

# Child Protection

<b>1.0 PURPOSE</b> .....	<b>2</b>
<b>2.0 POLICY PRINCIPLES</b> .....	<b>2</b>
<b>3.0 DEFINITIONS</b> .....	<b>3</b>
<b>4.0 IDENTIFYING CHILD ABUSE AND NEGLECT</b> .....	<b>6</b>
<b>5.0 OVERVIEW OF CHILD SAFE PRACTICE GUIDELINES</b> .....	<b>7</b>
<b>6.0 CONFIDENTIALITY AND INFORMATION SHARING</b> .....	<b>8</b>
<b>7.0 RELATED DOCUMENTATION AND REVIEW</b> .....	<b>8</b>
<b>8.0 DISCLOSURE OR ALLEGATION OF ABUSE BY A STAFF MEMBER</b> .....	<b>10</b>
<b>9.0 RESOURCES</b> .....	<b>11</b>
<b>10.0 APPENDIX 1 DISCLOSURE OF ABUSE OR NEGLECT</b> .....	<b>12</b>

## 1.0 Purpose

Iosis is committed to both protecting and promoting the well-being of children and young persons aged 18 years and under, **and** ensuring that the interests of a child or young person is the **paramount focus** when any decisions or action are required in response to **all** suspected or identified allegations of abuse and/or neglect.

Iosis recognises that issues related to abuse and/or neglect are typically complex, present differently and often fraught with challenges and that adhering to an agency framework that guides and directs how the agency responds is imperative. . The intent of this Child Protection Policy is to provide a framework which will guide and direct all decisions and/or actions that Iosis must follow in situations of all suspected or identified allegations of abuse and/or neglect. Therefore, when potential abuse and/or neglect may be recognised adhering to the principles within this Child Protection Policy will provide a systemic safety network for all involved.

This policy is a living document and applies to **all** Iosis employees, volunteers, foster carers, students, contractors. This policy is intended to protect **all** children, including siblings, extended whanau/family, friends and/or the children of adults accessing services and any other children encountered through the day to day work of Iosis personnel.

At the time of writing this policy Iosis **Designated Person for Child Protection**, is **Michele Efaraimo**. **Michele Efaraimo** will be responsible for the maintenance and annual review of this policy, in addition to carrying out the responsibilities outlined in this policy.

A digital copy of this policy can be found on the Iosis website at [www.iosis.org.nz/our-work/approach](http://www.iosis.org.nz/our-work/approach).

This policy will be reviewed yearly and/or when new legislation is introduced.

This policy directly aligns with current Ministry of Vulnerable Children (Oranga Tamariki) guidelines, Police guidelines and is underpinned by the Children's Action Plan. .

## 2.0 Policy principles

Iosis Chief Executive Officer and Senior Management Team is committed to ensuring that this Child Protection Policy is a living document that guides Iosis as an agency and that the paramount needs of children is a fundamental prerequisite for all Iosis personnel. The Chief Executive Officer and Senior Management Team is committed to ensuring that:

1. All employees, contractors, students, volunteers, receive training and ongoing support on skills and knowledge required to appropriate response to, manage identified and suspected child abuse and neglect.
2. That the child protection policy and procedures comply with legislative requirements, the principles of the Treaty of Waitangi and best practice standards.
3. Agency -wide procedures exist to provide appropriate, adequate support for, and supervision of, staff affected by child abuse and neglect.
4. The rights, welfare and safety of the child/ tamariki, young person/rangatahi are Iosis first and paramount consideration.

5. All services and support provided by Iosis **must** contribute to the nurturing and protection of children and advocate for them.
6. All services and support for the care and protection of children within Iosis **must** be built on a bicultural partnership in accordance with the Treaty of Waitangi.
7. Māori children/tamariki, young people/rangatahi will receive an assessment and support within a culturally safe environment, that meets their needs.
8. All Iosis personnel will not assume responsibility beyond the level of their experience and training.
9. All Iosis personnel will have access to the training and resources they need to ensure they apply the principles of this policy within their day to day work.
10. Iosis will always act on the recommendations of statutory agencies, including Oranga Tamariki and the Police.
11. Iosis will always seek to work in partnership with families/whānau when suspected or actual abuse is alleged. However, in circumstances where there is serious or imminent risk of harm Iosis Child Protection Co-ordinator has the delegation to directly liaise with the statutory agency and or NZ police.

**To ensure that objectives of the Child Protection Policy can be adhered to, the Iosis Chief Executive Officer has appointed a Child Protection Coordinator and a Child Protection Team. The Child Protection Coordinator, with the support of the Child Protection Team have the responsibility to:**

- Review the Child Protection Policy and procedure as required.
- Develop a training plan and ensure initial refresher and advanced training of staff is available yearly.
- Ensure documentation tools are in place and accessible to staff for the recording of care and protection concerns
- Ensure evaluation processes are in place to assess child protection policy, processes and practice. E.g. performance appraisals, supervision, team and management meetings
- Develop functional internal and external relationships with key stakeholders (government, local government and community-based organisations).
- Provide support, resources and advice to staff regarding child abuse and neglect.

