

Child Protection and Code of Conduct Policy

Contents

Contents	1
Principles & Purpose	1
Scope	2
Definitions	2
Privacy & Confidentiality	4
Roles & Responsibilities of Staff	4
Code of Conduct	4
Appointment & Role of Designated Person	6
Relevant Legislation	7
Review & Responsibilities	7
Other Related Policies	8

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 HTD – Child Protection and Disclosures 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, 1989 Section 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 unremitting 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 & 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.

Code of Conduct

A Code of Conduct sets the standards of conduct and behaviour so that:

- children, young people and their parents, caregivers and whānau can expect to feel safe and listened to
- staff and volunteers can promote safe and effective practices in their organisation
- organisations can support their staff and volunteers to provide the safeguarding standards expected by children, young people and their parents, caregivers and whānau.

The reality is that while most of the people who volunteer or seek jobs working with children and young people do so because they genuinely want to help children, there are people who want to abuse or harm children or young people and seek positions of trust to give them access. We must also acknowledge that some people, no matter how keen or experienced they present, are not well suited to work with children and young people based upon their behaviours towards them. These are things we must not shy away from when we build a team of staff and volunteers to offer education, a sport, recreation, activity or event.

To work with the children and young people Empowerment Trusts expects all staff, contractors and volunteers to:

- Acknowledge the rights of children and young people to be listened to and to thrive and participate in decisions that affect them.
- Encourage enjoyable participation for children and young people in education, play, active recreation and sport.
- Understand that preventing abuse and protecting children and young people from abuse is the responsibility of everyone.
- Be familiar with and abide by our Child Protection policy and procedures.
- Report any concerns to your Local Designated Person for Child Protection or Manager without delay. These include:
 - poor practice
 - concerning behaviours
 - suspected child abuse
 - allegations of abuse made against a staff member or volunteer
 - bullying and harassment.
- Only undertake a role working with children and young people upon conclusion of Safer Recruitment Policy, including:
 - initial Police vetting and ongoing vetting at required intervals
 - disclosing any known or potential criminal charges or convictions before or during your involvement with the organisation .
- Have empathy with children and young people.
- Make everyone feel welcome, included, and respected in a manner that is appropriate for their age or stage of development.
- Be a role model for positive behaviour.
- Not ignore abusive or harmful behaviour.
- Accept your “Position of Trust” and understand the importance of maintaining professional boundaries.
- Never use your “Position of Trust” for personal gain or to harm children and young people.
- Never engage in a sexual relationship with anyone under the age of 18 years who is known to you because of your role. (Please note that engaging in any sexual behaviour, with anyone under the age of 16 is illegal in New Zealand.)
- Complete required Child Protection training.
- Listen to children and young people and believe them if they tell you about abuse or concerning behaviour, and report it to your Local Designated Person for Child Protection or Manager.
- Listen to concerns raised by parents or caregivers, believe them, and report them to your Local Designated Person for Child Protection or Manager.
- Always act in the best interest of children and young people. Including reporting the concerning behaviour of someone you trust, or who is more senior than you.
- Ensure parents, caregivers or whānau give informed consent by providing them with detail on:
 - 1:1 working and physical contact
- If you come across a child or young person out of your work setting, apply the same Code of Conduct to protect yourself and the child or young person.
- Keep your private life and personal conversations separate and out of earshot or sight of children and young people.
- Always work within the view and hearing distance of others.
- Use only the organisation’s own or approved devices to communicate with children and young people.

- Follow your organisation’s policy on taking, storage and sharing of images or other personal information.
- Wear Empowerment Trust photo ID working in your role.
- Use only the approved organisational methods of behaviour management.
- Wear appropriate clothing.
- Don’t give gifts to children and young people or receive gifts from them or their parents or caregivers, as a way of preventing grooming, manipulation or favouritism.
- Don’t engage in any behaviours or conduct that are strategies used in grooming. Such as:
 - offering to babysit or tutor or coach privately
 - acting secretly or encouraging secrets or “special” or exclusive relationships.
- Never leave children and young people unattended.
- Never leave children and young people waiting to be collected alone, or with people who are not an approved staff member or volunteer.
- Do not use any unnecessary, unwanted or inappropriate physical contact such as:
 - tickling
 - grabbing
 - touch
 - sitting on your knee
- Never come to work under the influence of drugs or alcohol or in possession of either.
- Speak to your manager if you find yourself unable to adhere to any aspects of this Code of Conduct.

Appointment & 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 unnamed, potential, suspected or immediate risk of harm and 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 the National Designated Person for Child Protection or if also unavailable, then National Operations Manager.

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 Child Protection and Disclosure procedures 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 complete child protection training by eLearning within three months of beginning their role OR TOAH-NNEST Primary prevention eLearning.

Relevant Legislation

This policy is related to the following legislation:

- Te Tiriti O Waitangi (The Treaty of Waitangi)
- Oranga Tamariki Act 1989
- Privacy Act 2020
- Human Rights Act 1993
- Health and Safety at Work Act 2015
- Employment Relations Act 2000
- The Children's 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 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.

Other Related Policies

- Professional Boundaries Policy
- Privacy Policy
- Safe Recruitment of Staff, Contractors and Volunteer Policy
- Complaints Policy
- Protected Disclosures Policy
- Workplace Health & Safety Policy & Procedures

Approver: Empowerment Trust Board Review: National Executive Director Owner: National Executive Director Review: February 2023	 Fiona Bryan NED	 Nicola Cheeseman Board Chair
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