

## SP PL 08 Child Protection Policy

Policy number	SP PL 08	Version	1.0
Drafted by	Justin Blacklock	Approved by board on	8.08.2017
Responsible person	Director	Scheduled review date	1.04.2018

### Summary

Ensuring the wellbeing and safety of children, including prevention of child abuse or maltreatment, is a paramount goal of this organisation. This policy provides guidance to staff on how to identify and respond to concerns about the wellbeing of a child, including possible abuse or neglect.

- The process for responding to a concern about a child is on page 7 of this policy.

The interests of the child will be the paramount consideration when any action is taken in response to suspected abuse or neglect. This organisation commits to support the statutory agencies (Ministry for Vulnerable Children, Oranga Tamariki and the New Zealand Police (the Police)) to investigate abuse and will report suspected cases and concerns to these agencies as per the process in this policy.

Our Designated Person for Child Protection, Justin Blacklock, will be responsible for the maintenance and annual review of this policy, in addition to carrying out the responsibilities outlined in this policy. Staff will not assume responsibility beyond the level of their experience and training. Our organisation commits to ensure staff have access to the training they need.

This policy was authored by Justin Blacklock on 08/08/17. A digital copy can be found on our website at [www.searchtheway.org.nz](http://www.searchtheway.org.nz). The policy is due to be reviewed on 01/04/18. It is consistent with Child, Youth and Family and Police guidelines and will be updated when new guidance is issued.

### Purpose and Scope

Our child protection policy supports our staff to respond appropriately to potential child protection concerns, including suspected abuse or neglect. It is our organisation's commitment to protect children from abuse and to recognise the important roles all of our staff have in protecting children.

This policy provides a broad framework and expectations to protect children, including (but not limited to) staff behaviours in response to actual or suspected child abuse and neglect. It applies to all staff, including volunteers and part-time or temporary roles and contractors. It is intended to protect all children that staff may encounter, including siblings, the children of adults accessing services and any other children encountered by staff as they provide their service.

## Policy Principles

- The interest and protection of the child is paramount in all actions.
- We recognise the rights of family/whanau to participate in the decision-making about their children.
- We have a commitment to ensure that all staff are able to identify the signs and symptoms of potential abuse and neglect and are able to take appropriate action in response.
- We are committed to supporting all staff to work in accordance with this policy, to work with partner agencies and organisations to ensure child protection policies are consistent and high quality.
- We will always comply with relevant legislative responsibilities.
- We are committed to share information in a timely way and to discuss any concerns about an individual child with colleagues or the Person in Charge.
- We are committed to promote a culture where staff feel confident that they can constructively challenge poor practice or raise issues of concern without fear of reprisal.

This policy applies to all staff, including contractors and volunteers.

## Definitions

- **Child** – any child or young person aged under 17 years and who is not married or in a civil union.
- **Child protection** – activities carried out to ensure that children are safe in cases where there is suspected abuse or neglect or are at risk of abuse or neglect.
- **Designated person for child protection** – the manager/supervisor or designated person responsible for providing advice and support to staff where they have a concern about an individual child or who want advice about child protection policy.
- **Disclosure** – information given to a staff member by a child, parent or caregiver or a third party in relation to abuse or neglect.
- **Ministry for Vulnerable Children, Oranga Tamariki** – the agency responsible for investigating and responding to suspected abuse and neglect and for providing care and protection to children found to be in need.
- **New Zealand Police** – the agency responsible for responding to situations where a child is in immediate danger and for working with Ministry for Vulnerable Children, Oranga Tamariki in child protection work and investigating cases of abuse or neglect where an offence may have occurred.
- **Physical abuse** – any acts that may result in physical harm of a child or young person. It can be, but is not limited to: bruising, cutting, hitting, beating, biting, burning, causing abrasions, strangulation, suffocation, drowning, poisoning and fabricated or induced illness.

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- **Sexual abuse** – any acts that involve forcing or enticing a child to take part in sexual activities, whether or not they are aware of what is happening. Sexual abuse can be, but is not limited to:
  - **Contact abuse:** touching breasts, genital/anal fondling, masturbation, oral sex, penetrative or non-penetrative contact with the anus or genitals, encouraging the child to perform such acts on the perpetrator or another, involvement of the child in activities for the purposes of pornography or prostitution.
  - **Non-contact abuse:** exhibitionism, voyeurism, exposure to pornographic or sexual imagery, inappropriate photography or depictions of sexual or suggestive behaviours or comments.
- **Emotional abuse** – any act or omission that results in adverse or impaired psychological, social, intellectual and emotional functioning or development. This can include:
  - Patterns of isolation, degradation, constant criticism or negative comparison to others. Isolating, corrupting, exploiting or terrorising a child can also be emotional abuse.
  - Exposure to family/whānau or intimate partner violence.
- **Neglect** – neglect is the most common form of abuse and although the effects may not be as obvious as physical abuse, it is just as serious. Neglect can be:
  - Physical (not providing the necessities of life like a warm place, food and clothing).
  - Emotional (not providing comfort, attention and love).
  - Neglectful supervision (leaving children without someone safe looking after them).
  - Medical neglect (not taking care of health needs).
  - Educational neglect (allowing chronic truancy, failure to enrol in education or inattention to education needs).

