULY 1992

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- Ministry of Education
- New Zealand Qualifications Authority
- Christchurch College of Education
- Te Ao Tamariki Childcare Centre
- New Zealand Childcare Association - Te Tari Puna Ora o Aotearoa
- New Zealand Play Centre Association
- Civic Childcare Centre Staff
- Civic Childcare Centre Management Committee
- Parents of Children attending the Civic Childcare Centre
- New Zealand Police
- Alistair Graham, Unit Manager, Leisure and Neighbourhoods Support Unit, Christchurch City Council
- Department of Social Welfare, Specialist Services Unit
- Office of the Commissioner for Children

QUOTES

"Young children are especially vulnerable. They have little power over their lives and few skills with which to protect themselves. This places early childhood personnel in a relationship of special trust, one that is powerful, important, and easily violated."

"Early childhood practitioners have great power over young children, especially in day care centres." (AECA, 1991, p. 3)

It is important that practitioners act on the basis of a belief in:

- " - What is right rather than expedient
- What is good rather than simply practical
- What acts members must never engage in even if those acts would work or if members could get away with such acts, acts to which they must never be accomplices, bystanders or contributors."

(Katz&Ward, 1991, p. 4.)

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1. INTRODUCTION

This review of the management of the Civic Childcare Centre stems from incidents of alleged sexual abuse of children at the Centre over a period of six years by a male staff member qualified in early childhood education.

"Sexual abuse in daycare is a phenomenon that is just beginning to be understood", and is a hazard to young children and of substantial concern for parents with children in care (see Appendix 1).

Incidence of sexual abuse

Since the mid 1980's there has been rising alarm expressed by public and professionals in the United States of America about the incidence of sexual abuse in childcare. In a landmark study based on a large collection of data, Finkelhor, Williams and Burns (1988) estimated 5.5 children per 10,000 enrolled in daycare centres in the USA are sexually abused. This compares with 8.9 per 10,000 under the age of 6 who are sexually abused at home. This does not indicate a specially high risk in daycare, but indicates there is a relatively high risk of sexual abuse to children in all settings.

Quality of childcare centres where abuse occurs

The Education Review Office (1991) conducted a review of the Civic Childcare Centre which was highly complimentary of the functioning of the Centre (see Appendix 2).

Studies, however, show that traditional indicators of quality in daycare are not also indicators of low risk of sexual abuse. Finkelhor et al (1988) found sexual abuse occurred in all kinds of centres - those that were licensed, unlicensed, had had no licensing violations or had a history of complaints against them. A study by Coulborn Faller (1990) found a number of centres where sexual abuse occurred were model centres with excellent reputations, well qualified directors and many years of operation.

Perpetrators

Children have been found to have been sexually abused in daycare centres by caregiving staff, family members of staff, volunteers, janitors, bus drivers and in a few cases by outsiders. In 38% of the cases the perpetrator was not a childcare worker. Men accounted for 5% of staff and 60% of abusers. Women constituted 40% of the abusers in childcare.

Perpetrators did not fit stereotypes of sexual abusers. Abusers did not have characteristics that would distinguish them easily from other staff or people. They did not have the characteristics associated with pedophilic child abusers, and only a few (8%) had a prior arrest for a sexual offence. If they were staff members they weren't poorly trained, in fact 50% had a college education, nor were they inexperienced (two thirds had been employed two years or more).

In two thirds of all cases, abuse occurred in the toilets of the centre. The most common form of abuse was touching and fondling children's genitals.

Symptoms

One of the major factors relating to children's symptoms of sexual abuse was the relationship of the child to the perpetrator. "If one of the perpetrators was a child-care worker or a pre-school worker (as opposed to an outsider or pre-school cleaner) then the child was likely to experience a greater number of symptoms regardless of whether the case involved force, penetration or ritualistic abuse and regardless of the quality of parenting." (Gates, 1992).

Burns, Williams and Finkelhor (1988) conclude that abuse by the person responsible for giving care must violate a child's sense of trust, safety and security more, leaving the child with a profound feeling of betrayal and is more likely to create fears that other trusted adults could be abusive.

Disclosures

Concerningly, there have been few cases where staff members have been the source of sexual abuse disclosures by children. Finkelhor et al (1988) suggests that this is because of "many disincentives, a great deal of reticence and reluctance to report, massive ignorance and inattention, as well as a few cases of actual covering up of abuse on the part of staff".

2. **PROCEDURES**

In the course of this review the following groups, organizations and individuals were contacted to obtain information:

1. A letter requesting information on the sexual abuse component in early childhood education training; on a code of ethics for workers, and complaints procedures used (see Appendix 3) was sent to:

Early Childhood Development Unit
Ministry of Education
New Zealand Qualifications Authority
Combined Early Childhood Union of Aotearoa
Christchurch College of Education
New Zealand Childcare Association
New Zealand Play Centre Association
2. Rosemary Smart and Martin Maguire met with staff at the centre to discuss the process for the review. Rosemary spent a day observing the operation of the centre. Staff were interviewed by Rosemary individually at the centre. Interviews averaged one hour per staff member, and two hours with the supervisor.
3. Members of the Management Committee discussed their concerns and provided input into the report in a two hour meeting with Rosemary Smart and Martin Maguire at the centre.
4. At the meeting of 31 March 1992 for parents of children who had attended the centre during the last 6 years, parents were told that they could have input into the Management Review by contacting the City Council or, Rosemary Smart. So far only five parents have had input through interviews of between fifteen minutes to one hour in length. All of these parents have children who have allegedly been abused.

Parents of children currently attending the centre were invited to make written comments for the review. A sealed container was placed at the centre to receive these submissions. One comment was received.
5. Rosemary Smart discussed relevant literature with Ms Beth Wood of the Office of the Commissioner for Children. This literature was then reviewed.
6. The three authors viewed excerpts from the "Feeling Safe" videos which were developed for parents and children by Ruth Corrin for the Child Alert Trust, 1990.
7. Police were invited to comment on management practices at the centre, but declined to do so while the case was in progress.

3. APPLICATION OF RECOMMENDATIONS

Although the recommendations in this report have arisen from a review of the Civic Child Care Centre they are applicable to the Tuam Street Creche, The QE2 Pre-school Centre and the Pioneer Creche.

4. ETHICS

"A code of ethics is a set of statements about appropriate and expected behaviour of members of a professional group and, as such, reflects its values." (AECA, 1991, p3).

"The more powerless the client is in relation to the practitioner, the more important the practitioner's ethics become . . . The greater the power of the practitioner over the client, the greater the necessity for internalized restraints against abusing that power." (Katz & Ward, 1991, p4).

The staff of the Civic Child Care Centre stated they did not know of any incidents of sexual abuse of the children under their care but appeared to have little awareness of the implications of their lack of response to certain types of behaviour at the Centre. In discussion with them it was obvious that there was overt and covert maltreatment of children at the Centre by the staff member who is alleged to have sexually abused children at the Centre.

"Covert forms of maltreatment lie predominantly in staff (directors, teachers, assistants) attitudes toward young children." (Paulson, 1983, 43). These may include insistence that children learn to be independent while reinforcing dependent behaviour, dislike of particular children etc. "Overt forms of maltreatment to gain compliance or obedience from young children range from direct verbal attack (insult, sarcasm, ridicule, threats, name calling, humiliation) through emotional abuse (withholding of affection or compassion) to clear physical coercion (pulling, pushing, shoving, yanking . . .)". (Paulson, 1983, p.43). All these behaviours were demonstrated by the alleged abuser and were commented on by staff at the Centre. Admittedly he events we're sporadic and occurred over a long period of time. Several of them were" dealt with by individual staff members and several by the Supervisor. Overall, however, it is surprising that there was such an acceptance of behaviour that was obviously inappropriate and unethical.

Most staff members expressed a high degree of ambivalence about the alleged abuser's behaviour. This ambivalence may be a function of some of the reasons set out in the previous section of this report. A better understanding of the ethics involved in Early Childhood Education may well have helped staff deal with some of the dilemmas with which they were faced.

There is no national code of ethics in New Zealand for Early Childhood workers. There are many reasons why a code should be developed (AECA, 1991; Feeney & Kipins, 1991). While a code of practice provides specific direction for addressing some ethical dilemmas others will require the combination of a code of ethical practice with sound professional judgement provided by training and experience.

Adding an ethical statement to the Charter would be a waste of time unless workers at the Civic Child Care Centre also receive specific training in dealing with ethical issues and are totally familiar with such an ethical statement. It would be preferable that a lead be taken at a national level.

