



**Te Puawaitanga
ki Ōtautahi Trust**

TIAKI MOKOPUNA CHILD PROTECTION POLICY

Tiaki Mokopuna - the care of mokopuna is of paramount importance

Category Service Delivery	Approved By General Manager		Date March 2016	Page Page 1 of 10
-------------------------------------	---------------------------------------	---	---------------------------	-----------------------------

1. POLICY SUMMARY

Purpose

To protect the safety and to promote the wellbeing of tamariki and rangatahi aged under 18 years, who are receiving services from any staff member, or who are associated with adults who are receiving services from any staff members from Te Puawaitanga ki Ōtautahi Trust (TPKOT).

This policy recognises the important role and responsibility of all staff in the protection of tamariki and rangatahi, by identifying and responding appropriately to suspected child abuse and neglect, including concerns about the wellbeing of tamariki and rangatahi.

Scope

This policy applies to all staff, which includes part-time staff, temporary staff, contractors and volunteers working for TPKOT and should be used wherever abuse or neglect is suspected or identified.

Principles

- The rights, wellbeing and safety of tamariki and rangatahi are of paramount importance.
- Our services contribute to the nurturing and protection of tamariki and rangatahi and advocate for them.
- Recognising the rights of tamariki and rangatahi to participate, in age-appropriate ways, in decision-making about themselves.
- Our staff are able to identify signs and symptoms of potential abuse and neglect and are able to take appropriate action.
- An organisation commitment to the principle of working together in regard to tamariki safety issues
- Our staff promote early intervention and the principle of applying the appropriate intervention that is necessary to protect vulnerable tamariki and rangatahi.
- An organisational commitment to further develop and maintain links with other cultural and community groups and to ensure that important cultural concepts are integrated as appropriate into practice.
- An organisational commitment to maintaining a good and timely working relationship with child protection agencies – including Child Youth and Family and the NZ Police – and to develop a network of child protection practice in our community.
- All contracts, or funding arrangements undertaken by TPKOT, will adopt this policy. This policy will be reviewed as appropriate, treated as a living document and implementation and compliance with be reported upon annually and in accordance with contractual requirements.
- The principle of ongoing professional development for kaimahi underpins this policy. This capability development includes both the embedding of the understanding of this policy and associated protocols as well as understanding of and working with child abuse.

Category Service Delivery	Approved By General Manager		Date March 2016	Page Page 2 of 10
-------------------------------------	---------------------------------------	---	---------------------------	-----------------------------

Organisational commitment to child protection

Our Management Team will ensure:

- Staff are aware of organisational-wide policies relevant to the management of child abuse and neglect and these are easily accessible to staff. At least four times per year these policies will be discussed at service/team hui and this will be evidenced by the minutes of these hui. At least once per year the monthly full house hui will focus on child protection matters.
- The Child Protection Policy will be reviewed annually during February.
- This policy complies with legislative requirements and best practice standards.
- The organisation's work force development plan 16/17 will include initial, refresher and advanced training options. These will be achieved as follows:
 - Initial : policies and procedures, online course at:
<http://safeguardingchildren.org.nz/product/elearning-basic-awareness-child-protection/>
 - Refresher child protection training - locally held seminars, Child Matters certificate in CP, team and organisation hui
 - Advanced training - the advanced training will involve the Child Matters diploma in child protection. The organisation will aspire to have at least 2 kaimahi holding this qualification at any one time
- Ensure documentation tools are in place and accessible to staff for the recording of care and protection concerns.
- Ensure regular audits of child protection practice occur as part of case review processes with team leaders and internal and external supervision.
- Provide resources required to support the policy and make these available to staff
- Staff working with children will be safety checked (as in accordance with the Vulnerable Children Act, 2014).
- Appropriate support and supervision will be made available for staff affected by tamariki and/or rangatahi abuse and neglect.
- Internal and external relationships with key stakeholders will continue to be developed and maintained (government, local government and community-based organisations) to meet the needs of vulnerable tamariki and rangatahi.
- The organisation has designated child protection kaimahi. As at March 2016 these kaimahi are Dianne Oakley and Tamara Williams. They act as alternates for each other for the purposes of leave. In the event that they are away from work at the same time, then Maria Dyksma is the designated child protection kaimahi (dcpk).

All staff have responsibility for the safe management of identified and suspected child abuse and neglect. Those responsibilities include:

- To be conversant with this Child Protection Policy and related policies.
- To understand the statutory referral processes and management of suspected abuse and neglect.
- To seek advice when child abuse and/or neglect is suspected or identified.
- To attend training and updates appropriate to their area of work.

2. DEFINITIONS

Child protection describes activities carried out to ensure that tamariki and rangatahi are safe in cases where there is suspected abuse or neglect, or risk of abuse or neglect. It also recognises the role that organisations play in promoting the wellbeing of children and responding to their vulnerability.

