

Child Protection Policy

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Principles & Purpose

Empowerment Trust is committed to the prevention of abuse and to the wellbeing of children, young people, vulnerable adults and their families.

We believe:

- Children's needs come first
- It is the responsibility of everyone to protect the safety and well-being of children
- All children should be safe from harm
- Every child matters and for the most vulnerable children, everyday matters
- All children have the right to flourish and reach their full potential
- That child abuse and neglect can happen here and within our community

- We can always learn and improve
- All children/young people have the right to speak freely and voice their values and beliefs
- All staff, volunteers and visitors have an important role to play in safeguarding/protecting children & youth and protecting them from abuse.

What we commit to do:

- We will make sure that all tamariki (children) who we come into contact with are heard, respected and listened to, and their wellbeing and safety will come first in any of our decision making
- We will ensure our child protection policy and procedures are always applied, by all staff, volunteers and contractors in every situation of disclosed or suspected vulnerability, abuse or neglect
- We will take action quickly and effectively if vulnerability, abuse and neglect of a child or young person are identified.
- We will always share information about a child if in doing so, it increases their wellbeing and protects them from harm
- We will ensure child protection is an embedded culture in our organisation and at the forefront of our decision making.

For our staff, we will:

- Provide adequate support and guidance to staff including volunteers, contractors (including Board of Trustees) to fulfil their roles, this includes adequate supervision and development opportunities
- Provide regular training opportunities to clarify and confirm policies and procedures in relation to child and young person protection and wellbeing. This will include annual training for staff in relation to vulnerability, child protection and the principles and intent of this child protection policy

Scope

The scope of this policy covers all children (up to the age of 18) who Empowerment Trust staff, volunteers or contractors come into contact with during the course of their work.

The Procedures attached to this policy must be followed by all staff, volunteers and contractors in all situations of disclosed or suspected vulnerability, abuse or neglect and contain guidance for staff:

- they are concerned about a child or associated community member(s) or suspect that a child or associated community member(s) is vulnerable, at risk, or has been abused or neglected
- how to respond if a child discloses vulnerability, abuse or neglect.
- how to respond if another staff member is suspected of abusing a child
- about information sharing
- about standards for safely working with children

Definitions

For the purposes of this policy “Child” means a boy or girl under the age of 14 years, “Young person” means a boy or girl of or over the age of 14 years but under 18 years; but does not include any person who is or has been married or in a civil union (Oranga Tamariki Act, 1989Section 18).

For the purposes of this Policy “staff” means all those employed by Empowerment Trust to deliver its services, whether paid or voluntary, full time or part-time or contracted.

The following definitions are provided for guidance but should not be seen as an exhaustive list.

Definition of Child Abuse: The Oranga Tamariki Act, 1989, defines child abuse as "...the harming (whether physically, emotionally, sexually), ill-treatment, abuse, neglect, or deprivation of any child or young person".