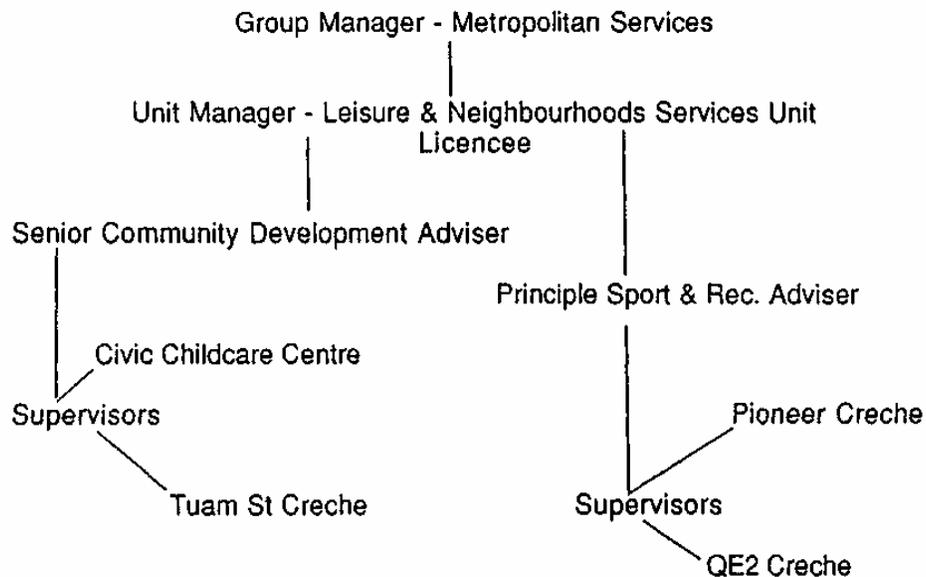
"As early childhood personnel carry out their work with and on behalf of young children and their families, they often face situations that involve a conflict of their responsibilities and professional values. A code of ethics is not intended to, and could not possibly, provide easy answers, formulae, or prescriptive solutions for the complex professional dilemmas they face in their work. It does provide a basis for critical reflection, a guide for professional behaviour, and some assistance with the resolution of ethical dilemmas." (AECA, 1991, p.4). (see Appendix 4).

5. POLICY AND PRACTICES

5.1 Relationship with City Council's Corporate Structure

The Council's childcare centres are part of the structure of the Leisure and Neighbourhoods Support Unit, and as such come under the umbrella of the Metropolitan Services Group.

While childcare supervisors are responsible for the day to day management of their centres, they report to the Senior Community Development Adviser. The following diagram shows the lines of accountability for supervisors.



Responsibilities of Council :

1. To employ Centre Staff.
2. To provide appropriate administrative, technical and managerial services necessary for the smooth running of the Centre and its staff.
3. To ensure that internal maintenance of the building is undertaken to a satisfactory standard in line with the appropriate regulations.

4. To renegotiate with the Arts Centre Trust as tenant for the premises.
5. To be the Centre's Licensee.

Role of Child Care Centre Supervisor

The Supervisor of a child care centre, while a member of a team, is the manager of the centre. They have rights and responsibilities that set them apart from their staff.

As managers they are responsible for:

- the safety and welfare of children attending the centre
- the delivery of a quality programme
- staff performance and supervision
- staff training
- budget control
- promotion of the centre
- liaison with Management Committees (where applicable)
- in conjunction with Council Management they are responsible for the appointment and termination of employment of staff
- public relations
- liaison with Council Officers.

Recommendation

That job descriptions of supervisors reflect accurately their tasks and responsibilities.

5.2 Training for Supervisors

All supervisors need to undergo supervision/management training. The supervisor sets the standard for staff and is responsible for team leadership. Recognised training in supervision and leadership skills is a primary requisite for any supervisor. As a leader of a team, supervisors must be concerned not only with the management of work and the management of people but also with the effectiveness of people's work so that targets are reached and quality service assured.

Recommendation

That child care supervisors receive adequate formal training to equip them with the management skills they need to undertake their work.

5.3 Supervision

The relationship between childcare supervisors and the Senior Community Development Adviser has been mostly informal in the past. The reality has been that most contact has been between supervisors and the Community Adviser Childcare. Supervision in the accepted management sense has been low key and informal, with the expectation that childcare supervisors would manage their own cost centres. Monthly meetings with the Community Adviser Childcare and the Senior Community Development Adviser while providing some elements of supervision, have concentrated more on general issues regarding childcare. This does not infer that these meetings were not valuable, but merely seeks to differentiate between supervision and group discussion. There is no contact between the supervisors of QEII, Pioneer Stadium and the Senior Community Development Adviser.

Future Supervision Practice

Within Council's corporate culture there is no model in place which provides for supervision standards.

There is no written policy or corporate model of staff supervision and performance evaluation currently in practice. This has led to a blurring of lines of accountability, particularly where staff outside the Tuam Street Civic Offices have some accountability back to the management structure based in the Civic Offices.

The relationship between childcare supervisors and the Senior Community Development Adviser lacks clarity. If the Senior Adviser is to be in a supervisory position with the childcare supervisors, then a more formal supervision structure needs to be recognised. This should take the form of regular one to one supervision plus opportunity for group meetings with all childcare supervisors.

Before this can happen, supervisors of Council childcare facilities need to be informed of the line of accountability to the Senior Community Development Adviser. In the case of the two childcare centres based at QEII and Pioneer Stadium this will be a totally new relationship.

However in the interests of corporate uniformity and the standardising of Management practice, the two child care centres attached to QEII and Pioneer Stadium need to follow the same reporting lines as the Tuam Street creche and the Civic Child Care Centre.

Recommendations

- a) That supervision of all Christchurch City Council Child Care Centre Supervisors be the responsibility of the Senior Community Development Adviser.
- b) That individual supervision with child care supervisors be established on a monthly basis.
- c) That a bi monthly meeting involving all child care supervisors, the Community Adviser (Child care) and the Senior Community Adviser be established.

5.4 Supervision of Staff at City Council Child Care Centres

The supervisor of a child care centre is carrying out a management function.

Supervisors as managers are expected to be responsible for the work performance of their staff, as well as being accountable for the ongoing running of the centre.

To ensure the ongoing quality of work the supervisor should meet with each staff member every month to evaluate performance, to assess training needs and ensure the ongoing quality of service delivery.

In the interests of developing a team approach, monthly staff meetings should be held. This should happen when the centre is closed so all staff can participate. Staff should be encouraged to contribute ideas/issues for discussion at these meetings. Programme development, training issues, promotional ideas can all be discussed and actioned at this meeting. Staff meetings can also be a forum for short training sessions.

Recommendations

- a) All staff at child care centres to receive monthly supervision to assess performance.
- b) Monthly staff meetings involving all staff should be held at all centres - the meetings to be of one hour duration.
- c) Staff meeting times should be paid or should accrue time in lieu.
- d) In line with the Charter of the centre a staff development and advisory support programme should be implemented immediately, (see Appendix 5).

5.5 Staff Training

All permanent staff at the centre have recognised Early Childhood Education qualifications. It is centre policy to employ only qualified staff, although the Education (Early Childhood Centres) Regulations 1990 require that only the person responsible for the centre (ie the supervisor) must have a recognised qualification. Most of the centre's staff completed their training at least five years ago.

The definition of 'qualified' is complex. Staff members have a variety of qualifications, all of which are recognised by the Ministry of Education as acceptable qualifications for working in a childcare centre. In 1990, the New Zealand Qualifications Authority was given responsibility for administering a points system for assessing the qualifications of people working in early childhood education. A system of equivalence was introduced to encourage workers to upgrade their qualifications to a level that would be equivalent to the recently integrated three year early childhood education training course offered by colleges of education. Previous qualifications based on a core curriculum which is still being developed, plus hours of experience, are assessed and credited towards equivalency, but many childcare workers also need to complete some extra equivalency papers.

Equivalence entitles a person to work in a kindergarten - it is not a requirement for workers in a childcare centre. Childcare centre supervisors must have at least 100 points under this system. Equivalence is generally calculated at 120 points.

Nearly all staff at the Civic have had their qualifications assessed, and have 100 points or more. Two staff (not including the supervisor) are equivalent. The most recently employed staff member is still in the process of applying for assessment. There is no centre policy on equivalence, and not all staff are interested in gaining equivalence. The supervisor and some other staff are working towards their equivalence.