Category Service Delivery	Approved By General Manager		Date March 2016	Page Page 3 of 10
-------------------------------------	---------------------------------------	---	---------------------------	-----------------------------

Child abuse refers to the harming (whether physically, emotionally or sexually), ill treatment, abuse, neglect, or serious deprivation of tamariki or rangatahi (Children, Young Persons and Their Families Act, 1989). This includes actual, potential and suspected abuse:

Physical abuse – any acts that may result in physical harm of a child or young person.

Sexual abuse – any acts that involve forcing or enticing a child to take part in sexual activities including child sexual exploitation, whether or not they are aware of what is happening.

Emotional abuse – any act or omission that results in adverse or impaired psychological, social, intellectual and emotional functioning or development.

Neglect – failure to meet a child’s basic physical or psychological needs, leading to adverse or impaired physical or emotional functioning or development. It is the most common form of abuse. It can be physical, emotional, neglectful supervision, medical neglect and educational neglect.

Child protection practices- are ones that are open and accountable, understand the needs of children, make their safety and security paramount and work in partnership with other agencies to meet the needs of vulnerable children.

Safety checking - using safer recruitment processes that help keep children safe, by implementing robust safety checking of current and new staff.

Child, Youth and Family – the agency responsible for investigating and responding to suspected abuse and neglect and for providing a statutory response to tamariki and rangatahi found to be in need of care and protection.

New Zealand Police – the agency responsible for responding to situations where tamariki and rangatahi are in imminent danger and for working with Child, Youth and Family in child protection work, including investigating cases of abuse or neglect where an offence may have occurred.

Family violence – violence and abuse against any person whom that person is, or has been, in a domestic relationship with. This can include sibling against sibling, child against adult, adult against child and violence by an intimate partner against the other partner (NZ Family Violence Clearinghouse, Papers 3 & 4, April 2013).

Intimate partner violence (IPV) - is a form of tamariki and rangatahi abuse. It is abuse towards an intimate partner. There is a high rate of co-occurrence between IPV and the physical abuse of tamariki and rangatahi (refer Murphy, et al, 2013).

3. IDENTIFYING POSSIBLE ABUSE OR NEGLECT

Overall, staff are required to consider the wellbeing, safety and security of tamariki and rangatahi and this includes risk of harm and the ability to define abuse to an adequate level.

Information on identifying possible abuse or neglect is detailed in *Working together to keep children and young people safe. An Interagency Guide* (Child, Youth and Family, 2011). This Interagency Guide is an associated document to this Child Protection Policy. Staff need to be aware of the indicators of potential abuse and neglect, in each of the following domains:

Category Service Delivery	Approved By General Manager		Date March 2016	Page Page 4 of 10
-------------------------------------	---------------------------------------	---	---------------------------	-----------------------------

Physical signs	Behavioural concerns
Developmental delays	Neglectful supervision
Physical neglect	Abandonment
Medical neglect	Emotional abuse
Educational neglect	The child talking about things that indicate abuse (sometimes called an allegation or disclosure)

Every situation is different and it is important to consider all available information about the tamariki or rangatahi and their environment before reaching conclusions. For example, behavioural concerns may be the result of life events, such as the arrival of a new sibling, divorce or accidental injury, etc.

TPKOT is committed to maintaining and increasing staff awareness of how to prevent, recognise and respond to abuse through appropriate training. As part of induction, new staff will be made aware of this policy and its associated documents. Skills needed to successfully implement the policy will be included where appropriate into staffing performance management systems. All staff will receive child protection training and regular updates through team and staff hui and both internal and external supervision.

4. RESPONDING TO CONCERNS, ALLEGATIONS AND DISCLOSURE OF ABUSE

It is important for staff who are concerned a tamariki or rangatahi is showing signs of potential abuse or neglect that they talk to their Team Leader and/or designated child protection kaimahi to assist in the formulation of a plan to address care and protection concerns. We do not act alone.

It is important for staff to have an understanding of the role of Child Youth and Family and the NZ Police in abuse and neglect cases. This organisation will always act on the recommendations of statutory agencies, including Child, Youth and Family and the NZ Police (refer Child Youth and Family, 2011)

All allegations of abuse and neglect will be notified to Child, Youth and Family to be investigated by the statutory agency. Kaimahi directly involved with the whanau will undertake this notification with the support of their team leader and/or DCPK

Phone: 0508 Family (0508 326 459)

Fax: 09 914 1211

Email: cyfcallcentre@cyf.govt.nz

The following steps need to be considered by kaimahi:

1. Immediate response:
 1. Assess the situation in regards to your own safety, the child's safety and the whanau. Determine the best response in this context. If there is immediate danger then call the Police on 111.
2. Notify your Team Leader and/or designated child protection kaimahi **immediately** you are able. Determine the next steps e.g. do you remain at the house etc.