1. *Physical abuse* is a non-accidental act on a child that results in physical harm. This includes, but is not limited to, beating, hitting, shaking, burning, drowning, suffocating, biting, poisoning or otherwise causing physical harm to a child. Physical abuse also involves the fabrication or inducing of illness.
2. *Emotional abuse* is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effect on the child's emotional development. This can include a pattern of rejecting, degrading, ignoring, isolating, corrupting, exploiting or terrorising a child. It may also include age or developmentally inappropriate expectations being imposed on children. It also includes the seeing or hearing the ill treatment of others.
3. *Sexual Abuse* involves forcing or enticing a child or young person to take part in sexual activities (penetrative and non-penetrative, for example, rape, kissing, touching, masturbation) as well as non-contact acts such as involving children in the looking at or production of sexual images, sexual activities and sexual behaviours.
4. *Neglect* is the persistent failure to meet a child's basic physical and/or psychological needs, causing long term serious harm to the child's health or development. It may also include neglect of a child's basic or emotional needs. Neglect is a lack: of action, emotion or basic needs.
5. *Intimate Partner Violence or Family Violence* may be a single act of violence, or a number of acts that form a pattern of abuse. In addition to physical violence, most commonly Family Violence relates to specific forms of emotional abuse enabling power and control over victims. Exposure to and/or witnessing Family Violence is also recognised as a form of emotional abuse.
6. *Child Sexual Exploitation* is the sexual exploitation of children and young people under 18 is a type of sexual abuse. It involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive ‘something’ (e.g. accommodation, drugs/alcohol, affection, gifts, money) as a result of performing sexual activities or others performing sexual activities on them.
7. *Cumulative Harm* refers to the effects of patterns of circumstances and events in a child’s life, which diminish a child’s sense of safety, stability and wellbeing. Cumulative harm is the existence of compounded experiences of multiple episodes of abuse or ‘layers’ of neglect. The unrelenting daily impact on the child can be profound and exponential, covering multiple dimensions of the child’s life.
8. *Bullying* relates to inappropriate use of a real or perceived power by one or more persons over another person or a group regarded as less powerful. Acts of bullying are generally repeated or have the potential to be repeated, over time. Bullying relates to hurting

someone else (physically and/or emotionally) and may take many forms that are often interrelated and include: Verbal: Name calling, Gossiping, Put downs, Threats

9. *Cyber Bullying* is usually perpetrated using social media networks, games and mobile phones. This can include spreading rumours, posting nasty or embarrassing messages, images and/or videos. Those suffering from Cyberbullying may know who is bullying them or they may be targeted by someone using a fake or anonymous account, with anonymity often increasing the likelihood of others engaging in bullying behaviour. Often due to being challenging to stop, remove and by being constant (wherever they are, any time of day or night) children/young people can feel like there's no escape

Privacy & Confidentiality

We are committed to ensuring that your privacy is protected. Should we ask you to provide personal information by which you can be identified then you can be assured that it will only be used in accordance with this privacy policy.

Please see our Privacy Policy on how Empowerment Trust collects, uses and protects information given by individuals and organisations.

Roles and Responsibilities of Staff

Sustained abuse and neglect of children, wherever it occurs, can have major long term effects on all aspects of children's health, development and well-being and their ability to sustain stable and meaningful relationships in the future. It is the intention of Empowerment Trust to ensure that all staff understand their roles and responsibilities in ensuring the safety of children at all times.

It is the responsibility of staff to be vigilant, have knowledge and awareness of the indicators of neglect, potential or actual abuse and to report any concerns, suspicions or allegations of suspected abuse immediately and ensure that the concern is taken seriously and reported.

Appointment and Role of Designated Person

Empowerment Trust will have a National Designated Person and a Local Designated Person for child protection who have the knowledge to provide guidance and expertise to staff working with young people.

All named disclosures must be brought to the immediate attention of the Local Designated Person for Child Protection. If this person is unavailable, then consultation should occur with National Designated Person or if also unavailable, then National Executive Director – Fiona Bryan.

Any unnamed potential, suspected or immediate risk of harm must be brought to the attention of either, the National Mates & Dates Manager OR Kidpower Instructor Mentor via our internal workshop debriefs (these are completed following each session)

Our Designated Person for Child Protection (DPCP) will:

- Be available to all staff in a timely manner by way of face to face meeting or telephone contact, for consultation, advice and supervision where concerns in relation to a child have been raised. Advise on Best Practice in relation to child abuse disclosure, suspicions or concerns, recording and reporting.
- Ensure relationships and contact details for Oranga Tamariki and Police are maintained and made available to staff.
- Keep and maintain a list of specialist agencies that provide services to children and families and make this list available to staff