The centre makes annual budgetary provision for staff training, although the supervisor states that she has had no input into setting the budget for the last two years. The annual training budget is \$2000, equating to less than \$200 per staff member. The Ministry of Education recommends, but no longer requires, that centres make annual budgetary provision for staff training. Most staff received first aid training in the past year, and some undertook equivalency courses.

In service training is provided by the Early Childhood Development Unit at present, but the Ministry of Education has recently put this service out to tender. This training is not credited towards equivalence. The College of Education provides equivalency courses at a cost of \$206 per paper. Most workers need to complete between 2-4 papers. Centres are advised of the availability of courses on an annual or term by term basis. The supervisor circulates training information to staff who then decide which course, if any, they will complete. Although the centre's charter states that a staff development programme will be completed each year, a full plan is not produced, due to the fact that training information has been made available too late in the year to be able to plan ahead.

Issues

There is no centre policy on whether or not staff should have Equivalence. This is largely due to the uncertain and often confusing information about equivalence that has been available. For example, some staff members completed training courses prior to 1991 in the belief that this would be credited to their qualifications, only to find that the New Zealand Qualifications Authority changed their policy and would no longer credit these courses. Lack of information, changes in policy, and perceived inequalities in the system have caused confusion and some resentment amongst early childhood education workers in general.

The issue of equivalence is further confused by the fact that the core curriculum for early childhood education, on which assessments are based, is still being developed. There is also little incentive for workers to become equivalent, although equivalent workers may apply to work in a kindergarten.

There is no requirement at present for staff to undertake any ongoing or in-service training, although it is generally recognised that such training contributes to the quality of an early childhood education programme and service.

There are budgetary implications for the centre when staff undertake training. Due to the requirement to maintain correct staffing ratios, relieving staff need to be employed while permanent staff are attending training courses. Lack of consultation with the centre supervisor during the budget setting process and the lack of information about future training courses make it difficult to develop an effective and complete staff training plan. The amount allocated for staff training is also insufficient if staff are to complete equivalency courses.

Recommendations

1. The supervisor and management committee should have input into the setting of the centre budget.
2. The centre should further develop the policy on the employment of trained staff only. This requirement should be amended to require that staff have a minimum of 100 points. The issue of whether or not workers should have or should work towards equivalence should also be addressed.
3. Staff should be required to attend at least one training course per year.
4. A staff development (training) plan should be developed annually by the supervisor, in consultation with all staff. In developing such a plan, the training needs and interests of individual staff members, as well as the overall needs for the development of the centre and its programme, should be taken into account.

5.6 Complaints Procedures

Prior to the development of the Charter in 1991, complaints procedures at the Civic Child Care Centre were vague.

The following is the complaints information given in the 1991 Charter:-

The information sheet given to all new parents will contain information about guidelines for the process of laying complaints.

The process for laying complaints is as follows:

- a) PARENT to raise concern with the SUPERVISOR. If it is inappropriate for the parent to discuss the concern with the supervisor, they can contact the Parent Liaison representative whose name and telephone number will be on the information sheet.
- b) The person to whom the complaint is made has responsibility for advising the Senior Community Development Adviser at the City Council
- c) The complaint will be investigated by the appropriate party, being the parent representative, licensee, or supervisor and reported back to the parent.
- d) The parent will be advised of the right to contact the Ministry of Education if an acceptable result is not forthcoming.

Even with these guidelines, complaints procedures have not been co-ordinated or appropriately actioned. This may be because of a lack of understanding by staff of agreed procedures, and, misunderstanding on what constitutes a complaint.

The following is offered as a guideline for the future.

What constitutes a complaint?

"Any verbal or written concern/observation that calls into question the actions, behaviours or activities of any person involved with the Centre (parent, staff, visitor or child) which impinges on the rights, safety, health or environment of any person the Centre.. "

Similarly the guidelines for lodging complaints, taken from the 1991 Charter are insufficient and too vague. The Civic Child Care Centre Management Committee has made the following observations on their understanding of what should happen:-

- The purpose of a complaints procedure is principally to ensure the continued delivery of quality care and should be child centred. All people concerned with the Civic Child Care Centre have a common aim in this.
- If a parent feels there is an issue that warrants special attention or causes particular concern, that parent may choose to follow the complaints procedure.
- All complaints will be given careful and complete consideration and will be treated in confidence.
- No size or type of complaint is particularly included or excluded.
- It may be better to follow the complaints procedure than to leave an issue and later realise it was really important after all.
- If a verbal request or observation is not responded to in a way the parent is happy with, a recorded complaint may be in order.

After discussion with staff and the Management Committee the following procedures are now in place:-

Any complaints are to be recorded in a book by the Supervisor or by the person making the complaint. This book is not for general inspection, but access to all for the purpose of making a complaint is assured. Complaints will be treated confidentially.

The recorded complaint will have details of the issue or concern (or reference to a separate letter or note), any action taken at the time, the date of the complaint and the signatures of the parent(s) and the supervisor.

The book will be reviewed by the Senior Community Development Adviser at the Council periodically and any further action required will be taken. Any serious complaint or one needing urgent attention will be dealt with immediately, and Council Management informed or involved.

Other Options

If a parent feels unable to make a complaint through the Centre Supervisor, there are a number of alternative avenues.

- a) The Senior Community Development Adviser at the Council may be contacted directly.
- b) The Management Committee has a parent liaison person available to assist with complaints if required.
- c) If no satisfaction is gained from other avenues, parents may contact the Ministry of Education.

New parents will be given this information as part of their introduction to the Civic Child Care Centre.

Complaints by staff against other staff

There may be occasions when inappropriate behaviour by staff needs to be reported by a colleague.

Any complaints either verbal or written must be recorded by the supervisor in a separate staff complaints book.

The procedures outlined in the previous section will also apply in terms of confidentiality, accessibility and reporting to the Senior Community Development Adviser, and/or the Management Committee.

Staff unwilling or unable to make a complaint to the Child Care Supervisor may approach the Senior Community Adviser directly.

Recommendations on all complaints procedures:

- a) All parents and staff to be made aware of the complaints process.
- b) Complaints to be reported to the Senior Community Development Adviser at the City Council.
- c) Complaints to be reported to the Management Committee (where applicable).
- d) All complaints should be signed.
- e) All complaints to be recorded in writing.
- f) All action on complaints to be recorded, and notified to complainant.
- g) The outcome of the complaint to be recorded.
- h) There should be separate complaint books for parental and staff issues.

5.7 Management Committee

It is important to acknowledge the intention behind the setting up of the Management Committee. The idea behind the formation of the Committee seems to have been an attempt to have parents involved at a greater level in the responsibility for the ongoing running of the Centre. This role has not always been clearly understood by successive committees.

The Management Committee is made up of two elected members of Council (currently a Councillor and Community Board Member), a number of parents and the supervisor of the Centre. The Senior Community Development Adviser also attends as required.

A Management Committee was first set up about 1981 for the Civic Childcare Centre. The aim of the Committee structure was to help provide a team approach involving staff, parents and the City Council.

Following the amalgamation of Local Authorities in 1989, the following responsibilities of the Management Committee were drawn up and the Committee informed. These also include the responsibilities of Council.

Responsibilities of the Management Committee:

The Management Committee, in conjunction with the supervisor, is responsible for:

- a) The day to day administration of the Centre.
- b) Establishing a draft annual budget.
- c) Recommendations on the level of fees.
- d) Recommendations regarding staff appointments and interviewing of applicants.
- e) Staff support.
- f) Providing an annual report to Council on the operation of the Centre.
- g) To support the supervisor.
- h) To undertake promotion of the Centre.
- i) To manage the Centre in accordance with the guidelines outlined in the charter.
- J) To set annual goals and targets as part of Council's strategic planning process.

Responsibilities of Council:

- a) To employ Centre staff.
- b) To provide appropriate administrative, technical and managerial services necessary for the smooth running of the Centre and its staff.
- c) To ensure that internal maintenance of the building is undertaken to a satisfactory standard in line with the appropriate regulations.
- d) To renegotiate with the Arts Centre Trust as tenant for the premises.
- e) To be the Centre's Licensee.

Management Committee's Relationship with Council

Council frequently refers to the Committee as a "Parents" Committee. It is felt that this has led to a distorted and diminished view of the role and functions of the Management Committee and negates the importance of the Management functions set out above. Council and parents have a partnership with rights and responsibilities defined. It is in the carrying out of those functions that uncertainty has surfaced.

If there is to be a positive working relationship between Council and the Management Committee then a process of induction to new Committee members needs to be in place.

This should include:

- a) A thorough knowledge of the differing responsibilities of the Committee and Council.
- b) Knowledge of procedures and guidelines for staff appointments.
- C) An introduction to Council committee procedures.