## Training

We are committed to maintaining and increasing staff awareness of how to prevent, recognise and respond to abuse through appropriate training. As part of their induction, new staff are made aware of the policy on child protection.

## Identifying child abuse and neglect

Our approach to identifying abuse or neglect is guided by the following principles:

- We understand that every situation is different and it's important to consider all available information about the child and their environment before reaching conclusions. For example, behavioural concerns may be the result of life events, such as divorce, accidental injury, the arrival of a new sibling etc.

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- We understand when we are concerned a child is showing signs of potential abuse or neglect we should talk to someone, either a colleague, manager/supervisor or the Designated Person for Child Protection – we shouldn't act alone.
- While there are different definitions of abuse, the important thing is for us to consider overall wellbeing and the risk of harm to the child. It is not so important to be able to categorise the type of abuse or neglect.
- It is normal for us to feel uncertain, however, the important thing is that we should be able to recognise when something is wrong, especially if we notice a pattern forming or several signs that make us concerned.
- Exposure to intimate partner violence (IPV) is a form of child abuse. There is a high rate of co-occurrence between IPV and the physical abuse of children.

We recognise the signs of potential abuse:

- *Physical signs* (e.g., unexplained injuries, burns, fractures, unusual or excessive itching, genital injuries, sexually transmitted diseases).
- *Developmental delays* (e.g., small for their age, cognitive delays, falling behind in school, poor speech and social skills).
- *Emotional abuse/neglect* (e.g., sleep problems, low self-esteem, obsessive behaviour, inability to cope in social situations, sadness/loneliness and evidence of self-harm).
- *Behavioural concerns* (e.g., age inappropriate sexual interest or play, fear of a certain person or place, eating disorders/substance abuse, disengagement/neediness, aggression).
- The child talking about things that indicate abuse (sometimes called an allegation or disclosure).

We are aware of the signs of potential neglect:

- *Physical signs* (e.g., looking rough and uncared for, dirty, without appropriate clothing, underweight).
- *Developmental delays* (e.g., small for their age, cognitive delays, falling behind in school, poor speech and social skills).
- *Emotional abuse/neglect* (e.g., sleep problems, low self-esteem, obsessive behaviour, inability to cope in social situations, sadness/loneliness and evidence of self-harm).
- *Behavioural concerns* (e.g., disengagement/neediness, eating disorders/substance abuse, aggression).
- *Neglectful supervision* (e.g., out and about unsupervised, left alone, no safe home to return to).
- *Medical neglect* (e.g., persistent nappy rash or skin disorders or other untreated medical issues).

Every situation is different and staff will consider all available information about the child and their environment before reaching conclusions. For example, behavioural concerns

may be the result of life events, such as divorce, accidental injury, the arrival of a new sibling etc.

This organisation will always act on the recommendations of statutory agencies, including the Ministry for Vulnerable Children, Oranga Tamariki and the Police. We will only inform families/whānau about suspected or actual abuse after we have discussed this with these agencies.

When we respond to suspected child abuse or any concerning behaviour we write down our observations, impressions and communications in a confidential register. This is kept separate from our other records and access will be strictly controlled.

Staff involved in cases of suspected child abuse are entitled to have support. We will maintain knowledge of such individuals, agencies and organisations in the community that provide support.