- Ensure the safety and wellbeing of children come first and is paramount in any decision making
- Meet at least weekly with all staff and services to review and monitor entries made in the Child Vulnerability Register, where there are concerns about a child.
- Receive any information from staff relating to the vulnerability, risk of harm or abuse/neglect of a child.
- Make decisions in consultation with the Local Designated Person for Child Protection as to whether or not the matter warrants a Report of Concern to Oranga Tamariki, or notification to Police and work in partnership with the relevant staff member to ensure this is done in accordance with best practice
- Follow up any Oranga Tamariki Report of Concern within 3 days of it being made if no response is received
- Ensure that any Report of Concern to Oranga Tamariki or Police which has not been dealt with satisfactorily or where there are still concerns held by the agency in relation to a child, is advocated at senior levels both within Oranga Tamariki and Police.
- Ensure procedures within this policy are followed in situations where a further Report of Concern is required to Oranga Tamariki in relation to a child.
- Arrange annual child protection training for all staff
- Ensure this Policy and procedures are consistently applied throughout the organisation, and all new staff, contractors or volunteers are inducted into the trusts culture of child protection.

Training and Induction

- The Designated Person will ensure that all staff are trained annually in vulnerability, risk, and child protection.
- All new staff will be inducted into this policy, procedures and the culture of child protection within our organisation.

As soon as possible, new staff will attend child protection training. If this is not possible for some time, they will be complete child protection training by eLearning within three months of beginning their role OR TOAH-NNEST Primary prevention eLearning

Child Protection Procedures

If a child makes a verbal disclosure to a member of staff it is important that staff take what the child says seriously:

- listen,
- reassure,
- don't make promises,
- don't over question,
- let them know what you are going to do next.

Under no circumstances should a member of staff attempt to conduct an investigation or deal with concerns regarding child abuse or immediate risk of harm alone.

Staff are expected to follow this procedure. If staff still have concerns about a child and they feel this procedure is not effective they may contact Oranga Tamariki at any time.

We have three flow charts to describe each person's role in the process

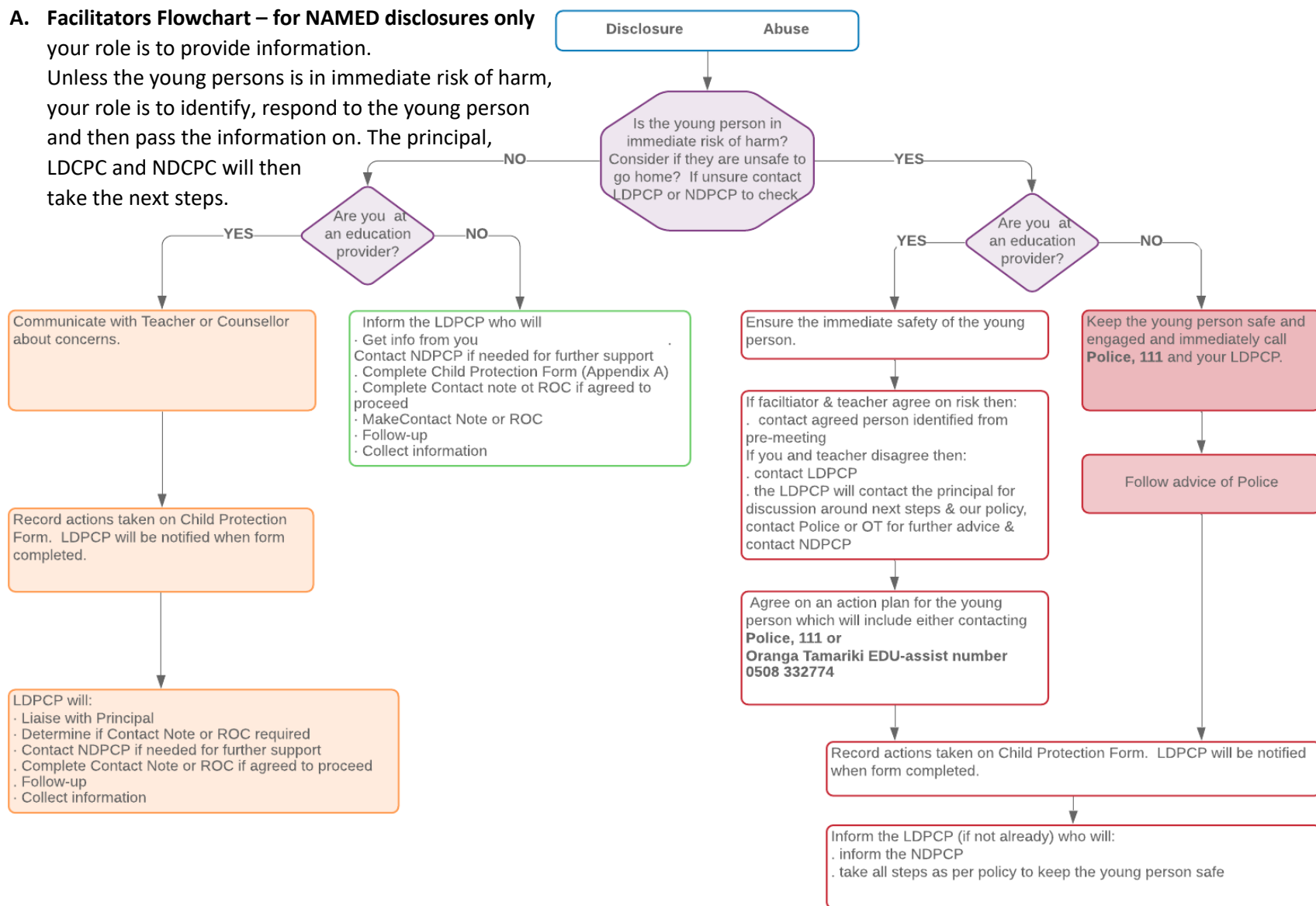
- Facilitators
- Local Designated Person for Child Protection (LDPCP)
- National Designated Person for Child Protection (NDPCP)