**All Iosis personnel are required to**

- Be conversant with Iosis Child Protection Policy and related policies.
- Attend initial training, refresher training and regular updates appropriate to their area of work.

- Seek advice when child abuse is suspected or identified and adhere to the principles and guidelines within this policy.

### 3.0 DEFINITIONS

To assist with clarity and reduce any potential confusion a list of key terms and concepts has been defined. These definitions provide a framework to reduce potential confusion within the agency and to strengthen team work across the wider agency. Definitions are as follows:

#### 3.1. Definitions of general terms:

- Abuse** – the harming (whether physically, emotionally or sexually), ill-treatment, neglect or deprivation of any child.
- Neglect** – the persistent failure to meet a child’s basic physical or psychological needs, leading to adverse or impaired physical or emotional functioning or development.
- Child** – any child or young person aged under 18 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 the 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 the child protection policy.
- Disclosure** – information given to a staff member by the child, parent or caregiver or third party in relation to abuse or neglect.
- Ministry of Vulnerable Children-Oranga Tamariki** – the agency responsible for investigating and responding to suspected abuse and neglect and for providing a statutory response to children found to be in need of care and protection.
- New Zealand Police** – the agency responsible for responding to situations where a child is in immediate danger and for working with Oranga Tamariki in child protection work, including investigating cases of abuse or neglect where an offence may have occurred.
- Children’s services** – any organisation that provides services to children or to adults where contact with children may be part of the service. These organisations should have child protection policies. Organisations that provide services to adults who may be caring for or parenting children should also consider developing a policy, e.g., adult mental health and addiction services.
- Safer recruitment** – following good practice processes for pre-employment checking which help manage the risk of unsuitable persons entering the children’s workforce.
- Standard safety checking** – the process of safer recruitment that will be mandatory for organisations covered by the Vulnerable Children Act 2014.
- Workforce restriction** – a restriction on the employment or engagement of people with certain specified convictions under the Vulnerable Children Act 2014.

m. **Children's workforce/children's workers** – people who work with children, or who have regular contact with children, as part of their roles.

### 3.2 Definitions of what constitutes abuse and neglect:

a. **Physical abuse** – any acts that may result in the 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.

b. **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.

c. **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.

d. **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).

### 3.3. Given the link between family violence, intimate partner violence and child abuse, it is also important to understand these terms:

a. **Family violence** has been defined by the NZ Family Violence Clearinghouse as 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; Issues Papers 3 & 4 April 2013).

b. **Family violence** is also defined in Te Rito, the NZ Family Violence Prevention Strategy, as covering a broad range of controlling behaviours, commonly of a physical, sexual and/or psychological nature that typically involve fear, intimidation or emotional deprivation. It occurs within a variety of close interpersonal relationships, such as between partners, parents and children, siblings, and in other relationships where significant others are not part of the physical household but are part of the family and/or are fulfilling the function of family.

**Common forms of violence in families/whānau include:**

- Spouse/partner abuse (violence among adult partners).
- Child abuse/neglect (abuse/neglect of children by an adult).
- Elder abuse/neglect (abuse/neglect of older people aged approximately 65 years and over, by a person with whom they have a relationship of trust).
- Parental abuse (violence perpetrated by a child against their parent); sibling abuse (violence among siblings), (Te Rito – NZ Family Violence Prevention Strategy, Ministry of Social Development, 2002).

c. **A legal definition of family violence** is provided in Section 3 of the Domestic Violence Act 1995.

d. **Intimate partner violence** is a subset of family violence. The NZ Family Violence Clearinghouse states that intimate partner violence includes physical violence, sexual violence, psychological/emotional abuse, economic abuse, intimidation, harassment, damage to property and threats of physical or sexual abuse towards an intimate partner (NZ Family Violence Clearinghouse; Issues Papers 3 & 4 April 2013)

#### **4.0 Identifying Child Abuse and Neglect**

Iosis approach to identifying abuse and/or neglect must be consistent and adhere to best practice and decisions must not be made in isolation. Identification of abuse and/or neglect within the agency of Iosis will be directly 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.
- We understand when we are concerned a child is showing signs of potential abuse or neglect we must not act alone that we need to make contact with the Designated Person for Child Protection in a timely manner and focus on the paramount needs of the child or young person.
- We acknowledge there are different definitions of abuse, the important thing is to consider overall wellbeing and the risk of harm to the child or young person. It is not so important to be able to categorise the type of abuse and/or neglect.
- 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.