The document on management responsibilities mentions issues such as staff appointments and staff support but does not clarify the relationship between staff and the Committee.

- a) The Council is the employing body, following recommendations from the Management Committee.
- b) The supervisor is responsible for day to day supervision of staff.
- c) The supervisor is the link person between the staff and Management Committee.
- d) The Supervisor is also the link between the staff and City Council.
- e) It is the supervisor's responsibility to inform staff of relevant issues discussed at the Management Committee.
- f) A Management Committee member should be appointed as a staff liaison person.

In the centres where a Management Committee operates, then relationships with Council will be through that Committee. Supervision of Supervisors will be provided by the Council.

Recommendations

- a) That the current guidelines for the Management Committee be confirmed.
- b) That a proper induction process for new committee members be instituted by the Senior Community Development Adviser in conjunction with Child Care Centre Supervisors.

5.8 Employment Procedures

Workers at the Centre are employed by Council, and employment procedures are consistent with Council practice. There is no full written employment procedure.

Council management approval is required before a position may be advertised. Restrictive Council policies on employment, which have been in place since local authority amalgamation, have made it difficult to ensure that appointees are of the highest possible standard. Appointments are made by management (LANSU Manager) on the written recommendation of, and with supporting documentation (interview notes, references etc) from the interview panel. This panel comprises the Centre Supervisor, a Management Committee member, and a Council management representative. It is not a requirement that any of the interview panel have training in interview techniques.

It is Centre policy to employ only trained workers, or those willing to undergo training. Preference is given to trained workers. It is also (recent) policy not to employ people with criminal convictions, or to accept people on community service from the Department of Justice.

Due to difficulties experienced in finding clear and complete records of the process of the alleged offender's involvement and employment at the Centre (he was referred by the Justice Department and worked 80 hours community service, and then became a temporary worker, before becoming permanent staff), the following additional requirements have been put in place:-

1. Interview notes are taken by each interviewer, and then kept on file.
2. Checks are made with referees, with permission of the applicant. A record is kept of these checks.
3. Applicants are asked during the interview if they have any (criminal) convictions.

Until recently, casual workers were often self-referred to the Centre, and were placed on the relieving list after meeting with, and approval by, the supervisor. Casual workers are now subject to the same employment procedures as permanent workers. Although not employees at the Centre, there are other temporary workers from time to time.

The supervisor and two senior workers are Associate Teachers of the Christchurch College of Education, and the Centre supports the training of early childhood education workers by accepting student placements from the college. Council's Employment Services section also refers workers on short term work experience placement to the Centre. These workers are usually untrained but are interviewed and selected by Employment Services staff. Their C.V. and references are supplied to the supervisor prior to their placement. Parents are advised of and introduced to temporary workers.

The Centre occasionally receives requests from people wanting to do voluntary childcare work at the Centre, although there is no one at the Centre in this capacity at present. There is no policy on volunteers.

The Centre operates an 'open door'¹ policy with parents, in order to make them feel welcome at the Centre, and to give the Centre a 'home away from home' feel. From time to time there are visitors at the Centre who have no involvement there apart from being friends with or related to staff. Recently, some concerns were expressed by parents about the appearance of one person in this category who was regularly spending time at the Centre. Visits by this person have now stopped at the request of the supervisor.

Recommendations

1. A written employment procedure should be developed and should include recent changes.
2. Records should be kept of all temporary workers, including work placement and College of Education students.
3. Those people responsible for interviewing and selecting staff, including management committee, should receive training for this through Council.
4. Current employment policy and procedures should be applied to all workers at the Centre, including volunteers.
5. People not directly involved with the Centre should not be present at the Centre in areas where there is direct contact with children.

5.9 Job Descriptions

Current Situation

In line with Council practice, prospective employees receive a copy of the job description before applying for positions.

Job descriptions are prepared by the Centre Supervisor and/or management (generally the Senior Community Development Adviser), although there is not always input from management.

All job descriptions were re-written early this year, and use the standard Council format as recommended by Personnel Section. All staff were asked to comment on their existing job descriptions, and to have input into their re-writing. However, staff have not received copies of new job descriptions. It is intended that new job descriptions will be in place by November 1992. There is no process for the ongoing evaluation or review of job descriptions, although they are often reviewed by the supervisor and/or management when a job vacancy occurs.

Using the new format, job descriptions contain the following headings:- Group, Location, Responsible to, Functional Relationships, Qualifications and Experience, Skills, Primary Responsibility, Specific Duties, Hours of Work, Salary (and Applications). Expected outcomes are not included. Information under each heading is brief.

Evaluation

Those parts of the job descriptions which could be expected to contain the most detail, such as specific duties, are too brief eg. in the job description for childcare assistant, only three points are listed under this heading. Job descriptions give little detail about expected standards of work, and give little specific guidance to workers. Another example of this is that the "primary responsibility" of a childcare assistant is to "fulfill the expectation of the childcare centre management in the day to day running of the centre". However, what this expectation is, or where it is detailed, is not stated.

More detailed job descriptions would, as well as clarifying for workers management expectations of their work, also provide management with more specific grounds for warnings/dismissal of a worker in the case of unsatisfactory work performance.

Recommendations

1. All job descriptions should be re-written so that they contain more detail under the following headings:- "Skills", "Primary Responsibility", and "Specific Duties".
2. The Centre Supervisor should have responsibility for, with the approval of management, the writing and regular review of job descriptions. In the case of the Supervisor, this responsibility should be with the Senior Community Development Adviser.
3. A process should be established by management for the regular review of job descriptions, to ensure that they remain relevant. This could be done at the same time as individual worker evaluations, and should have input from the worker concerned. (Worker evaluations are due to be implemented this year.) Reviews should also be done when a job vacancy occurs.
4. Job descriptions should contain a requirement (under "Specific Duties") for workers to understand and comply with Early Childhood Education regulations and the Centre's charter (and Centre guidelines, if these are formulated).
5. Staff should be given copies of their current job descriptions, and copies should also be kept on the personnel files at the Civic Offices. The dating of job descriptions would add clarification to records.

5.10 Personal Grievances

Child care workers employed by the City Council are covered under the salaried staff collective employment agreement. Section 59 of the agreement refers to personal grievances to be resolved in accordance with the procedures provided in the first schedule of that Act.

Any employee who considers that he/she has grounds for a personal grievance may submit the grievance to the employer or a representative of the employer.

The grievance must be submitted within the period of 90 days beginning with the date on which the action alleged to amount to a personal grievance has occurred or has come to the notice of the employee, whichever is the later.

Specific guidelines for personal grievance procedures are attached as part of the appendix to this report, (see Appendix 6).

Termination of employment

The agreed procedures for termination of employment are attached as an appendix to this report.

Procedures leading to dismissal are as follows:-

In the case of poor performance:

1. Initial counselling (with a frank and open opportunity for the employee to respond to dissatisfaction about performance).
2. A genuine opportunity to improve performance.
3. A final warning which ensures that the employee understands his/her job is in jeopardy.

The Outside Staff Collective Employment Contract Clause 45 sets out the procedures for offences constituting less than wilful misconduct. These are as follows:

1. First offence - an oral warning.
2. Second offence - a written warning is given. This is to include that his or her performance is not up to the expected standard and that they are receiving a final warning and any further offence will render them liable to dismissal.
3. Third offence - in terms of the final warning previously given, they are notified that further offence now means their employment will be terminated in terms of the contract procedure for dismissal with notice.

5.11 Guidelines for Childcare Workers

Current Situation

There are no written guidelines for workers at present, although there is an expectation at the Centre that workers will comply with the following:

- confidentiality for parents
- respect for children and their families
- support and respect for other staff members.

These are contained in the Centre's charter, and during job interviews, applicants are usually asked questions to gauge their attitude to these guidelines. However, new staff are not routinely given a copy of the Centre's charter to read. Nor is there reference to any of these points in the job descriptions. An information sheet for new staff, compiled in January 1988, provides background and general information on the Centre, including relationships with parents and other staff (confidentiality is stressed). This information sheet is now out of date in parts, and is no longer given to new staff.

Guidelines for staff are also contained in the Education (Early Childhood Centres) Regulations 1990, in Parts III and IV ("Health and Safety Standards", and "Curriculum, Management and Staffing Standards") although they are not referred to as guidelines. All centres must comply with these regulations.