Empowerment Trust will remain child focussed and not collude with any adult or organisation

A. Facilitators Flowchart – for NAMED disclosures only

your role is to provide information.

Unless the young person is in immediate risk of harm, your role is to identify, respond to the young person and then pass the information on. The principal, LDPCP and NDPCP will then take the next steps.



RECORDING

Carefully documented records are to be kept of all steps involved in this process, conversations, actions, observations etc. All Records must be dated and signed and stored in a safe manner to guard confidentiality.

If a young person discloses:

- listen,
- reassure,
- don't make promises,
- don't over question,
- let them know what you are going to do next.

See DEALING WITH DISCLOSURE OF ABUSE (appendix B)

LOCAL Designated Person

Canterbury –

Megan Alderson

020 4016 9977

megana@empowermenttrust.nz

Auckland –

Scott Riethmaier

0277770974

scott@empowermenttrust.nz

NATIONAL Designated Person for Child Protection:

Maree O'Donnell: 021 260 4853

(no coverage if she is at home use messenger or Hm Ph 03-526 8827, Fiona Bryan:021 147 4639

Other numbers

Oranga Tamariki call centre: 0508 326459, Email: contact@ot.govt.nz Ed Assist: 0508 332774/ edassist@ot.govt.nz, Ministry of Education: 035463470

Canterbury: Canterbury Children Support Manager – Rachel Galway 03 961 4107 027 313 840

Auckland Regions

B. Local Designated Person for Child Protection –
this flow chart is to be used in response to a disclosure,
immediate risk of harm or abuse raised by a facilitator

Disclosure Abuse

Facilitator has contacted you.
Is the young person in
immediate risk of harm? Is it
unsafe for them to go home?

Is the facilitator
at an education
provider?

Is further
action
required?

Is the facilitator at
an education
provider?

Facilitator will have ensured the immediate
safety of the young person
If facilitator & teacher agree on risk then the
principal will have been contacted
If facilitator and teacher disagree then the
facilitator needs your support to reach an
agreement and next steps.