## **Confidentiality and information sharing**

We will seek advice from the Ministry for Vulnerable Children, Oranga Tamariki and/or the Police before identifying information about an allegation is shared with anyone, other than the service manager or designated person. Staff should be aware that:

- Under sections 15 and 16 of the [Children, Young Persons, and Their Families \(Oranga Tamariki\) Legislation Act 2017](#) any person who believes that a child has been or is likely to be, harmed physically, emotionally or sexually or ill-treated, abused, neglected or deprived may report the matter to Ministry for Vulnerable Children, Oranga Tamariki or the Police and provided the report is made in good faith, no civil, criminal or disciplinary proceedings may be brought against them.
- When collecting personal information about individuals, it is important to be aware of the requirements of the privacy principles – i.e., the need to collect the information directly from the individual concerned and when doing so to be transparent about: the purposes for collecting the information and how it will be used; who can see the information; where it is held; what is compulsory/voluntary information; and that people have a right to request access to and correction of their information.
- Staff may, however, disclose information under the Privacy Act/Health Information Privacy Code where there is good reason to do so – such as where there is a serious risk to individual health and safety (see privacy principle 11/Code rule 11 <https://www.privacy.org.nz/assets/Files/Codes-of-Practice-materials/HIPC-1994-2008-revised-edition.pdf>). Disclosure about ill-treatment or neglect of a child/young person may also be made to the Police or Ministry for Vulnerable Children, Oranga Tamariki under sections 15 and 16 of the [Children, Young Persons, and Their Families \(Oranga Tamariki\) Legislation Act 2017](#).

## Child safe practice guidelines

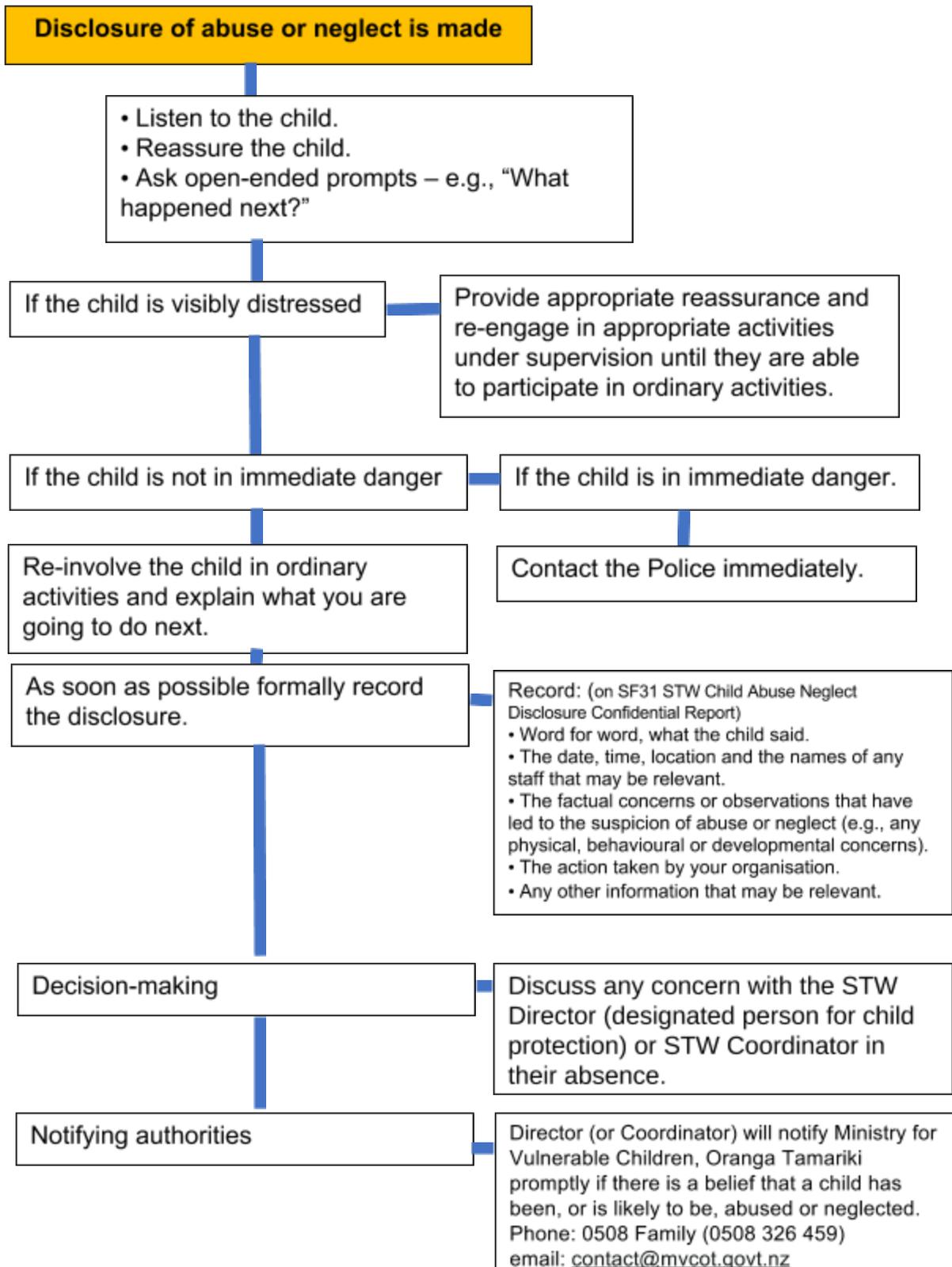
All staff (paid, contract or volunteer) are to avoid all situations where staff may be alone with children. All staff should examine the opportunities or possible situations where staff may be alone with children and take necessary precautions to prevent this. This includes employing strategies such as having at least one other staff member (and where appropriate other participants present), and wherever possible maintaining an open-door policy for all spaces being used (excludes toilets). Staff should be aware of where all children are at all times.