As a result of the alleged offending at the Centre, an incidents book is now kept in the staffroom (for confidentiality), for the recording by staff of any incidents or concerns about children. The superv|spr reads and discusses any entries with the writer, and then takes appropriate action, if considered necessary. These incidents are also discussed with Council management at monthly liaison meetings with the two creche supervisors. Records are also kept, as required by regulation, about nappy changing and sleep details of children while at the Centre.

Evaluation

Some guidelines for workers do exist, although they are not referred to as 'guidelines', and they are not made clear to workers at the time of their employment.

Existing guidelines, as contained in the charter and regulations, are not specific enough to safeguard against the possible abuse of children while at the Centre. According to the Police Child Abuse Unit, sexual abuse offending against children can occur in a matter of seconds. For this reason, it is necessary to accept that there should be some specific guidelines for workers. It must also be acknowledged that there will be some practical difficulties in implementing them. Specifically, the implementation of some guidelines will require a better staff: child ratio than the Early Childhood Education regulations require. This will impact directly on Centre budgets.

Several years ago, it was standard practice at the Centre that male workers were never alone with children. However, a policy that targets only male workers assumes that only men sexually abuse children. This is not the case. Such a policy may also contravene human rights legislation. This practice is no longer operative.

Recommendations

1. Specific guidelines for workers should be developed to ensure the provision of a quality Early Childhood Education service in the interest of child safety, and for the protection of workers.
2. Guidelines should be developed in consultation with staff and management committee, and should draw on the Centre's charter and the regulations.
3. Guidelines should include the following points:-
 - 3.1 At least two staff members should be present with children at all times, including toileting, nappy changing, sleeping, and outings from the Centre.
 - 3.2 Staff should record any incidents/concerns re children in the confidential incidents book, and discuss with the supervisor, who will decide on and implement any necessary action. Parents of children involved will be informed of the incident, investigation and follow up, and will be involved in the follow up where possible. The supervisor will inform Council management of such incidents.

- 3.3 Staff should work as part of a team and support one another in the provision of a quality care and education programme for children at the Centre. Inappropriate behaviour at the Centre by another staff member should be reported to the supervisor or management.
4. All workers should receive a copy of the guidelines on appointment. Job descriptions should specify the need to comply with these guidelines.
5. Where appropriate, new guidelines should be written into the Centre's charter.
6. Guidelines should be displayed at the Centre for the information of parents.

6. **INTERVIEWS**

6.1 **Staff**

Process

Interviews were conducted with all the childcare staff employed by the Civic Child Care Centre. Interviews averaged one hour per person for nine staff members and two hours with the supervisor.

In general the staff were extremely proud of the service they provided, very supportive of the Supervisor and largely disbelieving that abuse could have occurred at the Centre.

Interviews covered a standard format but would diverge if indicated by staff members' comments during the interview.

The standard format included questions on staff:

1. Recall of employment procedures involved in obtaining their current position.
2. Training and qualifications.
3. Knowledge of sexual abuse (detection and response).
4. Initial and ongoing training in the area of sexual abuse.
5. Supervision received.
6. Knowledge and training in ethical issues.
7. Understanding of complaints procedures.
8. Response to nudity at the Centre.
9. Response to boundary issues (eg staff babysitting for children at the Centre).
10. Response to having a set of Guiding Principles for staff.
11. Staff suggestions.
12. Staff comments.

Responses

1.0 Employment practices

- 1.1 Employment practices were generally sound. The representative nature of the interview panel with a Council Member, a parent representative from the Management Committee and the Supervisor appeared to work well.
- 1.2 In the past people applying for a relieving position had not had a full interview. Apparently this policy has already changed.
- 1.3 Questions about criminal convictions were not asked.
- 1.4 There were concerns expressed about the current policy of advertising internally which was felt to be limited and likely to perpetuate the current system. It was felt by some that new ideas and a fresh approach were necessary.

2.0 Training

- 2.1 All staff had some training in early childhood education.
- 2.2 Only two staff members had equivalency with kindergarten teachers. There was a great deal of frustration expressed at the change of criteria for equivalency brought in recently, as any training completed prior to 1991 does not count in this regard.
- 2.3 There was felt to be no incentive to work towards equivalency and the cost for staff members was seen to be prohibitive (around \$200-\$300 per module). Most staff need to complete several modules to reach equivalency.
- 2.4 The Supervisor's qualification was issued by the British Royal Childcare Society in 1978 and does not have equivalency.
- 2.5 The Supervisor received no management training prior to her post, nor any ongoing training until very recently.

3.0 Knowledge of sexual abuse (detection and response)

- 3.1 Staff knowledge of the detection and response to sexual abuse was minimal to non-existent.
- 3.2 Several staff members stated that if they knew what they had learned since the alleged offence they still would not have identified abuse because child indicators were isolated rather than clustered (eg children who were wetting their pants).

4.0 Initial and ongoing training in the area of sexual abuse

- 4.1 Only four staff members had any input in identifying and/or responding to child sexual abuse in their initial training in early childhood education.
- 4.2 Of those four one received handouts and, a list of services to call upon, one had 1-2 hours of input, one had one morning's input and the other minimal input.
- 4.3 There was no mention in their training of the possibility of staff members being perpetrators.
- 4.4 No staff had been on an in-service training course relating to sexual abuse.
- 4.5 No staff knew about the programme Feeling Safe which was introduced to Early Childhood Education Centres in 1990. (See Appendix 7.)

5.0 Supervision

- 5.1 Staff meet monthly and generally discuss themes for weeks, and problems with children and parents. Behaviour of colleagues did not appear to be discussed.
- 5.2 If there were complaints about staff they went to the Supervisor who dealt with them.
- 5.3 Some staff commented the meetings were indirect and for some there were concerns that there was never a time when staff got together to talk about complaints or to keep a running record of an individual's behaviour. Consequently there were isolated events which occurred of which the Supervisor was unaware.
- 5.4 There was felt to be a need for a process to deal with problems with staff.
- 5.5 There is a lack of specificity about the purpose of the supervisory role of the Senior Community Development Adviser and the Supervisor of the Creche. This was an inherited relationship with vague parameters.

6.0 Knowledge and training in ethical issues

- 6.1 Staff members had little knowledge of ethical issues.
- 6.2 Only two staff members recalled any input on ethics in their training and one was extremely vague about what this meant.
- 6.3 When asked to prioritize where their ethical responsibility lay most said firstly to the child, then the parents, their colleagues and their employing body.

7.0 Understanding of complaints procedures

- 7.1 Most staff were unsure where to go if they were unhappy with another staff member or the Supervisor.
- 7.2 Parents would talk to an individual staff member who might pass the information onto the Supervisor or might talk to the Supervisor. If there was still a problem it was thought it would then be taken to the Management Committee or to City Council personnel, but there was much confusion about whom that person might be.
- 7.3 Some staff felt a book system was inappropriate and hard to get people to use as they were loathe to record negatives.
- 7.4 It was felt that recording was important. Some staff were adamant that there should be an alternative to a written complaint.

8.0 Nudity

- 8.1 Two staff members were uncomfortable with children being nude around the paddling pools during water play in the summer, deeming it unnecessary, and they were not happy with nudity when men or strangers were around.
- 8.2 Most staff felt they wouldn't want to stop children playing without their clothes on and saw it as giving children a sense of freedom and an acceptance of themselves and others.
- 8.3 For hygienic reasons children were required to wear pants inside. Because of the sun children now wear large T-shirts for water play.
- 8.4 Some parents were not comfortable with their children not wearing clothes and would request they wear bathing togs, tops or knickers. These requests were respected by staff.

9.0 Response to staff babysitting

- 9.1 Most staff were in favour of babysitting for parents of children who attended the creche.
- 9.2 Reasons given were "Parents can make up their own minds whether they are suitable or not", "it provides a service for parents who are stressed", "Childcare is an extension of the family unit and we become their friends", "It is a partnership between home and the Centre", "If you can't trust your friends here you cant trust them there".
- 9.3 One member felt it was better that staff did not babysit because their relationship to the child and the parent was then altered. Another staff member was not in favour of staff babysitting but felt it was important to support parents and know where to refer them for such a service.

10.0 Response to having a set of Guiding Principles

- 10.1 There was a general consensus by staff that having a set of guiding principles for new parents, relievers and staff would be helpful. This might cover complaints procedures, the Centre rules.
- 10.2 Comments on having a set of Guiding Principles including "Desperately needed", "Would be helpful", "Invaluable", "Need guidelines we all can work by", "Need parent input".