Facilitator will have ensured the
immediate safety of the young
person contacted the Police

Get full information from facilitator.
Your role is to contact the principal for
discussion around next steps & our policy,
contacting Police or OT for further advice &
notifying the NDPCP.

Ensure that facilitators:
· have followed the advice of Police
· are supported

If agreement can't be reached, contact
NDPCP and refer to our policy. Agree with
NDPCP on next steps and let principal know
what steps we will be taking as per our
policy. It will include either contacting
Police, 111 or Oranga Tamariki
EDU-assist number 0508 332774

Agree on an action plan for the young
person

Facilitator will inform you. You will
· Get info from them
· Contact NDPCP
· Complete Child Protection Form (Appendix A)
· Complete Contact Note or ROC if agreed to
proceed
· Make Contact Note or ROC
· Follow-up
· Collect information

Facilitator will contact
you. Ensure you
· Get full details
· Collect information
· Complete Child
Protection Form
(Appendix A)

Contact the NDPCP
Discuss all details and steps taken and complete the
Child Protection Form (Appendix A)
Agree on
· next steps
· follow-up and timeframes
· support for facilitator

RECORDING

Carefully documented records are
to be kept of all steps involved in
this process, conversations,
actions, observations etc. All
Records must be dated and signed
and stored in a safe manner to
guard confidentiality.

LOCAL Designated Person

Canterbury –
Megan Alderson
020 4016 9977
megana@empowermenttrust.nz
Auckland –
Scott Riethmaier
0277770974
scott@empowermenttrust.nz

**NATIONAL Designated Person for
Child Protection:**

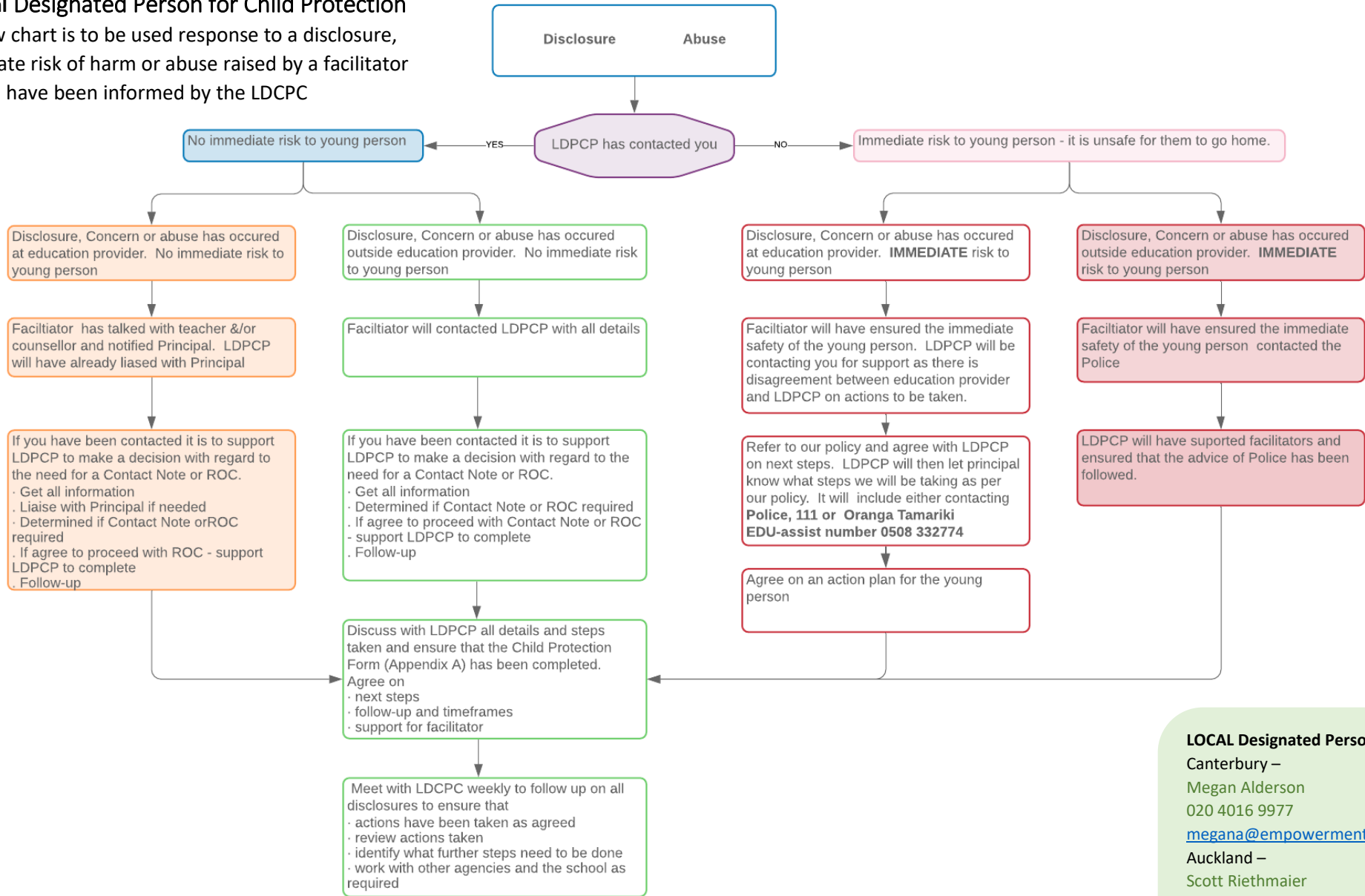
Maree O'Donnell: 021 260 4853
(no coverage if she is at home use
messenger or Hm Ph 03-526 8827,
Fiona Bryan: 021 147 4639