#### **4.1 Recognising Signs of Potential Abuse and/or Neglect**

Iosis recognises that there are different definitions and categories of abuse and at times the attempt to define or categorise the type of abuse or neglect may detract from the decision and actions that are required to ensure the well-being and safety of the child is the paramount focus. As an agency we are committed to remain focused on the overall wellbeing and the risk of harm to the child, rather than attempting to define or categorise the type of abuse or neglect.

Iosis is committed to the empowerment of all personnel to act on suspected abuse and neglect, even when the symptoms or patterns of symptoms are subtle, while avoiding adhering to stereotypes and making assumptions. Indicators of potential abuse and/or neglect are as follows:

#### **4.1. Indicators of potential abuse:**

- *Physical signs* (e.g., unexplained injuries, burns, fractures, unusual or excessive itching, genital injuries, and 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).

#### **4.2. Indicators 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 problems, low self-esteem, obsessive behaviour, inability to cope in social situations, sadness/loneliness and evidence of self-harm).or skin disorders or other untreated medical issues).

#### **4.3 Responding to a child when the child discloses abuse**

Disclosures by children are often subtle and need to be handled with particular care, including an awareness of the child's cultural identity and how that affects interpretation of their behaviour and language.

Process to follow in these situations is provided on the flowchart on Appendix 1 of this policy

#### **4.4 Allegations or concerns about Iosis personnel**

All matters involving allegations against Iosis personnel staff must be escalated with urgency and within a 2 hour time frame to the Iosis Chief Executive Officer.

Process to follow in these situations is provided on the flowchart on page 9 of this policy.

#### **4.5 Recruitment and employment (safety checking)**

Our recruitment policy reflects a commitment to child protection by including comprehensive screening procedures. Safety checks will be carried out, as required by the Vulnerable Children's Act 2014.

#### **5.0 Overview of Child Safe Practice Guidelines**

Iosis commits to ensuring that children's paramount safety and protection guides and directs how all Iosis personnel engage and interact with children. Key principles that underpin child safe practice are as follows:

A detailed child safety plan that guides the engagement and interactions with a child or young person. That this child safety plan is documented, signed by the Child Protection Coordinator and counter signed by a member of the Child Protection Team.

Wherever possible an open door policy for all spaces should be used.

When a child and or young person is on Iosis premises and/or are being cared for by an Iosis personnel, it is imperative that there is an appointed adult who has the sole responsibility of being aware of where the child and or young person is at all times.

All visitors on Iosis sites must be monitored at all times by a designated Iosis personnel

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

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

#### **6.0 Confidentiality and information sharing (including current legislation)**

The Designated Child Protection Coordinator will seek advice from Oranga Tamariki and/or the Police before identifying information about an allegation is shared with anyone.

- Under sections 15 and 16 of the Children, 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 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 with the support of the Designated Child Protection Coordinator, 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 also be made to the Police or Oranga Tamariki under sections 15 and 16 of the Children, Young Persons, and Their Families Act 19897.

## **7.0 Related Documentation and Review**

This Child Protection Policy must not be read in isolation from other Iosis policies and documents. This Policy provides a framework that aligns with policies including general human resources policies, (complaints, performance reviews), policies around safer recruitment and those regulating risk management, e.g. policies on transporting children, incident reporting.

Reviews of the Child Protection Policy will occur at least yearly. The reviews will be the responsibility of the Designated Child Protection Coordinator supported by the Child Protection Team.

In line with best practice reviews should:

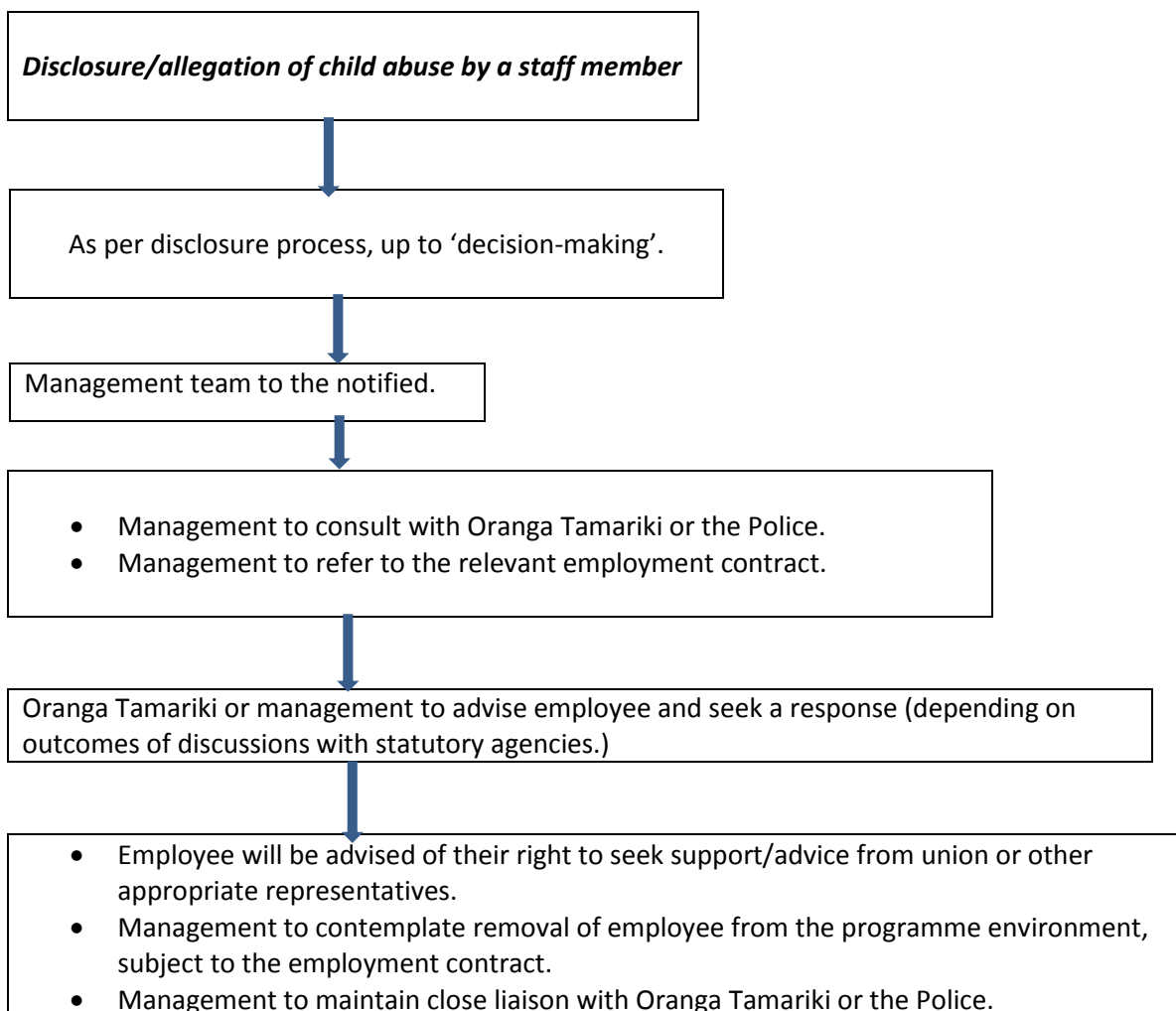
- include a formal consultation with Iosis personnel, managers and leaders
- consider how effective and responsive the policy has been
- consider developments in child protection theory
- include changes within legislation and newly introduced child policies

**Disclosure of abuse or neglect flow chart (please see Appendix 1)**

### When allegations are 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.

Resources:

Code of Health & Disability Services Consumers' Rights

<http://www.legislation.govt.nz/act/public/1993/0028/latest/DLM296639.html>

Children, Young Persons & Their Families Act 1989

<http://www.legislation.govt.nz/act/public/1989/0024/latest/DLM147088.html>

Domestic Violence Act 1995 and Amendments

<http://www.legislation.govt.nz/act/public/1995/0086/latest/DLM371926.html>

<http://www.legislation.govt.nz/act/public/2013/0077/latest/DLM5615637.html>

Vulnerable Children Act 2014

<http://www.legislation.govt.nz/act/public/2014/0040/latest/whole.html>

The White Paper for Vulnerable Children Volume II 2013 NZ Government

<http://www.msd.govt.nz/documents/about-msd-and-our-work/work-programmes/policy-development/white-paper-vulnerable-children/whitepaper-volume-ii-web.pdf>

Crimes Amendment Act (No 3) 2011

<http://www.legislation.govt.nz/act/public/2011/0079/50.0/DLM3650006.html>

What is Child Abuse? Child Matters

<http://www.childmatters.org.nz/42/learn-about-child-abuse/what-is-child-abuse>

"Children" Shine NZ

<http://www.2shine.org.nz/pregnancy-children-parenting>

NZAC Code of Ethics

[http://www.nzac.org.nz/code\\_of\\_ethics.cfm](http://www.nzac.org.nz/code_of_ethics.cfm)

Aotearoa NZ Association of Social Workers Code of Ethics

[http://anzasw.org.nz/documents/0000/0000/0664/Chapter\\_3\\_Code\\_of\\_Ethics\\_Summary.pdf](http://anzasw.org.nz/documents/0000/0000/0664/Chapter_3_Code_of_Ethics_Summary.pdf)

Social Workers Registration Board Code of Conduct

<http://www.swrb.govt.nz/complaints/code-of-conduct>

## Appendix 1