11.0 Staff suggestions

- 11.1 Most suggestions concerned compulsory training and updating of staff on the recognition of and response to the sexual abuse of children.
- 11.2 That relievers need qualifications and experience they can only get through training.
- 11.3 Handouts on sexual abuse for parents.
- 11.4 Need policy guidelines all can work from, eg. a policy on staff taking children for walks.
- 11.5 An emphasis on employing a good mixture of staff with different perspectives.
- 11.6 One staff member suggested no male staff be employed.

- 11.7 One staff member requested as few rules as possible.
- 11.8 Others suggested two staff present at all times but felt this was not financially viable.
- 11.9 Suggested child observations be reinstated as stated in the Charter. These have been dropped over the past eighteen months. It was felt such observations sharpened staff awareness of child behaviour.

12.0 Staff comments about the alleged offender

Staff at the Centre with one exception struggled to believe the alleged offender had sexually abused anyone, and they all expressed disbelief that such an event could have occurred at the Centre. Most staff members expressed an appreciation of the alleged offender's creativity and the energy he brought to the centre, and found him extremely likeable. Their comments about his behaviour, however, were extremely ambivalent.

Finklehor (1988) recommends that early childhood staff be trained to recognise a broad range of background information which might help identify a potential sexual abuser:

- a) signs of emotional problems
- b) substance abuse
- c) criminal behaviour
- d) sexual difficulties
- e) poor judgement
- f) insensitivity and punitiveness towards children

The alleged abuser at the Civic Childcare Centre demonstrated these attributes.

Why was there no recognition of sexual abuse by staff?

Incidents of sexual abuse were spread over a six year period with most occurring in the last two years. Cumulatively they are extremely disturbing. The question arises why such behaviour did not arouse serious concern on the part of staff.

1. Characteristics of the alleged offender

- The alleged offender was very popular with the staff and parents at the Centre.
- He brought energy and life into a system which had become fairly entrenched.

- Because he behaved and spoke somewhat outrageously and possibly because he was bi-sexual he was seen as different. Therefore for both staff and parents the usual boundaries did not seem to apply to him. He, therefore, got away with behaviour which probably would not have been tolerated if it had been exhibited by any other staff member.
- He revealed some inappropriate behaviour to a variety of staff and generally changed direction when challenged and would be careful not to repeat the behaviour in front of that staff member again.
- The Centre had followed a fairly liberal tradition supported by fairly liberal parents. This tradition may have made it more difficult to challenge behaviour that deviated from the norm.

2. Staff cohesion

- Staff friendliness and loyalty had been built up over a long period. Half of the staff had been employed for at least a year and allowances were made for him.
- The stability of staff created an experienced and socially cohesive team of early childhood workers but ironically this stability was most probably influential in staff tolerance for and inability to discern the slowly developing trend of inappropriate behaviour which built up over time and eventually became accepted. It is interesting to note in this regard that one of the most recently appointed staff members at the creche was most aware of the concerning behaviour and attempted to challenge it while other staff members accepted it.

3. Lack of training in the area of sexual abuse

- Because of the length of time most staff had been employed at the Centre (this varied from one to ten, years, and half the staff had been employed for seven years) initial training in the recognition and response to sexual abuse varied from barely minimal to non-existent. When most staff were trained there was scant recognition of these issues.

- Ongoing training in the recognition and response to sexual abuse had not occurred and staff were abysmally ignorant in this regard. Not one of them had heard of the Feeling Safe programme. (See Appendix 7)
- Lack of knowledge of ethical issues both in initial and ongoing training meant that staff perception of boundaries and what was appropriate or inappropriate behaviour became an individual rather than a professional issue.
- The state of early childhood training in the area of sexual abuse in New Zealand is complicated by the past proliferation of qualifying authorities and what they offered in this regard. There is still no National core curriculum. Ongoing training courses are needed, and both in initial and ongoing courses there needs to be a strong emphasis on sexual abuse of children by co-workers. This does not appear to happen currently in New Zealand.

4. Lack of training for the Supervisor

- The Supervisor had no initial or ongoing training in the recognition or response to sexual abuse or in ethical issues in early childhood education. She had not heard of the Feeling Safe programme.

5. Complacency

- The Centre had received an excellent report of its functioning by the Education Review Office in November 1991 which may have confirmed staff in their perceptions of the Centre. The author's glowing testimony to the 'warm, relaxed, accepting environment' and more particularly the 'confident, independent and sociable children' with 'high self esteem' who attended the Centre (Education Review Office, 1991, p7. See Appendix 2) was enough to allay most anxiety.
- Finklehor (1988) pointed out that studies show that traditional indicators of quality in early childhood centres are not also indicators of a low risk of sexual abuse.

6. Profile of a sexual abuser

- Staff liked the alleged abuser. Most probably he did not fit their stereotype of a pedophilic abuser, he had not had a prior arrest for a sexual offence and was trained in early childhood care and education.

6.2 Management Committee

A meeting was held with the current Management Committee of the Child Care Centre (the two Council representatives and one other member were not present).

1. Boundaries of Role

Members of the Management Committee were unsure of the powers they did or did not hold. They were unsure of the political and administrative structures of the Christchurch City Council and how these related to the Centre's Committee, and where the boundaries lay.

2. Representativeness of the Management Committee

The Management Committee which comprises representatives from the Council, parents and the Supervisor of the Child Care Centre is usually referred to by the Council as the Parent's Committee. Members felt this led to a distorted and diminishing view of the role and functions of the Committee. This was illustrated when the Council distanced itself from the employment of the staff member against whom abuse is alleged when in fact he was employed by a panel made up of a parent, the Supervisor and a Council representative.

3. Lines of Accountability

There was uncertainty over whether the Management Committee went through the Supervisor to the Council or should go directly to the Council, and if so to whom and what was their role?

4. Appointment Procedures

It was felt the Management Committee did not know much about the procedures and guidelines for appointment. The current committee had not been involved in any appointments.

5. Staff Relationships

Relationships with staff were unclear. For parents dual relationships as both users and watchdogs put them under some pressure. They were unclear whether the Supervisor conveyed information back to staff.

6. Relieving Staff

It was felt that relievers should have a formal interview. In the past Centre workers might ring up students or volunteers to help out.

7. Complaints

It was recommended complaints should be written, confidential and accessible.

8. Committee Orientation

Orientation for new Committee members was important.

9. Community Service Workers

The practice of employing Community service workers on probation at the Centre was questioned.

6.3 Parents

In spite of a notice on the board of the Civic Child Care Centre and the announcement at the public meeting on 31 March 1992 that parents who wanted input into the management review could do so through Rosemary Smart, only five parents came forward. All five had children whom, it is alleged, have been sexually abused. These parents may not be representative. There were, however, several themes that most agreed on.

1. Atmosphere of the Centre

Some parents saw the Centre as a friendly and welcoming place where they chose to leave their child. 'It was a place where children had many good times.' Other parents thought the Centre had changed.

The Civic Childcare Centre had a very good reputation in the past. Over the last few years it had changed from a relaxed and informal atmosphere to a careless milieu. The Charter was a move in the right direction but because of the careless atmosphere which prevailed it did not lead to policies or practices which affected the behaviour of staff, eg. recommendations that child observations be undertaken every three months.

2. Lack of Observations

The Charter states that any dramatic change in children's eating, sleeping and feeding patterns should be reported and recorded. This was not done, eg. children moved from the Nursery to the Pre-school section became very upset. This was normalised, but in fact may well have been a response to the alleged abuser.

Several parents commented on the lack of child observations requested in the Charter.

3. Feedback from Staff

Two parents mentioned how difficult it was to get information from staff about their children.

Comments were always 'fine' or 'good'. One parent felt overprotective or a nuisance wanting to know more. On one occasion a staff member said 'Your child is a lot better now' and she learned he had previously been behaving quite violently and hitting. Both parents felt staff feedback was poor.

4. Closeness of Staff

Parents commented that staff were a very close personal and social group and this included the Supervisor. At times staff would interact among themselves and ignore the children. Some staff also visited parents and became friends with them. This included the alleged sexual abuser.

Several parents commented that the staff were all very familiar. It did not feel safe to criticize or question.

5. Partners or family members

Partners or family members of staff were often at the Centre, sometimes for several hours. The appropriateness and the safety issues related to this were queried.

6. Training and Supervision

The Supervisor was promoted from staff without management training or clinical supervision. It was felt only qualified staff should be appointed and there should be regular ongoing training in sexual abuse.

7. Introductions

New staff or students at the Centre were not introduced to parents. It was difficult to know who was relating to children and in what capacity. It was suggested they wear name tags.

8. Walks

Individual staff would take children for walks - an unsafe practice.

9. Safety Education

No policy on safety education, eg Safe touching.