Other numbers

Oranga Tamariki call centre: 0508 326459, Email: contact@ot.govt.nz Ed Assist: 0508 332774/ edassist@ot.govt.nz, Ministry of Education: 035463470
Canterbury: Canterbury Children Support Manager – Rachel Galway 03 961 4107 027 313 840
Auckland Regions

C. National Designated Person for Child Protection

this flow chart is to be used response to a disclosure, immediate risk of harm or abuse raised by a facilitator and you have been informed by the LDCPC



LOCAL Designated Person
 Canterbury –
 Megan Alderson
 020 4016 9977
megana@empowermenttrust.nz
 Auckland –
 Scott Riethmaier
 0277770974
scott@empowermenttrust.nz

Other numbers

Oranga Tamariki call centre: 0508 326459, Email: edassist@mvcot.govt.nz, Ed Assist: 0508 332774/ edassist@ot.govt.nz, Ministry of Education: 035463470

D. Quick Reference for Responding to an allegation of Child Abuse Against a Empowerment Staff Member, Volunteer or Contractor

If a staff member, volunteer or contractor is under investigation for a child abuse matter and resigns the investigation will continue to its completion.

Is the young person in immediate danger? Consider if they are unsafe to go home? If unsure contact NDPCP to check.

Empowerment Trust will remain child focussed and not collude with any adult or organisation.
Empowerment Trust will not use settlement agreements where there are child protection concerns.

If NDPCP unsure call, Oranga Tamariki 0508 326 459
IF YES **Act** to ensure the child's safety - call **Police, 111**
– FOLLOW POLICE ADVICE
Record actions taken on the Child Protection form (Appendix A)

If not already done - Inform National Designated Person (NDPCP) IMMEDIATELY

In the event that NDPCP is unavailable please contact the National Executive Director, Fiona Bryan 021 147 4639 who will follow this procedure in place of the NDPCP
NDPCP will inform the Chair of Board Annie Simmons, 021 795 869

NDPCP will act on behalf of the young person and follow the **Child Protection Procedures**
The young person's welfare will be paramount

The NDPCP must ensure that there is no further contact between the young person and the staff member concerned.