Visitors (or other people present in areas used) should be monitored at all times by staff and volunteers and outside instructors should be monitored by staff.

If activities may require one to one physical contact (highly unlikely in STW contexts) then express prior approval must be first given by the STW Director and the child's parents and caregivers. All other options would need to be investigated and ruled out first, such as having a parent or another STW staff member present (again it is not envisaged as necessary for any STW activities).

Where a child or young person requires assistance, e.g., if they are intellectually or physically disabled, if possible involve the parents/caregivers and outside agencies (e.g. in education such as the Ministry of Education's Special Education group) to assist. If this assistance is not available, ensure that the staff members are aware of the appropriate procedures when giving assistance.

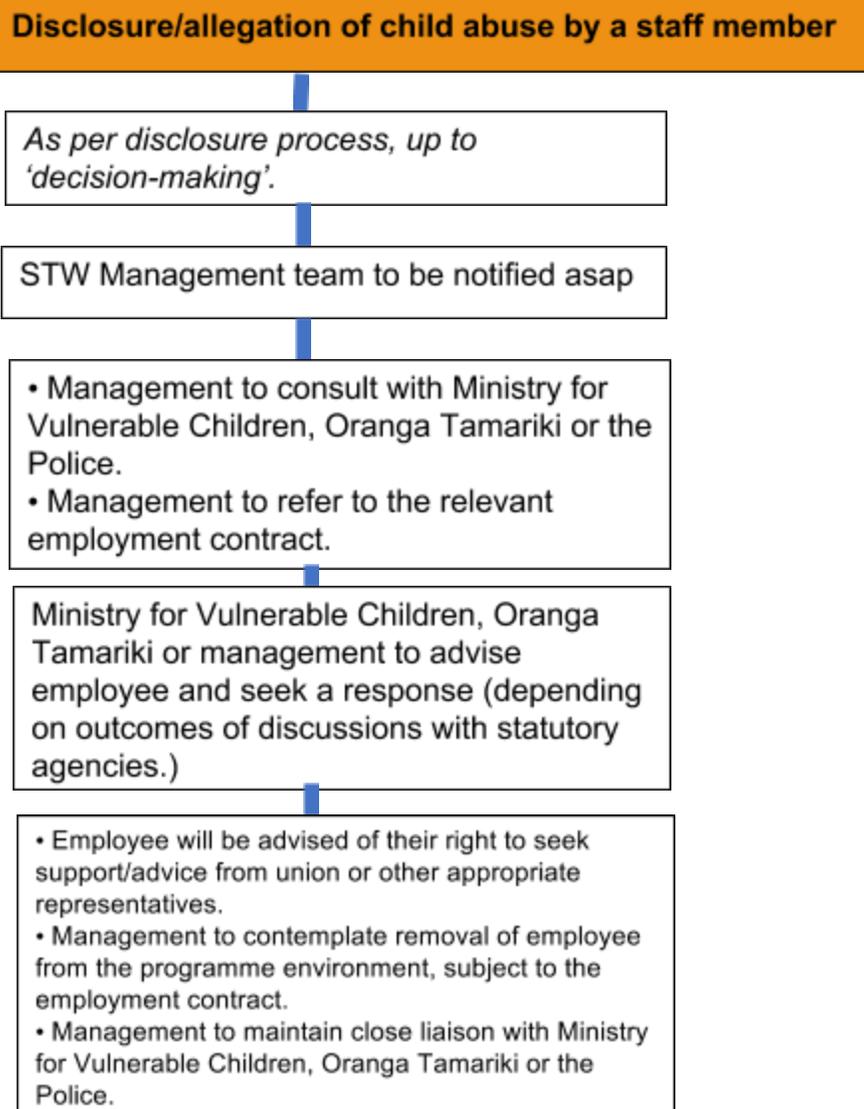
Staff should under all circumstances avoid being alone when transporting a child or young person, unless a genuine emergency requires it. In such an emergency situation express prior permission must be first sought to be obtained from the STW Director (or in their absence STW Coordinator). Wherever possible another staff member, adult helper or participant should accompany the child and the STW staff member during such an emergency transportation situation. Except in an emergency, children and young people are not to be taken away from STW's programmed travel and tramping routes, facilities and activity areas assigned, or from the programme we provide, without documented express approval from the STW Director (or in their absence STW Coordinator). Wherever possible prior documented parental consent will also be obtained.