10. Nudity

Two parents felt nudity was inappropriate at the Centre. 'What's appropriate in a family isn't appropriate in a Child Care Centre.'

11. Complaints Policy

No stated policy or practice about complaints about staff. There was a sense that there were a raft of complaints but because of the lack of complaints procedure these were not formalized, eg. several children expressed to their parents they didn't want the staff member who was later charged with sexual abuse to wipe their bottoms. Tickling by this staff member was very common and a lot of children complained they felt uncomfortable about this. Most parents responded to these complaints directly to the staff member or told the children how to cope with unwanted behaviour. The Supervisor dealt with one case at least and the staff member desisted with his attentions to that child. There appeared to be no obligation to report between the Centre and the City Council. When the comments book was institutedTM December 1991 a highly complimentary comment was photocopied and posted on the notice board which gave no faith in making a non-positive comment which might be displayed.

12. Management Committee

Change of the management committee over time led to blurred lines of accountability between staff, parents and the Council. The focus was very much on finances.

13. Staffing

At the beginning and end of the day staff members were on their own.

14. Lack of Support

One parent commented on lack of support by staff after the allegations. Staff never asked 'how are you and your children?' Instead they supported the alleged abuser "Peter has been so good to us".

15. Closing the Centre

One parent suggested closing the Centre. Others questioned resignations or redundancies.

Suggestions made by parents were:

1. When children went outside the Centre for walks there should be two staff members present. Walks should be within a defined area. Anything longer than a walk, eg an outing, would require parental consent.
2. Make the Centre more safe structurally if possible, eg windows in the toilets.
3. Formal complaints procedures should be instituted.
4. Should staff partners and family members be present at the Centre?
5. A policy on safety education should be developed.
6. New staff or students should be introduced and have their photograph and name on the notice board with dates when they would be present and their role.
7. Recording who changes children - names and times at the nursery end of the Centre.
8. An official visitor should be appointed - a respected person external to the Centre. A large poster detailing complaints procedures or required set of procedures to be written down and reported to the visitor or other nominated contact person. Reports should not just be heard but processed.

Recommendations

The following recommendations are based on findings from the major study of sexual abuse in day care by Finklehor, Williams and Burns (1988).

A complete list of recommendations from all sections of this report is contained in Section 8.

1. That a preventive education programme that stresses anti-intimidation training be instituted for parents and their pre-school children before they attend the Centre. Such an education programme would, according to Finklehor enable children to resist intimidation by a potential abuser in the face of threats.

Parents should be encouraged to explain improper touching and safety measures to their children and emphasise before sending them to the Centre that:
 - a) nothing that happens should be a secret
 - b) if anyone at the Centre does anything mean they should tell their parents immediately, and their parents will support them

2. That the risk of abuse in toileting be reduced

Policies and architectural changes aimed at preventing abuse in and around toilets and adjacent areas, which are high risk areas for abuse, should be instituted.
 - a) remove or minimise partitions that create private or isolated areas
 - b) make use of transparent partitions to increase surveillance
 - c) have better controls over who takes children into the toilet area, for what purposes, and at what time
3. That a policy of total reliance on police records checks should be discouraged

Finklehor states this can be an inefficient prevention technique because it:

- a) identifies only a small fraction of potential abusers at high cost
- b) may foster complacency and over confidence when staff have passed the screening
- c) if very cheap, may be worthwhile but most importantly it should not be used as the sole or the primary prevention for abuse.

4. That reliance on a pedophile profile be discouraged

Training for Child Care staff should stress that:

- a) most Early Child Care abusers do not fit the profile of a pedophile (a person with a long history of primary sexual interest in children)
- b) rather staff should be screened on a broad range of background information:
 - signs of emotional problems
 - substance abuse
 - criminal behaviour
 - sexual difficulties
 - poor judgement
 - insensitivity or punitiveness towards children

5. That free access of parents to the Centre be encouraged

Finklehor suggests:

- a) that parents have access to the facilities at any time and that no area should be off limits
- b) parents should increase their involvement and presence at the Centre

6. That Centre Staff and their employers are educated about female sexual abusers

Parents and staff are much more likely to dismiss suspicions about sexual abuse by females as they believe it is improbable.

Centre Staff and employers need to be educated to view females as potential abusers. They abuse much less than males in general but it is still a possibility. In day care in the USA women make up a third of the total abusers and half of the abusers among caregivers (Finklehor, 1988).

7. That possible warning signs of sexual abuse need to be taught to parents

Parents detect the majority of abuse, yet many fail to note the signs and symptoms:

- a) genital irritation and discomfort unusual
- b) sexual knowledge fearfulness related to day
- c) care other symptoms mentioned in "Feeling
- d) Safe".

Such signs and symptoms and how to respond should be detailed in a brochure given to all new parents along with education on their right to access.

8. That the possibility of detection and disclosure by staff be increased

Barriers need to be removed that prevent the detection and reporting of suspicious symptoms of abuse.

- a) ongoing education for all staff on signs and symptom recognition of sexual abuse and how to respond
- b) undercut inertia, loyalties and fears of reprisals by encouragement and insistence on staff responsibility to report to the Supervisor or management their suspicions.

9. That the complete Feeling Safe (1990) programme be used regularly at the Centre

So that children, parents and staff become increasingly sensitized to the protection of children from abuse.

10. That staff at the Centre all have training

On ethical issues in early childhood education.

11. That an approved plan be introduced to respond to allegations of abuse

Staff need to be discouraged from relying on informal solutions. Other children may be victimized if a solution is not fully resolved.

12. That staff training in recognizing and responding to all forms of abuse be instigated

Staff training in the recognition of overt and covert forms of emotional and physical abuse should be initiated. The more education received by the staff, the more astute they will be at diagnosing, providing treatment, supporting families and advising parents whose children might be at risk (Finklehor 1988).

13. That professional boundaries be introduced

That a policy be introduced that under no circumstances are staff at the Child Care Centre to babysit for children or siblings of children at the Centre.

7. SUMMARY

The review of management practice at the Civic Child Care Centre was a difficult task. It followed allegations of multiple sexual abuse by a staff member, who has subsequently been dismissed.

The review was conducted at a time when emotions of staff and parents of children at the Centre were stressed. This has created some difficulty in hearing from a large number of parents whose comments may have been valuable in terms of the review.

It was not the purpose of this review to allocate blame for what happened. However, procedures in a number of areas need to be competency of current staff was not reviewed.

A number of difficulties were identified in the management and practices at the centre, which contributed to the occurrence of the alleged abuse, and to its lack of detection. .

In terms of the child care supervisor's relationship with Council Officers, the duality in supervision and reporting procedures needs clarification.

The Supervisor's management role has not been fully recognised and supported. Sufficient appropriate training to carry out this function successfully has not been provided. Staff need to have clear tasks and objectives stated and understood. Staff supervision and performance measurement must be based around those tasks and objectives.

There is currently a lack of sexual abuse training available to staff as part of their initial or ongoing training. A lack of clear guidelines has meant that there is no uniform way of working among Civic Child Care Centre workers. Guidelines would offer support and direction to staff as well as offering a monitoring process for staff behaviour.

Complaints procedures have not been clear or understood by all staff. Since the allegations new complaints procedures have been implemented with emphasis on effective/efficient record keeping and prompt action.

The procedures governing the employment of new staff, both permanent and casual, has been introduced. Further to this, staff job descriptions are vague and lacking in detail.

How did these alleged offences take place without detection? Experts in the field of sexual abuse treatment would say that sexual abuse can take place anywhere, anytime, in full view of other people, without it necessarily being detected. The interview data identifies a number of reasons why the alleged offences were not detected.

The allegations have dealt a huge emotional blow to those children and families affected. The effects of this trauma on children, if left unresolved and untreated, is well documented. Council may need to consider the further funding of therapeutic support for families and children who have been allegedly abused.

The Civic Child Care Centre has been adversely affected and staff morale is low. A number of parents have withdrawn their children. The prestige and manathe centre once held in the community is diminished.

The recommendations contained in Section 8 of this review need to be considered not only as a blueprint for management practice at all Council child care centres, but also as a means of re-establishing the positive image of the Civic Child Care Centre in the community.