In all cases where an allegation of abuse is made against a staff member, contractor or volunteer the following must be notified:

- Programme Director
- National Executive Director
- Chairperson Empowerment Trust Board of Trustees (by National Exec Dir)
- National Designated Person Child Protection
- The staff member concerned (by National Exec Dir)

National Executive Director will act on behalf of the organisation's employment matters in regard to the staff member, volunteer or contractor.

National Executive Director will not investigate. Investigation will be conducted by Police or a Ministry investigator

National Executive Director will:

- Not act alone
- Contact statutory agencies immediately (depends on sector) Police, Oranga Tamariki, Ministry of Education, Insurance provider
- Advice will be sought, recorded and followed.
- Following guidance, the staff member will be immediately suspended without prejudice as a precautionary measure
- Inform Police and provide all relevant information if staff member is involved in other roles where they have access to children
- After consultation with Police/ Oranga Tamariki inform parents/ caregivers as advised
- Maintain close liaison with DPCP, Oranga Tamariki, Police and other relevant Professional Bodies
- Action the Employment disciplinary /complaints policy

The staff member will be assisted in seeking legal & professional advice and support

Other staff members will be kept sufficiently informed so that they know the best way to support the young person and each other during any action taken, The privacy of the staff member concerned will be considered when deciding what information will be shared with other staff.

STAFF ARE EXPECTED TO FOLLOW THIS POLICY however any staff member may contact Oranga Tamariki or Police for advice or to make a Report of Concern at any time if they feel this process is not effective and there still remains concern

Recording Process

Recording occurs in Asana as per Process for recording issues of concerns and notifications made.

- Facilitator identifies whether there is immediate danger.
- Either way, the Facilitators follow up with designated contact at school & notify their LDPCP through a debrief (can be a call as well) which triggers the LDPCP through ASANA to follow up with appropriate contacts at the school, Empowerment Trust's NDPCP, possibly Oranga Tamariki, and the Police if needed.

There is specific path to follow in Empowerment Trust's Child Protection Procedures for Facilitators, LDPCPs and the NDPCP using Flowcharts. The recording all occurs on ASANA.

Acknowledgment of receipt documentation from Oranga Tamariki and follow-up.

- In ASANA alongside the notification to Oranga Tamariki.

Relevant Legislation

This policy is related to the following legislation:

- Te Tiriti O Waitangi (The Treaty of Waitangi)
- Oranga Tamariki Act 1989
- Privacy Act 1993
- Human Rights Act 1993
- Health and Safety Act 2015
- Employment Relations Act 2000
- Vulnerable Children Act 2014
- Vulnerable Children (Requirements for Safety Checks of Children's Workers) Regulations 2015
- United Nations Convention on the Rights of the Child (UNCROC) 1989
- Education Act 1989/1998
- Family Violence Act 2018
- Care of Children Act 2004
- Employment Relations Act 2000
- Health and Disability Commissioner Act 1994
- Code of Health and Disability Services Consumers' Rights

Review & Responsibilities

This policy This Policy will be reviewed annually, and updated regularly in the light of operational experience and in line with changes in legislation and associated policies.

In the result of a significant child protection incident, this policy will be reviewed following.

The Board of Trustees are responsible for this policy and have delegated this responsibility to the National Executive Director.

The National Executive Director is responsible for the development and ongoing review of the Procedures

Appendix A – Child Protection Form

Facilitator to complete

LDPCP to complete

NDPCP to complete

Record of Disclosure, Issue or Concern / Review

Young Persons' name:		DOB:	Age:	School Year:
Education Provider		Teacher:	Principal:	
HOD:		School Counsellor:		
Class				

Concern/ disclosure:

Actions:

Child protection issue of concern (professional judgment (please tick boxes which apply:

Physical

Sexual

Neglect

Emotional

Other

Actions:

Contact Note to Oranga Tamariki Yes / No

Report of Concern to Oranga Tamariki? Yes / No

Actions:

Contact Note to Oranga Tamariki Yes / No

Report of Concern to Oranga Tamariki? Yes / No

Signed:

Date and time:

Name:

Position:

Review Scheduled:

This form is to be given to the Local Designated Person for Child Protection ASAP. Local and National Designated Persons for Child Protection will transcribe information within this form to the Oranga Tamariki report of concern form.