Category Service Delivery	Approved By General Manager		Date March 2016	Page Page 5 of 10
------------------------------	--------------------------------	---	--------------------	----------------------

3. Convene a safety meeting with your team leader and/or DCPK, to review situation and continue to work through the process. Determine actions from here could include.
 1. Police Intervention
 2. Notification to CYF
 3. Follow up with client whanau
 4. Referrals – e.g. support to access refuge

4. Documentation - staff involved to ensure a thorough factual record is made of the situation, noting that this maybe used in evidence, refer to *TPKOT CP forms and templates* . A copy of Child, Youth and Family notification to be placed in relevant folder in GM office. All documentation relating to a CYF notification will kept in the client record folder

5. Monitoring of the whanau situation

6. Evaluation/debrief of our processes and closure

Within Otautahi, statutory and non-statutory agencies provide a network of mutually supportive services. For example, Strengthening Families, Social Workers in Schools, Budget Services and the Canterbury Children’s Team. TPKOT will work together with social service providers to identify and address the needs of tamariki, rangatahi and their whānau.

Expert advice will be sought where required, including with the provision of staff training and supervision.

4.1 Responding to a tamariki or rangatahi when abuse or neglect is disclosed

1	Listen to the tamariki or rangatahi	Disclosures are often subtle and need to be handled with particular care, including an awareness of tamariki and rangatahi cultural identity and how that affects interpretation of their behaviour and language.
2	Ask open-ended prompts e.g., “What happened next?”	Do not interview (in other words, do not ask questions beyond open prompts). Do not make promises that cannot be kept e.g., “I will keep you safe”
3	Reassure the tamariki or rangatahi	Let them know that they: <ul style="list-style-type: none"> • Are not in trouble • Have done the right thing
4	If the tamariki or rangatahi is in immediate danger	Contact the NZ Police immediately.
5	If the tamariki or rangatahi is not in immediate danger	Discuss concerns with your Team Leader, and/or DCPK as per this policy.

4.2 Recording and storage of information about abuse or neglect

The gathering, recording and storage of information, is the responsibility of the staff member who has witnessed the child protection issue. This will be carried out with the support of the Team Leader and/or designated child protection kaimahi.

Category Service Delivery	Approved By General Manager		Date March 2016	Page Page 6 of 10
------------------------------	--------------------------------	---	--------------------	----------------------

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 purpose of 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 (Privacy Act 1993).

Staff may, however, disclose information under the Privacy Act 1993 and/or the Health Information Privacy Code 1994 where there is good reason to do so, such as where there is a serious risk to individual health and safety (refer Privacy Commissioner, December 2008).

<p>As soon as possible, formally record the disclosure and/or concern and update as new information becomes available.</p>	<ul style="list-style-type: none"> • Date, time, venue and who was present. • Include factual concerns or observations that led to the suspicion and/or disclosure of abuse or neglect (e.g., physical, behaviour or development concerns, etc). • The actions taken by TPKOT • Any other relevant information.
<p>Storing relevant information</p>	<p>Securely store:</p> <ul style="list-style-type: none"> • The formal record of events • A record of any related discussions within the organisation and with any external organisations, including copies of correspondence. • A record of advice received • The actions TPKOT took, including any rationale • If the notification is based on a concern or series of concerns, clearly document past and present information. • Copy of CYF notification to be stored in relevant file in GM office

The Privacy Act 1993 and the Children, Young Persons and their Families Act (CYFP) 1989 allow information to be shared to keep children safe when abuse or suspected abuse is reported or investigated. Note that under sections 15 and 16 of the CYFP 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 NZ Police and, provided the report is made in good faith, no civil, criminal or disciplinary proceedings will be brought against them.

5. ALLEGATIONS OR CONCERNS ABOUT STAFF

With respect to responding to child safety matters, then follow the steps outlined in section four.

All matters involving allegations against staff need to be escalated to the General Manager and DCPK Investigations will be carried out by the General Manager, or appointed person if absent, as per the TPKOT *Complaints Policy and Procedures* and the *Code of Conduct*.

<p>Category Service Delivery</p>	<p>Approved By General Manager</p>		<p>Date March 2016</p>	<p>Page Page 7 of 10</p>
---	---	---	-----------------------------------	-------------------------------------

If a tamariki or rangatahi make an allegation or raise concern, they must not be exposed to unnecessary risk. It is important to separate the staff member from the tamariki or rangatahi. This may mean suspending an employee from their duties, subject to the requirements of their employment contract and relevant legal obligations

Historical allegations should be responded to in the same way as contemporary ones, with the same priority and will be notified to CYF and police.

The principle of the paramountcy of the child will be upheld in any investigation of allegations against a staff person.