8.0 **RECOMMENDATIONS**

8.1 **Staff Training**

- 8.1.1 That staff training in recognising and responding to all forms of abuse be instigated immediately.
- 8.1.2 A staff development (training) plan should be developed annually by the supervisor in consultation with all staff. In developing such a plan, the training needs and interests of individual staff members, as well as the overall needs for the development of the Centre and its programme should be taken into account.
- 8.1.3 Staff should be required to attend at least one training course per year.
- 8.1.4 That the complete "Feeling Safe" (1990) programme be used regularly at the Centre. Initially this will need external facilitation.
- 8.1.5 That Centre staff and their employers are educated about the possibility of sexual abuse by both male and female colleagues.
- 8.1.6 That staff at the Centre all have training on ethical issues in early childhood education.
- 8.1.7 The Centre should further develop the policy on the employment of trained staff only. This requirement should be amended to require that staff have a minimum of 100 points. The issue of whether or not workers should have or should work towards equivalence should also be addressed.
- 8.1.8 That child care supervisors receive adequate formal training to equip them with the management skills they need to undertake their work.

8.2. Staff Supervision

- 8.2.1 That supervision of all Christchurch City Council Child-Care Centre Supervisors be the responsibility of the Senior Community Development Adviser.
- 8.2.2 Individual supervision with child care supervisors should be established on a monthly basis.
- 8.2.3 All staff at child care centres to receive monthly supervision to assess performance.
- 8.2.4 Monthly staff meetings involving all staff should be held at all centres - the meetings to be of one hours duration.
- 8.2.5 Staff meeting times to be a paid extra.
- 8.2.6 A bi monthly meeting involving all child care supervisors, the Community Adviser (Child care) and the Senior Community Adviser should be established.
- 8.2.7 In line with the Charter of the centre, a staff advisory support programme should be implemented.

8.3. Management Committee

- 8.3.1 That the current guidelines for the Management Committee be confirmed.
- 8.3.2 That a proper induction process for new committee members be instituted by the Senior Community Development Adviser in conjunction with Child Care Centre Supervisors.
- 8.3.3 The induction process should include a clear delineation of the lines of accountability between the Management Committee, the Senior Community Development Adviser and the Centre Supervisor.

8.4. Management Practices

- 8.4.1 That all job descriptions be re-written so that they contain more detail under the following headings: "Skills", "Primary Responsibility" and "Specific Duties".
- 8.4.2 The Centre supervisor should have responsibility for, with the approval of management, the writing and regular review of job descriptions. In the case of the supervisor, this responsibility should be with the Senior Community Development Adviser.

- 8.4.3 A process should be established by management for the regular review of job descriptions, to ensure that they remain relevant. This could be done at the same time as individual worker evaluations, and should have input from the worker concerned. (Worker evaluations are due to be implemented this year). Reviews should also be done when a job vacancy occurs.
- 8.3.4 Job descriptions should contain a requirement (under "Specific Duties") for workers to understand and comply with Early Childhood Education Regulations and the Centre's charter (and Centre guidelines, if these are formulated).
- 8.3.5 That job descriptions of supervisors reflect accurately their tasks and responsibilities as managers.
- 8.3.6 A written employment procedure should be developed and should include recent changes.
- 8.3.7 Current employment policy and procedures should be applied to all workers at the Centre, including volunteers.
- 8.3.8 Those people responsible for interviewing and selecting staff, including management committee, should receive training for this through Council.
- 8.3.9 Records should be kept of all temporary workers, including work placement and College of Education students.
- 8.3.10 That referees of applicants for childcare positions be asked specific questions about background information which may help identify a potential sexual abuser in early childhood education (as identified by Finkelhor 1988).
- 8.3.11 That a policy of total reliance on a pedophile profile or police records checks as a guarantee of safety of employees, be discouraged.
- 8.3.12 That the Centre no longer accept Community Service Workers referred by the Justice Department.
- 8.3.13 The supervisor and management committee should have input into the setting of the Centre budget.

8.5. Staff Guidelines

- 8.5.1 That specific guidelines for workers be developed to ensure the provision of a quality Early Childhood Education service in the interest of child safety, and for the protection of workers.
- 8.5.2 Guidelines should be developed in consultation with staff and management committee, and should draw on the Centre's charter and the regulations.
- 8.5.3 Guidelines should include the following points:
- a) At least two staff members should be present with children at all times, including toileting, nappy changing and sleeping.
 - b) That a roster rotating staff duties be developed.
 - c) That two staff members be present when children leave the Centre for walks. Walks will be in a clearly defined area. Anything outside of this defined area is to be regarded as an outing and as such, will require parental approval in writing.
 - d) That nudity no longer be permitted at the Centre. Children should wear bathing togs or underwear around the paddling pool or during water play.
- 8.5.4 Staff should record any incidents/concerns re children/parents/staff in the confidential incidents book, and discuss with the supervisor, who will decide on and implement any necessary action. Parents of children involved will be informed of the incident, investigation and follow-up, and will be involved in the follow-up where possible. The supervisor will inform Council management of such incidents.
- 8.5.5 Staff should work as part of a team and support one another in the provision of a quality care and education programme for children at the Centre. Inappropriate behaviour at the Centre by another staff member should be reported to the supervisor or management.
- 8.5.6 All workers should receive a copy of the guidelines on appointment. Job descriptions should specify the need to comply with these guidelines.
- 8.5.7 Where appropriate, new guidelines should be written into the Centre's charter.

- 8.5.8 Guidelines should be included in the information given to new parents, and should be displayed at the Centre.
- 8.5.9 People not directly involved with the Centre should not be present at the Centre in areas where there is direct contact with children.
- 8.5.10 That there is a recommendation in the new guidelines that the Council prefers that staff at the Centre do not babysit for children or siblings of children at the Centre.

8.6. Parent Issues

- 8.6.1 That free access of parents to the Centre be encouraged.
- 8.6.2 That possible warning signs of sexual abuse need to be taught to parents.
- 8.6.3 That a preventative education programme that stresses anti-intimidation training be instituted for parents and their pre-school children before they attend the Centre.

8.7. Complaints Procedure

- 8.7.1 That all parents and staff be made aware of the complaints process:
 - a) Complaints to be reported to the Senior Community Development Adviser at the City Council.
 - b) Complaints to be reported to the Management Committee (where applicable).
 - c) All complaints should be signed.
 - d) All complaints to be recorded in writing.
 - e) All action on complaints to be recorded and notified to complainant.
 - f) The outcome of the complaint to be recorded.
 - g) Separate complaint books for parental and staff issues.
- 8.7.2 That an approved plan be introduced to respond to allegations of abuse, and that this plan be included in the guidelines and displayed at the Centre.

8.8. Centre Layout

- 8.8.1 That the risk of abuse in the toileting area be reduced by the installation of windows or half doors in the toilets.
- 8.8.2 The use or security mirrors should also be investigated.

9. REFERENCES

- Australian Early Childhood Association Code of Ethics, Australian Journal of Early Childhood. 1991.16.3-6.
- Burns, N., Williams, L., & Finkelhor, D. Victim impact in nursery crimes. Newbury Park, California: Sage, 1988.
- Corrin, R. Feeling Safe Handbook An Early Childhood Education Resource Kit from the Child Alert Trust, 1990.
- Coulborn Faller, Kathleen. Understanding child sexual maltreatment. Newbury Park, California: Sage, 1990.
- Fasoli, Lyn and Woodrow, Chris, Getting ethical: A resource book for workshop leaders. Canberra: Australian Early Childhood Association, March, 1991.
- Feeney, Stephanie, & Kipnis, Kenneth, NAEYC Code of ethical conduct and statement of commitment. In L. Katz and E. Ward, Ethical behaviour in early childhood education. Washington, D.C.. National Association for the Education of Young Children, 1991.
- Finkelhor, D., Williams, L., & Burns, N., Nursery crimes; Sexual abuse in day care. Newbury Park. C.A.: Saae. 1988.
- Finklehor, D., Williams, L., Burns, N., & Kalinowski, M., Sexual abuse in day care: A national study. Executive summary. Washington, D.C., National Centre on Child Abuse and Neglect, 1988.
- Katz, Lilian and Ward, Evangeline. Ethical behaviour ip early childhood education: Expanded edition. Washington. D.C.: National Association for the Education of Young Children, 1991.
- Oates, R.K., The effects of child sexual abuse. The Australian Law Journal. 1992, 66, 186-193.
- Paulson, Jacqueline. Covert and overt forms of maltreatment in the preschools. Child abuse and neglect, 1983. 7. 45-53.
- Policy document. Te Tari Puna Ora O Aotearoa/New Zealand Child Care Association, March, 1992.
- Stonehouse. Anne. Our code of ethics at work. Canberra: Australian Early Childhood Association, May, 1991.
- Stonehouse, Anne and Greaser, Barbara. A code of ethics for the Australian Early Childhood Profession: Background and overview. Australian Journal of Early Childhood. 1991, 16, 7-10.