Appendix B – Dealing with Disclosures of Abuse or Immediate Risk of Harm

- Only a minority of children actively disclose abuse. Most child abuse is disclosed accidentally or through observation by an adult of a child's behaviour, words and physical appearance.
- When a child does disclose abuse, this needs to be taken very seriously. It is important that any disclosure is dealt with appropriately, both for the wellbeing of the child and also to ensure that your actions do not jeopardise and legal action against the abuser.
- There are a number of basic 'rules' that should be followed to ensure the safe handling of any disclosures of abuse from a child:
- Don't panic.
- Remember that the safety and well-being of the child come before the interests of any other person.
- Listen to the child and accept what the child says.
- Look at the child directly, but do not appear shocked.
- Don't seek help while the child is talking to you.
- Reassure them that they did the right thing by telling someone.
- Assure them that it is not their fault and you will do your best to help.
- Let them know that you need to tell someone else.
- Let them know what you are going to do next and that you will let them know what happens.
- Be aware that the child may have been threatened.
- Write down what the child says in their own words – record what you have seen and heard also.
- Make certain you distinguish between what the child has actually said and the inferences you may have made. Accuracy is paramount in this stage of the procedure
- Tell your manager or Designated Person for Child Protection as soon as possible.
- Refer to Child, Youth and Family or the Police.
- After making the referral to Child, Youth and Family or the Police, look after yourself. Discuss the matter with your manager, supervisor or relevant person.

Important Notes:

The same action should be taken if the allegation is about abuse that has taken place in the past, as it will be important to find out if the person is still working with or has access to the children

Dealing with an allegation that a professional, staff member, foster carer or volunteer has abused a child is difficult but must be taken seriously and dealt with carefully and fairly.

Things TO SAY when a child discloses

Repeat the last few words in a questioning manner

- 'I believe you'
- 'I am going to try to help you'
- 'I will help you'
- 'I am glad that you told me'

- 'You are not to blame'

Things NOT TO SAY when a child discloses

- 'You should have told someone before'
- 'I can't believe it! I am shocked!'
- 'Oh that explains a lot'
- 'No not...he's a friend of mine'
- 'I won't tell anyone else'
- 'Why? How? When? Where? Who?'

Things TO DO

- Reassure the child that it was right to tell you.
- Let them know what you are going to do next.
- Immediately seek help, in the first place from the designated person for child protection.
- Write down accurately what the child has told you. Sign and date your notes. Keep all notes in a secure place for an indefinite period.
- Seek help for yourself if you feel you need support.

Things NOT TO DO

- Do not attempt to deal with the situation yourself
- Do NOT formally interview the child
- Never ask leading questions.
- Never push for information or make assumptions.
- Only necessary relevant facts should be obtained, when clarification is needed.
- Do not make assumptions, offer alternative explanations or diminish the seriousness of the behaviour or alleged incidents.
- Do not keep the information to yourself or promise confidentiality.
- Do not take any action that might undermine any future investigation or disciplinary procedure, such as interviewing the alleged victim or potential witnesses, or informing the alleged perpetrator or parents or carers.
- Do not permit personal doubt to prevent you from reporting the allegation to the Designated Child Protection Person

Published by Safeguarding Children

Appendix C – Other Related Policies
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- Professional Boundaries Policy
- Privacy Policy
- Safe Recruitment of Staff, Contractors and Volunteer Policy
- Complaints Policy
- Protected Disclosures Policy
- Workplace Health & Safety Policy & Procedures