

Title: Child and Young Person’s Protection Policy

First produced: March 2016 **Authorisation:** Board
Current Version: March 2016 **Queries:** Board Chair
Past Reviews:
Review Cycle: Yearly
Applies from: 31 March 2016

- Policy Overview Page 1
- Purpose, Scope and Principles Page 2
- Definitions Page 3
- Training Page 4
- Identifying Child Abuse and Neglect Page 4
- Confidentiality & Information Sharing Page 5
- Child Safe Practice Guidelines Page 6
- Flowchart to follow if Disclosure of Abuse or Neglect is made Page 7
- Flowchart to follow if an allegation is made against a member of staff Page 8

Policy Overview

Ensuring the wellbeing and safety of children and young people, 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 or young person including possible abuse or neglect.

- A diagram of the process for responding to a concern about a child or young person is on page 7 of this policy.

The interests of the child or young person will be the paramount consideration when any action is taken in response to suspected abuse or neglect. START commits to support the statutory agencies (Child, Youth and Family 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, Maggy Tai Rakena, 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 Maggy Tai Rakena on 31/3/2016. A digital copy can be found on our website at www.starthealing.org. The policy is due to be updated on 31/3/2017. It is consistent with Child, Youth and Family and Police guidelines and will be updated when new guidance is issued.

Purpose, scope and principles

START's child protection policy supports our staff to respond appropriately to potential 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 (paid and volunteer) including 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.

In addition to guiding staff to make referrals of suspected child abuse and neglect to the statutory agencies – i.e. Child, Youth and Family and the Police – this policy will also help our staff to identify and respond to the needs of the many vulnerable children whose wellbeing is of concern.

We recognise that in many cases of vulnerability the involvement of statutory agencies will not be necessary but this should be discussed with management prior to a decision being made. Throughout New Zealand statutory and non-statutory agencies provide a network of mutually supportive services, and it is important for our organisation to work with these to respond to the needs of vulnerable children and families/whanau in a manner proportionate to the level of need and risk. Referrals to the Christchurch Children's Team, other NGOs and/or Right Service Right Time are likely responses to such situations. Contact details for agencies and services in our community are provided as an appendix to this policy.

To ensure that this organisation demonstrates continual improvement in child protection practice, we will work to maintain a good working relationship with child protection agencies and support our staff to protect children from abuse by consulting with experts with specialist knowledge and providing the necessary training options.

We also commit to explore opportunities to work with other providers, including from other sectors, to develop a network of child protection practice in our community.

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 or designated person responsible for providing 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.
- **Child, Youth and Family**- 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 Child, Youth and Family 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.
- **Sexual Abuse**- any act that involves 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 terrorizing a child can be emotional abuse.
 - Exposure to family/whanau 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 enroll in education or inattentive to educational 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 behaviour concerns may be the result of life events, such as divorce, accidental injury, the arrival of a new sibling etc.
- We understand when we are concerned about a child 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 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, and sexually transmitted diseases).
- Behavioural concerns (e.g., age-inappropriate sexual interest or play, fear of a certain person or place, eating disorders/substance abuse, disengagement/neediness, aggression).
- 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).
- 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 disorder 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, changes in situation at home.

This organisation will act on the recommendations of statutory agencies, including Child, Youth and Family and the Police. We will inform families/whanau about suspected or actual abuse (unless it is deemed unsafe to do so) after we have discussed our concerns with management and/or the statutory agencies.

When we respond to suspected child abuse or any concerning behaviour we write down our observations, impressions and communications in the client file. All notifications to Child, Youth and Family or the Police will be recorded in START's Notifications Folder.

Staff involved in cases of suspected abuse are entitled to have support. As well as providing this on-site we will maintain knowledge of individuals, agencies and organisations in the community that also provide such support.

Confidentiality and information sharing

We will seek advice from Child, Youth and Family and/or the Police before identifying information about an allegation is shared with anyone, other than management. Staff should be aware that:

- Under section 15 and 16 of the Child, Young Persons, and Their Families Act 1989 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 Child, Youth and Family 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 information directly from the individual concerned and when doing so to be transparent about: the purpose 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 the right to request access to and correction of their information.
- As we are generally in a therapeutic alliance with these whanau the hope would be to maintain this alliance where possible even in the context of a notification. Every attempt will

be made to inform whanau of concerns and steps taken where it is appropriate and safe to do so.

- 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). Disclosure about ill-treatment or neglect of a child/young person may be made to the Police or Child, Youth and Family under sections 15 and 16 of the Child, Young Persons, and Their Families Act 1989.

Child safe practice guidelines

START's staff should be aware of where children onsite are at all times. Waiting room monitoring of children is the responsibility of the parents/caregivers unless arrangements have been made with staff prior.

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

Staff should avoid transporting a child or young person, unless an emergency or exceptional circumstance requires it. Except in an emergency, children and young people are not to be taken from START's premises, or from any service we provide, without written parental consent.

Flowchart to follow if a Disclosure of abuse or neglect is made

- Listen to the child.
- Reassure the child.
- Ask open-ended prompts – e.g., “What happened next?”