6. EVALUATION AND CLOSURE

Review is the deliberate process of evaluating the effectiveness of what TPKOT does as part of continuous quality improvement. A formal review will take place within a month, of the closure of the situation.

The formal, planned review must include:

- All procedures were followed
- Tamariki and rangatahi were central to all decisions
- Positive working relationships were maintained
- Planned outcomes were achieved
- Recommendations for improvement are implemented where appropriate

The review should also consider developments in child protection theory and practice and any additional guidance produced by government agencies. The Team Leader is responsible for ensuring that a formal review is undertaken. The General Manager is to be notified of the outcomes of this review.

Associated Documents


Policies	<ul style="list-style-type: none"> • Code of Conduct • Health and Safety Policy • Health and Safety Manual • Police Vetting Policy • Professional Development and Training Policy • Protected Disclosure Policy • Recruitment Policy • Home Visit Policy • Vehicle Policy • Dog Policy • Service Delivery Policy • Request for Client information • Supervision Policy • Complaints Policy • Request for Sharing Client Information • Transferring Client Information • Using and Disclosing Client Information • Privacy and Confidentiality Policy
Forms	<ul style="list-style-type: none"> • All Hazard Control Plans 001-022 • Consent Forms

Category Service Delivery	Approved By General Manager		Date March 2016	Page Page 8 of 10
-------------------------------------	---------------------------------------	---	---------------------------	-----------------------------

	<ul style="list-style-type: none"> • Confidentiality Agreement • Photo Permission Form
Social Sector Accreditation Standards	<ul style="list-style-type: none"> • Level 3, Standard 2 Community wellbeing • Level 3, Standard 3 Staffing • Level 3, Standard 4 Health and Safety • Level 3, Standard 7 Resolution of complaints related to service • Level 3, Standard 8 Quality improvement • Level 3, Standard 9 Client assessments planning and record keeping
Legislation	<ul style="list-style-type: none"> • Care of Children Act 2004 • Children, Young Persons, and Their Families Act, 1989 • Domestic Violence Act 1995 • Health Information Privacy Code 1994 • Privacy Act 1993 • The United Nations Convention on the Rights of the Child 1989 (UNCROC) • Victims' Rights Act 2002 • Vulnerable Children Act 2014 • Health And Disability Commissioner Act 1994 • Human Rights Act 1993 • Education Act 1989/1998 • Employment Relations Act 2000 • Code of Health and Disability Services Consumers' Rights
General Information	<ul style="list-style-type: none"> • Child Youth and Family. 2011. <i>Working together to keep children and young people safe. An Interagency Guide.</i> Wellington: Child Youth and Family. • Changes to the Crimes Act: Margaret Barnett-Davidson; Kai Tiaki Nursing New Zealand (February 2012) Vol 18 No 1 • Child, youth & Family website – http://www.cyf.govt.nz/index.html • Legal and Professional Aspects of Child & Family – Protection Issues: Carla Humphrey: Midwifery News (December 2011) • The Māori Party Press Release: 11 October 2012 He mokopuna, he taonga - an aspiration for all Aotearoa • Privacy Commissioner. (December 2008). <i>Health Information Privacy Code 1994. Incorporating amendment and including revised commentary.</i> Wellington: Privacy Commissioner. • Office of the Privacy Commissioner. (undated) <i>Sharing personal information of families and vulnerable children. A guide for inter-disciplinary groups.</i> Wellington: Office of the Privacy Commissioner. • Ministry of Social Development. (undated). <i>Safer organisations, safer children. Guidelines for child protection policies to build safer organisations. Children's Action Plan. Identifying, supporting and protecting vulnerable children.</i> Wellington: Ministry of Social

Category Service Delivery	Approved By General Manager		Date March 2016	Page Page 9 of 10
-------------------------------------	---------------------------------------	---	---------------------------	-----------------------------

	<p>Development.</p> <ul style="list-style-type: none"> • Murphy, C., et al. (April 2013). <i>Understanding connections and relationships: Child maltreatment, intimate partner violence and parenting. NZ Family Violence Clearing House. Issues Paper 3</i> Auckland: University of Auckland. • NZ Family Violence Clearinghouse. (April 2013). <i>Policy and practice implications: Child maltreatment, intimate partner violence and parenting. Issue Paper 4.</i> Auckland: University of Auckland. • NZ Family Violence Clearinghouse. (April 2013). <i>Understanding connections and relationships: Child maltreatment, intimate partner violence and parenting. Issue Paper 3.</i> Auckland: University of Auckland. • Vulnerable Children (Requirements for Safety Checks of Children’s Workers). Regulations 2015 made under Vulnerable Children’s Act 2014.
--	---

<p>Category Service Delivery</p>	<p>Approved By General Manager</p>		<p>Date March 2016</p>	<p>Page Page 10 of 10</p>
---	---	---	-----------------------------------	--------------------------------------