## When an allegation is made against a member of staff

All matters involving allegations against staff need to be escalated to the management team.

To ensure the child is kept safe, management may take steps to remove the staff member against whom an allegation has been made from the environment, subject to the requirements of the applicable individual or collective employment contract and relevant employment law.



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

## Appendix 1: Resources and Contacts:

### Identifying possible abuse or neglect

To download the Child, Youth and Family 'Signs of abuse and neglect' chart click on link:

[https://www.ecc.org.nz/Folder?Action=View%20File&Folder\\_id=107&File=Signs%20of%20Abuse%20and%20Neglect.pdf](https://www.ecc.org.nz/Folder?Action=View%20File&Folder_id=107&File=Signs%20of%20Abuse%20and%20Neglect.pdf).

For information about identifying child abuse see link:

<https://www.mvcot.govt.nz/identify-abuse/>

This resource produced by Ministry for Vulnerable Children, Oranga Tamariki and is for people in social service agencies, schools, healthcare organisations, community and other groups who have close contact with children and families/whānau. It includes useful information about identifying possible child abuse and an assessment framework.

## CONTACT DETAILS OF ORANGA TAMARIKI MINISTRY OF VULNERABLE CHILDREN

**If you believe a child is in immediate danger call:**

### **POLICE ON 111**

Worried a child or young person you know could be at risk of harm from abuse or neglect? Call Freephone:

**0508 326 459**

Lines open 24/7, or email [contact@mvcot.govt.nz](mailto:contact@mvcot.govt.nz)

After 5pm and on weekends social workers are only available for emergency situations, but we still urge you to call so we can assess your needs.

If you're a school:

Call **0508 EDASSIST (0508 332 774)**

Email [edassist@mvcot.govt.nz](mailto:edassist@mvcot.govt.nz)

If you're a caregiver:

Call **0508 227 377**

If your query is adoption related:

Call **0508 326 459**

Email [webadoption@mvcot.govt.nz](mailto:webadoption@mvcot.govt.nz)

To request personal information held by us:

Call **0508 326 459** and ask for privacy and official information services.

If you're overseas:

Call **+64 9 912 3820**

Email [contact@mvcot.govt.nz](mailto:contact@mvcot.govt.nz)

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For media enquiries:

Call **+64 4 918 9199**

Email [media@mvcot.govt.nz](mailto:media@mvcot.govt.nz)

For general enquiries:

Call **0508 326 459**

Email [contact@mvcot.govt.nz](mailto:contact@mvcot.govt.nz)

Contact Children's Teams

## **Reporting a concern**

Get in touch if you think a child or young person may be:

- unsafe or in danger of harm
- suffering from ill-treatment, abuse or neglect
- Or you're not sure if you should be concerned, and want advice, or just to talk things through.

A social worker will work out how urgent this is, and the best thing to do next.

### **What we'll need to know when you get in touch:**

- what you're worried about
- details of any incidents, including dates
- details about the child or young person and their family, such as names and addresses
- if the family, child or young person has previously been involved with us or the Police.

## **BLenheim SITE OFFICE**

Street Address:

5th Floor,

PORSE

5 Market Street

Blenheim 7240

**Get directions**

Mailing Address:

PO Box 344

Blenheim 7240

## **GREYMOUTH SITE OFFICE**

Street Address:

Level 1, 112-116 Mackay Street

Greymouth 7840

**Get directions**

Mailing Address:

PO Box 228

Greymouth 7840

**NELSON SITE OFFICE**

Street Address:

2nd Floor, Munro Building

186 Bridge Street

Nelson 7040

**Get directions**

Mailing Address:

PO Box 1047

Nelson 7040

**Related documentation**

*Relevant Legislation*

- Vulnerable Children Act 2014
- Children, Young Persons, and Their Families Act, 1989
- Care of Children Act 2004
- Domestic Violence Act 1995
- Privacy Act 1993
- Victims' Rights Act 2002
- The United Nations Convention on the Rights of the Child (UNCROC)