If the child is visibly distressed

Provide appropriate reassurance and re-engage in appropriate activities under supervision until they are able to participate in ordinary activities.

If the child is not in immediate danger

Re-involve the child in ordinary activities having explained what you are going to do

If the child is in immediate danger

Contact the Police immediately

As soon as possible formally record the disclosure.

Record:

- Word for word, what the child said (leave gaps if you cannot remember exact words).
- The date, time, location and the names of any staff that may be relevant.
- The factual concerns or observations that have led to the suspicion of abuse or neglect (e.g., any physical, behavioural or developmental concerns).
- The action taken by START
- Any other information that may be relevant.

Decision-making

Discuss any concern with management or their delegate.

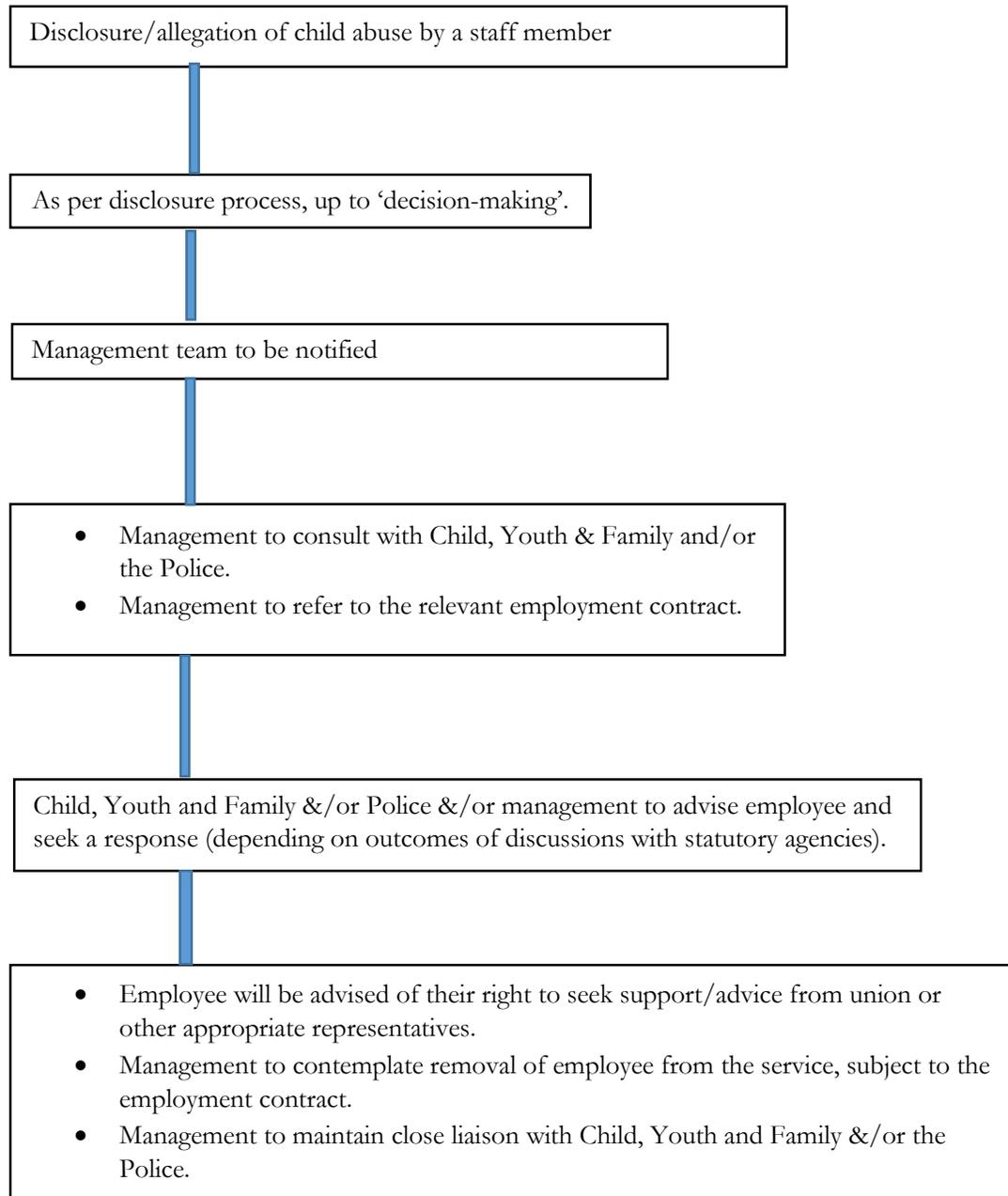
Notifying authorities

Notify **Child, Youth and Family** promptly if there is a belief that a child has been, or is likely to be, abused or neglected. Phone: 0508 Family (0508 326 459)
Fax 09 914 1211
Email: cyfcallcentre@cyf.govt.nz
Or **Police Child Protection Team** on (03) 378 0100
Use START's Notification Form

Flowchart to follow if an allegation is made against a member of staff.

All matters involving allegations against staff need to be escalated to management as soon as possible.

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 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 staff member 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 child protection.